



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING  
OCTOBER 2, 2018  
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 meet at 12:30 p.m., met at 12:00 p.m. on this day.)

## **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

## **ROLL CALL**

Councilmembers present: Jason Dominguez, Eric Friedman, Oscar Gutierrez, Gregg Hart, 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: Employee Recognition – Service Award Pins (410.01)**

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through October 31, 2018.

Action: Service award pin presented to Plans Examiner Alison Baird for thirty years of service.

### **2. Subject: Housing America Month October 2018**

Action: Proclamation presented to the City of Santa Barbara Housing Authority.

## CHANGES TO THE AGENDA

### PUBLIC COMMENT

Members of the Public: Caroline; Phil Walker; Anna Marie Gott; Mark Marshall Wofford, YMCA Surf Rider Foundation; Ellen Bildsten, AIA; Cassandra Ensberg.

### CONSENT CALENDAR (Item Nos. 3 - 8)

The titles of the ordinances and resolutions related to Consent Items were read.

#### Motion:

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

#### Vote:

Unanimous roll call vote.

#### 3. **Subject: Minutes**

Recommendation: That Council waive reading and approve the minutes of the regular meeting of August 14, 2018, and the minutes of the special meetings of April 17, August 13, and August 14, 2018.

Action: Approved the recommendation.

#### 4. **Subject: Adoption of Ordinance for Lease Agreement With Santa Barbara Arts Collaborative For Community Arts Workshop Site At 631 Garden Street (330.04)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute a Twenty Five Year Lease Agreement with the Santa Barbara Arts Collaborative for the Development and Use of the City-Owned Property Located at 631 Garden Street as a Community Arts Workshop, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 5853; Agreement No. 26,281.

#### 5. **Subject: Software Maintenance For Regional Law Enforcement Data Sharing (520.04)**

Recommendation: That Council authorize the Chief of Police to execute a City Professional Services Contract with Forensic Logic for software maintenance and services for a period of one year for \$22,857, with two additional renewal options

that will be exercised at the City's sole discretion and subject to continued use of the systems and in accordance with approved budgets.

Action: Approved the recommendation; Agreement No. 26,282 (October 2, 2018, report from the Police Chief).

**6. Subject: Final Design Contract For The Andrée Clark Bird Refuge Restoration Project (570.05)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a Professional Services Agreement with Anchor QEA, LLC in the amount of \$428,400 to prepare technical studies, management plans, final design plans, and specifications for restoration of the Andrée Clark Bird Refuge; and
- B. Authorize the Parks and Recreation Director to approve expenditures of up to \$42,800 for extra services from Anchor QEA, LLC that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement No. 26,283 (October 2, 2018, report from the Parks and Recreation Director).

**7. Subject: Acceptance Of California Fire Foundation Grant (520.03)**

Recommendation: That Council:

- A. Accept a grant for \$4,386 from the California Fire Foundation for the purchase of wildland medical packs; and
- B. Increase estimated revenues and appropriations in the Fiscal Year 2019 Fire Equipment Replacement Budget in the amount of \$4,386 funded from the Foundation's grant.

Action: Approved the recommendations (October 2, 2018, report from the interim Fire Chief).

**8. Subject: Acceptance Of 2017 Assistance To Firefighters Grant (520.03)**

Recommendation: That Council:

- A. Accept a grant for \$93,200 from the United States Department of Homeland Security Fiscal Year 2017 Assistance to Firefighters Grant Program for the acquisition of 25 Automated External Defibrillators; and
- B. Increase estimated revenues and appropriations in the Fiscal Year 2019 Fire Equipment Replacement Budget in the amount of \$93,200.

Action: Approved the recommendations (October 2, 2018, report from the interim Fire Chief).

NOTICES

9. Subject: The City Clerk has on Thursday, September 27, 2018, posted the 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 FINANCE COMMITTEE**

Finance Committee Chair Hart reported that the Committee voted unanimously to approve debt forgiveness for a City loan for the City's Housing Authority's Garden Court project, which would extend affordability into the future. The item will be heard by Council.

### **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Sneddon reported that the Committee considered mobile home park conversion regulations, and heard staff plans for outreach. The item will be heard by Council.

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

#### CITY ADMINISTRATOR

10. **Subject: Resolution In Opposition To Proposition 6 To Preserve Transportation Funding (670.05)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara in Opposition to Proposition 6 on the November 2018 Ballot to Prevent the Loss of Transportation Funds Generated by Senate Bill 1.

The title of the Resolution was read.

#### Documents:

- October 2, 2018, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.
- Proposed Resolution.

#### Speakers:

- Staff: Senior Assistant to the City Administrator Matthew Fore; City Engineer Brian D'Amour.
- Santa Barbara Council of Governments: Executive Director Marjie Kirn.
- Members of the Public: Linda Foster; Bonnie Raisin; Tony Krejdovsky.

Motion:

Councilmembers Hart/Friedman to approve the staff recommendation;  
Resolution No. 18-078.

Vote:

Unanimous roll call vote (Abstain: Councilmembers Dominguez, Rowse).

ADMINISTRATIVE SERVICES DEPARTMENT

**11. Subject: Adoption Of Ordinance To Amend The CalPERS Contract For Police Management Cost Sharing (440.03)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the City Council of the City of Santa Barbara Authorizing an Amendment to the Contract Between the City of Santa Barbara and The Board Of Administration of the California Public Employees' Retirement System.

The title of the Ordinance was read.

Documents:

- October 2, 2018, report from the Administrative Services Director.
- PowerPoint presentation prepared and made by Staff.
- Proposed Ordinance.

Speakers:

- Staff: Human Resources Analyst Karla Torres.

Motion:

Councilmembers Rowse/Sneddon to approve the staff recommendation;  
Ordinance No. 5854; Agreement No. 26,270.

Vote:

Unanimous roll call vote.

AIRPORT DEPARTMENT

**12. Subject: Air Service Development Efforts At Santa Barbara Airport (560.01)**

Recommendation: That Council receive a presentation about the Airport's 2018-2019 objectives for maintaining and increasing air service options for residents and visitors to the Santa Barbara region.

Documents:

- October 2, 2018, report from the interim Airport Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Airport Business Development Manager Deanna Zachrisson.

- Campbell-Hill Aviation: Kevin Schorr.

Discussion:

- Staff and consultant Schorr discussed air service development efforts, including the economic benefits of air service, the airline decision making process, and catchment and leakage figures.

PUBLIC WORKS DEPARTMENT

**13. Subject: Stage Three Drought Update (540.05)**

Recommendation: That Council receive an update on the status of the current drought, water supply outlook, water demands, and continuing conservation efforts.

Documents:

- October 2, 2018, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark, Water Conservation Supervisor Madeline Wood; Public Works Director Rebecca Bjork.

Discussion:

- Council received a staff report on drought status, including conservation status, demand status, and water supply strategy. Council's questions were answered.

**QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM**

**PUBLIC HEARINGS**

**14. Subject: Appeal Of The Single Family Design Board's Project Design Approval And Final Approval With Conditions At 917 Paseo Ferrelo (640.07)**

Recommendation: That Council:

- A. Consider the appeal of Vanguard Planning Inc., representing Mark and Leigh Brinkman, of the Single Family Design Board's Project Design Approval and Final Approval with Conditions for Alterations to an Existing Single Residential Unit; and
- B. Direct staff to return to Council with decision and findings reflecting the outcome of the appeal.

Public Hearing opened: 4:09 p.m.

**Ex Parte Communications:**

- Councilmember Dominguez reported speaking with former owner Neil Dipaola.
- Councilmember Friedman received call from Neil Dipaola.
- Councilmember Hart received call from Neil Dipaola.
- Councilmember Rowse received call from Neil Dipaola.

**Documents:**

- October 2, 2018, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- PowerPoint presentation prepared and made by Appellant.
- PowerPoint presentation prepared and made by Applicant.
- September 28, 2018, email from Gloria Cavallero and Diana Cavallero.
- September 25, 2018, email from Tim and Cory Shaeffer.
- September 27, 2018, email from Scott Herman.
- September 27, 2018, email from Margaret Casey.
- September 27, 2018, email from Rob Motaghedi.
- September 26, 2018, email from Robert and Margaret Gleason.
- September 27, 2018, email from Dean Guaneli and Cristine Crooks.
- September 25, 2018, email from Dean Guaneli and Cristine Crooks.

**Speakers:**

- Staff: Senior Planner Irma Unguetza; City Building Official Andrew Stuffer; Assistant City Attorney Tava Ostrenger; City Administrator Paul Casey; City Attorney Ariel Calonne.
- Single Family Design Board: Member Brian Miller.
- Appellant: Jarrett Gorin for appellants Mark and Leigh Brinkman.
- Members of the Public: Anna Marie Gott.

Public Hearing closed: 5:00 p.m.

**Discussion:**

- Staff made a presentation and appellant representative Mr. Gorin made a presentation. Councilmembers' questions were answered.

**Motion:**

Councilmembers Rowse/Sneddon to uphold the appeal, making the findings that: (1) Consistency and appearance: the proposed development is consistent with the scenic character of the City and will enhance the appearance of the neighborhood and the proposed glass reflective surfaces have been designed to minimize and eliminate unwanted glare or reflections that would negatively impact neighbors and the public in its views of the Riviera; (2) Compatibility: The proposed development is compatible with the neighborhood, and its size, bulk, and scale are appropriate to the site and neighborhood; (3) Quality architecture and materials: the proposed buildings and structures and designed with quality architectural details; the

proposed materials and colors maintain the natural appearance of the ridgeline or hillside, and the proposed glass reflective surfaces have been designed to minimize and eliminate unwanted glare or reflections that would negatively impact neighbors and the public in its views of the Riviera;; (4) trees: the proposed project does not include the removal of or significantly impact any designated Specimen Tree, Historic Tree or Landmark Tree. The proposed project, to the maximum extent feasible, preserves and protects healthy, non-invasive trees with a trunk diameter of four inches (“4”) or more measured four feet (4’) feet above natural grade. If the project includes the removal of any health, non-invasive tree with a diameter of four inches (4”) or more measured four feet (4’) feet above natural grade, the project includes a plan to mitigate the impact of such removal by planting replacement trees in accordance with applicable tree replacement; (5) Health, safety, and welfare – the public health, safety, and welfare are appropriately tree replacement ratios; (6) Good neighbor guidelines – the project generally complies with the Good Neighbor guidelines regarding privacy, landscaping, noise and lighting; and (7) Public views – the development, including proposed structures and grading, preserves significant public scenic views of and from the hillside.

Vote:

Unanimous roll call vote.

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Dominguez attended the following events or meetings: 1. AIA downtown forum; 2. Did not attend City Council retreat.
- Councilmember Friedman attended the following events or meetings: 1. Water Authority meeting; 2. Vista del Monte grand re-opening; 3. City Council retreat; and 4. Santa Barbara Beautiful annual awards.
- Councilmember Gutierrez attended the following events or meetings: 1. AIA downtown forum; 2. City employee picnic; 3. City Council retreat.
- Councilmember Hart attended the following events or meetings: 1. Santa Barbara Taxpayers Association’s leadership summit; 2. Unity Shoppe ribbon cutting with Councilmember Gutierrez and Mayor Murillo; and 3. AIA downtown forum.
- Councilmember Sneddon attended the following events or meetings: 1. City employee picnic; 2. AIA Panel Discussion on Downtown; 3. Camerata Pacifica at Music Academy of the West; 4. City Council retreat; and 5. Youth Council meeting.
- Mayor Murillo attended the following events or meetings: 1. Santa Barbara Beautiful awards also awarded to Chase Palm Park; 2. Vista del Monte grand re-opening; 3. Unity Shoppe ribbon cutting; 4. City employee picnic; 5. City Council retreat.

### **PUBLIC COMMENT (IF NECESSARY)**

## RECESS

The Mayor recessed to closed session at 5:24 p.m. and stated that no reportable action is anticipated.

## CLOSED SESSIONS

### 15. Subject: Conference With City Attorney – Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to Government Code section 54956.9(d)(2) & (e)(2) and take appropriate action as needed.

The anticipated litigation is based upon significant exposure to litigation by SGSB, Inc. arising out of the retail storefront commercial cannabis business permitting process.

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

Documents:

- October 2, 2018, report from the City Attorney.

Time: 5:30 p.m. – 5:50 p.m.

No report made.

### 16. Subject: Conference With City Attorney – Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to Government Code section 54956.9(d)(2) & (e)(1) and take appropriate action as needed.

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

Documents:

- October 2, 2018, report from the City Attorney.

Time: 5:50 p.m. – 6:50 p.m.

No report made.

### 17. 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 Committee for Social Justice, et al., v. City of Santa Barbara, et al., United States District Court.

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

Documents:  
- October 2, 2018, report from the City Attorney.

Time: 6:50 p.m. – 7:00 p.m.

No report made.

### ADJOURNMENT

Mayor Murillo adjourned the meeting at 7:00 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on November 13, 2018.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

  
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SARAH GORMAN  
CITY CLERK SERVICES MANAGER