



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING JUNE 6, 2023 COUNCIL CHAMBERS, 735 ANACAPA STREET

CALL TO ORDER

Mayor Randy Rowse called the meeting to order at 2:00. (The Finance Committee and 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, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Randy Rowse.

Councilmembers absent: None.

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

CEREMONIAL ITEMS

1. Subject: National Pollinator Week, June 19-25, 2023 (120.04)

Action: Mayor Rowse delivered a proclamation to Greg Chittick who accepted the proclamation and made a brief statement.

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

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

CHANGES TO THE AGENDA

City Administrator Bjork announced that the following closed session item will be continued to the next regular meeting on June 13, 2023.

26. Subject: Conference with City Attorney -- 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

CONSENT CALENDAR (Items 3 – 21)

The titles of the Resolutions and Ordinances were read.

Motion:

Councilmembers Friedman/Jordan 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 meeting of May 9, 2023; and the special meetings of May 11, 2023; May 22, 2023.

Action: Approved the recommendation.

4. Subject: Amendment to the Restriction of Oversized Vehicles [Ordinance Adoption] (530.04)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Section 10.44.220 of the Santa Barbara Municipal Code Pertaining to the Restriction of Oversized Vehicle Parking on City Streets.

Action: Approved the recommendation; Ordinance No. 6115.

5. Subject: Approval of the 2022-2023 Unrepresented Non-Supervisory Confidential Employees Salary Plan [Ordinance Introduction] (440.02)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting the 2022-2023 Salary Plan Applicable to Unrepresented Non-Supervisory Confidential Employees.

Action: Approved the recommendation; Proposed Ordinance (June 6, 2023 Council Agenda Report and any attachments).

6. **Subject: Appropriation of Funds for the Purchase of Europay, MasterCard, and Visa Credit Card Terminals for Downtown Parking Kiosks [Resolution] (550.01)**

Recommendation: That Council:

- A. Approve a best interest waiver under Santa Barbara Municipal Code § 4.52.060 H; 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, for Appropriation of \$61,385 for the Purchase of Credit Card Terminals for Downtown Parking Kiosks.

Action: Approved the recommendations; Resolution No. 23-062 (June 6, 2023 Council Agenda Report and any attachments).

7. **Subject: Authorization for Public Works Director to Accept and Record Deeds and Other Instruments for Public Works Projects [Resolution] (330.03)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Accept and Record Deeds and Other Instruments Granting to the City Interests or Easements in Real Property for the Implementation of Projects Undertaken, Managed, or Permitted by the Public Works Department.

Action: Approved the recommendation; Resolution No. 23-063 (June 6, 2023 Council Agenda Report and any attachments).

8. **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 to Adjust City Planner Compensation and Establish the Hourly Position of Special Investigator.

Action: Approved the recommendation; Resolution No. 23-064 (June 6, 2023 Council Agenda Report and any attachments).

9. Subject: Appropriate Funds and Approve Agreement with New Beginnings Counseling Center for the Safe Parking Program From Fiscal Years 2022 to 2027 [Agreement; Resolution] (550.01)

Recommendation: That Council:

- A. Waive compliance with the formal bid procedure pursuant to Santa Barbara Municipal Code section 4.52.070 (K) and authorize the execution of a sole source agreement with New Beginnings Counseling Center, with the purpose of retaining a nonprofit social service organization to administer the Recreational Vehicle Accommodation Program established in Resolution No. 07-026 and in Santa Barbara Municipal Code Section 28.87.180; 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, for Appropriation of Additional Funds for the Safe Parking Program.

Action: Approved the recommendations; Resolution No. 23-065; Agreement No. 28,353 (June 6, 2023 Council Agenda Report and any attachments).

10. Subject: Fiscal Year 2023 Interim Financial Statements for the Ten Months Ended April 30, 2023 (250.02)

Recommendation: That Council accept the Fiscal Year 2023 Interim Financial Statements for the ten months ended April 30, 2023.

Action: Approved the recommendation.

11. Subject: Amendment to Professional Services Contracts with Norman A. Traub Associates and Joe Mar Polygraph & Investigations, Inc for Background Investigation Services and Polygraph Examinations [Agreement] (520.04)

Recommendation: That Council:

- A. Authorize the increase of the professional service agreement with Norman A. Traub & Associates by \$16,000 and extend the contract term by 5 months, expiring June 30, 2023, for background investigation services of Police Department employment candidates.
- B. Authorize the increase of the professional service agreement with Joe Mar Polygraph & Investigations, Inc. by \$35,000 for polygraph examination services of Police Department employment candidates.

Action: Approved the recommendations; Agreement No. 27,004.1; Agreement No. 28,354 (June 6, 2023 Council Agenda Report and any attachments).

12. Subject: Agreement with First Data Merchant Services, LLC, for Electronic Payment Acceptance Services [Agreement] (210.01)

Recommendation: That Council Authorize the Finance Director, subject to approval as to form by the City Attorney, to execute an agreement with First Data Merchant Services, LLC (First Data), for credit card and e-check payment processing services through June 1, 2027.

Action: Approved the recommendation; Agreement No. 28,355 (June 6, 2023 Council Agenda Report and any attachments).

13. Subject: Amendment to Professional Services Agreement for the Climate Action Plan Update [Agreement] (630.02)

Recommendation: That Council authorize the Sustainability and Resilience Director to execute an amendment to Professional Services Agreement Number 27026 with Rincon Consultants, Inc. for the Climate Action Plan Update increasing the amount of the contract by \$57,352.

Action: Approved the recommendation; Agreement No. 28,356 (June 6, 2023 Council Agenda Report and any attachments).

14. Subject: Updated Accessibility Surveys at Eight City Facilities [Agreement] (530.01)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Sally Swanson Architects, Inc. in the amount of \$117,600 for updated accessibility surveys at eight City facilities, and authorize \$9,900 for potential extra services, for a total expenditure authority of \$127,500.

Action: Approved the recommendation; Agreement No. 28,357 (June 6, 2023 Council Agenda Report and any attachments).

15. Subject: El Estero Water Resource Center Ocean Outfall Monitoring [Agreement] (540.13)

Recommendation: That Council authorize the Public Works Director to execute a contract with Aquatic Bioassay and Consulting Laboratories, Inc. in the amount of \$60,966 for ocean outfall monitoring services and authorize \$6,100 for potential extra services, for a total expenditure authority of \$67,066.

Action: Approved the recommendation; Agreement No. 28,358 (June 6, 2023 Council Agenda Report and any attachments).

16. Subject: Increase in Design Support Extra Services for the Cater Water Treatment Plant Reservoir Resiliency Project [Agreement] (540.1)

Recommendation: That Council authorize an increase in the extra services amount with Carollo Engineers, for design services for the Cater Water Treatment Plant Reservoir Resiliency Project, Contract No. 26,976, in the amount of \$436,000, for a total project expenditure authority of \$1,338,506.

Action: Approved the recommendation; Agreement No. 26,976.1 (June 6, 2023 Council Agenda Report and any attachments).

17. Subject: Memorandum of Understanding with the Santa Barbara Unified School District for Crossing Guard Services [Agreement] (150.05)

Recommendation: That Council ratify and authorize the City Administrator to execute a Memorandum of Understanding with the Santa Barbara Unified School District, including Peabody Charter School, for crossing guard services from July 1, 2022, through June 30, 2023.

Action: Approved the recommendation; Agreement No. 28,359 (June 6, 2023 Council Agenda Report and any attachments).

18. Subject: Proposed Assignment of Lease Agreement No. 27,073 – Anchor Rose Lounge, Located Downstairs at 113 Harbor Way [Agreement] (330.04)

Recommendation: Pursuant to a recommendation from the Harbor Commission that the City Council approve the assignment of Lease Agreement No. 27,073 from Co-Owners Ms. Amy Rose, Mr. Bryan Deminie, and Mr. Dennis Longaberger, to Captain's Cove LLC, for the Anchor Rose Lounge, located downstairs at 113 Harbor Way.

Action: Approved the recommendation; Agreement No. 28,360 (June 6, 2023 Council Agenda Report and any attachments).

19. Subject: Proposed Assignment of Lease Agreement No. 23,328 – Anchor Rose Restaurant, Located Upstairs at 113 Harbor Way [Agreement] (330.04)

Recommendation: That pursuant to Harbor Commission's recommendation that City Council approve the assignment of Lease Agreement No. 23,328 from Co-Owners Ms. Amy Rose, Mr. Bryan Deminie, and Mr. Dennis Longaberger, to Captain's Cove LLC, for the Anchor Rose Restaurant, located upstairs at 113 Harbor Way.

Action: Approved the recommendation; Agreement No. 28,361 (June 6, 2023 Council Agenda Report and any attachments).

20. Subject: Waterfront Department Proposed Lease Agreement with the Chamber of Commerce of the Santa Barbara Region [Agreement] (330.04)

Recommendation: That pursuant to Harbor Commission's recommendation that the City Council approve and authorize the Waterfront Director to execute a five-year lease agreement with the Chamber of Commerce of the Santa Barbara Region for the 400 square-foot Visitor Center located at 1 Garden Street.

Action: Approved the recommendation; Agreement No. 28,362 (June 6, 2023 Council Agenda Report and any attachments).

21. Subject: Authorization to Purchase Turf Renovation Materials for City Parks (570.05)

Recommendation: That Council:

- A. Find it in the City's best interest to waive the bidding process as authorized by Municipal Code 4.52.070(L) and authorize the General Services Manager to issue as needed Purchase Orders to Santa Barbara Sand and Topsoil for the purchase of the 50/50 Sand-Soil Blend;
- B. Find it in the City's best interest to waive the bidding process as authorized by Municipal Code 4.52.070(L) and authorize the General Services Manager to issue as needed Purchase Orders to Sierra Pacific Turf Supply and Stover Seed Company for the purchase of specialty turf seed; and
- C. Find it in the City's best interest to waive the bidding process as authorized by Municipal Code 4.52.070(L) and authorize the General Services Manager to issue as needed Purchase Orders to Agromin for the purchase of the Lawn Top Dressing.

Action: Approved the recommendations (June 6, 2023 Council Agenda Report and any attachments).

PUBLIC COMMENT

Members of the Public: Stephen Meade; Amber Asher; Steven Ley; Liz Adams; Aron Ashland.

PULLED CONSENT ITEMS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Councilmember Gutierrez reported on their attendance at the following events or made the following comments: 1. Police and Fire Commission meeting.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC HEARINGS

22. Subject: Renewal of Levy for Fiscal Year 2024 for the Wildland Fire Suppression Assessment District [Resolution] (520.04)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Updated Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year (FY) 2024.

Public Hearing opened: 2:12 p.m.

Documents:

- June 6, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared by staff.

Speakers:

- Staff: Fire Battalion Chief Ryan DiGiulio; Fire Services Specialist Chris Braden.
- SCI Consulting: Ryan Aston.
- Members of the Public: None.

Discussion:

- Councilmembers' questions were answered.

Public Hearing closed: 3:04 p.m.

Motion:

Councilmembers Sneddon/A. Gutierrez to approve the staff recommendation; Resolution No. 23-066.

Vote:

Unanimous roll call vote.

23. Subject: Public Hearing on Proposed Changes to Solid Waste Rates (630.01)

Recommendation: That Council:

- A. Hold a public hearing, consider all protests, and determine if there is a majority written protest regarding proposed increases to solid waste rates for Fiscal Year 2024, as required by California Constitution art. XIII D, § 6; and
- B. If there is no majority written protest, direct staff to prepare a rate schedule to set the solid waste rates for Fiscal Year 2024 and include the schedule within the City of Santa Barbara Schedule of Penalties, Fees, Rates, and Service Charges for consideration by Council in connection with the final adoption of the operating budget.

Public Hearing opened: 3:07 p.m.

Documents:

- June 6, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Environmental Services Manager Lorraine Cruz-Carpenter; Sustainability and Resilience Director Alelia Parenteau.
- Members of the Public: None.

Discussion:

- Councilmembers' questions were answered.

Public Hearing closed: 3:17 p.m.

Motion:

Councilmembers A. Gutierrez/Harmon to approve the staff recommendations.

Vote:

Unanimous roll call vote.

MAYOR AND COUNCIL REPORTS

24. Subject: Advisory Group Interviews (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups (Est. time 4:00 p.m.); and
- B. Continue interviews of applicants to June 13, 2023 (Est. time 6:00 p.m.).

Documents:

- June 6, 2023 Council Agenda Report and any attachments.

Speakers:

- Members of the public: None

Applicant Speakers:

Betsy Gallery
Chryss Yost
Nicholas Ragheb

Committee:

Arts Advisory Committee
Arts Advisory Committee
Arts Advisory Committee

Councilmember Sneddon stated that she was recusing himself from consideration of Item 25 because the address of the subject of the appeal is within 500 feet of her home. She was excused from the meeting at 3:22 p.m.

RECESS

3:22 p.m.– 3:36 p.m.

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARING

25. Subject: Appeal of the Single Family Design Board’s Project Design Approval of Development at 3208 Laurel Canyon Road (640.07)

Recommendation: That Council:

- A. Consider the appeal from the Law Office of Marc Chytlo on behalf of Anita Williamson of the Single Family Design Board’s Project Design Approval of a development at 3208 Laurel Canyon Road; and
- B. Direct staff to return to Council with a Decision and Findings Resolution reflecting the outcome of the appeal.

Public Hearing opened: 337 p.m.

The following ex parte disclosures were made.

Mayor Rowse: Mayor Rowse visited the subject site on his own.

Councilmember Jordan: Councilmember Jordan visited the subject site on his own. He stated that he received lengthy documents from both parties on Monday morning and was unable to review those documents. He stated that if either party

expected those documents to be part of the discussion, he is unprepared. He stated that he is happy to step down if this is a material issue to the parties.

City Attorney Knecht stated that Councilmember review of materials in the published agenda packet is adequate.

Councilmember Friedman visited the subject site on his own. He read the materials in the agenda packet but did not review documents submitted this week.

Councilmember Friedman visited the subject site with Mayor Rowse and City staff. He read the materials in the agenda packet but did not review documents submitted this week.

Documents:

- June 6, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared and made by staff.
- PowerPoint presentation prepared and made by appellant.
- PowerPoint presentation prepared and made by applicant.

Speakers:

- Staff: Assistant Planner Holly Garcin; Senior Planner Ellen Kokinda; Assistant City Attorney Tava Ostrenger.
- Single Family Design Board: Leslie Colasse.
- Members of the Public: Stephen Sherill; Fred Sweeney; Eric Wechsler.
- Appellant: Anita Williamson, Ken Doud, Marc Chytilo.
- Applicant: John Goodman.

Discussion:

- Councilmembers' questions were answered.

Public Hearing closed: 5:50 p.m.

Motion:

Unanimous Jordan/ A. Gutierrez to deny the appeal, uphold the Single Family Design Board's approval of the project and make the corresponding findings, and ask staff to come back with a decision and findings resolution reflecting this decision.

Vote:

Majority roll call vote (Noes: Councilmember Friedman; Recused: Councilmember Sneddon).

MAYOR AND COUNCIL REPORTS

24. Subject: Advisory Group Interviews (140.05) (Continued)

Applicant Speakers:

Committee:

Amber Caldwell	County of Santa Barbara Library Advisory Committee and Library Board
Conrad Metzenberg	Arts Advisory Committee
Teri Jory	Arts Advisory Committee
Kavya Suresh	Santa Barbara Youth Council
Sophia Cruz	Santa Barbara Youth Council
Gwen Chenoweth	Santa Barbara Youth Council
Leslie Colasse	Single Family Design Board

COUNCIL AND STAFF COMMUNICATIONS

PUBLIC COMMENT (IF NECESSARY)

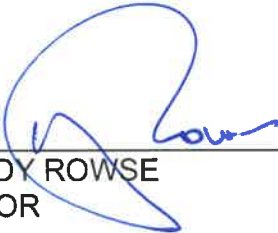
ADJOURNMENT

Mayor Rowse adjourned the meeting at 6:02 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on June 27, 2023.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



RANDY ROWSE
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER