



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING AUGUST 14, 2018 COUNCIL CHAMBERS, 735 ANACAPA

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 date.)

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, Deputy City Clerk Angela Rodriguez.

CEREMONIAL ITEMS

1. **Subject: Recognition Of Valor Presented To Harbor Patrol Officers Karl Halamicek And Nathan Alldredge (120.04)**

Action: Recognition of valor presented to Harbor Patrol Officers Karl Halamicek and Nathan Alldredge.

Discussion: Officers Karl Halamicek and Nathan Alldredge showed their appreciation for the recognition of valor by thanking everyone in their speech.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Speakers: Bill Pintard, Foresters Manager & Coach; Ken Baxter; Caroline; Chris Barros; Phil Walker; Jose Arturo Gallegos.

CONSENT CALENDAR (Items 2-16)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Grant Request From Transition House For Rehabilitation Of 320 South Salinas (Casa Marianna) (660.04)

Recommendation: That Council:

- A. Allocate \$209,750 in federal HOME Investment Partnership Program funds for a four-year grant to Transition House for the rehabilitation of its low-income rental housing property located at 320 S. Salinas Street; and
- B. That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a First Amendment to "Restated Affordability Control Covenant Imposed on Real Property with Conditional Subordination Provision" Recorded on the Property Located at 320 S. Salinas Street to Extend the Term to a Total of 90 Years and Authorizing the Community Development Director to Execute Such Agreement as Necessary.

Speaker: Jose Arturo Gallegos.

Action: Approved the recommendations; Agreement No. 26,233; Deed No. 61-522 (August 14, 2018, report from the Community Development Director; proposed ordinance).

3. Subject: Adoption Of Ordinance For Private Submetering, Cross-Connection Control, And Other Title 14 Revisions

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 14 of the Municipal Code by Adding Chapter 14.21 and Section 14.08.190, Amending Chapters 14.04, 14.08, 14.12, 14.20, 14.23, and 14.32, and Repealing Sections 14.20.190, 14.20.200, and 14.20.210 Relating to the City Water System.

Action: Approved the recommendation; Ordinance No. 5847.

4. Subject: Resolution For An Air Service Development Incentive Program (560.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Santa Barbara Airport Air Service Development Incentive Program to Support the Development of New and Increased Non-stop Destination Air Service at Santa Barbara Airport and Repealing Resolution No. 09-004.

Action: Approved the recommendation; Resolution No. 18-062 (August 14, 2018, report from the Airport Director).

5. Subject: Resolution Affirming The City's Intent To Participate In Governance And Finance Discussions For A Proposed Community Choice Energy Joint Powers Authority (120.16)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Affirming the City's Intent to Participate In Governance and Finance Discussions with the County of Santa Barbara and Other Participating Jurisdictions for a Proposed Community Choice Energy Joint Powers Authority.

Action: Approved the recommendation; Resolution No. 18-063 (August 14, 2018, report from the City Administrator).

6. Subject: Resolution For Acceptance Of Easements For The Quinientos Street Bridge Replacement Project And Resolution To Accept Dedicated Flood Control Easement (540.06)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Acquire and Accept a Permanent and Temporary Construction Easement Interest Located Within Vacant/Undeveloped Property Lying Within Assessor's Parcel Numbers 017-151-025 and 017-151-027, and Authorizing the Public Works Director to Execute Such Agreement and Related Documents That May Be Required, All Relating to the Quinientos Street Bridge Replacement Project, and Consenting to The Recordation of The Related Deeds In The County of Santa Barbara Recorder's Office; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Accept That Certain Permanent Easement For Flood Control Purposes Dedicated To City Via Final Map No. 20,246, filed on September 5, 1980, in Maps at Book 98, Page 73, County of Santa Barbara's Surveyor's Office, and Consenting To The Recordation of A Resolution or Other Appropriate Form of Notice, in The County of Santa Barbara Surveyor's Office.

Action: Approved the recommendations; Resolution Nos. 18-064 and 18-065, Agreement No. 26,246; Deed Nos. 61-523 and 61-524 (August 14, 2018, report from the Public Works Director).

7. Subject: Amendment Of Agreement With Kasraie Consulting For Floodplain Management Services (610.01)

Recommendation: That Council approve the fourth amendment to City Agreement No. 21600074 with Kasraie Consulting to increase the contract amount by \$10,000 for a total contract amount of \$60,000 for floodplain management services.

Action: Approved the recommendation; Agreement No. 26, 247 (August 14, 2018, report from the Community Development Director).

8. Subject: Lease Agreement With The Terrace Foundation At The Franklin Neighborhood Center (580.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute a three year lease agreement for office space at the Franklin Neighborhood Center.

Action: Approved the recommendation; Agreement No. 26,248 (August 14, 2018, report from City Administrator's Office).

9. Subject: Professional Services Contract For Background Investigations (520.04)

Recommendation: That Council authorize the Chief of Police to execute a professional services contract with Joe Mar Polygraph & Investigation Services Inc., in the amount of \$55,000, to complete polygraph and background investigations for Police Department employment candidates.

Action: Approved the recommendation; Agreement No. 26,249 (August 14, 2018, report from the Police Chief).

10. Subject: Contract For Construction Of Santa Barbara Airport Northeast Aircraft Parking Apron Rehabilitation Project (560.04)

Recommendation: That Council:

- A. Award a contract to Granite Construction in their low bid amount of \$1,828,106 for construction of the Santa Barbara Airport Northeast Aircraft Parking Apron Rehabilitation Project, Bid No. 3923, subject to receipt of Federal Aviation Administration Airport Improvement Program Grant 3-06-0235-053 in the amount of \$1,958,656; and authorize the Public Works Director to execute the contract and approve expenditures up to \$130,000

to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;

- B. Award Bid Alternate 1 to Granite Construction in their low bid amount of \$419,700 for construction of the Santa Barbara Airport Northeast Aircraft Parking Apron Rehabilitation Project, Bid No. 3923 Alternate 1, subject to receipt of supplemental discretionary Federal Aviation Administration grant funding in the amount of \$340,809; and authorize the Public Works Director to execute the contract and approve expenditures up to \$30,000 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- C. Authorize the Public Works Director to execute a contract with Mead & Hunt in the amount of \$241,380 for construction support services including materials testing, and approve expenditures of up to \$16,896 for extra services of Mead & Hunt that may result from necessary changes in the scope of work;
- D. Pending receipt of Federal Aviation Administration Airport Improvement Program Grant 3-06-0235-053 in the amount of \$1,958,656, increase appropriations and estimated revenue by a total \$2,160,441 in the Airport's Grant Fund for construction of the Northeast Aircraft Parking Apron Rehabilitation Project, to be funded by Federal Aviation Administration Airport Improvement Program Grant 3-06-0235-053 in the amount of \$1,958,656 and a transfer of \$201,785 from Airport Operating Fund for the City's match;
- E. Pending receipt of supplemental discretionary Federal Aviation Administration grant funding in the amount of \$340,809, increase appropriations and estimated revenue by a total \$375,920 in the Airport's Grant Fund for construction of the Northeast Aircraft Parking Apron Rehabilitation Project, to be funded by supplemental discretionary Federal Aviation Administration grant funding in the amount of \$340,809, coupled with the City's match of \$35,111, to be funded from a transfer from the Airport Capital Fund; and
- F. Pending receipt of supplemental discretionary Federal Aviation Administration grant funding in the amount of \$340,809, appropriate \$35,111 in the Airport Capital Fund for construction of the Northeast Aircraft Parking Apron Rehabilitation Project, to be funded from Airport Capital Fund reserves, and transfer such funds to the Airport Grants Fund;
- G. Appropriate \$176,896 in the Airport Capital Fund from reserves for contract change order authority paid for initially by the Airport;
- H. Allocate \$50,000 from the Airport Operation Area Maintenance Project to the 495 South Fairview Hangar Project in the Airport Capital Fund to cover FAA ineligible portions of the project; and
- I. Appropriate \$114,573 in the Airport Capital Fund to the 495 South Fairview Hangar project for portions of the project ineligible for FAA grant funding, to

be funded from Airport Capital Fund reserves, supplementing existing appropriations of \$34,953, for a total of \$149,526.

Action: Approved the recommendations; Agreement Nos. 26,250; 26,251; and 26,252 (August 14, 2018, report from the Public Works Director).

11. Subject: Appropriation Of Federal Aviation Administration Airport Improvement Grant For Aircraft Rescue And Fire Fighting Vehicle At Santa Barbara Airport (560.01)

Recommendation: That Council:

- A. Pending receipt of Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant 3-06-0235-052 in the amount of \$655,984, increase appropriations and estimated revenue by \$723,565 in the Airport Grants Fund for replacement of an Aircraft Rescue and Fire Fighting (ARFF) vehicle, to be funded by FAA AIP Grant No. 3-06-0235-052 in the amount of \$655,984, coupled with the City's match of \$67,581, to be funded by a transfer from the Airport Operating Fund; and
- B. Approve the transfer of funds from the Airport Operating Fund in the amount of \$67,581 funded from existing appropriations.

Action: Approved the recommendations; (August 14, 2018, report from the Airport Director).

12. Subject: Approval Of Pre-Qualified Professional Engineering Firms For Water Resources Capital Program Support (530.01)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a professional services agreement with Filippin Engineering, Inc. to provide on-call engineering support services for the Water Resources Division's capital programs in the not-to-exceed amount of \$300,000;
- B. Authorize the Public Works Director to execute a professional services agreement with MNS Engineers to provide on-call engineering support services for the Water Resources Division's capital programs in the not-to-exceed amount of \$300,000; and
- C. Authorize the Public Works Director to execute a professional services agreement with Mimiaga Engineering Group to provide on-call engineering support services for the Water Resources Division's capital programs in the not-to-exceed amount of \$400,000.

Action: Approved the recommendations; Agreement Nos. 26,253, 26,254, 26,255 (August 14, 2018, report from the Public Works Director).

13. Subject: Contract With Campbell-Hill Aviation Group, LLC For Air Service Development Services (560.01)

Recommendation: That Council approve and authorize the Airport Director to execute a three-year contract with Campbell-Hill Aviation Group, LLC, for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$375,000.

Action: Approved the recommendation; Agreement No. 26,256 (August 14, 2018, report from the Airport Director).

14. Subject: Set A Date For A Public Hearing To Consider The Historic Landmarks Commission's Recommendation That City Council Designate The Alhecama Theatre A City Landmark

Recommendation: That Council set the date of September 25, 2018, at 2:00 p.m. for a public hearing to consider the recommendations from the Historic Landmarks Commission that the following property be designated as City landmark: 1) Alhecama Theatre, 215 A, East Canon Perdido Street (Assessor's Parcel No. 029-292-031).

Action: Approved the recommendation (August 14, 2018, report from the Administrative Services Director).

NOTICES

15. Subject: The City Clerk has on Thursday, August 9, 2018, 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: Received a communication advising of a vacancy created on the Access Advisory Committee with the departure of Member Karen Johnson; 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 Hart reported that the Finance Committee received a staff presentation regarding the Civil Grand Jury's report on public pensions.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

17. Subject: Contracts For Design And Preliminary Environmental Review For The Santa Barbara Police Station Project (530.01)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services Agreement with Cearnal Collective LLP, for architectural and design services of the Santa Barbara Police Station Project in the amount of \$177,000, and authorize expenditures of up to \$17,700 for extra services that may result from necessary additional work not identified in the scope of the work; and
- B. Authorize the Public Works Director to execute a City Professional Services Agreement with Dudek, a California corporation, for preliminary environmental review support during site selection evaluation in the amount of \$39,038, and authorize the Public Works Director to approve expenditures of up to \$3,904 for extra services of Dudek that may result from necessary changes in the scope of work.

Speakers:

- Staff: Principal Project Manager Brad Hess.

Documents:

- August 14, 2018, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Motion:

Councilmembers Friedman/Rowse to approve the staff recommendations; Agreement Nos. 26,257, and 26,258.

Vote:

Unanimous roll call vote.

CITY ADMINISTRATOR

18. Subject: Request From Mayor Murillo And Mayor Pro Tempore Rowse Regarding An Update On Downtown Economic Vitality (120.02)

Recommendation: That Council consider the request from Mayor Murillo and Mayor Pro Tempore Rowse that staff provide an update on City programs, policies, community activities related to downtown economic vitality, consider scheduling a community workshop, and provide direction to staff on follow-up items.

Mayor Murillo and Mayor Pro Tempore Rowse gave an introduction to this item.

Speakers:

- Staff: Senior Assistant to the City Administrator Nina Johnson,

- Members of the Public: Dave Lombardi, Downtown Santa Barbara; Kate Schwab, Downtown Santa Barbara; Amy Cooper; Emily Ellen, Home for Good; Kevin Gillies, SBAMA; Nini Munoz; Robert Else; Hal Conklin; Morgen Benevedo, Peoples Self-Help Housing; Bonnie Raisin; Thomas Byrne; Tina Takaya, Opal Restaurant and Bar; Richard Yates, Opal Restaurant and Bar; Thomas Foley; Richard Berti; Nicki Parr, WEV; Mickey Flacks; Tammy Hughes; Dave Hopkins, Doctors Without Walls; Dr. Jason Prystowsky, Doctors Without Walls; Steven Amerikaner; Ray Mahboob; Brian Cearnal, AIA; Alexander Argyropoulos; Bob Stout; Andy Erikson; Robert Perry, World Business Academy; Shannon Batchev, Coastal Housing Coalition; Barry Remis, COAST; Jin Knell, SIMA Corporation; Hillary Blackerby, Santa Barbara MTD; Ed France, SB BIKE; Jose Arturo Gallegos; Jason Jaeger, Jaeger Partners; Jan Marco Von Yurt; Max Golding; Eve Sanford; Danielle Siano, Studio Underground; Joanna Kaufman; David Watkins

Documents:

- August 14, 2018, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.
- Letter from Radius Commercial Real Estate & Investments.
- Letter from COAST.
- Letter from Joanna Kaufman.
- Email from Mike Jordan with suggestions.

Motion:

Councilmembers Friedman/Rowse to direct staff to hire a short-term consultant.

Vote:

Unanimous roll call vote.

Motion:

Councilmembers Hart/Rowse to appoint a temporary Council Subcommittee consisting of Councilmembers Friedman, Councilmember Rowse and Mayor Murillo.

Vote:

Unanimous roll call vote.

Motion:

Councilmembers Sneddon/Rowse to direct staff to work with Council Subcommittee in addressing each of the items that speak to community development process improvements with the idea of prioritizing that list and bringing it back to Council after Subcommittee consideration and recommendation.

Vote:

Unanimous roll call vote.

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

City Administrator Paul Casey recused himself from this item due to his personal residence being within one thousand feet of the subject property. He left the room at 5:46 p.m.

PUBLIC HEARINGS

19. **Subject: Appeal Of The Architectural Board Of Review's Project Design Approval For A Four-Unit Residential Development At 501 East Micheltorena Street (640.07)**

Recommendation: That Council:

- A. Consider the Upper East Side Neighbors of 501 East Micheltorena Street's appeal of the Architectural Board of Review's Project Design Approval for a four-unit residential development at 501 East Micheltorena Street; and
- B. Direct staff to return to Council with decision and findings reflecting the outcome of the appeal.

Ex Parte Communications:

- Councilmember Friedman stated he was emailed by Patricia Saley who requested a meeting, he responded by declining the meeting and encouraging her to send in any written comments to the entire Council and the Clerk's Office for the record. He did not attend the August 13, 2018 site visit, but reviewed the site on his own.
- Councilmember Hart stated that he met with Ms. Saley about a month prior to talk about some of the issues the neighbors are concerned about.
- Councilmember Sneddon stated that she had met with Ms. Saley regarding the neighbors concern before this item was agendized.
- Councilmember Gutierrez stated he received an email from Ms. Saley but he did not meet with her.

Documents:

- August 14, 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.
- Letter from Vice Chair of Architectural Board of Review Kevin Moore.
- Letter from Santa Barbara Conservancy President Donald G. Sharpe.
- Letter from Chris Barros.
- Letter from Joan Marshall.
- Letter from Paul DeGrow of California Retina Consultants.

- Letter from S. Nicholas.
- Letter from DUDEK Project Manager/ Environmental Planner John T. Cuykendall.
- Letter from Coastal Housing Coalition Board Member Jon Standing.
- Letter from Brad Parks and Lisa Cosentino.
- Letter from Anna Marie Gott.
- Letter from Co-Presidents of Citizens Planning Association Mary Ellen Brooks and Besty R. Cramer.
- Letter from Erin R. Parks.

Speakers:

- Staff: Senior Planer Irma Unzueta, City Planner Renee Brooke; Assistant City Attorney Tava Ostrenger.
- Appellant: Patricia Saley; Steve Dowty, Pearl Chase Society; Dee Duncan.
- Applicant: Jonathon Lee, Dudek; Mark Kirkhardt, DesignARC Architects; Pamela Post, Post Hazeltine Associates; Tim Hazeltine, Post Hazeltine Associates.
- Members of the Public: Shannon Batchev, Coastal Housing Coalition; David Landecker, Citizens Planning Association; Betsy Cramer, Citizens Planning Association; Joan Marshall; Rick Closson; Christine Neuhauser; Cheri Rae; Brad Parks; Douglas Foster; Susan Petty; Michael Sweeney; Catherine McCammon, Allied Neighborhood Association; Bob Cunningham, Architectural Board of Review; Kevin Snow.

Discussion:

Council heard a presentation from staff and testimony from the applicant, appellant, and members of the public. Ms. Brooke read into the record a letter from Vice Chair of Architectural Board of Review Keven Moore.

Motion:

Councilmembers Sneddon/Dominguez to uphold the appeal and direct staff to return to Council with decision and findings reflecting the outcome of the appeal.

Vote:

Unanimous roll call vote.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Montecito Water District Desalination Ad Hoc Committee meeting; 2. Sea Level Rise Committee meeting; 3. Home for Good Regional Coordination meeting.

- Councilmember Friedman attended the following events or meetings: 1. Sea Level Rise Committee meeting; 2. Home for Good Regional Coordination meeting.
- Councilmember Sneddon attended the following events or meetings: 1. Sea Level Rise Committee meeting; 2. Gave a lunch presentation to SBCAN on housing in the City; 3. Santa Barbara Toba Sister City 25th Student Exchange Anniversary; 4. Montecito Water District Desalination Ad Hoc Committee meeting.
- Councilmember Gutierrez attended the following events or meetings: 1. Rental Housing Mediation Task Force meeting; 2. Feed the homeless at Pershing Park; 3. Narcotics Anonymous Area Service meeting; 4. Community Action Commission meeting.
- Mayor Murillo attended the following events or meetings: 1. Regional Coordination meeting for Home for Good; 2. Tools for Schools put on by the Housing Authority; 3. Organic Soup Kitchen 5k Walk/Run to combat cancer; 4. Spoke to the National Association for Women Business Owners (NABO) about Boards and Commissions.

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT

Mayor Murillo adjourned the meeting at 7:54 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on October 2, 2018.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER