CITY OF SANTA BARBARA
CITY COUNCIL MINUTES

REGULAR MEETING
MAY 17, 2022
COUNCIL CHAMBERS, 735 ANACAPA STREET

CALL TO ORDER

Mayor Randy Rowse called the meeting to order at 2:02 p.m. (The Finance Committee met at 12:00 p.m. and Ordinance Committee met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Rowse.

ROLL CALL

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

Councilmembers absent: Councilmember Alejandra Gutierrez.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: National Public Works Week May 15-21, 2022 (120.04)**

   Action: Proclamation received by Public Works staff Aundray Richey and Tyler Medearis. Tyler Medearis and Aundray Richey

CHANGES TO THE AGENDA

PUBLIC COMMENT

Members of the Public: Aron Ashland; Zac Smith

CONSENT CALENDAR (Items 2 – 11)

The titles of the Ordinances and Resolutions were read.

Motion:
Councilmembers Friedman/ Jordan to approve the Consent Calendar as recommended.

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

2. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes of the regular meeting of April 26, 2022, and the special meetings of February 11, 2021; April 26, 2022; and April 28, 2022.

Action: Approved the recommendation.

3. Subject: Adoption Of An Ordinance For Assignment And Assumption Of Lease Agreement No. 27,073 From Waterfront Food Group LLC, To Co-Owners Ms. Amy Rose, Mr. Bryan Deminie, And Mr. Dennis Longaberger, For The Restaurant Space Located At 113 Harbor Way (330.04)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Authorizing the Waterfront Director to Execute, Subject to Approval as to Form by the City Attorney, the Consent to Assignment and Assumption of Lease Agreement No. 27,073 From Waterfront Food Group LLC, to Co-Owners Ms. Amy Rose, Mr. Bryan Deminie, and Mr. Dennis Longaberger, for the Restaurant Space Located at 113 Harbor Way, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 6068; Agreement No. 28,118 (May 17, 2022, Council Agenda Report and any attachments).

4. Subject: Adoption Of An Ordinance For Assignment And Assumption Of Lease Agreement No. 23,328 From Waterfront Food Group LLC, To Co-Owners Ms. Amy Rose, Mr. Bryan Deminie, And Mr. Dennis Longaberger, For The Restaurant Space Located At 113 Harbor Way (330.04)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Authorizing the Waterfront Director to Execute, Subject to Approval as to Form by the City Attorney, the Consent to Assignment and Assumption of Lease Agreement No. 23,328 From Waterfront Food Group LLC, to Co-Owners, Ms. Amy Rose, Mr. Bryan Deminie, and Mr. Dennis Longaberger, for the Restaurant Space Located at 113 Harbor Way, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 6069; Agreement No. 28,119 (May 17, 2022, Council Agenda Report and any attachments).

5. **Subject: Adoption Of Resolution Regarding Acceptance Of Grant From California State Library For English As A Second Language Literacy Services (570.04)**

Recommendation: That Council:

A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 21-045, Adopting the Budget for Fiscal Year 2022, For $46,543.;

B. Accept the California State Library grant; and

C. Approve an increase in revenue and expenditure appropriations in the Library's Miscellaneous Grants Fund in the amount of $46,543, funded by the California State Library to support English As A Second Language (ESL) Literacy Services.

Action: Approved the recommendations; Resolution No. 22-034 (May 17, 2022, Council Agenda Report and any attachments).

6. **Subject: Adoption Of Resolutions In Support Of The Cliff Drive Vision Zero Project, Westside And Lower West Active Transportation Plan Implementation Project, And Milpas Street Pedestrian Safety Enhancements Project And Leveraging Grant Match Funds (670.08)**

Recommendation: That Council:

A. Apply the following grant matches: 1) twenty percent ($6.8 million) for the Cliff Drive Vision Zero Project; 2) ten percent ($2.2 million)for the Westside and Lower West Active Transportation Plan Implementation Project; and 3) twenty percent ($1.992 million) for the Milpas Street Pedestrian Safety Enhancements Project and adopt, by reading of title only, the following resolutions in preparation for Active Transportation Program grant applications;

B. Adopt, by reading of title only, a Resolution, of the Council of the City of Santa Barbara Supporting the Cliff Drive Vision Zero Project, and to Direct Staff to Apply for a Grant to Fund Design, Environmental Review, and Construction;

C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Supporting the Westside and Lower West Active Transportation Plan Implementation Project, and to Direct Staff to Apply for a Grant to Fund Design, Environmental Review, and Construction; and

D. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Supporting the Milpas Street Pedestrian Safety Enhancements Project, and to Direct Staff to Apply for a Grant to Fund Design, Environmental Review, and Construction.

Action: Approved the recommendations; Resolution Nos. 22-035, 22-036, 22-037 (May 17, 2022, Council Agenda Report and any attachments).

7. Subject: Fiscal Year 2022 Third Quarter Review (250.02)

Recommendation: That Council:

A. Receive a report from staff on the status of revenues and expenditures in relation to the budget for the nine months ended March 31, 2022;

B. Accept the Fiscal Year 2022 Interim Financial Statements for the nine months ended March 31, 2022; and

C. Approve the proposed third quarter adjustments to Fiscal Year 2022 Appropriations and Estimated Revenues as detailed in the attached schedule of proposed Third Quarter Adjustments.

Action: Approved the recommendations (May 17, 2022, Council Agenda Report and any attachments).

8. Subject: Cachuma Conservation Release Board Fiscal Year 2023 Budget Ratification (540.03)

Recommendation: That Council ratify the Cachuma Conservation Release Board's Fiscal Year 2023 Budget, with the City's proportional share not to exceed $502,415.

Action: Approved the recommendation (May 17, 2022, Council Agenda Report and any attachments).

9. **Subject: Authorize Long-Term Energy Resource Adequacy Agreement With Santa Paula Energy Storage, LLC On Behalf Of Santa Barbara Clean Energy Community Choice Aggregation Program (630.06)**

Recommendation: That Council authorize California Choice Energy Authority to enter into a long-term Energy Resource Adequacy agreement with Santa Paula Energy Storage, LLC on behalf of The Santa Barbara Clean Energy Community Choice Aggregation Program.

Action: Approved the recommendation (May 17, 2022, Council Agenda Report and any attachments).

10. **Subject: Extension Of Independent Audit Agreement (220.03)**

Recommendation: That Council approve and authorize the Finance Director to execute an extension of the existing professional services agreement for two years with CliftonLarsonAllen LLP (CLA), to perform an independent audit of the City of Santa Barbara for fiscal years ending June 30, 2022 and June 30, 2023.

Action: Approved the recommendation; Agreement No. 28,120 (May 17, 2022, Council Agenda Report and any attachments).

11. **Subject: Request From Our Mesa Neighborhood Incorporated To Name A Median Island On The 1800 Block Of Cliff Drive (530.04)**

Recommendation: That Council approve the naming of the median island located between Cliff Drive and the commercial frontage road between 1806 Cliff Drive and 1838 Cliff Drive, as Jon Gathercole Heroes Island.

Speakers:
- Staff: Public Works Director Clifford Maurer
- Members of the Public: Teri Jory; Dennis Johns;

Action: Approved the recommendation (May 17, 2022, Council Agenda Report and any attachments).

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Friedman reported that the Finance Committee received the Fiscal Year Third Quarter Review and reviewed the Fiscal Year 2023 Recommended Budget and forwarded the items to for full Council consideration.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Sneddon reported that the Ordinance Committee considered proposed amendments to the Municipal Code pertaining to animal control and unanimously voted to forward the item for full Council consideration.

PUBLIC HEARINGS

12. Subject: Adoption Of Resolution And Public Hearing On Renewal Of The Santa Barbara South Coast Tourism Business Improvement District And Adoption Of The Revised Management District Plan (290.00)

Recommendation: That Council:

A. Hold a final public hearing on the renewal of the Santa Barbara South Coast Tourism Business Improvement District and declare results of a majority protest proceeding;

B. Adopt, the Revised 2022-2032 Santa Barbara South Coast Tourism Business Improvement District Management District Plan, dated March 3, 2022; and

C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring the results of Majority Protest Proceedings and Renewing the Santa Barbara South Coast Tourism Business Improvement District.

Public Hearing opened: 2:31 p.m.

Documents:
- PowerPoint Presentation prepared by staff
- May 17, 2022 Council Agenda Report and any attachments
- Proposed Resolution

Speakers:
- Staff: Senior Assistant to the City Administrator's Office Brandon Beaudette.
- Members of the public: Kathy Janega-Dykes; Paul Bullock; Warren Nocon; Tom Patton; Lizzie Rodriguez; Scott Perry.

Discussion:
- Councilmembers' questions were answered.

Public Hearing closed: 3:25 p.m.

Motion:
Councilmembers Friedman/Jordan to support the staff recommendations; Resolution No 22-038.

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

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

13. Subject: Adoption of Resolutions Of Necessity To Acquire By Eminent Domain Real Property Necessary For The De La Vina Street Bridge Replacement Project (530.04)

Recommendation: That Council:

A. 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 [2733 and 2735 De La Vina Street (APN 051-213-020) – Fee Interest]; 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 Interest For The De La Vina Street Bridge Replacement Project [2726 and 2728 De La Vina Street (APN 051-220-015) – Fee Interest].

Documents:
- PowerPoint Presentation prepared by staff
- May 17, 2022 Council Agenda Report and any attachments
- Proposed Resolutions

Speakers:
- Staff: Principal Engineer Laura Yanez; Assistant City Attorney Dan Hentschke; Supervising Engineer Eric Goodall
- Party: Attorney Glenn Bock representing Howard Family trusts and Abdulhai Family; Attorney Todd Amspoker representing Mishay Salon.
- Members of the public: None.

Discussion:

- Discussion included the public interest and necessity required for the Project; The Project is planned and located to be compatible with greatest public good and least private injury; the Properties to be acquired are necessary for the Project; and The City has made the offer to the owners of record required by Government Code section 7267.2. Councilmembers' questions were answered.

Public Hearing closed: 3:25 p.m.

Motion:

Councilmembers Friedman/Jordan to support the staff recommendation and to make the following findings: included the public interest and necessity required for the Project; The Project is planned and located to be compatible with greatest public good and least private injury; the Properties to be acquired are necessary for the Project; and The City has made the offer to the owners of record required by Government Code section 7267.2. add ; Resolutions No 22-039, 22-040.

Vote:

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

RECESS

4:30 p.m. – 4:42 p.m.

COMMUNITY DEVELOPMENT DEPARTMENT

14. Subject: Continuation Of 2023 Housing Element Update Goals (660.01)

Recommendation: That City Council consider and adopt revised 2023 Housing Element Goals.

Limited public comment remotely for item 14

Documents:

- PowerPoint Presentation prepared by staff
- May 17, 2022 Council Agenda Report and any attachments

Speakers:

- Staff: Principal Planner Daniel Gullet; City Planner Renee Brooke; Assistant City Attorney Tava Ostrenger.
- Members of the Public: Zeke Sandoval.

Discussion:

- Discussion included changes to specific goals, a proposed ad hoc committee, hotels, and other topics. Councilmembers' questions were answered.

Motion:

Councilmembers Sneddon/Harmon to adopt the revised 2023 Housing Element Goals as presented with the addition in Goal 1 of within our resources, Goal 2 it will read "prioritize housing that is affordable to the City's workforce and vulnerable communities by use of deed restrictions and other measures over other types of development, with special emphasis on housing that meets the needs of extremely low, very low, low, moderate, middle income and special needs."

Vote:

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

Motion:

Councilmembers Friedman/Sneddon to bring back a Council discussion of an interim zoning ordinance regarding hotels in an early June meeting.

Vote:

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

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

1. Councilmember Sneddon reported on their attendance at the following events or made the following comments: 1. FSA speaker regarding youth mental health; 2. COMB meeting; 3. Santa Barbara City College graduation; 4. Walkabout with Hands across Montecito; 5. Riviera Association meeting; 6. Sustainability Committee meeting.
2. Councilmember Friedman reported on their attendance at the following events or made the following comments 1. City Library Advisory Board meeting; 2. Sustainability Committee's meeting; 3. Countywide Elected Leader's Forum regarding homelessness.
3. Mayor Rowse reported on their attendance at the following events or made the following comments: 1. Executive meeting with Santa Barbara County Association of Governments staff; 2. Mayor Cyclemania Ride; 3. Hospice event at Fess Parker.

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

15. Subject: Conference With City Attorney -- Existing Litigation – Gov. Code § 54956.9(d)(1)

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 Linda Boicourt v. City of Santa Barbara, SBSC Case 19CV02344.

Scheduling: Duration, 15 minutes; anytime
Report: None anticipated

No report made.

ADJOURNMENT

Mayor Rowse adjourned the meeting at 5:53 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on June 7, 2022.

SANTA BARBARA CITY COUNCIL

RANDY ROWSE
MAYOR

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

SARAH GORMAN
CITY CLERK SERV. MANAGER