



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING  
JUNE 22, 2021  
COUNCIL CHAMBERS, 735 ANACAPA STREET**

---

## **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 2:02 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

## **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

## **ROLL CALL**

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

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

## **CHANGES TO AGENDA**

### Item Removed from Agenda

City Administrator Paul Casey stated that the Applicant/Appellant for the following item has requested a continuance of the appeal hearing to an unspecified later date.

### **18. Subject: Appeal Of The Planning Commission's Disapproval Of The Development Agreement For Paseo Nuevo (640.07)**

Recommendation: That Council deny the appeal of Paseo Nuevo Owner, LLC and reject the Development Agreement because the required findings from section E.1 of Council Resolution No. 89-120 cannot be made.

Motion:

Councilmember Friedman/Mayor Murillo to grant the continuance request.

Vote:

Majority roll call vote (Noes: Councilmember Sneddon).

## **PUBLIC COMMENT**

Speakers: Miriam Lindbeck, Ronald Buckley, Roseanne Crawford, Georgia Strickland, Joshua Medrano, Anna Marie Gott, Katie Mickey, Aron Ashland.

## **ITEM REMOVED FROM CONSENT CALENDAR**

- 1. Subject: Adoption Of Amendment Of Section 9.97.010 Of The Santa Barbara Municipal Code To Prohibit Sitting Or Lying Down On Public Sidewalks On Milpas Street Between Carpinteria Street And Canon Perdido Street (660.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 9.97.010 of the Santa Barbara Municipal Code to Prohibit Sitting or Lying Down on Public Sidewalks on Milpas Street between Carpinteria Street and Canon Perdido Street.

Documents:

- Proposed Ordinance

The title of the ordinance was read.

Motion:

Councilmembers Friedman/Alejandra Gutierrez to approve the recommendation; Ordinance No. 6008.

Vote:

Majority roll call vote (Noes: Councilmember Harmon.)

## **CONSENT CALENDAR (Item Nos. 2 – 13)**

The titles of ordinances and resolutions related to Consent Calendar items were read.

Motion:

Councilmembers Alejandra Gutierrez/Sneddon to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

**2. Subject: Resolution Authorizing Execution Of A Grant Agreement In The Amount Of \$50,000 With The County Of Santa Barbara For The Arroyo Burro Open Space Restoration And Trail Improvement Project (540.14)**

Recommendation: That Council:

- A. Authorize an increase in appropriations and estimated revenues, funded by the County of Santa Barbara's Coastal Resource Enhancement Fund, in the amount of \$50,000 in the Creeks Restoration and Water Quality Improvement Capital Fund in Fiscal Year 2021 for the Arroyo Burro Open Space Restoration and Trail Improvement Project; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director, or Designee, to Negotiate and Execute a Grant Agreement and Any Amendments Thereto, Subject to Approval as to Form by the City Attorney, with the County of Santa Barbara for the Arroyo Burro Open Space Restoration and Trail Improvement Project.

Action: Approved the recommendation; Resolution No. 21-041 (June 22, 2021, report from the Parks and Recreation Director; Proposed Resolution).

**3. Subject: Adoption Of A Resolution Adopting Projects For Fiscal Year 2021-2022 And Amending The List Of Projects For Fiscal Year 2020-2021 Funded By Senate Bill 1: The Road Repair And Accountability Act (530.04)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting Projects for Fiscal Year 2021-2022 and Amending the List of Projects for Fiscal Year 2020-2021, Funded by Senate Bill 1: The Road Repair and Accountability Act.

Action: Approved the recommendation; Resolution No. 21-042 (June 22, 2021, report from the Public Works Director; proposed resolution).

**4. Subject: Agreement With Easy Lift Transportation For Paratransit Services (510.04)**

Recommendation: That Council authorize the Public Works Director to execute a five-year agreement with Easy Lift Transportation, Incorporated, for paratransit services for elderly and mobility-impaired people, in an amount not to exceed \$255,451 for Fiscal Year 2022, with an annual adjustment based on the Consumer Price Index and the availability of Measure A funds.

Action: Approved the recommendation; Agreement No. 26,984 (June 22, 2021, Report from the Public Works Director; proposed resolution).

**5. Subject: Contract For Construction Of Highway Safety Improvement Program West Carrillo Lighting And Signal Upgrade And Overlay Project Along The Corridor Between Miramonte Drive And Chapala Street (530.04)**

Recommendation: That Council:

- A. Award a contract with Lash Construction in their low bid amount of \$2,758,887 for construction of the Highway Safety Improvement Program West Carrillo Lighting and Signal Upgrade and Overlay Project, Bid No. 3962; and authorize the Public Works Director to execute the contract and approve expenditures of up to \$275,889 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 Professional Services Agreement contract with Flowers and Associates, upon Caltrans approval, in the amount of \$335,310 for construction support services, and approve expenditures of up to \$33,531 for extra services that may result from necessary changes in the scope of work;
- C. Approve an increase in appropriations and estimated revenue in the Streets Grant Capital Fund in the amount of \$1,684,800, funded by Highway Safety Improvement Program grant funds, for a portion of the construction costs for the West Carrillo Lighting and Signal Upgrade and Overlay Project; and
- D. Approve the allocation of available appropriations in the Pavement Maintenance Program in the Measure C Capital Fund in the amount of \$1,902,370, for the remaining portion of the West Carrillo Lighting and Signal Upgrade and Overlay Project construction costs not covered by the grant.

Action: Approved the recommendation; Agreement Nos. 26,985; 26,986 (June 22, 2021, Report from the Public Works Director).

**6. Subject: Contract For Construction Of Fiscal Year 2021A Pavement Maintenance Project And Contract For Design Of Fiscal Year 2022 Pavement Maintenance Projects (530.04)**

Recommendation: That Council:

- A. Award a contract with American Asphalt South, Inc., in their low bid amount of \$1,082,887 for construction of the Fiscal Year 2021A Pavement Maintenance Project, Bid No. 4034; and authorize the Public Works Director to execute the contract and approve expenditures up to \$108,288 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 Flowers & Associates, Inc., in the amount of \$214,388 for construction support services for the Fiscal Year 2021A Pavement Maintenance Project, and approve expenditures of up to \$21,438 for extra services of Flowers & Associates, Inc., that may result from necessary changes in the scope of work; and
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc., in the amount of \$395,584 for design services for the Fiscal Year 2022 Pavement Maintenance Projects, and approve expenditures of up to \$39,558 for extra services of Flowers & Associates, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement Nos. 26,987; 26,988; 26,989 (June 22, 2021, Report from the Public Works Director).

**7. Subject: Award Of Professional Services Agreements For Permit, Plan Check, And Inspection Services (610.01)**

Recommendation: That Council:

- A. Authorize the Community Development Director to execute a Fiscal Year 2021 professional services agreement with Bureau Veritas North America, Inc., to provide permit, plan check, and inspection services in the amount of \$80,000; and
- B. Authorize the Community Development Director to execute a Fiscal Year 2021 professional services agreement with Interwest Consulting Group to

provide permit, plan check, and inspection services in the amount of \$75,000.

Action: Approved the recommendation; Agreement Nos. 26,978; 26,979 (June 22, 2021, report from the Community Development Director).

**8. Subject: First Amendment To Bureau Veritas North America, Inc., Contract For Interim Building Official Services (610.04)**

Recommendation: That Council approve the first amendment to Agreement 22100125 with Bureau Veritas North America, Inc., to increase the contract amount by \$20,000, for a total amount of \$55,000 in Fiscal Year 2021.

Action: Approved the recommendation; Agreement No. 22100125 First Amendment (June 22, 2021, report from the Community Development Director).

**9. Subject: Professional Services Agreement With Explore Ecology For Youth Watershed Education Program (570.08)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a 12-month professional services agreement with Explore Ecology in the amount of \$70,000 in Measure B funds, for the provision of Creeks Division youth and community watershed education programs in Fiscal Year 2022; and
- B. Authorize the Parks and Recreation Director to execute annual professional services agreements, in a form acceptable to the City Attorney, with Explore Ecology for Fiscal Years 2023 and 2024, in an amount not to exceed \$75,000 per year.

Action: Approved the recommendation; Agreement No. 26,991 (June 22, 2021, report from the Parks and Recreation Director).

**10. Subject: Professional Services Agreement With Lexipol, Inc., For Fire Department Standard Operating Procedures Database With Continuing Legal Oversight (520.03)**

Recommendation: That Council authorize the Fire Chief to execute a professional services agreement with Lexipol, LLC, in the amount of \$50,000 in Fiscal Year 2021, to implement a Fire Department Standard Operating Policy and Procedure Database with continuing professional legal oversight.

Action: Approved the recommendation; Agreement No. 26,990 (June 22, 2021, report from the Fire Chief).

**11. Subject: Independent Redistricting Commission Request To Initiate Litigation To Extend The Charter November 1, 2021, Redistricting Deadline (110.03)**

Recommendation: That Council, upon the recommendation of the Independent Redistricting Commission, authorize and direct the City Attorney's Office to file a Petition for Writ of Mandate to extend the November 1, 2021, Redistricting Deadline to a date seven months from receipt of the official redistricting database from the State of California, or by April 17, 2022, whichever is later.

Action: Approved the recommendation (June 22, 2021, report from the City Attorney).

**12. Subject: Set A Date For Public Hearing Regarding Planning Commission's Decision To Grant A Coastal Development Permit For 2 S. Quarantina Street (640.07)**

Recommendation: That Council set the date of August 10, 2021, for hearing the appeal filed by Guy Dolev of the Planning Commission's May 20, 2021, decision to grant a Coastal Development Permit for 2 S. Quarantina Street.

Action: Approved the recommendation.

**CONSENT PUBLIC HEARING**

**13. Subject: Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2022 – Public Hearing (550.1)**

Recommendation: That Council:

- A. Consider valid protests to the Parking and Business Improvement Area Annual Assessment Report For Fiscal Year 2022, as required under the California Parking and Business Improvement Area Law of 1989; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Fixing and Assessing the Parking and Business Improvement Area Assessment Rates for Fiscal Year 2022; and Confirming Approval of the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2022.

Action: Approved the recommendations; Resolution No. 21-043 (June 22, 2021, report from the Public Works Director; proposed resolution).

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Eric Friedman reported that the Committee discussed proposed changes to fees charged by the Community Development and Public Works departments in connection with the Recommended Budget for Fiscal Year 2022. The Committee directed that the proposed fee schedules for both departments be forwarded to the full Council for consideration.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **FINANCE DEPARTMENT**

**14. Subject: Adoption Of The Two Year Financial Plan For Fiscal Years 2022 And 2023 Operating And Capital Budget For Fiscal Year 2022 (230.05)**

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Two-Year Financial Plan for Fiscal Years 2022 and 2023;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Budget for Fiscal Year 2022 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2022;
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 3, 2021, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2022 Fiscal Year;

E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2022; and

F. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Execute Water Purchase Agreements, in a Form Approved by the City Attorney, and in Accordance with the Appropriation in the Approved Budget as May Be Amended from Time to Time.

Documents:

- June 22, 2021, report from the Finance Director.
- Proposed Resolutions.

The titles of the resolutions were read.

Speakers:

- Staff: Finance Director Keith DeMartini, City Administrator Paul Casey.
- Members of the Public: Anna Marie Gott, Aron Ashland.

Councilmember Oscar Gutierrez stated that due to a potential conflict of interest, he would not vote on the funding allocation to TV Santa Barbara.

Motion:

Councilmembers Jordan/Alejandra Gutierrez to approve the recommendations, with the exception of the funding allocation to TV Santa Barbara; Resolution Nos. 21-044; 21-045; 21-046; 21-047; 21-048; 21-049.

Vote:

Unanimous roll call vote.

Motion:

Councilmembers Jordan/Sneddon to approve the funding allocation to TV Santa Barbara.

Vote:

Majority roll call vote (Noes: Councilmember Alejandra Gutierrez; Abstentions: Councilmember Oscar Gutierrez).

City Attorney Ariel Calonne left the meeting at 3:02 p.m.; Assistant City Attorney Daniel Hentschke took his place.

COMMUNITY DEVELOPMENT DEPARTMENT

**15. Subject: Average Unit-Size Density Incentive Program Ordinance Amendments Related To Affordable Housing And Mobile Home Parks (640.09)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Sections 30.150.090 and 30.150.110 of the City's Average Unit-Size Density Incentive Program to Exclude Mobile Home Parks from Development under the Program; and Increase the Inclusionary Requirement Outside the Central Business District to Help Meet the City's Regional Housing Needs Allocation for Housing Affordable to Moderate Income Households.

(Continued from June 15, 2021, Council meeting)

Documents:

- Previous documents submitted June 15, 2021.

The title of the ordinance was read.

Speakers:

- Staff: Acting City Attorney Daniel Hentschke; City Planner Renee Brooke.

City Planner Renee Brooke clarified that the provisions of the proposed ordinance which were continued from the June 15, 2021, Council meeting relate to: 1) an increase in the inclusionary housing requirement for Average Unit-Size Density (AUD) rental projects outside the Central Business District; and 2) clarification that State Density Bonus Law units cannot satisfy the City's Inclusionary Housing Unit requirement.

Speakers (Cont'd)

- Members of the Public: Anna Marie Gott, Christel Barros, Campanella, Rob Fredericks.

Motion:

Councilmembers Sneddon/Oscar Gutierrez to increase the inclusionary housing requirement to 15% for Average Unit-Size Density (AUD) rental projects outside the Central Business District.

Vote:

Failed to carry by roll call vote (Ayes: Councilmembers Oscar Gutierrez, Harmon, Sneddon; Noes: Councilmembers Friedman, Alejandra Gutierrez, Jordan, Mayor Murillo).

Motion:

Councilmembers Jordan/Friedman to clarify that: 1) State Density Bonus Law units cannot satisfy the City's Inclusionary Housing Unit requirement; and 2) AUD Program development standards do not apply to mobile home parks.

Vote:

Unanimous roll call vote.

PUBLIC WORKS DEPARTMENT

**16. Subject: Updates To Guidelines For Business Operations On The State Street Promenade And Citywide Parklets (650.11)**

Recommendation: That Council:

- A. Ratify updated Guidelines for Citywide Parklets and the State Street Promenade applicable to all existing and new parklets and outdoor business areas, for the duration of Emergency Economic Recovery Ordinances Nos. 5944, 5963, and 5993; and
- B. Provide input to staff on whether to require modification of existing outdoor business enclosures to comply with design guidelines developed in cooperation with a member of the Historic Landmarks Commission and some members of the Santa Barbara Chapter of the American Institute of Architects.

Documents:

- June 22, 2021, report from the Public Works Director.

Speakers:

- Staff: Interim Downtown Plaza and Parking Manager Brian Bosse, Parking Supervisor Sarah Clark, Acting City Attorney Daniel Hentschke.

Recess: 4:40 p.m. – 4:54 p.m.

Speakers (Cont'd):

- Members of the Public: Bob Burnham, Matt Lowe, Jason Copus, Jim Knell, Ralph Barajas, Robin Elander, Ian Baucke, Aron Ashland, Nick Koonce, Ellen Bildsten, Ivonne Ibarra, Lisa Reifel, James Marston, Richard Yates, Walid Afifi, Christopher Michaels, Anna Marie Gott, Maggie Clarke, Accessible Santa Barbara, Mitchell Sjerven, Patrick Casey, Danny Copus.

Discussion:

The Council provided direction to Staff related to: 1) the clearing of sidewalks; 2) a return to the pre-pandemic sidewalk dining permitting process; 3) no changes are to be required to be made to enclosures and parklets already in place; and 4) new structures should comply with guidelines and regulations in place now. The Council also requested that Staff review the proper street width to allow emergency vehicle access, assess day and night use of the public right-of-way, and review the status of the 400 block of State Street.

**PUBLIC HEARINGS**

**17. Subject: Appeal Of The Architectural Board Of Review's Final Approval For A 21-Unit, Mixed-Use Development At 825 De La Vina Street (640.07)**

Recommendation: That Council deny the appeal of Donna Mrotek of the Architectural Board of Review's Final Approval of a 21-unit, mixed-use development at 825 De la Vina Street, and find that the project plans granted Final Approval substantially conform to the plans granted Project Design Approval.

Documents:

- June 22, 2021, report from the Community Development Director.

Public Comment Opened:

- 6:37 p.m.

Speakers:

- Staff: Senior Planner Irma Unzueta, Assistant City Attorney Tava Ostrenger, City Administrator Paul Casey, Acting City Attorney Daniel Hentschke.
- Architectural Board of Review: Member Leon Olson.
- Appellant: Donna Mrotek, Cynthia Gumuchio.
- Applicant: Steve Amerikaner, Ed DeVincente.

Recess: 8:05 p.m. – 8:19 p.m.

Speakers (Cont'd):

- Members of the Public: Anna Marie Gott, Georgia Strickland, Mary Turley, Keisha Mrotek, Craig Oliver, Ana Garcia, Fred Sweeney, Bonnie Donovan.

Public Comment Closed:

- 8:49 p.m.

**Motion:**

Councilmembers Jordan/Friedman to deny the appeal and uphold the Architectural Board of Review's Final Approval based on: 1) no appealable issues related to the Final Approval have been raised; and 2) the project plans granted Project Design Approval substantially conform to the plans granted Final Approval.

**Vote:**

Majority roll call vote (Noes: Councilmembers Oscar Gutierrez, Sneddon).

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)**

**CITY ADMINISTRATOR**

**19. Subject: State Street Advisory Committee Applicant Interviews (140.05)**

Recommendation: That Council interview applicants to the State Street Advisory Committee.

**Speakers:**

- Staff: Administrative Analyst Sam Ramirez, who announced that there would be two additional opportunities for applicants to this committee to be interviewed.
- The following applicants were interviewed: Anthony Catalano, Chuck Flacks, Hillary Blackerby, Jessi Finnicum-Schwartz, Kathleen Rodriguez, Keith Coffman Grey, Michael Holliday, Roger Durling, Sarah Gill, Seth Anderson, Suzanne Tejada, Jarrett Henderson, Lauralee Anderson, Ken Sorgman, Kevin Dumain, Tim Aceves, Steve Palladino, Leon Olson.

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Mayor Murillo reported on her attendance at recent meetings of the Santa Barbara County Association of Governments and the Santa Barbara Air Pollution Control District.
- Councilmember Sneddon commented on the recent meeting of the Creeks Committee and on virtual events held to commemorate Juneteenth.

**ADJOURNMENT**

Mayor Murillo adjourned the meeting at 10:37 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on July 26, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE



RANDY ROWSE  
MAYOR

ATTEST:   
SARAH GORMAN  
CITY CLERK SERVICES MANAGER