



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING SEPTEMBER 12, 2023 COUNCIL CHAMBERS, 735 ANACAPA STREET

CALL TO ORDER

Mayor Randy Rowse called the meeting to order at 2:01 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:00 p.m., did not meet this day.)

PLEDGE OF ALLEGIANCE

Mayor Rowse.

ROLL CALL

Councilmembers present: Eric Friedman, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Randy Rowse.

Councilmembers absent: Councilmember Alejandra Gutierrez.

Staff present: City Administrator Rebecca Bjork, City Attorney Sarah Knecht, City Clerk Services Manager Sarah Gorman.

CEREMONIAL ITEMS

1. Subject: Hispanic Heritage Month - September 15-October 15, 2023 (120.04)

Action: Proclamation presented by Mayor Rowse and received by Miguel Avila of the Greater Santa Barbara Hispanic Chamber of Commerce.

2. Subject: Employee Recognition – Service Award Pins (120.04)

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, 2023.

Action: City Administrator Rebecca Bjork read the names of employees who received service award pins for their years of service.

CHANGES TO THE AGENDA

There were no changes to the agenda.

CONSENT CALENDAR (Item Nos. 3 – 14)

The titles of the Ordinances and Resolutions were read.

Motion:

Councilmembers Harmon/Friedman to approve the entirety of the consent calendar as recommended.

Vote:

Unanimous roll call vote (Absent: Councilmember A. Gutierrez).

3. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes of the special meetings of June 13, 2023; August 22, 2023 (11 a.m.); August 22, 2023 (2 p.m.); and the regular meeting of July 25, 2023.

Action: Approved the recommendation.

4. Subject: Grant Funding for Household Hazardous Waste Collection and Education [Resolution] (630.12)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Sustainability and Resilience Director to Execute all Necessary Documents and Submit an Application for Grant Funds from the California Department of Resources Recycling and Recovery for Efforts Related to the Collection and Education of Household Hazardous Waste.

Action: Approved the recommendation; Resolution No. 23-111; (September 12, 2023 Council Agenda Report and any attachments).

5. Subject: Library Department Acceptance of Zip Books Grant [Resolution] (570.04)

Recommendation: That Council:

- A. Accept a grant in the amount of \$18,000 from the California State Library to provide access to additional books not already in the Library's collection; and

- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 23-076 Adopting the Budget for Fiscal Year 2024, to Accept a Grant in the Amount of \$18,000 Funded by the California State Library.

Action: Approved the recommendations; Resolution No. 23-112; (September 12, 2023 Council Agenda Report and any attachments).

6. Subject: Delegate Authority to Airport Director to Apply for and Execute Grants for Airport Infrastructure and Planning Programs [Resolution] (560.09)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Airport Director to Apply for and Execute Grants and Other Transactional Documents for Collaboration on or Participation in Airport Infrastructure and Planning Programs.

Action: Approved the recommendations; Resolution No. 23-113; (September 12, 2023 Council Agenda Report and any attachments).

7. Subject: Acceptance of Douglas Family Preserve Endowment Funds from the Parks and Recreation Community Foundation Douglas Family Preserve Endowment [Resolution] (570.05)

Recommendation: That Council:

- A. Accept donation of \$55,000 from the Parks and Recreation Community Foundation for maintenance activities at the Douglas Family Preserve; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 23-076, Adopting the Budget for Fiscal Year 2024, to Increase Revenue and Expenditure Appropriations by \$55,000 in the Parks and Recreation Department Fiscal Year 2024 Miscellaneous Grants Fund for the Maintenance of the Douglas Family Preserve.

Action: Approved the recommendations; Resolution No. 23-114; (September 12, 2023 Council Agenda Report and any attachments).

8. Subject: Design Services for the Cliff Drive Coastal Bike Route Gap Closure and Pedestrian Safety Improvements Project [Resolution; Agreement] (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Mark Thomas & Company, Inc., in the amount of \$2,885,377 for design services of the Cliff Drive Urban Highway to Complete Street Transformation Project and authorize expenditures up to \$288,538 for potential extra services, for a total expenditure authority of \$3,173,915; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 23-076, Adopting the Budget for Fiscal Year 2024, to Appropriate Funds for the Design of the Cliff Drive Urban Highway to Complete Street Transformation Project.

Action: Approved the recommendations; Resolution No. 23-115; Agreement No. 28,416 (September 12, 2023 Council Agenda Report and any attachments).

9. Subject: Contract Amendment with RRM Design Group for the Chase Palm Park Arbor Project [Agreement] (570.05)

Recommendation: That Council authorize the Parks and Recreation Director to execute a first amendment to contract #26,919 with RRM Design Group in the amount of \$23,125 for design services and construction administration for the Chase Palm Park Arbor Project.

Action: Approved the recommendation; Agreement No. 26,919.1 (September 12, 2023 Council Agenda Report and any attachments).

10. Subject: Design Services for the Gibraltar Dam Spillway Concrete Resurfacing Project [Agreement] (540.09)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services Agreement with GEI Consultants, Inc., in the amount of \$139,400 for design services for the Gibraltar Dam Spillway Concrete Resurfacing Project, and \$13,940 for potential extra services, for a total expenditure authority of \$153,340.

Action: Approved the recommendations; Agreement No. 28,418 (September 12, 2023 Council Agenda Report and any attachments).

11. Subject: Housing Rehabilitation Loan Program Grant for \$540,000 to the Housing Authority of the City of Santa Barbara for Property Located at 175 S. La Cumbre Lane (660.01)

Recommendation: That Council:

- A. Approve the allocation of appropriations in the Community Development Block Grant (CDBG) Housing Rehabilitation Loan Program (HRLP) Fund in the amount of \$540,000 to fund a request from the Housing Authority of the City of Santa Barbara (HACSB) for a \$540,000 grant for the rehabilitation of the property owned by the Santa Barbara Affordable Housing Group, an instrumentality of HACSB, located at 175 S. La Cumbre Lane (Property); and
- B. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

Action: Approved the recommendation (September 12, 2023 Council Agenda Report and any attachments).

12. Subject: Santa Barbara Clean Energy 2022 Power Content Label Attestation

Recommendation: That Council approve the attestation specified under California's Power Source Disclosure Program, which requires the governing Council of a public agency providing retail electric service to endorse the accuracy of each annual report and power content label, as submitted to the California Energy Commission, for the previous year.

Action: Approved the recommendation (September 12, 2023 Council Agenda Report and any attachments).

13. Subject: Best Interest Waiver for Trail System Services for Phase 2 of the Parma Park Sustainable Trails Project (570.05)

Recommendation: That Council approve a Best Interest Waiver under Santa Barbara Municipal Code §4.52.070, subdivision L authorizing the General Services Manager to issue a Purchase Order in the amount of \$167,400 to Sage Trail Alliance for Phase II of the Sustainable Trails Project.

Action: Approved the recommendation (September 12, 2023 Council Agenda Report and any attachments).

14. Subject: Approval of Benefits Administration Contract [Agreement] (410.01)

Recommendation: That Council authorize the City Administrator to enter into an agreement with Benefit Coordinators Corporation for employee benefits administration services effective July 1, 2023.

Action: Approved the recommendation; Agreement No. 28,419 (September 12, 2023 Council Agenda Report and any attachments).

This concluded the Consent Calendar.

PUBLIC COMMENT

Members of the public: Clint Orr.

PULLED CONSENT ITEMS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Councilmember O. Gutierrez reported on their attendance at the following events or made the following comments: 1. NAC meeting.

Councilmember Sneddon reported on their attendance at the following events or made the following comments: 1. MTD press conference; 2. SCE wildfire mitigation briefing; 3. SSAC meeting; 4. Sustainability Committee meeting; 5. CCRB meeting.

Mayor Rowse reported on their attendance at the following events or made the following comments: 1. Meeting with Santos Guzman and Barbara Andersen.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

15. Subject: Reserve Policy Discussion and Direction [Ordinance Introduction; Resolution] (210.01)

Recommendation: That Council:

- A. Provide direction and adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Establishing Policies for Reserves for the City's General Fund, Enterprise Funds and Internal Services Funds, and Amending Resolution No. 22-126; and
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Repealing Chapter 17.40 Pertaining to the Purpose, Accumulation and Use of Funds Within the Harbor Preservation Fund.

Documents:

- September 12, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Finance Director Keith DeMartini; Waterfront Director Mike Wilshire.

- Members of the Public: Zac Smith.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmembers Sneddon/Jordan to recommend that City Council adopt an ordinance amending the Santa Barbara Municipal Code by repealing Chapter 17.40 and transfer funds in the Harbor Preservation Fund into the Waterfront Capital Fund.

Vote:

Unanimous roll call vote (Absent: Councilmembers A. Gutierrez)

Motion:

Councilmembers Sneddon/Jordan to introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Repealing Chapter 17.40 Pertaining to the Purpose, Accumulation and Use of Funds Within the Harbor Preservation Fund.

Vote:

Unanimous roll call vote (Absent: Councilmembers A. Gutierrez.)

MAYOR AND COUNCIL REPORTS

16. Subject: Appointment to the Fire and Police Commission (140.05)

Recommendation: That Council appoint one new member to the Fire and Police Commission to fill an unscheduled vacancy through December 31, 2026.

Documents:

- September 12, 2023 Council Agenda Report and any attachments.

Speakers:

- Staff: Deputy City Clerk Niko Lopez.
- Members of the Public: None.

Fire and Police Commission:

Nominations:

Councilmember Sneddon nominated Aaron Edward Jones. Councilmember Jordan nominated Chris Cline. Mayor Rowse nominated Walter Scott Burns.

Councilmember Sneddon: Jones.

Councilmember Jordan: Cline.

Councilmember Harmon: Jones.

Councilmember Friedman: Jones.
Councilmember O. Gutierrez: Jones.
Mayor Rowse: Burns.

Appointment: Aaron Edward Jones was appointed to the Fire and Police Commission for a term expiring December 31, 2026.

RECESS

3:44 – 4:03 p.m.

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARINGS

17. Subject: Appeal of the Planning Commission's Approval of a Coastal Development Permit at 125 and 145 S. Calle Cesar Chavez and 110 and 114 S. Quarantina Street (640.07)

Recommendation: That Council:

- A. Deny the appeal of Anna Marie Gott and uphold the Planning Commission's approval of the Coastal Development Permit and the determination that the project is categorically exempt from further environmental review; and
- B. Direct staff to return to Council with a Decision and Findings Resolution reflecting the outcome of the appeal.

Public Hearing opened: 4:02 p.m.

Documents:

- September 12, 2023 Council Agenda Report and any attachments
- PowerPoint presentation prepared and made by staff.
- PowerPoint presentation prepared and made by applicant.
- PowerPoint presentation prepared and made by appellant.
- Written correspondence regarding this item was received and acknowledged.

Ex parte communications:

- Councilmember Harmon disclosed the following ex parte communications: did not attend official site visit but visited on her own and did not speak with anyone involved.
- Councilmember O. Gutierrez disclosed the following ex parte communications: attempted to attend official site visit but went to different address; spoke with Marborg employee, who discussed the situation.

- Councilmember Sneddon disclosed the following ex parte communications: attended what would have been official site visit but for lack of quorum and engaged in brief visual survey of scene.
- Councilmember Jordan disclosed the following ex parte communications: did not attend official site visit but visited the scene on his own the previous Friday and familiarized himself with the site.
- Mayor Rowse disclosed the following ex parte communications: attended what would have been the official site visit but for lack of quorum and spoke with Marborg staff at the site.

Speakers:

- Staff: Associate Planner Tony Boughman; Assistant City Attorney Tava Ostrenger.
- Planning Commission: Sheila Lodge.
- Appellant: Anna Marie Gott.
- Applicant #1: Robert B. Forouzandeh.
- Members of the Public: Hillary Houser.

Councilmember O. Gutierrez was excused at 5:01 p.m.

Discussion:

- Councilmembers' questions were answered.

Public Hearing closed: 5:10 p.m.

Motion:

Councilmembers Jordan/Friedman to deny the appeal, uphold the Planning Commission approval of the Coastal Development Permit and determination of CEQA exemption, making the required Coastal Act and Coastal LUP findings in Planning Commission Resolution No. 005-23 and directing staff to return to Council with a Decision and Findings Resolution reflecting the outcome today.

Vote:

Unanimous roll call vote (Absent: Councilmembers A. Gutierrez; O. Gutierrez)

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER ENGAGEMENTS

Councilmember Friedman reported on their attendance at the following events or made the following comments: 1. Walk on Hope Avenue; 2. Veracruz Village grand opening; 3. SCE Wildfire mitigation briefing; 4. Sustainability Committee; 5. Chamber State of County Event; 6. Environmental Defense Center TGIF event.

Mayor Rowse reported on their attendance at the following events or made the following comments: 1. Rope rescue simulation with Councilmember Jordan; 2. Yacht Club's visiting nurse and hospice regatta; 3. Organ donor celebration; 4. Heroes of Hospice luncheon; 5. Police Foundation Fund for the Force event.

PUBLIC COMMENT (IF NECESSARY)

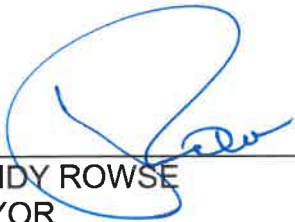
ADJOURNMENT

Mayor Rowse adjourned the meeting at 5:13 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on October 3, 2023.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



RANDY ROWSE
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER