



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
JANUARY 14, 2020
COUNCIL CHAMBERS, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:01 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: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, Assistant City Attorney Pam Antil; 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 January 31, 2020.

Action: City Administrator Paul Casey listed the names of the service award pin recipients.

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Mark Marshall Wofford, YMCA Surf Rider Foundation; Monica C. Ramirez, CARRMA; Elizabeth Reed; Alan Gallegos; Jeffrey Doornbos; Phil Walker; Ken Dunkley; Jose Arturo Gallegos; Dorothy Dent.

CONSENT CALENDAR (Item Nos. 2-9)

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.

- 2. Subject: Introduction Of Ordinance Approving The 2019-2020 Supervisory Employees' Bargaining Unit Memorandum Of Understanding And Adoption Of The Resolution Amending Resolution No. 19-041, The Position And Salary Control Resolution For Fiscal Year 2020 (440.02)**

Recommendation: That Council:

- A. Ratify the Memorandum of Understanding with the Santa Barbara City Supervisory Employees' Bargaining Unit through the introduction and subsequent adoption of, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting the 2019-2020 Supervisor's Memorandum of Understanding and Providing for Compensation Changes for Confidential Supervisory Employees; and
- B. 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 Certain Classifications in the Supervisors and Confidential Supervisors Bargaining Units Effective January 14, 2020.

Action: Approved the recommendations; Resolution No. 20-003 (January 14, 2020, report from the City Administrator; proposed Ordinance and Resolution).

- 3. Subject: Resolution For The Assignment And Transfer Of City Easements At The Gutierrez Street Bridge To The Santa Barbara County Flood Control And Water Conservation District (540.06)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Approving the Assignment of Existing City Easement Interests on Private Properties to the Santa Barbara County Flood Control and Water Conservation District for Flood Control and All Related Purposes, and Authorizing the City Administrator to Execute as Necessary the Easement Assignment Deeds in a Form Approved by the City Attorney.

Action: Approved the recommendation; Resolution No. 20-004; Deed Nos. 61-547; 61-548 (January 14, 2020, report from the Public Works Department Director; proposed Resolution).

4. Subject: November 2019 Investment Report (260.02)

Recommendation: That Council accept the November 2019 Investment Report.

Action: Approved the recommendation (January 14, 2020, report from the Finance Director).

5. Subject: Professional Services Agreement With Kruger Bensen Ziemer Architects, Inc. For Continued Architectural Services For The Cabrillo Pavilion Renovation Project (570.05)

Recommendation: That Council authorize the Parks and Recreation Director to enter into a professional services agreement with Kruger Bensen Ziemer Architects, Inc. (KBZ) in the amount of \$94,000 to provide continued architectural services for the Cabrillo Pavilion and Bathhouse (Cabrillo Pavilion) Renovation Project.

Action: Approved the recommendation; Agreement No. 26,614 (January 14, 2020, report from the Parks and Recreation Department Director).

6. Subject: Contract Amendment For Architectural Design Services For The Louise Lowry Davis Center Renovation Project (570.07)

Recommendation: That Council authorize the Parks and Recreation Director to execute a First Amendment to Professional Services Agreement No. 26,000 with Bildsten Architecture and Planning, Inc. in the amount of \$30,650 for final design, construction documents, and bid support services for the Louise Lowry Davis Center Renovation Project.

Action: Approved the recommendation; Agreement No. 26,000.1 (January 14, 2020, report from the Parks and Recreation Department Director).

7. Subject: California Division Of Boating And Waterways Grant For Removal Of Vessels Per The State's Surrendered And Abandoned Vessel Exchange (SAVE) Program (570.03)

Recommendation: That Council:

- A. Authorize the Waterfront Director to execute an agreement with the California Division of Boating and Waterways, accepting a \$70,000 grant for disposing abandoned or surrendered recreational vessels per the state's SAVE Program; and

- B. Increase appropriations and estimated revenue in the Fiscal Year 2020 Waterfront Department's Capital Budget.

Action: Approved the recommendations; Agreement No. 26,615 (January 14, 2020, report from the Waterfront Department Director).

8. Subject: Approval Of Administrative Items Related To Community Choice Energy (630.06)

Recommendation: That Council:

- A. Approve and authorize the Public Works Director to execute a Professional Services Agreement with California Choice Energy Authority in the not to exceed amount of \$175,000 for Community Choice Energy implementation support services;
- B. Approve and authorize the Public Works Director to execute an Agreement with Southern California Edison for on-going billing services to commence upon delivery of electrical service by Santa Barbara Clean Energy;
- C. Approve a payment in an amount not to exceed \$147,000 to the California Public Utilities Commission for a Financial Security Deposit; and
- D. Approve an increase in appropriations in the amount of \$322,000 in the General Fund, funded by General Fund Contingency Reserves, authorize the transfer of such funds to the Facilities Management Fund, and approve an increase in appropriations and estimated revenues in the Facilities Management Fund, funded by the transfer, for costs associated with California Choice Energy Authority Community Choice Energy Implementation Services Agreement and the Financial Security Requirement required by the California Public Utilities Commission.

Action: Approved the recommendations; Agreement Nos. 26,616; 26,617 (January 14, 2020, report from the Public Works Department Director).

NOTICES

- 9. Subject: The City Clerk has on Thursday, January 9, 2020, 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 O. Gutierrez reported that the Ordinance Committee voted to approve staff recommendations with a stipulation of making changes to the Living Wage Ordinance.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

10. Subject: Advisory Groups And Council Liaisons Appointments (120.02)

Recommendation: That Council consider the appointments of Liaisons to Advisory Groups and Commissions.

Documents:

- January 14, 2020, report from the City Administrator.

Motion:

Councilmembers Friedman/Jordan to fill the Board Commission liaison positions as noted below.

Vote:

Unanimous roll call vote.

Councilmember Friedman:

1. Airport Commission.
2. Library Board
3. Water Commission (alternate)
4. Community Choice Energy
5. Farmer's Market Relocation Subcommittee
6. Sea Level Rise Adaptation Plan Subcommittee
7. Committee on Legislation
8. Santa Barbara Beautiful
9. Beach Erosion Authority for Clean Oceans and Nourishment (BEACON)
10. Cachuma Conservation Release Board (CCRB) (alternate)
11. Cachuma Operation and Maintenance Board (COMB) (alternate)
12. Central Coast Water Authority (CCWA)
13. Santa Barbara County Air Pollution Control District Board of Directors (APCD) (alternate)
14. Santa Barbara County Association of Governments (SBCAG) (alternate)

Councilmember A. Gutierrez:

1. Civil Service Commission
2. Housing Authority Commission (alternate)
3. Living Wage Advisory Committee
4. Neighborhood Advisory Council
5. Rental Housing Mediation Board
6. Santa Barbara Youth Council
7. Single Family Design Board (alternate)
8. Transportation and Circulation Committee
9. Police Station Ad Hoc Committee
10. Hospitality Santa Barbara

11. PATH Neighborhood Partnership
12. Santa Barbara Metropolitan Transit District Board
13. South Coast Youth Safety Partnership (alternate)

Councilmember O. Gutierrez:

1. Arts Advisory Committee
2. Community Development and Human Services Committee
3. Community Events and Festivals Committee
4. Fire and Police Commission
5. Neighborhood Advisory Council
6. Santa Barbara Youth Council
7. Sister Cities Board
8. PATH Neighborhood Partnership
9. Santa Barbara Center for the Performing Arts
10. Visit Santa Barbara
11. Community Action Commission

Councilmember Harmon:

1. Access Advisory Committee
2. Architectural Board of Review (alternate)
3. Downtown Parking Committee
4. Housing Authority Commission
5. Neighborhood Advisory Council
6. Single Family Design Board
7. Farmer's Market Relocation Subcommittee
8. Police Station Ad Hoc Committee
9. Sustainability Council Committee
10. Committee on Legislation
11. De la Guerra Plaza Revitalization Design Advisory Committee
12. Presidio Joint Powers Committee
13. Home for Good (alternate)
14. City/County Affordable Housing Task Group (alternate)
15. Chamber of Commerce (alternate)

Councilmember Jordan:

1. Creeks Advisory Committee (alternate)
2. Downtown Parking Committee (alternate)
3. Harbor Commission
4. Planning Commission
5. Transportation and Circulation Committee (alternate)
6. Sea Level Rise Adaptation Plan Subcommittee
7. Chamber of Commerce
8. Beach Erosion Authority for Clean Oceans and Nourishment (BEACON)
(alternate)

9. Santa Barbara Metropolitan Transit District Board (alternate)

Mayor Pro Tempore Sneddon:

1. Creeks Advisory Committee
2. Historic Landmarks Commission
3. Parks and Recreation Commission
4. Water Commission
5. Community Choice Energy
6. Farmers' Market Relocation Subcommittee
7. Police Station Ad Hoc Committee
8. Sea Level Rise Adaptation Plan Subcommittee
9. Sustainability Council Subcommittee
10. Committee on Legislation
11. De La Guerra Plaza Revitalization Design Advisory Committee
12. Coast Village Association
13. Looking Good Santa Barbara
14. Cachuma Conservation Release Board (CCRB)
15. Cachuma Operation and Maintenance Board (COMB)
16. Central Coast Water Authority (CCWA) (alternate)

Mayor Murillo:

1. Architectural Board of Review
2. Building and Fire Code Board of Appeals
3. Citizens' Oversight Committee
4. Historic Landmarks Commission (alternate)
5. Rental Housing Mediation Board (alternate)
6. Sister Cities Board (alternate)
7. Community Choice energy
8. Sustainability Council Committee
9. Downtown Santa Barbara
10. Looking Good Santa Barbara (alternate)
11. Home for Good
12. City/County Affordable Housing Task Group
13. Santa Barbara County Air Pollution Control District Board of Directors (APCD)
14. Santa Barbara County Association of Governments (SBCAG)
15. League of California Cities Board
16. U.S. Conference of Mayors Hunger and Homelessness Task Group (Chair)

PUBLIC HEARING

11. **Subject: Public Hearing To Modify The 2015-2020 Santa Barbara South Coast Tourism Business Improvement District (180.01)**

Recommendation: That Council:

- A. Hold a final public hearing to modify the 2015-2020 Santa Barbara South Coast Tourism Business Improvement District and declare results of a majority protest proceeding; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Modifying the 2015-2020 Management District Plan of the Santa Barbara South Coast Tourism Business Improvement District.

The title of the Resolution was read.

Public Hearing opened: 3:01 p.m.

Documents:

- January 14, 2020, report from the City Administrator.
- PowerPoint presentation prepared and made by staff.
- Proposed Resolution.

Speakers:

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

Public Hearing closed: 3:04 p.m.

Motion:

Councilmembers Sneddon/Friedman to approve the staff recommendation; Resolution No. 20-005.

Vote:

Unanimous roll call vote.

COMMUNITY DEVELOPMENT DEPARTMENT

12. Subject: Report On Accessory Dwelling Unit Interim Urgency Ordinance (610.01)

Recommendation: That Council:

- A. Receive a report on measures taken to alleviate the condition that led to the adoption of an interim urgency ordinance limiting application of the City's existing Accessory Dwelling Unit ("ADU") Ordinance beyond January 1, 2020; and
- B. Adopt, by reading in full and by a four-fifths vote, an Interim Urgency Ordinance of the Council of the City of Santa Barbara Extending Ordinance No. 5927 Concerning Accessory Dwelling Units for 10 months & 15 days, or Until December 17, 2020.

The Interim Urgency Ordinance was read in full.

Documents:

- January 14, 2020, report from the Community Development Director.

- PowerPoint presentation prepared and made by staff.
- Proposed Ordinance.

Speakers:

- Staff: City Planner Renee Brooke; Assistant City Administrator Pam Antil.
- Members of the Public: Alexa Newman; Sheila Lodge; Patricio Nava; Jose Arturo Gallegos.

Motion:

Councilmembers Harmon/Sneddon to extend the Urgency Ordinance (Ordinance No. 5927) through December 17, 2020 and make necessary findings pursuant to Government Code Section 65858(c).

Vote:

Unanimous roll call vote; Ordinance No. 5930.

Councilmember Jordan and City Administrator Casey announced that they are recusing themselves from discussion of ADU owner occupancy issues due to their application for or ownership of ADUs. Councilmember Jordan and City Administrator Casey were excused from the meeting at 3:51 p.m. Assistant City Administrator Antil joined the meeting at 3:51 p.m.

Council provided direction for staff to return with information for a discussion of ADU owner occupancy rules.

Councilmember Jordan and City Administrator Casey returned to the meeting at 4:02 p.m.

13. Subject: Sea-Level Rise Vulnerability Assessment And Upcoming Adaptation Plan Process (610.04)

Recommendation: That Council receive an informational presentation on the City's potential vulnerabilities to hazards associated with sea-level rise and the City's sea-level rise adaptation planning process.

Documents:

- January 14, 2020, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Project Planner Melissa Hetrick.
- Members of the Public: Hillary Houser, Heal the Ocean; Phil Walker.

Discussion:

- Information was provided on topics including sea-level rise planning background, the draft Sea-Level Rise Vulnerability Assessment, and next steps. Councilmembers' questions were answered.

COUNCIL AND STAFF COMMUNICATIONS

City Attorney Calonne stated that he was providing a non-confidential memorandum regarding Charter City preemption issues for land use power.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Friedman attended the following events or meetings: 1. Library Advisory Board; 2. January 9 debris flow memorial in Montecito; 3. Botanic Gardens Conservation Symposium.
- Councilmember Sneddon attended the following events or meetings: 1. January 9 debris flow memorial in Montecito; 2. Grand re-opening of Cold Springs Trail; 3. Rose Garden pruning event; 4. Ordinance Committee meeting.
- Mayor Murillo attended the following events or meetings: 1. Coast rail coordinating Council meeting; 2. SBCAG meeting; 3. APCD meeting; 4. Fielding Graduate University awards ceremony; 5. Downtown Santa Barbara board meeting.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

Mayor Murillo recessed to closed session at 5:25 p.m. and stated that a report is anticipated.

14. Subject: Waterfront Director Appointment (570.03)

Recommendation: That Council hold a closed session, per Government Code Section 54957, to discuss the appointment for the position of Waterfront Director.

Action taken to appoint a public employee in closed session pursuant to Section 54957 shall be reported at the public meeting during which the closed session is held.

Scheduling: Duration: 30 minutes; anytime
Report: Report anticipated.

Documents:

- January 14, 2020, report from the Waterfront Department Director.

Time:

- 5:24 p.m. – 5:35 p.m.

Announcement:

- City Council approved the hiring of Michael Wiltshire.

15. Subject: Conference With City Attorney – Existing Litigation – Gov. Code § 54956.9(d)(1) (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 James Ryden, et al. v. City of Santa Barbara, USDC Case Number 2:09-CV-09-1578 SVW.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

- January 14, 2020, report from the City Attorney.

Time:

- 5:35 p.m. – 6:15 p.m.

Report:

- No report made.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 6:15 p.m.in honor of Susan Shank.

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