



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
OCTOBER 30, 2018
COUNCIL CHAMBERS, 735 ANACAPA**

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 on this day.)

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, Assistant City Attorney Tava Ostrenger, City Clerk Services Manager Sarah Gorman.

CHANGES TO THE AGENDA

City Administrator Paul Casey announced that Item 17, Conference With City Attorney – Existing Litigation, will be heard at a later meeting.

PUBLIC COMMENT

Speakers: Caroline; Denice S. Adams; Anna Marie Gott; Michael Baker, United Boys and Girls Clubs; Steve Wentworth; Michal Lynch.

Motion:

Councilmember Dominguez to direct the City Manager to bring the issue of park safety back to the City Council with data about City park crime rates and any appropriate responses that may come out of that discussion.

The motion failed for lack of a second.

City Administrator Casey stated that staff would update a report on park safety to the Parks and Recreation Commission and then take the issue to Council.

ITEM REMOVED FROM CONSENT CALENDAR

12. Subject: Legal And Real Estate Consulting Services For Ground Leases With Paseo Nuevo And Macy's (330.04)

Recommendation: That Council:

- A. Authorize the City Administrator to execute a second contract amendment for an increase in the scope of work by \$60,000 for a total of \$90,000 for Professional Services Agreement No. 25,861 with Allan D. Kotin & Associates for real estate consulting services in relation to the City's ground leases with Paseo Nuevo and Macy's; and
- B. Authorize the City Attorney to execute a legal services agreement with Abram Roy, LLP, for legal assistance in the negotiation and drafting of development agreements in relation to the City's ground leases with Paseo Nuevo and Macy's in a not-to-exceed amount of \$90,000.

Documents:

- October 30, 2018, report from the City Administrator.

Motion:

Councilmembers Rowse/Friedman to approve staff recommendations; Agreement Nos. 25,861.2; 26,309.

Vote:

Majority roll call vote (Noes: Councilmember Dominguez).

CONSENT CALENDAR (Items 1 – 11, 13)

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

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes of the regular meeting of April 24, 2018.

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance To Grant Easements To Southern California Edison At Downtown Parking Lots And The Police Station (330.03)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute Public Utility Easement Deeds to Southern California Edison at Granada Garage Parking Structure Lot 6, Surface Parking Lot 5, Surface Parking Lot 3, Parking Structure/Paseo Lot 10, and the Police Station Building for Aboveground Transformer Equipment Associated with the Downtown Reliability Project.

Action: Approved the recommendation; Ordinance No. 5859; Deed Nos. 61-526, 61-527, 61-528, 61-529, and 61-530.

3. Subject: Add Classification In Library Department (570.04)

Recommendation: That Council approve, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 18-043, the Position and Salary Control Resolution for Fiscal Year 2019, Affecting the Library Department Effective October 27, 2018.

Action: Approved the recommendation; Resolution No. 18-082 (October 30, 2018, report from the Administrative Services Director; proposed Resolution).

4. Subject: Commercial Ground Transportation Fee Schedule (560.01)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Establishing the Airport Commercial Ground Transportation Program Permit Fees, Tiered Pickup Fees, and Automatic Vehicle Identification Fees.

Action: Approved the recommendation; Resolution No. 18-083 (October 30, 2018, report from the Interim Airport Director; proposed Resolution).

5. Subject: September 30, 2018, Investment Report And September 30, 2018, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the September 30, 2018, Investment Report; and
- B. Accept the September 30, 2018, Fiscal Agent Report.

Action: Approved the recommendations; (October 30, 2018, report from the Finance Director).

6. Subject: Approval Of Banking Services And Custodial Agreements (210.03)

Recommendation: That Council:

- A. Approve the First Amendment to Agreement No. 25036 with MUFU Union Bank for banking services, effective retroactively from January 1, 2018 through October 31, 2018;
- B. Approve the Second Amendment to Agreement No. 25036 with MUFU Union Bank for banking services, effective November 1, 2018 through October 31, 2020, with an option to extend the agreement for three one-year periods, at a cost estimated at \$10,000 per month; and
- C. Approve an agreement with Montecito Bank & Trust for custodial services, effective December 1, 2018 through November 30, 2020, with an option to extend the agreement for three one-year periods, for an annual cost of \$20,000.

Action: Approved the recommendations; Agreement Nos. 25,036.1; 25,036.2; 26,304; (October 30, 2018, report from the Finance Director).

7. Subject: Construction Contract For Fiscal Year 2019 Pavement Preparation And Slurry Seal Project (530.04)

Recommendation: That Council:

- A. Award a contract with Granite Construction in their low bid amount of \$6,152,060, for construction of the Fiscal Year 2019 Pavement Preparation and Slurry Seal Project, Bid No. 3928; and authorize the Public Works Director to execute the contract and approve expenditures up to \$615,206 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; and
- B. Authorize the Public Works Director to execute the First Amendment to City Professional Services Contract No. 26,090 with Flowers & Associates, Inc., to provide construction support services in the amount of \$478,040, for construction management services for the Fiscal Year 2019 Pavement Preparation and Slurry Seal Project, and authorize the Public Works Director to approve expenditures of up to \$47,804 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement Nos. 26,305; 25,090.1; (October 30, 2018, report from the Public Works Director).

8. Subject: State Of California Office Of Traffic Safety – Selective Traffic Enforcement Grant (530.05)

Recommendation: That Council:

- A. Accept a grant from the State of California, Office of Traffic Safety in the amount of \$330,000 and authorize the Chief of Police to execute the grant agreement; and

- B. Increase estimated revenues and appropriations by \$330,000 in the Miscellaneous Grants Fund for Fiscal Year 2019 for the Office of Traffic Safety Selective Traffic Enforcement Program.

Action: Approved the recommendations; Agreement No. 26,306; (October 30, 2018, report from the Police Chief).

9. Subject: Fiscal Year 2019 Agreement For Operation Of A County-Wide Library System (570.04)

Recommendation: That Council approve and authorize the City Administrator to execute an Agreement for Operation of a County-wide Library System for Fiscal Year 2019 between the County of Santa Barbara and the Cities of Santa Barbara, Santa Maria, Lompoc, and Goleta.

Action: Approved the recommendation; Agreement No. 26,307 (October 30, 2018, report from the Library Director).

10. Subject: Faith Group LLC Professional Design Services For The Rehabilitation Of The Airport's Access Control Security System (560.04)

Recommendation: That Council:

- A. Approve and authorize the Interim Airport Director to execute a professional service contract with Faith Group LLC, for the design of the Airport's access control system in the amount of \$170,100; and
- B. Appropriate \$170,100 in the Airport Capital Fund for Rehabilitation of the Airport Access Control Security System, to be funded from Airport Capital Fund reserves.

Action: Approved the recommendations; Agreement No. 26,308 (October 30, 2018, report from the Airport Director).

11. Subject: Amendment To Agreement With Flowers & Associates For Fiscal Year 2019 Storm Water Plan Check Resources (610.01)

Recommendation: That Council approve the fourth amendment to City Agreement No. 21600077 with Flowers & Associates, Inc., to increase the contract amount by \$15,000 for a total amount of \$50,000 for storm water pollution prevention plan check services.

Action: Approved the recommendation; Agreement No. 26,237.1 (October 30, 2018, report from the Community Development Director).

NOTICES

13. Subject: The City Clerk has on Thursday, October 25, 2018, posted the 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

14. **Subject: Amendment To El Estero Cogeneration Power Purchase Agreement With California Power Partners For Transfer Of Ownership Of Renewable Energy Credits (540.13)**

Recommendation: That Council approve the Second Amendment to the Power Purchase Agreement between the City and California Power Partners, allowing the City to take ownership of the Renewable Energy Credits associated with the El Estero Cogeneration system.

Documents:

- October 30, 2018, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Energy Programs Supervisor Alelia Parenteau.

Motion:

Councilmembers Sneddon/Hart to approve the staff recommendation.

Vote:

Unanimous roll call vote; Agreement No. 23,630.2.

MAYOR AND COUNCIL REPORTS

15. **Subject: Request From Mayor Murillo And Councilmember Gutierrez Proposing That Each Second Monday In October Is Indigenous Peoples Day In The City Of Santa Barbara (120.02)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring the Second Monday in October as Indigenous Peoples Day.

The title of the Resolution was read.

Documents:

- October 30, 2018, report from the City Administrator.
- Memorandum from Mayor Murillo and Councilmember Gutierrez.

- PowerPoint presentation prepared and made by Staff.
- Proposed Resolution.
- Letter to Mayor and Council from J. L. Evans.

Speakers:

Members of the Public: Kevin Osburn; Barbara Savage, Tribal Trust Foundation; Emiliano Campobello; Mike Lopez, Santa Ynez Band of Chumash; Sam Cohen, Santa Ynez Band of Chumash Indians; Mark Marshall Wofford, Indicanis people; Dr. Arthur Najera; William Vollero, M.D., Italian Cultural Heritage Foundation of Santa Barbara; Marcus Lopez, Chumash; Casmali Lopez, Barbareno Chumash Council; Eustacchio Guadoignini; Art Cisneros; Michael Cordero, Coastal Band of the Chumash Nation; Rev. Julia Hamilton; Father Larry Gosselin, Old Mission Santa Barbara; Denice S. Adams.

Motion:

Councilmembers Friedman/Gutierrez to declare the second Monday in October as Indigenous People's Day and Italian Heritage Day in the City of Santa Barbara; Resolution No. 18-084.

Substitute Motion:

Councilmembers Sneddon/Dominguez to declare the second Monday in October as Indigenous Peoples Day.

Vote:

Motion failed to carry by roll call vote (Noes: Councilmembers Friedman, Hart, Gutierrez, Murillo; Ayes: Dominguez, Sneddon; Abstain: Rowse.)

Vote on original motion:

Unanimous roll call vote (Abstain: Rowse.)

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

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to November 13, 2018, and November 20, 2018.

(Estimated Time: 4:00 p.m.)

The following people were interviewed:

Access Advisory Committee
Janice Rodriguez
Airport Commission
Bruce Miller
Levi Maaia

Gregg Wilson
Architectural Board of Review
Leon Olson
Ivan Insua.
Building and Fire Code Board of Appeals
Robert Burke
Central Coast Commission for Seniors
Civil Service Commission
Robert Burke
Community Development and Human Services Committee
Community Events and Festivals Committee
Creeks Advisory Committee
Fire and Police Commission
Lizzie Rodriguez
Jeannine Daniel
Robert Burke
Harbor Commission
Historic Landmarks Commission
Leon Olson
William La Voie
Julio Veyna
Brian Barnwell
Robert Burke
Library Board
Will Tomlinson
Living Wage Advisory Committee
Anna Kokotovic
Measure P Committee
Mosquito and Vector Management District Board
Neighborhood Advisory Council
May O'Mahoney
Stacey Lydon
Parks and Recreation Commission
Beebe Longstreet
Planning Commission
Rental Housing Mediation Board
Robert Burke
Bruce Wallenberg
Santa Barbara Youth Council
Sign Committee
Robert Burke
Sister Cities Board
Transportation and Circulation Committee
Francis Peters, Jr.
Susan Horne
Kathleen Rodriguez

Hillary Blackerby

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Dominguez attended the following events or meetings: 1. SB Unified School District meeting
- Councilmember Friedman attended the following events or meetings: 1. CAC Homeless lunch; 2. Visit Santa Barbara tourism outlook.
- Councilmember Gutierrez attended the following events or meetings: 1. Youth Council Candlelight Vigil; 2. Visit Santa Barbara tourism outlook.
- Councilmember Hart attended the following events or meetings: 1. Santa Barbara Land Trust meeting; 2. Self Help Counties Coalition conference.
- Councilmember Rowse attended the following events or meetings: 1. Fundraiser for Daniel Bryant Youth and Family Treatment Center.
- Councilmember Sneddon attended the following events or meetings: 1. Youth Council gun safety ad hoc committee with Murillo and Gutierrez; 2. Youth council gun safety vigil with Murillo and Gutierrez; 3. School District outreach on mental health in schools; 4. Ad hoc police station subcommittee
- Mayor Murillo attended the following events or meetings: 1. Congratulated Youth Council on work to sponsor candlelight vigil and to organize district candidate forum; 2. Visit 3. Domestic Violence Vigil; 4. City's affordable housing task force meeting; 5. Santa Barbara Women's Club.

City Administrator Casey announced that Item 18, Conference With City Attorney – Anticipated Litigation, will also be heard at a later meeting.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

17. 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 Bridget Bryden v. City of Santa Barbara, SBSC Case No. 17CV01529.

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

This item was not heard.

18. Subject: Conference With City Attorney – Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to Government Code section 54956.9(d)(2) & (e)(1) and take appropriate action as needed.

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

This item was not heard.


ADJOURNMENT

Mayor Murillo adjourned the meeting at 5:07 p.m. in the memory of the victims at the Tree of Life Synagogue.

Approved and adopted by the City Council of the City of Santa Barbara on April 9, 2019.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



CATHY MURILLO
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER