



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING MAY 23, 2023 COUNCIL CHAMBERS, 735 ANACAPA STREET

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### CALL TO ORDER

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

### 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, Deputy City Clerk Naomi Kovacs, City Clerk Services Manager Sarah Gorman.

### CEREMONIAL ITEMS

**1. Subject: National Public Works Week, May 21-27, 2023 (120.04)**

Proclamation presented by Mayor Rowse, received by Public Works Director Cliff Mauer, Wastewater Treatment Supervisor Adam Munce, Wastewater Collection System Supervisor Esteban Zambrano, Senior Electronics Commission Technician Edger Benitez, with remarks by Mr. Maurer.

Speakers:

- Members of the Public: None

**2. Subject: Asian American & Pacific Islander (AAPI) Heritage Month, May 2023 (120.04)**

Proclamation presented by Mayor Rowse, received with remarks by Karena Jew, Terease Chin, Jill Stassinos, and Michael Kwan.

**CHANGES TO THE AGENDA**

The order of items on the agenda will be slightly different than as published. The order will be: Consent Calendar, General Public Comment, Pulled Consent Calendar items, and Ordinance Committee Report.

**CONSENT CALENDAR (Items 3 – 15)**

The titles of the Resolutions and Ordinances were read.

Item 16 was pulled for public comment.

Motion:

Councilmembers Harmon/Sneddon to approve Consent Calendar items 3 – 15 as recommended.

Vote:

Unanimous roll call vote.

**3. Subject: Minutes**

Recommendation: That Council waive reading and approve the minutes of the regular meetings of March 14, 2023; April 25, 2023; May 2, 2023; and the special meetings of April 25, 2023; May 3, 2023 (8:30 a.m.); May 3, 2023 (1:00 p.m.); May 5, 2023.

Action: Approved the recommendation.

**4. Subject: Storage of Personal Property in Public Areas [Ordinance Adoption] (520.04)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adding Chapter 9.96 to the Municipal Code to Regulate the Storage of Personal Property in Public Places.

Action: Approved the recommendation; Ordinance No. 6113 (May 23, 2023 Council Agenda Report and any attachments).

**5. Subject: Approving the Management Performance and Compensation Plan and Authorizing Portal to Portal Pay for Sworn Fire Employees [Ordinance Adoption] (170.01)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting the 2022-2024 Management Performance and Compensation Plan.

Action: Approved the recommendation; Ordinance No. 6114 (May 23, 2023 Council Agenda Report and any attachments).

**6. Subject: Amendment to the Restriction of Oversized Vehicles [Ordinance Introduction] (530.04)**

Recommendation: That Council introduce and subsequently 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; Proposed Ordinance (May 23, 2023 Council Agenda Report and any attachments).

**7. Subject: Fiscal Year 2023 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, 2023;
- B. Accept the Fiscal Year (FY) 2023 Interim Financial Statements for the nine months ended March 31, 2023; and
- C. Approve proposed Third Quarter (Q3) adjustments to FY 2023 appropriations and estimated revenues as detailed in the attached schedule of Proposed Q3 adjustments.

Action: Approved the recommendation (May 23, 2023 Council Agenda Report and any attachments).

**8. Subject: April 2023 Investment Report (260.02)**

Recommendation: That Council accept the April 2023 Investment Report.

Action: Approved the recommendation (May 23, 2023 Council Agenda Report and any attachments).

**9. Subject: Grant of Easement for Access and Other Purposes for the Benefit of 821 State Street [Agreement] (330.03)**

Recommendation: That Council authorize the City Administrator to execute an easement deed or agreement, in a form approved by the City Attorney, conveying a non-exclusive easement for access for ingress, egress, solid waste disposal, utilities, and other purposes within specified existing public access corridors in Paseo Nuevo for the benefit of property at 821 State Street.

Action: Approved the recommendation; Agreement No. 28,323 (May 23, 2023 Council Agenda Report and any attachments).

**10. Subject: Agreement for Workers' Compensation Claims Administration [Agreement] (350.08)**

Recommendation: That City Council approve and authorize the Finance Director to execute an agreement with AdminSure, Inc., to provide Third Party Administration (TPA) services for the workers' compensation program within the Self-Insurance Fund for a term of up to five (5) years, at a total cost of \$1,872,672 over the five year term. The parties agree that payment in any fiscal year beyond the amount appropriated in Fiscal Year 2024 remains subject to Council budget approval and appropriation of funds in the annual fiscal year budget; and this contract may be terminated at no cost to the City, if Council does not appropriate funds toward this expense in any future fiscal year.

Action: Approved the recommendation; Agreement No. 28,332 (May 23, 2023 Council Agenda Report and any attachments).

**11. Subject: Haley Street Youth Center Lease Renewal with Channel Islands YMCA [Agreement] (330.04)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a three-year lease agreement with the Channel Islands YMCA for the Haley Street Youth Center commencing on July 1, 2023, and ending on June 30, 2026.

Action: Approved the recommendation; Agreement No. 28,343 (May 23, 2023 Council Agenda Report and any attachments).

**12. Subject: Non-Profit Organization Leases at the Westside and Franklin Community Centers [Agreement] (330.04)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute annual lease agreements for office space at the Westside Community Center for the Independent Living Resource Center and Momentum Work, Inc.; and
- B. Authorize the Parks and Recreation Director to execute annual lease agreements for office space at the Franklin Community Center for California Rural Legal Assistance, Inc., and the Santa Barbara County Immigrant Legal Defense Center.

Action: Approved the recommendation; Agreement No. 28,344 (May 23, 2023 Council Agenda Report and any attachments).

**13. Subject: Professional Services Agreement with FM3 Research for Creek and Ocean Water Quality Public Awareness Research [Agreement] (540.11)**

Recommendation: That Council authorize the Sustainability & Resilience Director to execute a professional services agreement with FM3 Research in the amount of \$56,750 to conduct public awareness research related to creek and ocean water quality and ongoing education and outreach efforts.

Action: Approved the recommendation; Agreement No. 28,345 (May 23, 2023 Council Agenda Report and any attachments).

**14. Subject: Agreements for Commissioning Services and Fire Protection Design for the Santa Barbara Police Station Project [Agreement] (700.08)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with 3C Engineering in the amount of \$72,750 for Commissioning Agent services for the Santa Barbara Police Station Project and authorize the Public Works Director to approve expenditures of up to \$7,275 for extra services of 3C Engineering that may result from necessary changes in the scope of work; and
- B. Authorize the Public Works Director to execute a City Professional Services contract with Great Plains Fire Specialists in the amount of \$72,000 for fire protection design services for the Santa Barbara Police Station Project and authorize the Public Works Director to approve expenditures of up to \$7,200 for extra services of Great Plains Fire Specialists that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 28,346 (May 23, 2023 Council Agenda Report and any attachments).

**15. Subject: Appeals of Planning Commission's Approval of a Coastal Development Permit at 2315 Edgewater Way (640.07)**

Recommendation: That Council continue the Appeals of the Planning Commission's Approval of a Coastal Development Permit at 2315 Edgewater Way indefinitely.

Action: Approved the recommendation (May 23, 2023 Council Agenda Report and any attachments).

**PUBLIC COMMENT**

Members of the public: Alex Gravenor.

**PULLED CONSENT ITEMS**

**CONSENT PUBLIC HEARING**

**16. Subject: Tax Equity and Fiscal Responsibility Act (TEFRA) Hearing for Sanctuary Centers Debt Issuance [Resolution; Agreement] (240.03)**

Recommendation: That Council:

- A. Conduct a TEFRA public hearing regarding the issuance by the California Enterprise Development Authority ("Authority") of certain revenue obligations in an aggregate principal amount not to exceed \$15,000,000 for the purpose of financing the acquisition, construction, installation, furnishing, and equipping of 34 supportive low-income housing units and an integrated care clinic and certain other matters related thereto;
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Approving Associate Membership by the City of Santa Barbara in the California Enterprise Development Authority and the Execution of an Associate Membership Agreement Relating to Associate Membership of the City in the Authority; and
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Approving the Issuance by the California Enterprise Development Authority of Its Revenue Obligations for the Benefit of Sanctuary Centers of Santa Barbara, Inc., in an Aggregate Principal Amount Not to Exceed \$15,000,000 for the Purpose of Financing the Acquisition, Construction, Installation, Furnishing, and Equipping of Thirty-

Four Supportive Low-Income Housing Units and an Integrated Care Clinic and Certain Other Matters Relating Thereto.

Public hearing opened: 2:20 p.m.

Documents:

- May 23, 2023 Council Agenda Report and any attachments.

Speakers:

- Members of the public: Frank Thompson.

Public hearing closed: 2:24 p.m.

Motion:

Councilmembers Friedman/Harmon to approve the staff recommendation; Resolution Nos. 23-060 and 23-061; Agreement No. 28,351.

Vote:

Unanimous roll call vote.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Councilmember O. Gutierrez reported that the Ordinance Committee reviewed the amendment to the Single Family Design Board appeal process, unanimously voting to carry it to full council for further discussion.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Councilmember Sneddon reported on their attendance at the following events or made the following comments: 1. Santa Barbara City College Commencement; 2. City Hall Open House; 3. Library PSA; 4. Peace Officer memorial; 5. State Street Advisory Committee; 6. Eucalyptus Hill annual meeting.

Councilmember O. Gutierrez reported on their attendance at the following events or made the following comments: 1. UCSB Lunch and Learn; 2, Access Advisory Committee; 3. State Street Food and Beverage Committee.

Councilmember Friedman reported on their attendance at the following events or made the following comments: 1. Police Officers' memorial; 2. UCSB government relations tour of Coal Oil Point; 3. Standing Together Against Sexual Assault annual event; 4. Smart Coast California Sea Level Rise local coastal planning conference, at which he was a presenter.

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

## PUBLIC WORKS DEPARTMENT

### **17. Subject: Appeal of the Suspension of Authorization to Operate and Maintain an Outdoor Business Facility at Taza Restaurant at 413 State Street (530.04)**

Recommendation: That Council consider Hitesh Ambalal and RDynamics Consulting, LLC's appeal of the City Administrator's suspension of the authorization to operate and maintain an Outdoor Business Facility at Taza Restaurant, located at 413 State Street.

Documents:

- May 23, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared by staff.

Speakers:

- Staff: City Attorney Sarah Knecht, Downtown Plaza Parking Manager Sarah Clark, Parking Programs Supervisor Meagan Salas.
- Members of the Public: Nick Koonce, Jim Marston, Jim Knell, Hresh Ambalal.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmembers Sneddon/Jordan to deny the appeal.

Vote:

Majority roll call vote (Noes: Councilmember O. Gutierrez).

### **18. Subject: Appeal of the Suspension of Authorization to Operate and Maintain a Parklet at Ca'Dario Restaurant at 37 East Victoria Street**

Recommendation: That Council consider Dario Furlati and Quattro Fortune, Inc.'s appeal of the City Administrator's suspension of the authorization to operate and maintain a parklet at Ca'Dario Restaurant, located at 37 East Victoria Street.

Documents:

- May 23, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared by staff.

Speakers:

- Staff: Parking Programs Supervisor Meagan Salas.
- Members of the Public: Simon Clark.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmembers Sneddon/Jordan to deny the appeal.

Vote:

Unanimous roll call vote.

**19. Subject: Appeal of the Suspension of Authorization to Operate and Maintain a Parklet at Folded Hills Winery at 1294 Coast Village Road**

Recommendation: That Council consider Andrew Busch and Folded Hills Winery's appeal of the City Administrator's suspension of the authorization to operate and maintain a parklet at Folded Hills Winery, located at 1294 Coast Village Road.

Documents:

- May 23, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared by staff.

Speakers:

- Staff: Parking Programs Supervisor Meagan Salas.
- Members of the Public: Andrew Busch.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmembers Sneddon/A. Gutierrez to deny the appeal.

Vote:

Unanimous roll call vote.

**20. Subject: Appeal of the Suspension of Authorization to Operate and Maintain a Parklet at Courthouse Tavern at 129 East Anapamu Street**

Recommendation: That Council consider Billy Valdez's appeal of the City Administrator's suspension of the authorization to operate and maintain a parklet at Courthouse Tavern, located at 129 East Anapamu Street.

Documents:

- May 23, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared by staff.

Speakers:

- Staff: Parking Programs Supervisor Meagan Salas.
- Members of the Public: None.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmembers Friedman/A. Gutierrez to deny the appeal.

Vote:

Unanimous roll call vote.

**21. Subject: Appeal of the Suspension of Authorization to Operate and Maintain a Parklet at Trattoria Vittoria at 30 East Victoria Street**

Recommendation: That Council consider Vittoria Comin and Ristorante Vittoria, Inc.'s appeal of the City Administrator's suspension of the authorization to operate and maintain a parklet at Trattoria Vittoria, located at 30 East Victoria Street.

Documents:

- May 23, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared by staff.

Speakers:

- Staff: Parking Programs Supervisor Meagan Salas.
- Members of the Public: Vittoria Comin.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmember O. Gutierrez to uphold the appeal.  
Motion died for lack of a second.

Councilmember Friedman/Rowse to deny the appeal.

Vote:

Majority roll call vote (Noes: Councilmembers O. Gutierrez; Jordan).

**22. Subject: Appeal of the Suspension of Authorization to Operate and Maintain a Parklet at Foxtail Kitchen and Bar at 14 East Cota Street**

Recommendation: That Council consider Falah Maayah's appeal of the City Administrator's suspension of the authorization to operate and maintain a parklet at Foxtail Kitchen and Bar, located at 14 East Cota Street.

Documents:

- May 23, 2023 Council Agenda Report and any attachments.
- PowerPoint presentation prepared by staff.

Speakers:

- Staff: Parking Programs Supervisor Meagan Salas.
- Members of the Public: None.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmembers Friedman/Sneddon to deny the appeal.

Vote:

Majority roll call vote (Noes: Councilmember O. Gutierrez)

Mayor Pro Tempore A. Gutierrez was excused from the meeting at 3:52 p.m.

## **RECESS**

3:52 – 4:08 p.m.

## **MAYOR AND COUNCIL REPORTS**

### **23. Subject: Interviews for City Advisory Groups (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 6, 2023 (Est. time 4:00 p.m.) and June 13, 2023 (Est. time 6:00 p.m.).

Documents:

- May 23, 2023 Council Agenda Report and any attachments.

Speakers:

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

Applicant Speakers:

Committee:

Jacob Lesner-Buxton	Community Development and Human Services Committee
Angelica Diaz	Community Development and Human Services Committee
Lyiam Galo	Community Development and Human Services Committee
Sara Wylder	Community Events and Festivals Committee
Anne Burdette	Creeks Advisory Committee
Stephanie Moret	Creeks Advisory Committee
Brian Barnwell	Library Board
Lynn Goebel	Living Wage Advisory Committee

Bruce Wollenberg	Rental Housing Mediation Board
Heather Smith	Rental Housing Mediation Board
Amelia Vander May	Santa Barbara Youth Council
Carlos Vazquez	Santa Barbara Youth Council
Jeremy Solano Beltran	Santa Barbara Youth Council
Sagarika Manian	Santa Barbara Youth Council
Lucia Camp	Santa Barbara Youth Council
Tayllor Johnson	Arts Advisory Committee

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER ENGAGEMENTS**

Councilmember O. Gutierrez thanked Mollie Culver for her support.

Mayor Rowse reported that he attended the Santa Barbara Athletic Roundtable awards, and Chubby Checker event.

### **PUBLIC COMMENT (IF NECESSARY)**

None.


### **ADJOURNMENT**

Mayor Rowse adjourned the meeting at 4:52 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:



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SARAH GORMAN  
CITY CLERK SERVICES MANAGER