



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
AUGUST 13, 2019
COUNCIL CHAMBERS, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:30 p.m., did not meet 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, Assistant City Attorney Daniel Hentschke, City Clerk Services Manager Sarah Gorman.

CHANGES TO THE AGENDA

City Administrator Paul Casey stated that the following item was being removed from the agenda; it will be resubmitted on a later date:

- 24. Subject: Agreement With Santa Barbara Alliance For Community Transformation (SB ACT) To Provide Regional Coordination For Homeless Assistance (660.04)**

Recommendation: That Council authorize the Community Development Director to execute a funding agreement for \$100,000 with Santa Barbara Alliance for Community Transformation (SB ACT) to provide administrative oversight and a venue through which government agencies and nonprofit organizations can strategize and coordinate operations in a unified response to homelessness.

PUBLIC COMMENT

Speakers: Gary Gentile; Adelaida Ortega; Mark Marshall Wofford, YMCA Surf Foundation; Cruzito Herrera Cruz; Scott Wenz, Cars Are Basic; Richard Berti; Anna Marie Gott; Phil Walker; Rick Closson; Renny Renn Wren Strong, Santa Barbara Gypsy Coalition.

ITEMS REMOVED FROM CONSENT CALENDAR

1. Subject: Proposal To Amend Various Sections Of Title 17 Of The Santa Barbara Municipal Code Pertaining To Protection Of The Santa Barbara Harbor And The Issuance Of Slip And Live-Aboard Permits (570.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Sections 17.04.010, 17.12.060, 17.16.010, 17.18.020, 17.18.030, 17.18.050, 17.18.070, 17.18.080, 17.18.090, and 17.20.005 Pertaining to Protecting the Harbor and Regulating Slip Permits and Live-Aboard Permits in the Santa Barbara Harbor.

Documents:

- August 13, 2019 report from the Waterfront Director.
- Proposed Ordinance.

Councilmember Rowse stated that he was recusing himself from participating in this decision because he is a slip holder at the harbor.

Motion:

Councilmembers Friedman/Harmon to approve the recommended action.

Vote:

Unanimous roll call vote (Abstain: Councilmember Rowse).

3. Subject: Adoption Of An Ordinance Amending The Municipal Code Pertaining To Park Closing Times, Park Playgrounds And Aquatic Facilities, Portable Grills And Stoves, And Off-Leash Dog Areas (570.05)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Adding Section 15.16.265 Pertaining to Exclusive Designated Children Playgrounds and Aquatic Facilities, Adding Section 15.16.270 Pertaining to Use of Portable Self-Contained Grills and Stoves in Parks, Amending Section 6.08.020 Pertaining to Off Leash Dog Areas in City Parks, and Amending Section 15.16.260 Pertaining to Park Closing Times.

Speakers:

- Parks and Recreation Commission: Beebe Longstreet; Kathy McGill.
- Members of the Public: Anna Marie Gott.

Motion:

Councilmembers Harmon/Sneddon to make the park closing section an infraction rather than a misdemeanor and to incorporate language that prior warning is required before issuing an infraction.

Vote:

Majority roll call vote (Noes: Councilmembers Dominguez, Rowse).

This Ordinance will be reintroduced at a future meeting.

CONSENT CALENDAR (Items 2, 4 – 20)

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

Motion:

Councilmembers Harmon/Dominguez to approve Consent Calendar Items 2, 4 – 20 as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Adoption Of An Ordinance Approving And Authorizing A Lease Agreement With The County Of Santa Barbara For Lease Space At The Franklin Neighborhood Center (570.05)

Recommendation: That Council 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 a Lease Agreement with the County of Santa Barbara, for 6,777 Square Feet of Lease Space at the Franklin Neighborhood Center Located at 1136 East Montecito Street, Santa Barbara.

Action: Approved the recommendation; Ordinance No. 5898, Agreement No. 26,520 (August 13, 2019, report from the Parks and Recreation Director; proposed Ordinance.).

4. Subject: Adoption Of Ordinance For Proposed Amendments To Lease Agreement With The National Oceanic And Atmospheric Administration (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 Two Lease Agreement Amendments with the National Oceanic

and Atmospheric Administration, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 5899; Agreement Nos. 26,521; 26,522.

5. Subject: Adoption Of Ordinance To Grant A License And Agreement For Electrical Facilities To Southern California Edison Company On City Property At 40 East Anapamu Street, 1125 Anacapa Street, And Library Avenue (380.01)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara to Approve and Authorize Execution of a License and Agreement for Electrical Facilities On, In, and Under a Portion of the City-Owned Property at 40 East Anapamu Street, 1125 Anacapa Street, and Library Avenue.

Action: Approved the recommendation; Ordinance No. 5900; Agreement No. 26,523.

6. Subject: Adoption Of A Resolution Of Intent To Vacate Street Easement On City-Owned Alley At 115 West Anapamu Street – Sanctuary Centers Of Santa Barbara (330.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring the Intention of the Council of Said City to Vacate a City-Owned Alley as More Particularly Hereinafter Described, and Providing for the Holding of a Public Hearing, the Posting of Required Notices, and the Publication of this Resolution; and
- B. Set the time and place for hearing of persons interested in, or objecting to, the proposed vacation for September 10, 2019 at 2:00 p.m., at the regular meeting of said City Council to be held in the Council Chambers, City Hall, Santa Barbara.

Action: Approved the recommendations; Resolution No. 19-060 (August 13, 2019, report from the Public Works Director; proposed resolution.).

7. Subject: Planning Division Proposed Changes To Fee Resolution (650.01)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 19-039 to Revise Planning Fees for New Multi-Unit Residential (5–20 Units), Consent or Minor Coastal Development Permit, Negative Declaration Prepared by Staff, and Voluntary PRT Review; and to Add Language to Identify the Fee to be Charged

for a Project that Qualifies for Ministerial Streamline Review Under Senate Bill 35 (Government Code §65913.4).

Action: Approved the recommendation; Resolution No. 19-061 (August 13, 2019, report from the Community Development Director; proposed resolution.).

8. Subject: Coast Village Circle Federal Emergency Management Agency Funded Roadway Repairs Related To The Thomas Fire And Debris Flow Disaster (530.04)

Recommendation: That Council:

- A. Approve an increase in appropriations and estimated revenues in the Thomas Fire and Debris Flow Disaster Fund in the amount of \$846,729, funded by State and Federal disaster grants, for the Coast Village Circle Roadway Repairs Project related to the Thomas Fire and Debris Flow disaster recovery;
- B. Approve the allocation of available appropriations in the Pavement Maintenance Program in the Measure A Capital Fund in the amount of \$56,449, authorize the transfer of such funds to the Thomas Fire and Debris Flow Disaster Fund, and approve an increase in appropriations and estimated revenues in the Thomas Fire and Debris Flow Disaster Fund in the amount of \$56,449, funded by the transfer, for the City's share of Coast Village Circle Roadway Repairs Project related to the Thomas Fire and Debris Flow disaster recovery; and
- C. Authorize the Public Works Director to execute a City Professional Services Agreement with Flowers & Associates, Inc., in the amount of \$100,534 for construction management and inspection services for the Coast Village Circle Roadway Repairs Project, and approve expenditures of up to \$10,054 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement No. 26,524 (August 13, 2019, report from the Public Works Director).

9. Subject: Contract For Professional Services For Soils Remediation Consulting Services For The Fiscal Year 2019A Water Main Replacement Project (540.06)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Rincon Consultants, Inc., in the amount of \$84,995 for services for the Fiscal Year 2019A Water Main Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$8,499 for extra services of Rincon Consultants, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 26,525 (August 13, 2019, report from the Public Works Director).

10. Subject: Designation Of Voting Delegate For League Of California Cities Annual Conference (170.01)

Recommendation: That Council designate a voting delegate and up to two alternates to represent the City of Santa Barbara at the League of California Cities Annual Meeting October 16-18, 2019.

Action: Approved the recommendation (August 13, 2019, report from the City Administrator).

11. Subject: Contract Amendment For Public Outreach For The Santa Barbara Police Station Project (700.08)

Recommendation: That Council authorize the Public Works Director to execute a first amendment to the City Professional Services Agreement No. 21900260 with Ayars & Associates to continue community education and outreach for the Santa Barbara Police Station Project, in the amount of \$25,500, for a new contract total amount of \$60,498.

Action: Approved the recommendation; Agreement No. 26,526 (August 13, 2019, report from the Public Works Director).

12. Subject: Expansion Of City Electric Vehicle Charging Infrastructure To Support An Additional 44 Charging Stations (550.01)

Recommendation: That Council:

- A. Find it in the City's best interest to standardize to ChargePoint electric vehicle charging station for City-owned electric vehicle charging infrastructure;
- B. Authorize the General Service Manager to issue a Purchase Order in the amount of \$318,500 to ChargePoint, Inc., for 44 electric vehicle charging stations, network service and maintenance support;
- C. Approve an increase in appropriations in the Fleet Management Fund in the amount of \$70,900, funded by Fleet Management Fund reserves, to purchase 12 and install 14 electric vehicle charging stations, including network and maintenance support, at the Public Works/Community Development Yard;
- D. Approve an increase in appropriations in the Downtown Parking Fund in the amount of \$232,600 funded from Downtown Parking Fund reserves, and authorize the transfer of such funds to the Downtown Parking Capital Fund; and
- E. Approve an increase in appropriations and estimates revenues in the Downtown Parking Capital Fund in the amount of \$232,600, funded by a

transfer from the Downtown Parking Fund, to purchase 30 electric vehicle charging stations, including network and maintenance support, at the Granada Garage.

Action: Approved the recommendations (August 13, 2019, report from the Public Works Director).

13. Subject: City And Santa Barbara Unified School District Joint Use Park Ranger Patrol Services Agreement (570.08)

Recommendation: That Council authorize the City Administrator to enter into a one-year agreement with the Santa Barbara Unified School District (SBUSD) for Park Ranger Patrol Services at SBUSD properties at a cost to SBUSD in the amount of \$32,048.

Action: Approved the recommendation; Agreement No. 26,527 (August 13, 2019, report from the Parks and Recreation Director).

14. Subject: Agreements For Afterschool Recreation Programs (570.08)

Recommendation: That Council authorize the Parks and Recreation Director to enter into agreements with the Santa Barbara Unified School District for the Recreation Afterschool Program and Junior High Afterschool Sports Program.

Action: Approved the recommendation; Agreement Nos. 26,528; 26,529; 26,530(August 13, 2019, report from the Parks and Recreation Director).

15. Subject: Increase In Professional Services Contract With Joe Mar Polygraph And Investigative Services, Inc. (520.04)

Recommendation: That Council authorize the increase of the professional services contract with Joe Mar Polygraph and Investigative Services, Inc. by \$65,000 for polygraph and background investigation services for Police Department employment candidates.

Action: Approved the recommendation; Agreement No. 26,249.2 (August 13, 2019, report from the Police Chief).

16. Subject: Recruitment For City Advisory Groups (140.05)

Recommendation:

- A. The City Clerk's Office will accept applications through Tuesday, September 24, 2019, at 5:00 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Friday, September 13, 2019;

- B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, October 8, 2019, at 4:00 p.m. (Estimated Time), Tuesday, October 15, 2019, at 4:00 p.m. (Estimated Time), and Tuesday, October 22, 2019, at 6:00 p.m.; and
- C. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, November 12, 2019.

Action: Approved the recommendations.

NOTICES

- 17. Subject: The City Clerk has on Thursday, August 8, 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.
- 18. Subject: Received a letter of resignation from Neighborhood Advisory Council Member Eve Sanford; this vacancy will be part of the next City Advisory Groups recruitment.
- 19. Subject: Received a letter of resignation from Community Development and Human Services Committee Member Ken Gates; this vacancy will be part of the next City Advisory Groups recruitment.
- 20. Subject: Received a letter of resignation from Housing Authority Commissioner David Gustafson; this position will be part of the next City Advisory Groups recruitment.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

- 21. **Subject: Memorandum Of Understanding With The Gwendolyn Strong Foundation And Naming Opportunities For The Dwight Murphy Field Renovation Project (570.08)**

Recommendation: That Council:

- A. Authorize the City Administrator to enter into a Memorandum of Understanding with The Gwendolyn Strong Foundation; and
- B. Approve the proposed naming opportunities for the Dwight Murphy Field Renovation Project.

Documents:

- August 13, 2019, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Parks and Recreation Director Jill Zachary.
- Parks and Recreation Commission: Beebe Longstreet.
- Members of the Public: Jacob Lesner-Buxton; Victoria Strong, Gwendolyn Strong Foundation.

Motion:

Councilmembers Sneddon/Dominguez to approve the recommended actions; Agreement No. 26,531.

Vote:

Unanimous roll call vote.

CITY ADMINISTRATOR

22. Subject: Update Of Southern California Edison Wildfire Mitigation, Safety, And Grid Resiliency (380.01)

Recommendation: That Council receive and comment on a presentation by Southern California Edison Wildfire Mitigation, Safety, and Grid Resiliency.

Documents:

- August 13, 2019, report from the City Administrator.
- PowerPoint presentation prepared and made by staff.
- PowerPoint presentation prepared and made by Southern California Edison.

Speakers:

- Staff: Fire Marshal Joe Poire; Public Works Director Rebecca Bjork; Emergency Services Manager Yoli McGlinchey; Fire Public Education Coordinator Liliana Encinas; Fire Operations Division Chief.
- Southern California Edison: Rondi Guthrie.
- Members of the Public: Phil Walker; Renny Strong.

Discussion:

Council discussed items including wildfire risk, SCE's wildfire mitigation plan, the state strike force report, mitigation strategy, and the Public Safety Power Shutoff program. Councilmembers' questions were answered.

COMMUNITY DEVELOPMENT DEPARTMENT

23. Subject: Agreement For People Assisting The Homeless (PATH) (660.04)

Recommendation: That Council authorize the Community Development Director to execute a funding agreement for \$202,100 with People Assisting the Homeless (PATH) for the operation of a homeless shelter and related services.

Documents:

- August 13, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Housing and Human Services Manager Laura Dubbels.
- PATH: Director of Programs Chuck Flacks.
- Members of the Public: David Boyd; Renny Strong, Santa Barbara Gypsy Coalition.

Motion:

Councilmembers Rowse/Dominguez to approve the recommended actions; Agreement No. 26,532.

Vote:

Unanimous roll call vote.

CITY ADMINISTRATOR

25. Subject: Clerk Certification Of Not More Candidates Than Can Be Elected In City Council Districts 3 And 6, And Council Briefing Regarding Options To Fill Vacancy (110.03)

Recommendation: That Council:

- Receive a certification from the City Clerk Services Manager that not more than one candidate can be elected in City Council Districts 3 and 6 in the General and Special Municipal Election of November 5, 2019; and
- Receive information regarding City Council options for filling the Council Districts 3 and 6 positions.

Documents:

- August 13, 2019, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: City Clerk Services Manager Sarah Gorman; Assistant City Attorney Daniel Hentschke.

Discussion:

Council discussed the process for appointments. Councilmembers' questions were answered.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Discussed questions regarding smoking concerns.
- Councilmember Friedman attended the following events or meetings: 1. Jewish Federation Portraits of Survival event; 2. Airport event for Delta/Salt Lake City inaugural event.
- Councilmember Rowse attended the following events or meetings: 1. Downtown Parking Committee meeting; 2. Noted that Santa Barbara residents Carl Lindros, Joelle Lindros, and Bill Duval passed away.
- Councilmember Sneddon attended the following events or meetings: 1. Stated that she will not be present for the August 21 Special Meeting; 2. Cachuma Conservation Release Board meeting; 3. Jewish Federation Portraits of Survival event; 4. Youth Council meeting.
- Mayor Murillo attended the following events or meetings: 1. Jewish Federal Portraits of Survival event; 2. Congratulations to Airport for bringing Delta service; 3. Movie Night through Office of Arts and Culture.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSION

26. 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 Theodore P. Kracke v. City of Santa Barbara, VSC Case No. 56-2016-00490376-CU-WM-VTA; and Santa Barbara Inland & Coastal Property Rights Association v. City of Santa Barbara, SBSC Case No. 18CV03136.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

August 13, 2019, report from the City Attorney.

Time:

5:15 p.m. – 5:55 p.m.

Assistant City Attorney Hentchke reported that in this matter, Council considered the matter in closed session, and in a unanimous vote, authorized filing of a Notice of Appeal in the matter.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 5:55 p.m. in honor of Carl Lindros.

Approved and adopted by the City Council of the City of Santa Barbara on September 17, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER