



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
JULY 23, 2019
COUNCIL CHAMBERS, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:03 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance 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, Meagan Harmon, 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.

CHANGES TO THE AGENDA

Mr. Casey announced that closed session Item #19, Conference With Labor Negotiator, will be continued until next week's meeting.

PUBLIC COMMENT

Members of the Public: Caroline Abate; Monica Christina Ramirez, C.A.R.R.M.A.; Phil Walker; Michael Baker, United Boys and Girls Club; Mark Marshall Wofford, YMCA and Surfrider Foundation.

CONSENT CALENDAR (Item Nos. 1-15)

The titles of the Ordinances and Resolutions related to the Consent Items were read.

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Introduction Of Ordinance For Outdoor Dining License Annual Fee (530.04)

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 Municipal Code by Amending Section 9.95.080 Relating to Outdoor Dining Licenses.

Action: Approved the recommendation (July 23, 2019, report from the Public Works Director; proposed Ordinance).

2. Subject: Extension Of Memorandum Of Understanding With Hourly Bargaining Unit (440.02)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5805, the 2017-2019 Memorandum of Understanding with the Hourly Employees' Bargaining Unit, to Extend the Term of the Agreement Through June 30, 2020 and Provide Pay Rate Increases for Certain Classifications.

Action: Approved the recommendation (July 23, 2019, report from the City Administrator; proposed Ordinance).

3. Subject: Adoption Of Ordinance Of The Council Of The City Of Santa Barbara Approving A Fourth Amendment To Lease Agreement No. 200846 Between The City And Mercury Air Center Santa Barbara Inc. DBA Atlantic Aviation, A California Corporation (560.01)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a Fourth Amendment to Lease Agreement No. 200846 Between the City and Mercury Air Center Santa Barbara, Inc. DBA Atlantic Aviation, a California Corporation.

Action: Approved the recommendation; Ordinance No. 5889, Agreement No. 26,506.

4. Subject: Adoption Of Ordinance Amendments To Chapter 30.150 For Inclusionary Rental Housing (660.01)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 30.150 of the Santa Barbara Municipal Code Pertaining to Inclusionary Housing Requirements for the Average Unit-Size Density Incentive Program.

Action: Approved the recommendation: Ordinance No. 5890.

5. Subject: Resolution Of The Council Of The City Of Santa Barbara Implementing Section 414(h)(2) Of The Internal Revenue Code With Regard To CALPERS Pension Cost Sharing Under Government Code Section 20516(f) (430.08)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Implementing Section 414(h)(2) of the Internal Revenue Code with Regard to CalPERS Pension Cost Sharing Under Government Code Section 20516(f).

Action: Approved the recommendation; Resolution No. 19-052 (July 23, 2019, report from the City Administrator; proposed Resolution).

6. Subject: Records Destruction For Waterfront Department (570.03)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Waterfront Department in the Waterfront Office.

Action: Approved the recommendation; Resolution No. 19-053 (July 23, 2019, report from the Waterfront Director; proposed Resolution).

7. Subject: Increase To Maximum Hourly Rate For Limited Or Temporary Hourly Classifications (410.06)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 19-041, the Position and Salary Control Resolution for Fiscal Year 2020, Affecting the Maximum Hourly Rate of Limited or Temporary Hourly Classifications, Effective July 30, 2019.

Action: Approved the recommendation; Resolution No. 19-054 (July 23, 2019, report from the City Administrator; proposed Resolution).

8. Subject: Sole Source Purchase Order With Metropolitan Transit District For Cruise Ship Shuttle Service (570.03)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.060(H), and authorize the General Services Manager to issue a purchase order in an amount not to exceed \$70,000 to Metropolitan Transit District for Cruise Ship Shuttle Service for Fiscal Year 2020.

Action: Approved the recommendation (July 23, 2019, report from the Waterfront Director).

9. Subject: Sole Source Contract For SCADA Computer System Maintenance (540.01)

Recommendation: That Council:

- A. Authorize the sole source purchase of services as authorized by Santa Barbara Municipal Code 4.52.070(K); and
- B. Authorize the Public Works Director to execute a services contract with Pacific Rim Automation, Inc., in the amount of \$426,000 to provide SCADA computer system maintenance services; and authorize the Public Works Director to approve up to \$40,000 in extra services for Pacific Rim Automation, Inc., to provide additional unanticipated SCADA computer system maintenance.

Action: Approved the recommendations; Agreement No. 26,507 (July 23, 2019, report from the Public Works Director).

10. Subject: Contract With The Chamber Of The Santa Barbara Region To Support Visitor Information Center Operations At 1 Garden Street (180.01)

Recommendation: That Council authorize the City Administrator to execute an annual community promotion contract with The Chamber of the Santa Barbara Region in an amount of \$59,500 to support year-round expenses of the Visitor Information Center at 1 Garden Street covering the period from July 1, 2019 to June 30, 2020.

Action: Approved the recommendation; Agreement No. 26,508 (July 23, 2019, report from the City Administrator).

11. Subject: Contract With Visit Santa Barbara For Tourism Marketing Services (180.02)

Recommendation: That Council authorize the City Administrator to execute an annual community promotion contract with Visit Santa Barbara to provide marketing services that promote Santa Barbara as a tourism destination, in an amount of \$1,380,000.

Action: Approved the recommendation; Agreement No. 26,509 (July 23, 2019, report from the City Administrator).

12. Subject: Contract For Design Of The U.S. 101 State Street Undercrossing Project (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Bengal Engineering in the amount of \$836,586 for design services of the U.S. 101 State Street Undercrossing Project, and authorize the Public Works Director to approve expenditures of up to \$83,662 for extra services of Bengal Engineering that may result from necessary changes in the scope of work;
- B. Accept Active Transportation Program grant funding, and authorize the increase in appropriations and estimated revenues in the Streets Grant Capital Fund in the amount of \$412,000 for the participating share of the Project Approval and Environmental Documentation phase of the design of the U.S. 101 State Street Undercrossing Project;
- C. Approve the allocation of available appropriations in the Fiscal Year 2020 Pavement Maintenance Program in the Measure A Capital Fund in the amount of \$46,000, and authorize the transfer of such funds to the Streets Grant Capital Fund; and
- D. Approve an increase in appropriations and estimated revenues in the Fiscal Year 2020 Streets Grant Capital Fund in the amount of \$46,000, funded by a transfer from the Measure A Capital Fund, for the Phase 1 design costs not covered by the grant.

Action: Approved the recommendations; Agreement No. 26,510 (July 23, 2019, report from the Public Works Director).

13. Subject: Rejection Of The Santa Barbara Airport Security System Rehabilitation Project Bids, Bid No. 3957 (560.04)

Recommendation: That Council reject all bids for construction of the Santa Barbara Airport Security System Rehabilitation Project, and direct staff to re-bid the project.

Action: Approved the recommendation (July 23, 2019, report from the Public Works Director).

14. Subject: Bureau Veritas Plan Check Services Contract Amendment (610.01)

Recommendation: That Council approve the Ninth Amendment to the Bureau Veritas Agreement 25,387 by \$100,000 for a total amount of \$1,119,000.

Action: Approved the recommendation; Agreement No. 25,387.9 (July 23, 2019, report from the Community Development Director).

NOTICES

15. Subject: The City Clerk has on Thursday, July 18, 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.

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Sneddon reported that the Committee unanimously voted to forward a recommendation to Council to change the Municipal Code regarding park closing times, use of playground facilities, use of barbecues and stoves, and extension of off-leash dog park regulations to the MacKenzie Park off-leash dog park.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

16. Subject: Work Session On The Strategic Energy Plan And Evaluation Of The Feasibility Of Establishing Community Choice Energy (630.02)

Recommendation: That Council:

- A. Receive a report from staff on the feasibility of establishing community choice energy in all or part of Santa Barbara County;
- B. Receive a report from staff on the final draft of the Strategic Energy Plan to Achieve Council's 100 Percent Renewable Electricity Goal;
- C. Direct staff to bring the Strategic Energy Plan to Council for consideration of adoption, including any changes suggested by Council during deliberations; and
- D. Direct staff to bring to Council, for consideration of approval, a professional services agreement with the California Choice Energy Authority, for the development of an implementation plan to form a community choice energy entity comprised solely of the City of Santa Barbara and offering 100 percent renewable energy to its customers.

Documents:

- July 23, 2019, report from the City Administrator.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Senior Assistant to the City Administrator Matthew Fore; Administrative Analyst Alelia Parenteau; Assistant City Attorney Sarah Knecht.
- California Choice Energy Authority: Barbara Boswell.
- Members of the Public: Vijaya Jammalamadaka, League of Women Voters of Santa Barbara; Michael Chiacos, Community Environmental Council; Phil Walker; Bonnie Raisin.

Motion:

Councilmembers Friedman/Sneddon to approve the staff recommendations.

Vote:

Unanimous roll call vote.

CITY ATTORNEY

PUBLIC HEARING

17. Subject: Mobilehome Park Conversion Regulations Update: Proposed Amendments To SBMC Section 30.185.290 And Related Title 27 Subdivision Provisions (660.01)

Recommendation: That Council:

- Introduce, and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Section 30.185.290 of the Santa Barbara Municipal Code Pertaining to Mobilehome and Permanent Recreational Vehicle Park Conversion Regulations;
- 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 Adding Chapter 27.50 Pertaining to Subdivision Conversion of Mobilehome and Permanent Recreational Vehicle Parks to Resident Ownership;
- Introduce, and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Section 27.03.010 of the Santa Barbara Municipal Code to Designate the Chief of Building and Zoning as the Advisory Agency for Subdivisions Involving the Conversion of Mobilehome and Permanent Recreational Vehicle Parks to Another Use or to Resident Ownership; and

- D. Introduce, and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Section 27.07.030 of the Santa Barbara Municipal Code to Establish Subdivision Procedures for Conversions of Mobilehome and Permanent Recreational Vehicle Parks.

Public Hearing opened: 3:59 p.m.

Documents:

- July 23, 2019, report from the City Attorney.
- PowerPoint presentation prepared and made by staff.
- Proposed Ordinances.
- July 22, 2019, letter from Lindsey Baker.

Speakers:

- Staff: City Attorney Ariel Calonne.
- Members of the Public: Rosalba Cordova; Chris Barros.

Interpreter Carlos Cerecedo stated that he was available to interpret for Spanish speakers for their speaking to Council.

Public Hearing closed: 4:27 p.m.

Motion:

Councilmembers Dominguez/Friedman to approve the staff recommendations with a 25 mile radius.

Vote:

Unanimous roll call vote.

RECESS

4:32 p.m. - 4:42 p.m.

ADMINISTRATIVE SERVICES DEPARTMENT

18. **Subject: Council Action Options For The Proposed Initiative Measure To Eliminate Zoning Information Reports By Repealing Santa Barbara Municipal Code Section 28.87.220 And Related Code Sections (110.03)**

Recommendation: That Council provide direction and take action on one or more action options for the Proposed Initiative Measure to Eliminate Zoning Information Reports by Repealing Santa Barbara Municipal Code Section 28.87.220 and Related Code Sections, including but not limited to the following:

1. Take action to initiate General Plan and Zoning text amendments by approving the accompanying resolution entitled, A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA INITIATING GENERAL PLAN AND ZONING TEXT AMENDMENTS IN RESPONSE TO AN INITIATIVE PETITION TO REPEAL ORDINANCES RELATING TO ZONING INFORMATION REPORTS; and/or
2. Place the ZIR Initiative on the ballot by approving the accompanying resolution entitled, A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA CALLING AND GIVING NOTICE OF THE HOLDING OF A SPECIAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF SANTA BARBARA ON TUESDAY, NOVEMBER 5, 2019 FOR THE SUBMISSION TO THE VOTERS OF AN INITIATIVE MEASURE PERTAINING TO THE REPEAL OF THE CITY'S ZONING INFORMATION REPORT ORDINANCE; and/or
3. Take concurrent and immediate action to direct an administrative suspension of the ZIR program through reallocation of FY 2020 appropriated resources or otherwise.

Documents:

- July 23, 2019, report from the City Attorney.
- PowerPoint presentation prepared and made by staff.
- Proposed Resolutions.
- A Resolution of the Council of the City of Santa Barbara Initiating Zoning Text Amendments to Convert the Zoning Information Report Program Into a Records Disclosure Law.
- July 21, 2019, email from Anna Marie Gott.
- July 22, 2019, email from Paulina Conn.
- July 23, 2019, letter from Allied Neighborhood Association.

Speakers:

- Staff: City Attorney Ariel Calonne.
- Members of the Public: Thomas Schultheis, Santa Barbara Association of Realtors and Santa Barbara Realtors Protecting Homeowners; Jarrett Gorin; Marita Hawryluk; Mary Turley, Allied Neighborhoods Association; Vijaya Jammalamadaka, League of Women Voters of Santa Barbara; Steve Epstein, SBAOR, Chamber of Commerce; Roy Harthorn; Bob Hart.

Motion:

Councilmembers Rowse/Harmon to move that: 1. the Council direct an immediate administrative suspension of the ZIR program through reallocation of FY 2020 appropriated resources or otherwise as the City Administrator sees fit; the staff and City Attorney are also directed and authorized to provide such assistance as is necessary for real estate brokers, agents, sellers and buyers in order to implement the administrative suspension without negative impacts on current transactions; and 2. that

the Council waive full reading and adopt a Resolution of the Council of the City of Santa Barbara Initiating Zoning Text Amendments to Convert the Zoning Information Report Program into a Records Disclosure Law.

Vote:

Majority roll call vote (Noes: Councilmember Sneddon, Mayor Murillo).

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Visit Santa Barbara board meeting; 2. Veterans Housing and Homeless Prevention; 3. Latino Business Awards; and 4. Coastal Cities Group of League of Cities.
- Councilmember Friedman attended the following events or meetings: 1. Community Choice Energy subcommittee meeting; 2. Arts Advisory Committee; 3. BEACON meeting; and 4. Maritime Museum annual lunch.
- Councilmember Sneddon attended the following events or meetings: 1. Sustainability subcommittee meeting with intern Emily Hay; 2. Community Choice Energy subcommittee meeting; 3. Creeks Committee meeting; 4. AUD public workshop at City Library; 5. Water Commission meeting; 6. Old Spanish Days meeting with El Presidente; 7. Maritime Museum event; 8. COMB meeting; 9. Updates on emergency pumping; and 10. Casa de la Raza board member meeting.
- Mayor Murillo attended the following events or meetings: 1. South Coast Task Force on Youth Safety; 2. SBCAG meeting; 3. Home For Good pop up day center for homeless at Christ Presbyterian Church; 4. Sustainability subcommittee meeting; and 5. Community Choice Energy subcommittee meeting.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSION

19. Subject: Conference With Labor Negotiator (440.05)

This item was continued to a July 30, 2019 meeting.

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City Negotiators Pamela Antil, Assistant City Administrator, Sam Ramirez, HR Analyst II, and Oliver Yee of Liebert Cassidy Whitmore, regarding negotiations with the Santa Barbara City Firefighters Association, Santa Barbara City Employees' Association (General Bargaining Unit), Local 620 Service Employees' International Union, Santa Barbara City Employees' Association (Hourly Bargaining Unit), Santa Barbara City Supervisory Employees, Santa Barbara Police Officers Association, and on employee salaries and fringe benefits applicable to Unrepresented Management and Confidential Employees.

Scheduling: Duration, 30 Minutes; anytime
Report: None anticipated

This item was not heard and was rescheduled for a meeting on July 30, 2019.


ADJOURNMENT

Mayor Murillo adjourned the meeting at 5:31 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on September 10, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER

