



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
DECEMBER 17, 2019**

**COUNCIL CHAMBERS, 735 ANACAPA STREET; AND CALE GUEST
HOUSE LOBBY; LARGO SAO DOMINGOS 28; 4050-545 PORTO,
PORTUGAL**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:01 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet 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.

ANNOUNCEMENT REGARDING TELEPHONIC APPEARANCE

Mayor Murillo announced that Councilmember Gutierrez is participating telephonically in the meeting from the hotel lobby of his hotel in Portugal, and that all votes at the meeting will be roll call votes.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Mark Marshall Wofford, YMCA Dudak; Jerry Siegel; Phil Walker; Miriam Lindbeck, 5G Free Santa Barbara; Lesley Weinstock, 5G Free Santa Barbara; Katie Mickey, 5G Free Santa Barbara; Kimi Vandyk, 5G Free Santa Barbara;

Julian Gresser, 5G Free Santa Barbara; Bryan Rosen; Monica Ramirez; Renny D. Strong.

CONSENT CALENDAR (Item Nos. 1- 16)

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

Motion:

Councilmembers Freidman/Sneddon to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes of the regular meeting of November 26, 2019.

Action: Approved the recommendation.

2. Subject: Introduction Of An Ordinance Authorizing A Railway Express Agency Building Lease With Wheel Fun Rentals Santa Barbara, Inc. (530.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing Execution of a Five-Year Lease Agreement with Wheel Fun Rentals Santa Barbara, Inc. for Space at the Railway Express Agency Building Located at 215 State Street at a Rate of \$3,000 Per Month.

Action: Approved the recommendation (December 17, 2019, report from the Public Works Director; proposed Ordinance).

3. Subject: Introduction Of An Ordinance To Amend City Agreement No. 26,351 With Beachcomber Santa Barbara, LLC (570.05)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Parks and Recreation Director to Execute an Amended and Restated Lease for a Portion of the Cabrillo Pavilion; and
- B. Increase revenues and appropriations within the Fiscal Year 2020 Capital Outlay Fund, Cabrillo Pavilion Capital Account by \$56,148.

Action: Approved the recommendation (December 17, 2019, report from the Parks and Recreation Department Director; proposed Ordinance).

4. Subject: Adoption Of An Ordinance For A Lease Agreement With Boat Launch Mini Mart, LLC (570.03)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute a Lease Agreement with Boat Launch Mini Mart, LLC, for a Term of Five Years with One, Five-Year Option Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No.5925; Agreement No. 26,602.

5. Subject: Adoption Of Ordinance For Solar Photovoltaic Power Purchase Agreement At The Granada Garage (630.06)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Public Works Director to Execute a Power Purchase Agreement with SB Granada Garage Solar, a Limited Liability Corporation, to Develop, Own, Operate, and Maintain a Solar Photovoltaic Generating System at the Granada Garage and Sell All Power Generated to the City.

Action: Approved the recommendation; Ordinance No. 5926; Agreement No. 26,603.

6. Subject: Adoption Of Resolution Approving The Restructuring Of Engineering Division Administrative Support Staff (530.01)

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 Engineering Division of the Public Works Department Effective December 17, 2019.

Speakers: Daryl Scheck, SEIU 620.

Action: Approved the recommendation; Resolution No. 19-097 (December 17, 2019, report from the Public Works Director; proposed Resolution).

7. Subject: Resolution Adopting Change To The Statement Of Investment Policy And Delegation Of Investment Authority For Fiscal Year 2020 (260.01)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 19-066.

Action: Approved the recommendation; Resolution No. 19-098 (December 17, 2019, report from the Finance Director; proposed Resolution).

8. Subject: Resolution Adopting Early Retirement Of Airport Promissory Note (210.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Rescinding the Customer Facility Charge Imposed by and Collected by All On-Airport Rental Car Companies, Used for the Purpose of Financing, Designing, and Constructing a Consolidated Rental Car Maintenance and Storage Facility at the Airport;
- B. Increase appropriations by a total of \$3,463,333 in the Airport's Customer Facility Charge Fund to retire the Airport's Promissory Note, effective December 31, 2019, currently held in the City's investment portfolio; and
- C. Authorize the Finance Director to cancel the promissory note dated July 14, 2009, as amended, upon payment in full of the principal and all accrued interest.

Action: Approved the recommendations; Resolution No. 19-099 (December 17, 2019, report from the Finance Director; proposed Resolution).

9. Subject: Fiscal Year 2020 Interim Financial Statements For The Four Months Ended October 31, 2019 (250.02)

Recommendation: That Council accept the Fiscal Year 2020 Interim Financial Statements for the four months ended October 31, 2019.

Action: Approved the recommendation (December 17, 2019, report from the Finance Director).

10. Subject: Authorize Change Order For Kronos, Inc. For The Purchase Of Time Clocks (170.04)

Recommendation: That Council authorize the General Services Manager to execute a change order to Purchase Order No. 32001013 in the amount of \$27,947 with Kronos, Inc., for a total amount of \$48,462, to purchase time clock terminals for use with the Kronos Workforce Dimensions Time and Attendance Management System.

Action: Approved the recommendation (December 17, 2019, report from the City Administrator).

11. Subject: Contract For Design Of El Estero Water Resource Center Electrical Distribution Renewal Project (540.13)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Brown and Caldwell in the amount of \$1,514,352 for design of the El Estero Water Resource Center Electrical Distribution Renewal Project, and authorize the Public Works Director to approve expenditures of up to \$151,435 for extra services of Brown and Caldwell that may result from necessary changes in the scope of work; and
- B. Approve an increase in appropriations in the Wastewater Operating Fund in the amount of \$1,765,787, funded from Wastewater Operating Fund Capital Reserves, authorize the transfer of such funds to the Wastewater Capital Fund, and approve an increase in appropriations and estimated revenues in the Wastewater Capital Fund in the amount of \$1,765,787, for design of the El Estero Water Resource Center Electrical Distribution Renewal Project.

Action: Approved the recommendations; Agreement No. 26,604 (December 17, 2019, report from the Public Works Director).

12. Subject: Sphere Of Influence Amendment And Water And Wastewater Service Agreement For 4 Sunrise Hill Lane (540.1)

Recommendation: That Council:

- A. Consent to an amendment to the City's Sphere of Influence to include 4 Sunrise Hill Lane (APN 013-210-049);
- B. Authorize the Public Works Director to execute an Agreement for Provision of Water and Sewer Service to Real Property, Located Outside City Limits, between the City and Margaret and Matthew Winkler to provide City water and wastewater service to 4 Sunrise Hill Lane (APN 013-210-049);
- C. Authorize the Community Development Director to submit an application to amend the City's Sphere of Influence to the Local Agency Formation Commission; and
- D. Authorize the Public Works Director to submit an application to approve the water and wastewater service agreement to the Local Agency Formation Commission.

Action: Approved the recommendation; Agreement No. 26,605 (December 17, 2019, report from the Community Development Director and Public Works Director).

13. Subject: Professional Services Agreement With RRM Design Group For Dwight Murphy Field On-Site Preliminary Design And Off-Site Construction Documents (570.05)

Recommendation: That Council:

- A. Increase estimated revenues in the Fiscal Year 2020 Capital Outlay Fund in the amount of \$250,000 to be paid from General Fund Reserves and

subsequently repaid to General Fund Reserves from a grant from The Gwendolyn Strong Foundation; and

- B. Authorize the Parks and Recreation Director to execute a professional services agreement with RRM Design Group in the amount of \$408,790 for the Dwight Murphy Field on-site preliminary design and off-site construction documents, and approve expenditures of up to \$40,879 to cover any additional cost that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 26,606 (December 17, 2019, report from the Public Works Director).

- 14. Subject: Receipt Of Donated \$500 From Don Miller, Three Thermal Imaging Cameras From Santa Barbara Fire Alliance, And Emergency Medical Supplies From Direct Relief International (520.03)**

Recommendation: That Council accepts donations of firefighting equipment and cash with a value of \$32,500.

Action: Approved the recommendation (December 17, 2019, report from the Fire Chief).

NOTICES

15. Subject: The City Clerk has on Thursday, December 12, 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.
16. Subject: The Agenda was also posted at Cale Guest House Lobby; Largo São Domingos 28; 4050-545 Porto, Portugal.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

- 17. Subject: Update On The Bicycle Share Pilot Program (530.01)**

Recommendation: That Council receive an update on the implementation process and next steps for the Bicycle Share Pilot Program.

Documents:

- December 17, 2019, report from the Public Works Director.
- PowerPoint prepared and made by Staff.

Speakers:

- Staff: Transportation Planning and Parking Manager Rob Dayton.
- BCycle: Morgan Ramaker.
- Members of the Public: Melissa Cunningham; Kent Epperson, SBCAG Traffic Solutions; David Landecker, SB Bike; Teddi Drew.

Discussion:

Staff discussed the bicycle share pilot program, including the docked nature, the area of implementation, and the fare structure. Councilmembers' questions were answered.

COMMUNITY DEVELOPMENT DEPARTMENT

18. Subject: Interim Urgency Ordinance Extending Application Of The City's Existing Accessory Dwelling Unit Ordinance Beyond January 1, 2020 (610.01)

Recommendation: That the Council of the City of Santa Barbara adopt by reading in full, and by a four-fifths vote, an Interim Urgency Ordinance of the Council of the City of Santa Barbara Temporarily Extending Application of the City's Existing Accessory Dwelling Unit ("ADU") Ordinance Beyond January 1, 2020.

Documents:

- December 17, 2019, report from the Community Development Director.
- Proposed Ordinance.
- PowerPoint prepared and made by Staff.

Speakers:

- Staff: Assistant City Attorney Greg Lusitana; City Planner Renee Brooke; Fire Prevention Division Chief Joe Poire; Principal Traffic Engineer Derrick Bailey.
- Members of the Public: Lindsey Baker; Mark Hochman; Bob Hart, SBAOR; Sheila Lodge; Alex Pujo.

Motion:

Councilmembers Sneddon/Friedman to move forward with the urgency Ordinance as provided in the staff report with the deletion of Section 2(B)(1), and the additional of proposed Section 2.B.3. [Codifier's Note: This became Section 2. B. 2. After deletion of 2.B.1., as ultimately read into the record.

Councilmember Gutierrez was excused from the meeting at 4:11 p.m.

RECESS

5:09 p.m. – 5:26 p.m.

The entire revised ordinance was read into the record.

Vote:

Unanimous roll call vote (Absent: Councilmember Gutierrez); Ordinance No. 5927

PUBLIC HEARINGS

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEMS

19. Subject: Continuance Of Appeal Of The Planning Commission's Denial Of 302 And 308 West Montecito Street Hotel Project (640.07)

Recommendation: That Council:

- A. Consider the appeal of the property owner, Edward St. George, of the Planning Commission's denial of the 302 and 308 West Montecito Street Hotel Project; and
- B. Direct staff to return to Council with a Decision and Findings Resolution reflecting the outcome of the appeal.

Documents:

- December 17, 2019, report from the Community Development Director.
- PowerPoint prepared and made by Staff.
- PowerPoint prepared and made by appellant.

Public hearing opened: 5:37 pm

Ex parte communications:

- Councilmember Harmon reported that she spoke with Counsel for appellant.
- Councilmember Friedman reported that he met with Jeremy Stone and Steve Amerikaner for appellant, and will neighbor Bonnie Donovan.
- Councilmember Rowse reported that he spoke with Mr. Amerikaner.
- Councilmember Dominguez reported that he spoke with Ms. Donovan, and spoke with the applicant and planner.

Speakers:

- Staff: Project Planner Kathleen Kennedy; Community Development Director George Buell; Assistant City Attorney Tava Ostrenger.
- Applicant: Jarrett Gorin, Vanguard Planning.
- Members of the Public: Sheila Lodge; Mary Turley, Allied Neighborhoods Association; Bonnie Donovan; Phil Walker; Lorna Boyd; Natasha Torodovic; Mary.

Public hearing closed: 6:35 p.m.

Motion:

Councilmembers Murillo/Harmon to uphold the appeal, to approve the development plan and transfer of existing development rights, making requisite findings and subject to the revised conditions of approval and to subsequently return the project to the Architectural Board of Review.

Vote:

Unanimous roll call vote (Absent: Councilmember Gutierrez).

20. Subject: Appeal Of The Single Family Design Board's Decision To Deny A New Standing Seam Metal Roof At 335 Alston Road (640.07)

Recommendation: That Council:

- A. Consider the appeal of Sharon Fritz, Action Roofing, of the Single Family Design Board's decision to deny the installation of a standing seam metal roof at 335 Alston Road; and
- B. Direct staff to return to Council with a Decision and Findings Resolution reflecting the outcome of the appeal.

Documents:

- December 17, 2019, report from the Community Development Director.
- PowerPoint prepared and made by Staff.
- PowerPoint prepared and made by applicant.

Public hearing opened: 6:47 p.m.

Ex parte communications:

- Councilmember Dominguez reported that he spoke with Chair Sweeney.
- Mayor Murillo stated that the appellant answered questions and also advocated at the site visit.

Speakers:

- Staff: Senior Planner Irma Unzueta.
- Single Family Design Review Board: Chair Fred Sweeney; Member Jonathan Ziegler.
- Appellant: Sharon Fritz, Action Roofing; Geoff Marks.
- Members of the Public: Phil Walker.

Public hearing closed: 7:28 p.m.

Motion:

Councilmembers Rowse/Friedman to uphold the appeal with reference to findings based on SBMC 22.69.050(1)(2) and (3) and 22.69.050.

Vote:

Unanimous roll call vote (Absent: Councilmember Gutierrez).

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Community Environmental Council breakfast; 2. Milpas holiday parade; 3. Umbra Lab ribbon cutting.
- Councilmember Friedman attended the following events or meetings: 1. Independent holiday celebration; 2. CCE subcommittee meeting; 3. Milpas holiday parade; 4. Trolley light tour; 5. La Cumbre Arts Collaborative tour.
- Councilmember Rowse stated his thanks to the Santa Barbara Downtown Ambassadors.
- Councilmember Sneddon attended the following events or meetings: 1. Energy Power Microgrid event; 2. CCE subcommittee meeting; 3. Umbra Lab ribbon cutting; 4. Independent holiday celebration; 5. Milpas holiday parade; 6. Homeless working group meeting.
- Mayor Murillo attended the following events or meetings: 1. SBCAG 154 Safety Town Hall meeting; 2. Milpas holiday parade; 3. COAST rail Coordinating Council; 4. Latinas Lead breakfast; 5. CCE subcommittee; 6. Fostered a dog for a morning as part of the Foster Express Challenge.

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT

Mayor Murillo adjourned the meeting at 7:42 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on February 4, 2020.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER