



## **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

**REGULAR MEETING  
FEBRUARY 12, 2019  
COUNCIL CHAMBERS, 735 ANACAPA**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this day.)

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Jason Dominguez, Eric Friedman, Oscar Gutierrez, Randy Rowse, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

### **CEREMONIAL ITEMS**

#### **1. Subject: Teen Dating Violence Awareness Month February 2019**

##### **Speakers:**

- Recipients: Christy Stilwell, What Is LOVE; Jan Campbell; Domestic Violence Solutions.
- Santa Barbara Youth Council: Marco Antonio Palmerin Pina; Sean Broeffle.

Action: Proclamation presented to What is LOVE, and Domestic Violence Solutions.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

Members of the Public: Phil Walker; Anna Marie Gott.

**CONSENT CALENDAR (Item Nos. 2 - 6)**

The title of the Ordinance related to Consent Items was read.

**Motion:**

Councilmembers Friedman/Rowse to approve the Consent Calendar as recommended.

**Vote:**

Unanimous roll call vote.

**2. Subject: Introduction Of An Ordinance Establishing Deputies To Issue Citations For Illegal Parking In The City (520.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Section 10.08.120 Establishing Deputies to Issue Citations for Illegal Parking.

Speakers: Police Chief Lori Luhnnow.

Action: Approved the recommendation (February 12, 2019, report from the City Attorney; proposed Ordinance).

**3. Subject: December 31, 2018, Investment Report And December 31, 2018, Fiscal Agent Report (210.01)**

Recommendation: That Council:

- A. Accept the December 31, 2018, Investment Report; and
- B. Accept the December 31, 2018, Fiscal Agent Report.

Action: Approved the recommendations (February 12, 2019, report from the Finance Director).

**4. Subject: Mosquito And Vector Management District Board Emergency Recruitment Schedule (140.02)**

Recommendation: That Council:

- A. Approve the City Clerk's office to accept applications through Tuesday, March 5, 2019, at 5:00 p.m. to fill a vacancy on the Mosquito and Vector Management District Board;
- B. Conduct interviews of applicants for the vacancy during the Council Meeting on Tuesday, March 19, 2019; and

C. Make an appointment to fill the vacancy on Tuesday, March 19, 2019.

Action: Approved the recommendations (February 12, 2019, report from the Administrative Services Director).

## NOTICES

5. Subject: The City Clerk has on Thursday, February 7, 2019, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
6. Subject: Received a letter of resignation from Living Wage Advisory Committee member Ken Oplinger; the vacancy will be part of the next City Advisory Groups recruitment.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dominguez reported that the Committee unanimously accepted the December 31, 2018 Investment Reports and Fiscal Agenda Reports and the Committee further heard a report on solid waste rates.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### CITY ATTORNEY

7. **Subject: Paseo Nuevo Mall Renovation Project And Authorization To Negotiate Development Agreement (160.01)**

Recommendation: That Council receive a presentation regarding the Paseo Nuevo Mall Renovation Project (excluding the Macy's and Nordstrom Parcels) and authorize staff to proceed with negotiation and preparation of a development agreement with Paseo Nuevo Owners LLC., as provided in the term sheet.

#### Documents:

- February 12, 2019, report from the City Attorney.
- PowerPoint presentation prepared and made by Staff.

#### Speakers:

- Staff: Community Development Director George Buell;
- Members of the Public: Carrie Kelly, Downtown Santa Barbara; Mark Whitehurst, Santa Barbara Downtown Organization; Anna Marie Gott.

#### Motion:

Councilmembers Rowse/Friedman to approve the staff recommendations.

Vote:

Unanimous roll call vote.

## PUBLIC WORKS DEPARTMENT

### **8. Subject: Update On The City-Wide Strategic Energy Plan (630.06)**

Recommendation: That Council receive an update on the progress of the City-Wide Strategic Energy Plan and provide input for consideration in future drafts.

Documents:

- February 12, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Administrative Analyst Alelia Parenteau; Facility and Energy Manager Mike Wiltshire.
- Consultants: Byron Pakter, Optony, Inc.
- Members of the Public: Phil Walker; Bonnie B. Raisin; Katie Davis, Sierra Club; Michael Chiacos, Community Environmental Council.

Discussion:

- Topics covered included solar arrays; School District energy projects; LED lighting; and electric car charging. Councilmembers' questions were answered.

### **9. Subject: Update On The Regulation Of Powered Scooter Share Services (530.01)**

Recommendation: That Council direct staff to return to Council with appropriate amendments to Chapter 10.53 to establish permanent regulations for a powered scooter share business including a permitting program that specifies requirements for safer operation and technology that prevents scooter operation on sidewalks.

Documents:

- February 12, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Transportation and Parking Manager Rob Dayton; Parking Resources Specialist Sarah Clark; Assistant City Attorney Dan Hentschke.
- Members of the Public: Frank Peters, Santa Barbara Bicycle Coalition; Kim Pluth, Bird; Josh Gray, Spin; Karla Owunwanne, Lime; Anna Marie Gott; Ray Mahboob.

Discussion:

- Discussion ensued on topics including safety. Councilmembers' questions were answered.

Motion:

Councilmembers Dominguez/Friedman to approve the staff recommendation.

Vote:

Unanimous roll call vote.

**RECESS**

4:13 – 4:20 p.m.

**ADMINISTRATIVE SERVICES DEPARTMENT**

**10. Subject: Resolution Of Appointment To Fill District 6 Vacancy Until Special Election Due To The Resignation Of Gregg Hart (120.02)**

Recommendation: That Council:

- A. Conduct the recommended process included herein to select a candidate to fill the Council District 6 vacancy created from the resignation of Councilmember Gregg Hart;
- B. Upon selecting a person to fill the Council vacancy, adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Appointing a Member to Fill the District 6 Vacancy Due to Councilmember Gregg Hart's Resignation; and
- C. Request the City Clerk to administer the Oath of Office to the person selected to fill the District 6 Council vacancy until the winner of the November 5, 2019 election for this position has taken office.

Documents:

- February 12, 2019, report from the Administrative Services Director.
- February 12, 2019, letter from Santa Barbara Stakeholders.

Speakers:

- Members of the Public: Jennifer Smith; Anna Marie Gott.

Nominees:

Brittany Heaton, Meagan Harmon, Julia Lara.

Vote:

For Heaton: Councilmembers Gutierrez, Friedman, Mayor Murillo.  
For Harmon: Councilmembers Rowse, Sneddon, Dominguez.  
For Lara: No votes.

**Nominees:**

Brittany Heaton, Meagan Harmon.

**Vote:**

For Heaton: Councilmembers Friedman, Gutierrez, Mayor Murillo.

For Harmon: Councilmembers Rowse, Sneddon, Dominguez.

**Nominees:**

Gina Fischer, Brittany Heaton, Meagan Harmon.

**Vote:**

For Fischer: No votes.

For Heaton: Councilmembers Friedman, Gutierrez.

For Harmon: Councilmembers Sneddon, Dominguez, Rowse, Mayor Murillo.

**Motion:**

Councilmembers Friedman/Rowse to appoint Meagan Harmon by acclamation; Resolution No. 19-008.

**Vote:**

Unanimous roll call vote.

**Appointment:**

Meagan Harmon was appointed.

City Clerk Services Manager Gorman administered the Oath of Office to Ms. Harmon.

**RECESS**

5:50 p.m. – 6:07 p.m.

**COUNCIL AND STAFF COMMUNICATIONS**

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Gutierrez attended the following events or meetings: 1. Santa Barbara Youth Council meeting.
- Councilmember Sneddon attended the following events or meetings: 1. National Women in Sports Day panel.
- Mayor Murillo attended the following events or meetings: 1. Domestic violence solutions luncheon; 2. Mariachi Festival fundraiser; 3. Plumbers and Pipefitters apprenticeship contest; 4. Home For Good meeting regarding day services; 5. Puerto Vallarta Sister Cities group dinner; 6. Installation of Latina Professional Alliance; 7. Chamber awards luncheon.

**PUBLIC COMMENT (IF NECESSARY)**

**RECESS**

The Mayor recessed to closed session at 6:10 pm and stated that no reportable action is anticipated.

**CLOSED SESSIONS**

**11. Subject: Conference With Real Property Negotiators Regarding The Leasing And Subleasing Of A Portion Of 120 State Street (330.03)**

Recommendation: That Council hold a closed session pursuant to Government Code Section 54956.8 to provide direction to the Community Development Director and to the City Attorney regarding the leasing and subleasing of a portion of the real property located at 120 State Street.

Real Property: A leasable space within 120 State Street (APN 033-081-130; Lot C of Final Map No. 20,685), Santa Barbara, California.

City Negotiators: Paul Casey, City Administrator; Ariel Calonne, City Attorney; Sarah Knecht, Assistant City Attorney; and George Buell, Community Development Director.

Negotiating Party: Doug Fell, on behalf of 35 State Street Hotel Partners, LLC (Leasing)

Negotiating Party: Kathy Janega-Dykes, on behalf of Visit Santa Barbara (Subleasing)

Under Negotiation: Price and terms of lease/sublease

Scheduling: Duration, 15 minutes; anytime  
Report: None anticipated

Documents:  
- February 12, 2019, report from the City Attorney.

Time: 6:15 p.m. – 6:20 p.m.

No report made.

**12. Subject: Conference With City Attorney – Existing Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

The pending litigation is Rolland Jacks, et al., v. City of Santa Barbara SBSC Case No. 1383959.

Scheduling: Duration, 15 minutes; anytime  
Report: None anticipated

Documents:  
- February 12, 2019, report from the City Attorney.

Time: 6:50 p.m. – 6:55 p.m.

No report made.

**13. Subject: Conference With City Attorney – Existing Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

The pending litigation is SGSB, Inc. v. City of Santa Barbara SBSC Case No. 18CV04923.

Scheduling: Duration, 15 minutes; anytime  
Report: None anticipated

Documents:  
- February 12, 2019, report from the City Attorney.

Time: 6:20 p.m. – 6:50 p.m.

No report made.

**14. Subject: Conference With City Attorney – Existing Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

The pending litigation is Anna Marie Gott v. City of Santa Barbara, et al., SBSC Case No. 18CV03344.

Scheduling: Duration, 15 minutes; anytime  
Report: None anticipated  
Documents:  
- February 12, 2019, report from the City Attorney.

Time: 6:55 p.m. – 7:15 p.m.

No report made.


### ADJOURNMENT

Mayor Murillo adjourned the meeting at 7:15 p.m. in the memory of Kathy Feldman.

Approved and adopted by the City Council of the City of Santa Barbara on March 19, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

  
\_\_\_\_\_  
CATHY MURILLO  
MAYOR

ATTEST:

  
\_\_\_\_\_  
SARAH GORMAN  
CITY CLERK SERVICES MANAGER

