



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING SEPTEMBER 10, 2019 COUNCIL CHAMBERS, 735 ANACAPA STREET

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:00 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: Jason Dominguez, Eric Friedman, Oscar Gutierrez, Randy Rowse, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: Meagan Harmon.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, Deputy City Clerk Angela Rodriguez.

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 September 30, 2019.

Action: Service award presented to Danny Kato.

2. Subject: Honoring First Responders On Patriot Day 2019 (120.04)

Action: Proclamation presented to Police Chief Lori Luhnnow and Fire Battalion Chief Chris Mailes.

CHANGES TO THE AGENDA

City Administrator Paul Casey stated that the 1631 Shoreline Drive appeal that was scheduled to be heard at this meeting will no longer be heard due to the appellants' appeal withdrawal.

PUBLIC COMMENT

Members of the Public: Monica Ramirez, C.A.R.R.M.A.; Ed St. George; Jay Blatter; Uriah Wesman; Emily Allen, United Way/Home for Good; Bonnie B. Raisin; Lanny Ebenstein; Denice Adams.

ITEMS REMOVED FROM CONSENT CALENDAR

9. Subject: Adoption Of An Ordinance 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 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.

The title of the Ordinance was read.

Documents:

- September 10, 2019 report from the Waterfront Director.
- Proposed Ordinance.

Councilmember Rowse stated that he was recusing himself from participating in this decision because of his ownership of a slip permit.

Motion:

Councilmembers Friedman/Dominguez to approve the staff recommendation.

Vote:

Unanimous roll call vote (Abstain: Councilmember Rowse; Absent: Councilmember Harmon); Ordinance No 5901.

10. Subject: Addition Of Economic Development Manager Position (410.06)

Recommendation: The 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 City Administrator's Office Effective September 10, 2019.

The title of the Resolution was read.

Documents:

- September 10, 2019 report from the City Administrator.
- Proposed Resolution.

Speaker:

- Staff: City Administrator Paul Casey.

Motion:

Councilmembers Sneddon/ Friedman to approve the staff recommendation.

Vote:

Majority roll call vote (Ayes: Councilmembers Sneddon, Friedman, Gutierrez, and Mayor Murillo; Noes: Councilmember Dominguez; Absent: Councilmember Harmon); Resolution No 19-064.

28. Subject: Set A Date For A Public Hearing Regarding Single Family Design Board's Final Approval At 1201 Del Oro (640.07)

Recommendation: That Council:

- A. Set the date of October 8, 2019, at 2:00 p.m. for hearing the appeal filed by Russ Sheppel and Gary Gentile of the Single Family Design Board's (SFDB) Final Approval of Application PLN2016-00327 for property owned by Joseph and Elizabeth Hopkins located at 1201 Del Oro, Assessor's Parcel No. 045-214-010; E-3/SD-3, Residential Single-Unit/Coastal Overlay Zones, General Plan/Local Coastal Program Land Use Designation: Five Residential Units Per Acre. The project involves the demolition of a 1,441 square foot one-story single family residence and construction of a two-story 2,119 square foot single-family residence with a 670 square foot basement, and a 451 square foot attached garage for two cars in tandem configuration. The proposed total of 2,570 square feet is 95% of the maximum required floor-to-lot area ratio (the basement square footage is excluded from the FAR); and
- B. Set the date of October 7, 2019, at 1:30 p.m. for a site visit to the property located at 1201 Del Oro.

Documents:

- September 10, 2019 report from the Community Development Director.

Councilmember Rowse stated that he was recusing himself from participating in this decision because of the close proximity to his home.

Motion:

Councilmembers Sneddon/Murillo to approve the staff recommendation.

Vote:

Unanimous roll call vote (Abstain: Councilmember Rowse; Absent: Councilmember Harmon).

CONSENT CALENDAR (Item Nos. 3-8, 11-27, and 29-33)

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

Motion:

Councilmembers Friedman/Sneddon to approve Items Nos. 3-8, 11-27, and 29-33 of the Consent Calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmember Harmon).

3. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes of the regular meetings of June 18, July 16, July 23, and July 30, 2019, and the minutes of the special meetings of June 5, July 15, July 23, July 25, July 30, and August 21, 2019.

Action: Approved the recommendation.

4. Subject: Introduction Of Ordinance Approving A License Agreement With Southern California Gas Company For Communications Equipment On City Street Lights (380.02)

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 License Agreement with Southern California Gas Company for Communications Equipment Installations on City Street Lights.

Action: Approved the recommendation (September 10, 2019, report from Public Works Director; proposed Ordinance).

5. Subject: Introduction Of An Ordinance Authorizing A License Agreement With AT&T Mobility For Wireless Installations On City Street Lights (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 License Agreement with AT&T Mobility for Wireless Installations on City Street Lights, Including Authorization for Site Specific Licenses.

Action: Approved the recommendation (September 10, 2019, report from the Public Works Director; proposed Ordinance).

6. Subject: Introduction Of Ordinance Extending The School Zone Speed Limit Near Monte Vista Elementary School (530.05)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Amending Section 10.20.040 to Extend the Speed Zoning Near Schools to Include Hope Avenue Between Lincoln Road and Pueblo Avenue.

Action: Approved the recommendation (September 10, 2019, report from the Public Works Director; proposed Ordinance).

7. Subject: Lease Agreement With Mission Support And Test Services LLC (330.04)

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 the Airport Director to Execute a Lease Agreement Between the City of Santa Barbara and Mission Support and Test Services to Lease 8,800 Square Feet of Building 226, and 47,692 Square Feet of Adjacent Land at 6190 Francis Botello Road at Santa Barbara Airport for a Term of Seven Years and Six Months (7.5 Years) Commencing Upon the First Day of the Month Following Adoption of the Enabling Ordinance.

Action: Approved the recommendation (September 10, 2019, report from the Airport Director; proposed Ordinance).

8. Subject: Municipal Code Amendments Pertaining To Park Closing Times, Park Playgrounds And Aquatic Facilities, Portable Grills And Stoves, And Off-Leash Dog Areas (570.05)

Recommendation: That Council introduce and subsequently adopt, by reading of the title only, an Ordinance of the Council of the City of Santa Barbara Amending Title 15, Chapter 15.15 of 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 Sections 15.16.250 and 15.16.260 Pertaining to Park Closing Times, and Amending Title 6, Chapter 6.08 by Amending Section 6.08.020 Pertaining to Off Leash Dog Areas in City Parks.

Action: Approved the recommendation (September 10, 2019, report from the Parks and Recreation Director; proposed Ordinance).

11. Subject: Salary Range Change For Library Circulation Supervisor In The Library Department (410.06)

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 Library Department Effective September 10, 2019.

Action: Approved the recommendation; Resolution No. 19-065 (September 10, 2019, report from the City Administrator; proposed Resolution).

12. Subject: Statement Of Investment Policy And Delegation Of Investment Authority For Fiscal Year 2020 (210.01)

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. 18-068.

Action: Approved the recommendation; Resolution No. 19-066 (September 10, 2019, report from the City Administrator; proposed Resolution).

13. Subject: July 2019 Investment Report (260.02)

Recommendation: That Council accept the July 2019 Investment Report.

Action: Approved the recommendation (September 10, 2019, report from the Finance Director).

14. Subject: Contract With The American Association Of Airport Executives For Transportation Security Clearinghouse Services (560.01)

Recommendation: That Council authorize the Airport Director to execute a contract with American Association of Airport Executive's (AAAE) Airport Research and Development Foundation's Transportation Security Clearinghouse for a management system to facilitate rideshare operator compliance, data analytics, and account reconciliation for an initial term of two years.

Action: Approved the recommendation; Agreement No. 26,540 (September 10, 2019, report from the Airport Director).

15. Subject: Approval Of Quinn Corporation, Inc. For The Maintenance, Repair, Upgrade, And New Installation Of Caterpillar Generator Systems (540.01)

Recommendation: That Council:

- A. Find it to be in the City's best interest to approve Quinn Corporation, Inc. as the vendor for maintenance, repair, upgrade, and new installation of

Caterpillar emergency backup generators at the City's Water Resources facilities, without bids, as authorized by Municipal Code Section 4.52.070 (k); and

- B. Authorize the Public Works Director to award purchase order contracts to Quinn Corporation, Inc. for such services and equipment as needed for the next five-year period, expiring on September 10, 2024.

Action: Approved the recommendations (September 10, 2019, report from the Public Works Director).

16. Subject: Jimeno Road Federal Emergency Management Agency Funded Retaining Wall Repair Related To The Fiscal Year 2017 Winter Storm Disaster Recovery (530.01)

Recommendation: That Council:

- A. Approve an increase in appropriations and estimated revenues in the February 2017 Winter Storm Fund in the amount of \$115,640, funded by State and Federal disaster grants, for the Jimeno Road Retaining Wall Repair related to the February 2017 Winter Storm disaster recovery;
- B. Approve the allocation of available appropriations in the Pavement Maintenance Program in the Measure A Capital Fund in the amount of \$38,547, authorize the transfer of such funds to the February 2017 Winter Storm Fund; and
- C. Approve an increase in appropriations and estimated revenues in the February 2017 Winter Storm Fund in the amount of \$38,547, funded by the transfer from the Measure A Capital Fund, for the City's share of the Jimeno Road Retaining Wall Repair related to the Fiscal Year 2017 Winter Storm.

Action: Approved the recommendations (September 10, 2019, report from the Public Works Director).

17. Subject: Contract For Conceptual Design Of The Santa Barbara City Hall Elevator (530.01)

Recommendation: That Council award a contract with Sherry and Associates Architects Inc., a California Corporation, in the amount of \$61,950 for the feasibility and conceptual design phases of the project to install a new elevator at the Santa Barbara City Hall; and authorize the Public Works Director to execute the contract and approve expenditures up to \$6,195 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 26,541 (September 10, 2019, report from the Public Works Director).

18. Subject: Approval Of Geographical Positioning System Equipment And Vendor (540.01)

Recommendation: That Council:

- A. Find it to be in the City's best interest to approve Eclipse Mapping and GIS, LLC as the vendor for Geographical Positioning System equipment for the Water Resources Division, without bids, as authorized by Municipal Code Section 4.52.070 (k);
- B. Authorize the General Purchasing Manager to execute a purchase order with Eclipse Mapping and GIS, LLC for \$45,000; and
- C. Add Eos Geographical Positioning System equipment to the Standard Equipment List for the Water Resources Division, in accordance with Municipal Code Section 4.52.070 (L).

Action: Approved the recommendation (September 10, 2019, report from the Public Works Director).

19. Subject: Agreement For Development Of The City's Five-Year Consolidated Plan And Analysis Of Impediments To Fair Housing Choice For Use Of Federal Community Development Block Grants And HOME Funds (610.05)

Recommendation: That Council authorize the Community Development Director to execute a professional services agreement with Root Policy Research (RPR) in the amount of \$68,060 for the preparation and submittal of the City's Five-Year Consolidated Plan for Program Years 2020 through 2024, and to update the City's Analysis of Impediments to Fair Housing Choice Report (AI), completed in conjunction with the Housing Authority of the City of Santa Barbara (Housing Authority).

Action: Approved the recommendation; Agreement No. 26,542 (September 10, 2019, report from the Community Development Director).

20. Subject: Response To Grand Jury Report Regarding Cachuma Project Contract And Management (530.01)

Recommendation: That Council:

- A. Consider and adopt the letter response to the Honorable Michael J. Carrozzo, Presiding Judge, Santa Barbara Superior Court, regarding the 2018-2019 Grand Jury report entitled "Cachuma Project Contract and Management";
- B. Authorize the Mayor to sign and forward the letter and the responses to the Presiding Judge of Santa Barbara County Superior Court; and
- C. Determine, pursuant to the California Environmental Quality Act Guidelines section 15378(b)(5), that the above actions are not a project that is subject to California Environmental Quality Act review, because the actions are organizational or administrative activities that will not result in direct or indirect physical changes to the environment.

Action: Approved the recommendations (September 10, 2019, report from the Public Works Director).

21. Subject: Taxiway H Extension Environmental Assessment Contracts (560.01)

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute a Contract with Kimley-Horn and Associates Inc. for a Biological Assessment and Habitat Mitigation and Monitoring Plan for the proposed extension of Taxiway H in an amount not to exceed \$107,430, and authorize the Airport Director to approve expenditures up to \$10,743 for extra services that may result from necessary changes in the scope of work;
- B. Approve and authorize the Airport Director to execute a Contract with Applied Earthworks, Inc. for a Phase I and Phase II Archaeological Assessment for the proposed extension of Taxiway H in an amount not to exceed \$71,337, and authorize the Airport Director to approve expenditures up to \$7,134 for extra services that may result from necessary changes in the scope of work;
- C. Approve and authorize the Airport Director to execute a Reimbursable Agreement with the Federal Aviation Administration (FAA) to provide funding for FAA services, travel, and expenses required for preliminary engineering for the proposed relocation of Runway 7 Glide Slope Antenna associated with the proposed extension of Taxiway H in an amount not to exceed \$96,713, and authorize the Airport Director to approve expenditures up to \$9,671 for extra services that may result from necessary changes in the scope of work;
- D. Increase appropriations and estimated revenues by a total of \$178,767 in the Airport's Grant Fund to conduct biological and archaeological studies for the environmental study for the Taxiway H Extension project, to be funded by Federal Aviation Administration Airport Improvement Grant 3-06-0235-057 in the amount of \$162,070 and a transfer of \$16,697 from the Airport Operating Fund for the City's match; and
- E. Increase appropriations and estimated revenues by a total of \$74,261 in the Airport Capital Fund for the Taxiway H Extension Project, to be funded by a transfer from existing appropriations in the Airport Operating Fund.

Action: Approved the recommendations; Agreement Nos. 26,543; 26,544; 26,545 (September 10, 2019, report from the Airport Director)

22. Subject: Contract For Construction Of The Federal Emergency Management Agency Funded Westmont Road Storm Drain Rehabilitation Project (530.04)

Recommendation: That Council:

- A. Award a contract with Taylor Jane Construction LP, in their low bid amount of \$69,804 for construction of the Westmont Road Storm Drain

Rehabilitation Project, Bid No. 3974; and authorize the Public Works Director to execute the contract and approve expenditures up to \$13,961 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. Approve an increase in appropriations and estimated revenues in the Thomas Fire and Debris Flow Disaster Fund in the amount of \$82,737, funded by Federal Emergency Management Agency disaster grants, for the Westmont Road Storm Drain Rehabilitation Project; and
- C. Approve the allocation of available appropriations in the Drainage Improvements Project in the Measure C Capital Fund in the amount of \$62,078 for the Westmont Road Storm Drain Rehabilitation Project.

Action: Approved the recommendations; Agreement No. 26,546 (September 10, 2019, report from the Public Works Director).

23. Subject: Contract For Construction Of The Santa Barbara Airport Security System Rehabilitation Project (560.04)

Recommendation: That Council:

- A. Award a contract with Birdi, Inc., in their low bid amount of \$1,820,993 for construction of the Santa Barbara Airport Security System Rehabilitation Project, Bid No. 3957A; and authorize the Public Works Director to execute the contract and approve expenditures up to \$182,100 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. Authorize the Public Works Director to execute a contract with Faith Group, LLC in the amount of \$237,852 for construction support services, and approve expenditures of up to \$23,785 for extra services of Faith Group, LLC that may result from necessary changes in the scope of work;
- C. Approve an increase in appropriations and estimated revenues by a total of \$2,575,176 in the Airport's Grant Fund for the Airport Security System Rehabilitation Project, to be funded by Federal Aviation Administration Airport Improvement Grant 3-06-0235-056 in the amount of \$2,334,655, and a transfer of \$240,521 from existing appropriations in the Airport Operating Fund for the City's match;
- D. Approve the allocation of remaining appropriations from the design of the Northeast Apron Rehabilitation Phase II Project in the Airport Capital Fund in the amount of \$42,570 for contract change order authority for the Airport Security System Rehabilitation; and
- E. Approve an increase in appropriations and estimated revenues by \$3,315 in the Airport Capital Fund for contract change order authority for the Airport Security System Rehabilitation Project, to be funded by a transfer from appropriated reserves in the Airport Operating Fund.

Action: Approved the recommendations; Agreement Nos. 26,547; 26,548 (September 10, 2019, report from the Public Works Director).

24. Subject: Contract Amendment For Design Of The Santa Barbara Central Library Elevator (570.04)

Recommendation: That Council authorize the Public Works Director to execute a contract amendment with LMA Architects, a California Corporation, to amend the scope of services for the design of a new elevator at the Santa Barbara Central Library in the amount of \$22,000.

Action: Approved the recommendation; Agreement No. 26,177.1 (September 10, 2019, report from the Public Works Director).

25. Subject: Amendment To Contract For The Design Of The Plaza Renovation At The Central Library (570.04)

Recommendation: That Council authorize the Public Works Director to execute a contract amendment with Arcadia Studio in the amount of \$25,397 for additional design services for the Central Library Plaza Renovation project.

Action: Approved the recommendation; Agreement No. 26,298.1 (September 10, 2019, report from the Public Works Director).

26. Subject: Authorization To Execute New And Amended Legal Services Agreements And Related Budget Actions (160.01)

Recommendation: That Council:

- A. Authorize the City Attorney to execute an amended legal services agreement with Best, Best & Krieger, LLP to increase the not-to-exceed amount from \$300,000 to \$600,000 for special counsel services related to the Felkay inverse condemnation litigation;
- B. Increase appropriations in the Fiscal Year 2020 City Attorney's Office budget in the amount of \$183,535 to cover the costs of the Felkay contracted legal services, funded from the use of General Fund reserves;
- C. Authorize the City Attorney to execute an amended legal services agreement with Best, Best & Krieger, LLP to increase the not-to-exceed amount from \$35,000 to \$116,785 for special counsel services related to the marijuana dispensary litigation;
- D. Increase appropriations in the Fiscal Year 2020 City Attorney's Office budget in the amount of \$54,240 to cover the costs of the marijuana dispensary contracted legal services, funded from the use of General Fund reserves;
- E. Authorize the City Attorney to execute an amended legal services agreement with Manning & Kass, Ellrod, Ramirez, Trester LLP to increase

- the not-to-exceed amount from \$120,000 to \$175,000 for special counsel services related to the Bryden and Huerta cases;
- F. Increase appropriations in the Fiscal Year 2020 City Attorney's Office budget in the amount of \$55,000 to cover the costs of the contract amendment for Manning & Kass, Ellrod, Ramirez, Trester LLP funded from the use of General Fund reserves; and
 - G. Authorize the City Attorney to execute an amended legal services agreement with Meyers Nave Riback Silver & Wilson, PLC to increase the not-to-exceed amount from \$1,300,000 to \$1,725,000 for special counsel services related to the El Estero Tertiary Treatment Project litigation.

Action: Approved the recommendation; Agreement Nos. 25,964.3; 26,549; 26,280.1; 25,963.2 (September 10, 2019, report from the Public Works Director).

27. Subject: Set A Date For A Public Hearing Regarding Planning Commission's Denial Of Development Plan At 302 And 308 W. Montecito Street Appeal (640.07)

Recommendation: That Council:

- A. Set the date of November 19, 2019, at 2:00 p.m. for hearing the appeal filed by Edward St. George of the Planning Commission denial of an Application for a Development Plan and a Development Plan for a Transfer of Existing Development Rights for property located at 302 and 308 W. Montecito Street, APN 037-232-011 and 037-232-002, PLN2016-00426; and
- B. Set the date of November 18, 2019, at 1:30 p.m. for a site visit to the property located at 302 and 308 W. Montecito Street.

Action: Approved the recommendations.

CONSENT PUBLIC HEARING

29. Subject: Hearing For Adoption Of A Resolution Of Order To Vacate Street Easement On A City-Owned Alley At 115 West Anapamu Street, And Authorization To Convey Title To Sanctuary Centers Of Santa Barbara (530.04)

Recommendation: That Council:

- A. Hear all persons interested in or objecting to the proposed vacation of a City-owned alley at 115 West Anapamu Street;
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Ordering the Vacation, Subject to Certain Reservations, of a City-Owned Alley on the West Side of the Property Located Adjacent to Assessor's Parcel No. 039-222-002 as Hereinafter Described, and Authorizing the Conveyance of the Vacated Property; and
- C. Authorize the Public Works Director to execute a Quitclaim Deed conveying the vacated property interests to Sanctuary Centers of Santa Barbara, and

an Easement Grant Deed for pedestrian ingress and egress to the Santa Barbara Affordable Housing Group, both in a form approved by the City Attorney, and providing for the recordation of said Deeds in the Office of the Recorder, County of Santa Barbara.

The title of the Resolution was read.

Public Hearing opened: 3:09 p.m.

Documents:

- September 10, 2019, report from the Public Works Director.
- Proposed Resolution.

Motion:

Councilmembers Friedman/Sneddon to approve the staff recommendation; Resolution 19-067; Deed Nos. 61-540, 61-541.

Vote:

Unanimous roll call vote. (Absent: Councilmember Harmon).

Public Hearing closed: 3:10 p.m.

NOTICES

30. Subject: The City Clerk has on Thursday, September 5, 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.
31. Subject: Received a letter of resignation from Fire and Police Commissioner Jennifer Christensen; this vacancy will be part of the current City Advisory Groups recruitment. (140.02)
32. Subject: Received a memorandum advising of a vacancy created on the Santa Barbara Youth Council with the departure of member Emily Vesper; the vacancy will be part of the current City Advisory Groups recruitment. (140.02)
33. Subject: Received a letter of resignation from Community Development and Human Services Committee Member Alejandra Gutierrez; this vacancy is included in the current City Advisory Groups recruitment. (140.02)

This concluded the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Sneddon reported that the Ordinance Committee discussed ordinances related to water pollution prevention, protection of watercourses, City storm

drain system, and water use. The Ordinance Committee unanimously voted to forward the ordinances to Council for introduction.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

34. Subject: Work Session Briefing To Council Regarding State Water Project Suspended Table A, Delta Conveyance Project, And Cachuma Project Regulatory Actions (540.1)

Recommendation: That Council receive a presentation regarding: the potential reacquisition of Santa Barbara County Suspended Table A water; the Delta Conveyance Project; and pending regulatory decisions affecting the management of and water allocations from Lake Cachuma.

Documents:

- September 10, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Public Works Director Rebecca Bjork, Water Systems Manager Catherine Taylor.
- Central Coast Water Authority: Executive Director Ray Stokes

Discussion:

- Topics covered included Suspended Table A, Delta Conveyance Project, and Cachuma Project regulatory actions. Councilmembers' questions were answered.

35. Subject: Capital Improvement Projects Status Report (230.01)

Recommendation: That Council receive a presentation from staff regarding the Capital Improvement Program Annual Report for Fiscal Year 2019.

Documents:

- September 10, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: City Engineer Brian D'Amour.

Discussion:

- Topics covered included Capital Improvement Projects status report of completed construction projects for Fiscal Year 2019, and projects to be

completed in Fiscal Year 2020. Councilmembers' questions were answered.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Independence Panel at Night Lizard Brewery; 2. Coastal Cities Group for League of Cities; 3. Veterans Connect event at Library; 4. Julia Child opening; 5. Sea Level Rise Subcommittee meeting; 6. Community Vigil for Conception tragedy; 7. Met with Stockton City Councilmember to offer condolences for their loss of a loved one during the Conception tragedy; 8. Pacific Pride Panel lecture; 9. Chamber Mixer at Hotel California; 10. Airport Commission meeting.
- Councilmember Friedman attended the following events or meetings: 1. Santa Barbara Beautiful meeting; 2. Sea Level Rise Subcommittee meeting; 3. Community Vigil for Conception tragedy; 4. Participated as an Alum in the Emergent Leaders Program; 5. Tiny Libraries events; 6. Farmacy Ribbon cutting; 7. Tour of Harbor.
- Councilmember Rowse attended the following events or meetings: 1. Represented the City at Opioid Addiction Day at Airport.
- Councilmember Sneddon attended the following events or meetings: 1. Three COMB meetings; 2. Creeks tour; 3. Pride Festival; 4. Community Choice Subcommittee meeting; 5. CCRB meetings; 6. Parks & Recreation meeting; 7. Goodbye event for Kelly Dyer; 8. Chase Palm Park memorial for those lost at sea; 9. Sea Level Rise Subcommittee meeting; 10. Water Commission meeting.
- Mayor Murillo attended the following events or meetings: 1. Downtown Santa Barbara meeting; 2. Menudo Festival for PAL; 3. Suicide Prevention Walk; 4. Thanked the Waterfront Department for their work during the Conception tragedy; 5. Community Vigil for Conception tragedy; 6. Community Choice Energy Meeting; 7. Teleconference with Central Coast Rail Service; 8. Declared Julia Child's Day.

PUBLIC COMMENT (IF NECESSARY)

RECESS

Mayor Murillo recessed to closed session at 4:40 p.m. and stated that no reportable action is anticipated.

CLOSED SESSION

36. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiator Oliver Yee of Liebert, Cassidy, and Whitmore, Assistant City Administrator Pamela

Antil, and HR Analyst II Sam Ramirez, regarding negotiations with the Santa Barbara City Employees' Association (General Bargaining Unit), Local 620 Service Employees' International Union, and on employee salaries and fringe benefits applicable to Unrepresented Management and Confidential Employees.

Scheduling: Duration, 40 Minutes; anytime
Report: None anticipated

Documents:

- September 10, 2019, report from the City Administrator.

Time: 4:40 p.m. – 5:20 p.m.

No report made.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 5:20 p.m. in memory of those who lost their lives on the Conception and in the September 11, 2001 tragedy.

Approved and adopted by the City Council of the City of Santa Barbara on October 15, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

CATHY MURILLO
MAYOR

ATTEST: _____
SARAH GORMAN
CITY CLERK SERVICES MANAGER



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING SEPTEMBER 17, 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 met at 12:30 p.m.)

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.

CEREMONIAL ITEMS

1. Subject: Museum Day, September 21, 2019 (120.04)

Action: Proclamation presented to the Santa Barbara Museum of Art and the Santa Barbara Maritime Museum.

2. Subject: Hayward Lumber's 100th Anniversary (120.04)

Action: Proclamation presented to Hayward Lumber's General Manager Scott Jones.

CHANGES TO THE AGENDA

City Attorney Ariel Calonne stated that Item Nos 18-19 will be heard and rescheduled for a future meeting.

PUBLIC COMMENT

Members of the Public: Paul R. Zink; Mark Marshall Wofford; Caroline Abate; Bryan Rosen; Anna Marie Gott; Renny Dean Strong.

CONSENT CALENDAR (Item Nos. 3 - 13)

The titles of the Ordinances related to Consent Items were read.

Motion:

Councilmembers Harmon/Friedman 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 meetings of August 6, and August 13, 2019.

Action: Approved the recommendation.

4. Subject: Introduction Of Ordinance Approving A License Agreement With The County Of Santa Barbara For Installation Of County-Owned Fiber Optic Cable In City-Owned Underground Conduit (530.07)

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 License Agreement with the County of Santa Barbara for Use of City-Owned Underground Conduit.

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

5. Subject: Adoption Of Ordinance Approving A License Agreement With Southern California Gas Company For Communications Equipment On City Street Lights (380.02)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing Execution of a License Agreement with Southern California Gas Company for Communications Equipment Installations on City Street Lights.

Action: Approved the recommendation; Ordinance No. 5902; Agreement No. 26,550.

6. Subject: Adoption Of An Ordinance Authorizing A License Agreement With AT&T Mobility For Wireless Installations On City Street Lights (530.01)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing Execution of a License Agreement with AT&T Mobility for Wireless Installations on City Street Lights, Including Authorization for Site Specific Licenses.

Action: Approved the recommendation; Ordinance No. 5903; Agreement No. 26,551.

7. Subject: Adoption Of Ordinance Extending The School Zone Speed Limit Near Monte Vista Elementary School (530.05)

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 Amending Section 10.20.040 to Extend the Speed Zoning Near Schools to Include Hope Avenue Between Lincoln Road and Pueblo Avenue.

Action: Approved the recommendation; Ordinance No. 5904.

8. Subject: Adoption Of Ordinance For Lease Agreement With Mission Support And Test Services LLC (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 Airport Director to Execute a Lease Agreement Between the City of Santa Barbara and Mission Support and Test Services to Lease 8,800 Square Feet of Building 226, and 47,692 Square Feet of Adjacent Land at 6190 Francis Botello Road at Santa Barbara Airport for a Term of Seven Years and Six Months (7.5 Years) Commencing Upon the First Day of the Month Following Adoption of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 5905; Agreement No. 26,552.

9. 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 Title 15, Chapter 15.15 of 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 Sections 15.16.250 and 15.16.260 Pertaining to Park Closing Times, and Amending Title 6, Chapter 6.08 by Amending Section 6.08.020 Pertaining to Off Leash Dog Areas in City Parks.

Action: Approved the recommendation; Ordinance No. 5906.

10. Subject: Fiscal Year 2019 Fourth Quarter Review (250.02)

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget for the Fiscal Year ended June 30, 2019;
- B. Accept the Interim Financial Statements for the Fiscal Year Ended June 30, 2019; and
- C. Approve the proposed adjustments to the Fiscal Year 2019 budget as detailed in the attached Schedule of Proposed Fourth Quarter Budget Adjustments.

Councilmember Dominguez commented that the Finance Committee met and reviewed last year's budget, and that revenues came in higher than expected and expenses lower than expected. Finance Committee approved the recommended action.

Action: Approved the recommendations (September 17, 2019, report from the Finance Director).

11. Subject: Funding Recommendations For Community Art, Events And Festivals Grants And Annual Contract With The Santa Barbara County Office Of Arts And Culture (150.04)

Recommendation: That Council:

- A. Review and approve the City of Santa Barbara Arts Advisory Committee and Community Events and Festivals Committee grant funding recommendations for Fiscal Year 2020; and
- B. Authorize the City Administrator to execute an agreement with the Santa Barbara County Office of Arts and Culture in the amount of \$475,100, of which \$305,100 will be re-granted, as approved in the Fiscal Year 2020 budget.

Action: Approved the recommendations; Agreement No. 26,553 (September 17, 2019, report from the City Administrator).

12. Subject: Proposed Assignment Of Lease Agreement No. 25,436 – Blue Water Hunter, Located At 117-D Harbor Way (570.03)

Recommendation: That Council approve the assignment of Lease Agreement No. 25,436 from Mr. Andrew Taylor, d.b.a. Blue Water Hunter, to Jethro Acosta for the 878 square foot retail store located at 117-D Harbor Way.

Action: Approved the recommendation (September 17, 2019, report from the Waterfront Director).

NOTICES

13. Subject: The City Clerk has on Thursday, September 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.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dominguez commented that the Finance Committee met and reviewed last year's budget, and that revenues came in higher than expected and expenses lower than expected. Finance Committee approved the recommended action.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Sneddon stated that the Committee reviewed the Zoning Ordinance text amendments and unanimously voted to forward the text revisions to City Council.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

14. **Subject: Agreement With Northern Santa Barbara County United Way/Home For Good SBC For Fiscal Year 2020 (660.04)**

Recommendation: That Council:

- A. Authorize the Community Development Director to execute a funding agreement for \$50,000 with the Northern Santa Barbara County United Way/Home for Good SBC (United Way) as the Coordinating Agency to provide services for access to the Santa Barbara County Coordinated Entry System (CES) to address homelessness and to provide supervision for the AmeriCorps volunteers program in the City with CES coordination and oversight; and
- B. Appropriate Socio-Economic Mitigation Program (SEMP) funds in the amount of \$30,353.22 for this agreement from available reserves.

Documents:

- September 17, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.
-

Speakers:

- Staff: Housing and Human Services Manager Laura Dubbels.
- United Way – Northern Santa Barbara County: CEO Eddie Taylor; Director of Homeless and Veteran Programs Emily Allen; Housing and Outreach Coordinator Jessica Lucas.
- County of Santa Barbara: Kimberly Albers.

Motion:

Councilmembers Sneddon/Harmon to approve the staff recommendations; Agreement No. 26,554.

Vote:

Unanimous roll call vote.

15. 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.

Documents:

- September 17, 2019, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.
- August 12, 2019, email from Mark Gisler.
- September 10, 2019, email from Sharon Byrne.
- September 12, 2019, email from Rolf Geyling.

Speakers:

- Staff: Housing and Human Services Manager Laura Dubbels.
- SB ACT: Executive Director Rich Sander; Director of Initiatives Jeff Schaffer, Landon Rank
- Santa Barbara Foundation: CEO Ron Gallo; Chief Strategy Officer Barbara Andersen.
- Members of the Public: Carrie Kelly, Downtown Santa Barbara; Lanny Ebenstein.

Motion:

Councilmembers Friedman/Sneddon to approve the staff recommendation.

Substitute motion:

Councilmember Dominguez to join the Santa Barbara Foundation in how to support the organization.

Substitute motion failed for lack of a second.

Vote on original motion:

Unanimous roll call vote; Agreement No. 26,555.

RECESS

3:50 p.m. – 4:02 p.m.

PUBLIC WORKS DEPARTMENT

16. Subject: Review Of Santa Barbara Police Station Alternative Sites And Designation Of A Preferred Site Alternative For Review Under The California Environmental Quality Act; Direct Staff To Initiate Conceptual Project Design And Environmental Review (700.08)

Recommendation: That Council designate the Cota Commuter Parking Lot as the preferred site alternative for the new Santa Barbara Police Station for the purposes of environmental review under the California Environmental Quality Act, and direct staff to initiate environmental review and conceptual project design.

Councilmember Rowse stated that he is recusing himself from this item due to the proximity of his business to a site being considered. He was excused from the meeting at 4:03 p.m.

Documents:

- September 17, 2019, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.
- September 10, 2019, email from Jeff Shelton.
- September 10, 2019, email from Mary E. O’Gorman.
- September 13, 2019, email from Beebe Longstreet.
- September 15, 2019, email from Kathy McGill.
- September 15, 2019, email from Laurence Hauben.
- September 16, 2019, email from Mark Moses Alvarado.
- September 16, 2019, email from Paulina Conn.

- September 16, 2019, email from Rebecca Hardin.
- September 16, 2019, email from Sam Edelman.
- September 16, 2019, email from Nancy Carlson.

Speakers:

- Staff: Principal Project Planner Brad Hess; Senior Planner Sara Iza; Assistant City Attorney Sarah Knecht.
- Cearnal Collective: Brian Cearnal.
- Parks and Recreation Commission: Commissioner Nichol Clark.
- Members of the Public: Lindsay Baker; John Van Donge, Police Activities League; Janet Napier, Santa Barbara Lawn Bowls Club; Greg Hons, Santa Barbara Police Foundation; Ken D. Fink; Kevin McGibben, Logic Monitor; Lanny Ebenstein; Bill Palmisano; Nancy Carlson; Lee Williams; Ben Sprague, CEO Earl Warren Showgrounds; Bryan Rosen; Sam Edelman, Santa Barbara Farmers Market Association; Bob Stout; Jim Armstrong; Steve Epstein; Noey Turk; Debby Takikawa, SBCFMA; Pico Widdick, SBCFMA; Julia Mayer; Janice Knight; Jennifer Bergquist; Jacob Grant; Carrie Kelly, Downtown Santa Barbara; Randall Wade; Patty Love; Nancy Rapp; Kim Miller, McCloskey Nursery; Chris Shemet; Melissa Sorongon; Michael Meredith; Wesley Roe, S.B. Permaculture Network; Katie Hershfelt; Danielle Siano; Sheila Lodge; Nancy Bertelsen; Ariana Rose Palmisano; Clara Cadwell, Tutti Frutti Farms; Moaz Bensalem, Santa Certified Farmers Market; Chanel; Michal Lynch; Sharon Fitzpatrick; Marla; Alex Frecker, SBFMA; Alan Moraels; Sandy Lejeune, SB Certified Farmers' Market Association; Vicky, Santa Barbara F. Market; Anna Marie Gott; Mara Hochman; Mark Sheridan.

Motion:

Councilmembers Friedman/Gutierrez to approve the staff recommendation.

Substitute motion:

Councilmember Dominguez to take 10-12 weeks and direct staff to return with more information.

Substitute motion failed for lack of a second.

Vote on original motion:

Majority roll call vote (Ayes: Councilmembers Friedman, Gutierrez, Harmon, Mayor Murillo; Noes: Councilmembers Dominguez, Sneddon; Abstain: Councilmember Rowse).

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. Eastside Common Table; 2. Customer Appreciation event at Atlantic Aviation at the Airport; 3. Casa de la Raza fundraiser; 4. Riviera Association board meeting; 5. Eastside Santa Barbara Society board meeting; 6. Taste of Coast Village event.
- Councilmember Friedman attended the following events or meetings: 1. Library Advisory Committee meeting; 2. Congressman Carbajal event regarding offshore drilling ban bill.
- Councilmember Gutierrez attended the following events or meetings: 1. Santa Barbara Youth Council meeting; 2. Neighborhood Advisory Committee meeting; 3. Paid respects to Salvador Aboytes.
- Councilmember Sneddon attended the following events or meetings: 1. Mesa candidate forum; 2. SBHS Back to School night; 3. City College State of the College presentation; 4. Taste of Coast Village event; 5. Riviera Association board meeting.
- Mayor Murillo attended the following events or meetings: 1. APA meeting; 2. Fundraiser for New House; 3. Speaker at SB Associates; 4. South County Sub Regional meeting of SBCAG.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

The closed session items were continued to an undetermined date.

17. Subject: Conference Involving Joint Power Agency – Cachuma Conservation Release Board (CCRB) (160.03)

Recommendation: That Council hold a closed session pursuant to Government Code section 54956.96 to discuss and take action, if necessary, on matters involving the Cachuma Conservation Release Board.

Discussion will concern:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code section 54956.9(d) (One potential case)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code section 54956.9(d)(1) (One case: State Water Resources Control Board adjudicatory proceeding regarding Cachuma Project water rights)

Name of City representative on CCRB: Councilmember Sneddon

Name of Alternate City representative on CCRB: Councilmember Friedman

Scheduling: Duration: 15 minutes; anytime

Report: None anticipated

This item was continued to an undetermined date.

18. 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 Thomas Felkay as Trustee of the Emprise Trust v. COSB, et al. SBSC Case No. 17CV03351.

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

This item was continued to an undetermined date.

19. Subject: Conference With City Attorney -- Anticipated Litigation -- Gov. Code § 54956.9(d)(4): Initiation Of Litigation On One Matter (160.03)

Recommendation: That Council hold a closed session to consider initiating litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 30 minutes; anytime
Report: None anticipated

This item was continued to an undetermined date.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 8:31 p.m. in honor of Salvador Aboytes.

Approved and adopted by the City Council of the City of Santa Barbara on October 15, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

CATHY MURILLO
MAYOR

ATTEST: _____
SARAH GORMAN
CITY CLERK SERVICES MANAGER