



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING MARCH 21, 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 met at 12:00 p.m. The Ordinance Committee, which ordinarily meets at 12:00 p.m., did not meet this day.)

PLEDGE OF ALLEGIANCE

Mayor Rowse.

ROLL CALL

Councilmembers present: Eric Friedman, Alejandra Gutierrez (2:47 p.m.), Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Rowse.

Councilmembers absent: None.

Staff present: City Administrator Rebecca Bjork, City Attorney Sarah Knecht, Deputy City Clerk Naomi Kovacs.

CEREMONIAL ITEMS

1. **Subject: World Down Syndrome Day March 21, 2023 (120.04)**

Proclamation presented by Mayor Rowse, received by Melissa Fitch of the Down Syndrome Association of Santa Barbara County.

Speakers:

- Members of the Public: Melissa Fitch.

CHANGES TO THE AGENDA

The following item was pulled from the agenda:

- 12. Subject: Adoption of Resolution of Necessity to Acquire by Eminent Domain Additional Real Property Interests Necessary for the De La Vina Street Bridge Replacement Project [Resolution] (530.03)**

Recommendation: That Council:

- A. Confirm the prior determination of a Categorical Exemption under California Environmental Quality Act Guidelines Section 15302 (replacement of existing structures); and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Pursuant to Code of Civil Procedure Sections 1245.210 – 1245.270 Declaring the Public Interest and Necessity to Acquire by Eminent Domain Real Property Interests for the De La Vina Street Bridge Replacement Project [2717 De La Vina Street (Assessor's Parcel Numbers 051-213-015 and 051-213-019) - Temporary Construction Easement].

CONSENT CALENDAR (Item Nos. 2 – 9)

The titles of the Resolutions and Ordinances were read.

Motion:

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

Vote:

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

- 2. Subject: 2022-2025 Fire Management Association Bargaining Unit Memorandum of Understanding [Ordinance Adoption; Agreement] (440.03)**

Recommendation: That Council ratify the Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Fire Management Association Bargaining Unit, by adoption of, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting the 2022-2025 Memorandum of Understanding Between the City of Santa Barbara and the Fire Management Association.

Action: Approved the recommendation; Ordinance No. 6106, Agreement No. 28,267 (March 21, 2023 Council Agenda Report and any attachments).

3. Subject: Amendment to Position Salary Control Resolution 22-064 with Updates to Classification and Compensation for Certain Positions [Resolution] (410.06)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution 22-064, the Position Salary Control Resolution for Fiscal Year 2023, to Amend the Established Salary for Positions as Listed and Establish the Assistant City Attorney V Classification.

Action: Approved the recommendation; Resolution No. 23-031 (March 21, 2023 Council Agenda Report and any attachments).

4. Subject: Santa Barbara Airport Sea-Level Rise Adaptation Plan Phase A Funding [Resolution; Agreement] (650.04)

Recommendation: That Council:

- A. Authorize the Airport Director to execute a Professional Services Agreement with Environmental Services Associates in the amount of \$743,000, for planning services for the Santa Barbara Airport Sea-level Rise Adaption Plan and local coastal plan update and authorize the Airport Director to proceed with Phase A of the scope of services for a total not to exceed amount of \$280,500, and with further phases subject to budget appropriation; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 22-059, Adopting the Budget for Fiscal Year 2023, to Appropriate Funds for Professional Services Contract Funding Phase A of the Santa Barbara Airport Sea-Level Rise Adaption Plan in the Amount of \$280,500.

Action: Approved the recommendations; Resolution No. 23-032; Agreement No. 28,268 (March 21, 2023 Council Agenda Report and any attachments).

5. Subject: Contract for the Construction of the Santa Barbara Airport South Terminal Apron Redevelopment Project [Resolution; Agreement] (560.04)

Recommendation: That Council:

- A. Award a contract with Marcon Engineering, Inc. in their low bid amount of \$4,527,449 for construction of the South Terminal Apron Redevelopment Project, Bid No. 4089A, and authorize the Public Works Director to execute the contract and approve expenditures up to \$452,745 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 the First Contract Amendment to City Professional Services Agreement No. 26,747 with Kimley Horn, Inc., in the amount of \$338,540 for construction support services, and approve expenditures of up to \$33,854 for extra services that may result from necessary changes in the scope of work;
- C. Authorize the Public Works Director to execute a contract with Applied Earthworks, Inc., in the amount of \$62,782 for construction monitoring services, and approve expenditures of up to \$6,278 for extra services that may result from necessary changes in the scope of work; and
- D. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 22-059, Adopting the Budget for Fiscal Year 2023, to Appropriate Funds for the South Terminal Apron Redevelopment Project.

Action: Approved the recommendations; Resolution No. 23-033; Agreement Nos. 28,269, 26,747.1, and 28,270 (March 21, 2023 Council Agenda Report and any attachments).

6. Subject: Amendments to Professional Services Agreements for Permit, Plan Check, and Inspection Services [Resolution; Agreement] (640.04)

Recommendation: That Council:

- A. Authorize the Community Development Director to execute the third amendment to increase the amount of Santa Barbara City Agreement No. 26,978 with Bureau Veritas North America, Inc., by \$150,000, for a total contract amount of \$745,000, to provide permit, plan check, and inspection services;
- B. Authorize the Community Development Director to execute the third amendment to increase the amount of Santa Barbara City Agreement No. 26,979 with Interwest Consulting Group, by \$200,000, for a total contract amount of \$435,000, to provide permit, plan check, and inspection services; and
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 22-059, Adopting the Budget for Fiscal Year 2023, to Approve an Increase in Fiscal Year 2023 Revenue and Expenditure Appropriations in the General Fund in the Amount of \$400,000 from Building Permit Revenues Projected to Exceed the Fiscal Year 2023 Adopted Budget Amount by at Least \$400,000, to Cover the Costs of Amendments to Santa Barbara City Agreements No. 26,978 and No. 26,979, and an Agreement for Floodplain Review.

Action: Approved the recommendations; Resolution No. 23-034; Agreement Nos. 26,978.3 and 26,979.3 (March 21, 2023 Council Agenda Report and any attachments).

7. Subject: Fiscal Year 2023 Interim Financial Statements for the Seven Months Ended January 31, 2023 (250.02)

Recommendation: That Council accept the Fiscal Year 2023 Interim Financial Statements for the seven months ended January 31, 2023.

Action: Approved the recommendation (March 21, 2023 Council Agenda Report and any attachments).

8. Subject: COVID-Related Disaster Recovery Management and Recovery [Agreement] (520.02)

Recommendation: Authorize the Finance Director to amend Agreement 22000266 with AG Witt, LLC for disaster recovery management services related to COVID by \$15,000 for a total amount of \$49,999.

Action: Approved the recommendation; Agreement No. 28,271 (March 21, 2023 Council Agenda Report and any attachments).

9. Subject: Set a Date for Public Hearing Regarding Single Family Design Board's Project Design Approval for 3208 Laurel Canyon Road (640.07)

Recommendation: Recommendation: That Council:

- A. Set the date of June 6, 2023, at 2:00 p.m. for hearing the appeal filed by Marc Chytilo of the Single Family Design Board's Project Design Approval of a proposal for additions to an existing one-story 1,288 square foot single-unit residence, comprised of 192 square foot first floor addition, a new 758 square foot second floor addition with a second story deck, a new one-car carport, and various site improvements; and
- B. Set the date of June 5, 2023, at 1:30 p.m. for a site visit to the property located at 3208 Laurel Canyon Road.

Action: Approved the recommendations (March 21, 2023 Council Agenda Report and any attachments).

This concluded the Consent Calendar.

PULLED CONSENT ITEMS

None.

PUBLIC COMMENT ON PULLED CONSENT ITEMS

PUBLIC COMMENT ON CONSENT ITEMS

Members of the Public: None.

PUBLIC COMMENT

Members of the Public: Olivia Asher, Aron Ashland, Sister Arthur Gordon, Christine Wagner.

REPORT FROM THE FINANCE COMMITTEE

Councilmember Friedman reported that the Finance Committee met today and considered a short-term rental pilot enforcement program, which was passed to Council on a unanimous vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Councilmember Sneddon reported on their attendance at the following events or made the following comments: 1. Sustainability Committee meeting 2. South Coast IEEE meeting, and acknowledged City staff members Alelia Parenteau, Melissa Hetrick, and Dakota Corey for their input and level of expertise and knowledge.

Councilmember Friedman reported on their attendance at the following events or made the following comments: 1. Sustainability Committee meeting; 2. Fighting Back Santa Barbara's luncheon; 3. Coastal Cities leadership committee meeting.

Mayor Rowse reported on their attendance at the following events or made the following comments: 1. Gary Cunningham Classic at UCSB.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC HEARING

10. Subject: Community Development and Human Services Committee Funding Recommendations and 2024 Action Plan Public Hearing (610.05)

Recommendation: That Council:

- A. Approve the Fiscal Year 2024 and 2025 funding recommendations of the Community Development and Human Services Committee (CDHSC) for use of Human Services funds;
- B. Approve the Fiscal Year 2024 funding recommendations of the Community Development and Human Services Committee (CDHSC) for use of Community Development Block Grant funds;
- C. Authorize the Community Development Director to negotiate and execute grant agreements implementing the funding recommendations, subject to the review and approval as to form by the City Attorney; and
- D. Conduct a public hearing to obtain input on the City's Annual Action Plan for Fiscal Year 2024.

Public Hearing opened: 2:28 p.m.

Documents:

- March 21, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Housing and Human Services Manager Laura Dubbels, Community Development Program Specialist Lindsey Drewes.
- Community Development & Human Services Committee: Chair Jenna Rolle.
- Members of the Public: Andrea Slaby, Jennifer Griffin, Michael Rassler, Kembra Lawrence, Victoria Garfield.

Councilmember A. Gutierrez entered the meeting at 2:47 p.m.

Discussion:

- Councilmembers' questions were answered.

Public Hearing closed: 3:04 p.m.

Motion:

Councilmembers Sneddon/A. Gutierrez to approve the recommendation.

Vote:

Unanimous roll call vote.

CITY ATTORNEY

- 11. Subject: Clarifying Amendments to Municipal Code Section 26.50.070 Relating to the Definition of No-Fault Just Cause for Residential Evictions [Ordinance Adoption]**

Recommendation: That Council introduce and adopt, as an emergency measure after reading in full, an Emergency Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Section 26.50.070 Pertaining to Just Cause for Residential Evictions.

Documents:

- March 21, 2023 Council Agenda Report and any attachments
- PowerPoint presentation prepared and made by staff

Speakers:

- Staff: Assistant City Attorney Dan Hentschke.

Councilmember A. Gutierrez left the meeting at 3:35 p.m. and returned at 3:42 p.m.

RECESS

4:02 p.m. – 4:18 p.m.

Speakers, con't.:

- Members of the Public: Paul Burns, Susan Jansen, Susan Horne, Loy Beardsmore, Frederick Lang, Teresa Petiña, Nadia Abushanab, Joanna J. Sanchez, Nick Gonzales, Stanley Tzankov, Estela Montaña, Steven Battaglia, Betty L. Jeppeson, Michael Bruce, Terry A. Bartlett, Patrick Fleming, Shirley Jansen, Daniel Mora, Dora Maria Perez, Patricia Guerrero, James Carbone, Wendy Santamaria, Chelsea Lancaster, Maria Navarro, Amber Asher, SB SURJ, Michele Carbone.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmembers Harmon/Sneddon to move the staff recommendation with the following amendment to Subdivision B. 2. of Section 26.50.070 of Chapter 26.50 of Title 26 of the Santa Barbara Municipal Code: "2. No-fault just cause is any of the following: [...] b. The owner seeks in good faith to recover possession to permanently withdraw the rental unit from the rental market."

Vote:

Unanimous roll call vote.

Motion:

Councilmembers Harmon/Sneddon to give staff direction to consider the following list of items, and to come back to Council for more direction: Language as proposed by Legal Aid in their comment letter; time extension

of renovation notice; the permanent withdrawal of all units on a parcel; and the inclusion of a concept on a right to re-let.

Vote:

Majority roll call vote (Noes: Mayor Rowse).

COMMUNITY DEVELOPMENT DEPARTMENT

13. Subject: 2022 General Plan Annual Progress Report (650.05)

Recommendation: That Council receive the 2022 General Plan Annual Progress Report.

Documents:

- March 21, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Project Planner Rosie Dyste.
- Members of the Public: Cassandra Ensberg, John Campanella.

Discussion:

- Councilmembers' questions were answered.

COUNCIL AND STAFF COMMUNICATIONS

Rebecca Bjork recognized Tony Ruggieri for his 35 years of service to the City, and his retirement at the end of this week.

COUNCILMEMBER ENGAGEMENTS

Councilmember O. Gutierrez thanked Tony Ruggieri for his decades of service and wish him luck in his retirement.

Councilmember A. Gutierrez recognized Officer Corrales, who was born and raised in Santa Barbara, and is here for his first Council meeting.

Councilmember Harmon recognized Tony Ruggieri.

PUBLIC COMMENT (IF NECESSARY)

None.

ADJOURNMENT

Mayor Rowse adjourned the meeting at 6:46 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on May 2, 2023.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



RANDY ROWSE
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER