



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
DECEMBER 12, 2023
COUNCIL CHAMBERS, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Randy Rowse called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 12:00 p.m. The Finance 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 Attorney Sarah Knecht (Acting as Interim City Administrator), Assistant City Attorney Tava Ostrenger (as Acting City Attorney), City Clerk Services Manager Sarah Gorman.

CEREMONIAL ITEMS

- 1. Subject: Recognition of Alice San Andres-Calleja, Publisher/Editor of the Mesa Paper (120.04)**

Action: Proclamation presented by Mayor Rowse and Councilmember Jordan to Alice San Andres-Calleja.

CHANGES TO THE AGENDA

There were no changes to the agenda.

CONSENT CALENDAR (Item Nos. 2 – 5, 7 – 28)

The titles of the Ordinances and Resolutions were read.

Motion:

Councilmembers Jordan/O. Gutierrez to approve the consent calendar as recommended, excepting item 6.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes for the special meetings of October 17, 2023 and October 24, 2023; and the regular meetings of October 17, 2023, October 24, 2023, October 31, 2023, and November 7, 2023.

Action: Approved the recommendation.

3. Subject: Lease Amendment with Captain's Cove, LLC DBA The Anchor Rose Lounge, Located at 113 Harbor Way [Ordinance Adoption; Agreement] (330.04)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute the Amendment to Lease Agreement No. 28,360 with Captain's Cove, LLC, Deferring Three Months Base Rent with Lease Terms Ending December 31, 2025, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 6131; Agreement No. 28,360.1.

4. Subject: Loan to Transition House for \$1,284,850 for Acquisition of Property Located at 712 West Anapamu Street [Ordinance Adoption]

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a Loan Agreement with Transition House in the Amount of \$1,284,850 for Acquisition of the Real Property Located at 712 West Anapamu Street to Be Used for Transitional Housing, to Be Secured by a Deed of Trust and a 90-Year Affordability Control Covenant Imposed on Real Property and Authorizing the Community Development Director to Execute Such Agreements, Subject to Approval as to Form by the City Attorney, as Necessary.

Action: Approved the recommendation; Ordinance No. 6132.

5. Subject: Specific Plan (SP11-CHC) and General Plan Amendment for 3237 State Street [Ordinance Adoption] (650.05)

Recommendation: That Council:

- A. Adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Adding Chapter 30.136 to Establish the Community Health Center Specific Plan Zone; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending the General Plan Map of the City of Santa Barbara Pertaining to Assessor's Parcel Number 051-112-026 Located at 3237 State Street.

Action: Approved the recommendations; Ordinance No.6133; Resolution No. 23-163 (December 12, 2023, report from the Community Development Director; proposed Resolution).

7. Subject: Adoption of Ordinance Prohibiting Heavy Vehicles on Portions of Alisos Streets and Sola Street [Ordinance Adoption]

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.60 of the Santa Barbara Municipal Code by Revising Section 10.60.040 and Prohibiting Heavy Vehicles on Portions of Alisos Street and Sola Street.

Action: Approved the recommendation; Ordinance No. 6135.

8. Subject: Adoption of Ordinance Approving the 2023-2025 Treatment Plants' and Patrol Officers' Memorandum of Understanding [Ordinance Adoption] (440.02)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting the 2023-2025 Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP UNITS).

Action: Approved the recommendation; Ordinance No. 6136.

9. Subject: Adoption of Ordinance Approving the 2022-2025 Fire Management Association Bargaining Unit Memorandum of Understanding [Ordinance Adoption] (440.02)

Recommendation: That Council adopt, 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 Santa Barbara Fire Management Association.

Action: Approved the recommendation; Ordinance No. 6137.

10. Subject: Increase the City Administrator's Contracting Authority and Increase the Competitive Threshold for the Purchase of Goods and Services [Ordinance Introduction; Resolution] (340.02)

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Bind the City for the Acquisition of Certain Items Up to an Amount of \$100,000 and Rescinding Resolution No. 14-065; and
- B. 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 4.52.060 and 4.52.070 to Update Monetary Thresholds and Adding Section 4.52.072 to Authorize Best Value Competitive Contracting for Goods and Services.

Action: Approved the recommendations; Resolution No. 23-154 (December 12, 2023, report from the Finance Director; proposed Ordinance; proposed Resolution).

11. Subject: Corrected Submittal of Documents Supporting the Approval of Amendments to the Records Retention Policy Held by the Human Resources Department [Resolution] (160.06)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Approving a Revised Records Retention Schedule, Authorization to Destroy Applicable Records Pursuant to that Schedule, and Rescinding Resolution No.16-005.

Action: Approved the recommendation; Resolution No. 23-155 (December 12, 2023, report from the Human Resources Director; proposed Resolution).

12. Subject: Waterfront Department Declaring the Vessel "Falcon" as Abandoned Property Pursuant to Harbors and Navigation Code Section 522 [Resolution] (570.03)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring the Vessel "Falcon" as Abandoned Property Pursuant to Harbors and Navigation Code Section 522.

Action: Approved the recommendation; Resolution No. 23-156 (December 12, 2023, report from the Waterfront Director; proposed Resolution).

13. Subject: Removal of Art Commission Fee from the Library's Fiscal Year 2024 Fees and Fines Schedule [Resolution] (570.04)

Recommendation: That Council:

- A. Approve the removal of the Art Commission fee from the Library's Fiscal Year 2024 Fees and Fines Schedule; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 23-076, Adopting the Budget for Fiscal Year 2024, to Approve a Decrease in Appropriations in Fiscal Year 2024 in the Amount of \$10,000 for the Removal of the Art Commission Fee; and Directing the City Clerk to Remove a Fee in Resolution 23-079 Adopted on June 13, 2023, Which Became Effective on July 1, 2023, or as Provided Therein, and Amend the City of Santa Barbara Schedule of Penalties, Fees, and Service Charges.

Action: Approved the recommendations; Resolution No. 23-157 (December 12, 2023, report from the Library Director; proposed Resolution).

14. Subject: Bequest from the Richard A. Baum and Melanie L. Lansing Revocable Trust to the City of Santa Barbara for Exclusive Use and Benefit of the Library Department [Resolution] (570.04)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 23-076 Adopting the Budget for Fiscal Year 2024, Increasing Revenue and Expenditure Appropriation in Fiscal Year 2024 in the Amount of \$3,297.62 in the Library Miscellaneous Trust Fund, and Accept the Bequest from the Richard A. Baum and Melanie L. Lansing Revocable Trust to the Santa Barbara Public Library.

Action: Approved the recommendation; Resolution No. 23-158 (December 12, 2023, report from the Library Director; proposed Resolution).

15. Subject: Downtown Organization Annual Assessment Report for 2023 and Intention to Levy [Resolution] (290.00)

Recommendation: That Council:

- A. Approve the Downtown and Old Town Business Improvement District Annual Assessment Report for 2024; and

- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Downtown Business Improvement District and Old Town Business Improvement District Assessment Rates for 2024, at a Public Hearing to be Held on January 23, 2024, at 2:00 p.m.

Action: Approved the recommendations; Resolution No. 23-159 (December 12, 2023, report from the City Administrator; proposed Resolution).

16. Subject: Contract Amendment for Right-of-Way Acquisition Services for the De La Vina Street Bridge Replacement Project [Resolution; Agreement] (530.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute the Fourth Amendment to Contract No. 26,915 with Hamner, Jewell & Associates in the amount of \$51,429 for right-of-way acquisition services for the De La Vina Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$7,500 for extra services of Hamner, Jewell & Associates that may result from necessary changes in the scope of work, for a total expenditure authority of \$271,712; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 23-076, Adopting the Budget for Fiscal Year 2024, to Appropriate Additional Grant Funds for the De La Vina Street Bridge Replacement Project.

Action: Approved the recommendations; Resolution No. 23-160; Agreement No. 26,915.4 (December 12, 2023, report from the Public Works Director; proposed Resolution).

17. Subject: Fiscal Year 2024 Interim Financial Statements for the Four Months Ended October 31, 2023 (250.02)

Recommendation: That Council accept the Fiscal Year 2024 Interim Financial Statements for the four months ended October 31, 2023.

Action: Approved the recommendation (December 12, 2023, report from the Finance Director).

18. Subject: Water Service Line Inventory for Compliance with the Lead and Copper Rule Revisions [Agreement] (540.01)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services Agreement with 120Water, Inc., in an amount not to

exceed \$206,450 for services to develop an inventory of public and private water service line materials as required by the United States Environmental Protection Agency's Lead and Copper Rule Revisions.

Action: Approved the recommendation; Agreement No. 28,460 (December 12, 2023, report from the Public Works Director).

19. Subject: Fiscal Year 2024 Agreement with People Assisting the Homeless (PATH) for Operation of a Homeless Shelter and Related Services [Agreement] (660.01)

Recommendation: That Council authorize the Community Development Director to execute a funding agreement amendment in the amount of \$202,100 with People Assisting the Homeless (PATH) for the operation of a homeless shelter and related services.

Action: Approved the recommendation; Agreement No. 28,461 (December 12, 2023, report from the Community Development Director).

20. Subject: Contract Amendment for the Facilities Evaluation and Exit Testing Services for the Charles E. Meyer Desalination Plant [Agreement] (540.1)

Recommendation: That Council authorize the Public Works Director to execute the Second Contract Amendment with GHD, Inc., for additional Facilities Evaluation and Exit Testing Services for the Charles E. Meyer Desalination Plant, Contract No. 28,181, in the amount of \$79,198, for a total expenditure authority of \$428,463.

Action: Approved the recommendation; Agreement No. 28,181.2 (December 12, 2023, report from the Public Works Director).

21. Subject: Agreement with R3 Consulting Group, Inc. for a Five-Year Solid Waste Rate Study [Agreement] (630.02)

Recommendation: That Council authorize the Sustainability and Resilience Director to execute a Professional Services Agreement with R3 Consulting Group, Inc. for consulting services on a five-year solid waste rate study in the amount of \$64,500 and approve expenditures of up to an additional \$6,450 for extra services that may result from necessary changes in the scope of work, for a total not-to-exceed amount of \$70,950.

Action: Approved the recommendation; Agreement No. 28,462 (December 12, 2023, report from the Sustainability and Resilience Director).

22. Subject: Contract Amendment for Additional Archaeology Administrative Services for the De La Guerra Plaza Revitalization Project [Agreement] (530.01)

Recommendation: That Council authorize the Public Works Director to execute the Third Contract Amendment with Applied EarthWorks, Inc., for additional archaeology administrative services for the De La Guerra Plaza Revitalization Project, Contract No. 26,366, in the amount of \$5,003, for a total not to exceed dollar amount of \$91,461.

Action: Approved the recommendation; Agreement No. 26,366.3 (December 12, 2023, report from the Public Works Director).

23. Subject: Waterfront Department License Agreement with Santa Barbara Fuel Dock, Incorporated, to Operate the Commercial Ice Machine [Agreement] (330.04)

Recommendation: That Council approve a five-year license agreement with Santa Barbara Fuel Dock, Incorporated, a California Corporation, to operate the ice machine facility in Santa Barbara Harbor, also known as the Ice House.

Action: Approved the recommendation; Agreement No. 28,463 (December 12, 2023, report from the Waterfront Director).

24. Subject: Independent Financial Statement Audit Services Agreement Extension [Agreement] (210.01)

Recommendation: That Council approve and authorize the Finance Director to execute an extension of the existing Professional Services Agreement for three years with CliftonLarsonAllen, LLP (CLA), to perform an independent financial statement audit of the City of Santa Barbara for fiscal years ending June 30, 2024, June 30, 2025, and June 30, 2026 for a total not-to-exceed amount of \$776,555.

Action: Approved the recommendation; Agreement No. 26,401.3 (December 12, 2023, report from the Finance Director).

25. Subject: Self-Insured Workers' Compensation Program Annual Report (350.08)

Recommendation: That Council receive the annual Self-Insured Workers' Compensation Program Annual Report for the Year Ended June 30, 2023.

Action: Approved the recommendation; (December 12, 2023, report from the Finance Director).

26. Subject: Sole Source Purchase Order for Santa Barbara Office Interiors to Furnish the Lower Level Library Staff Workspace Renovation Project (570.04)

Recommendation: That Council authorize the Library Director to execute a sole source Purchase Order to Santa Barbara Office Interiors in the amount of \$68,984.39 for purchase, delivery, and placement of office furniture.

Action: Approved the recommendation; (December 12, 2023, report from the Library Director).

27. Subject: Purchase Order for FE Technologies Library Self-Check V5 Units (570.04)

Recommendation: That Council find it in the City's best interest to follow the formal bid procedure and authorize the Library Director to execute a Purchase Order to FE Technologies in the amount of \$59,549.70 for purchase, delivery, and installation of eight V5 self-check units.

Action: Approved the recommendation; (December 12, 2023, report from the Library Director).

28. Subject: Santa Barbara Airport Title VI Plan Assuring Adequate Access and Language Availability for Airport Customers (560.01)

Recommendation: That Council review and adopt the Santa Barbara Airport Title VI Plan for 2024-2027 and authorize the Airport Director to make minor changes as necessary.

Action: Approved the recommendation; (December 12, 2023, report from the Airport Director).

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair O. Gutierrez reported that the Ordinance Committee reviewed the Local Housing Trust Fund and the Tenant Protection Ordinance and voted unanimously to send both items to the full Council for consideration.

PUBLIC COMMENT

Member of the Public: Anna Marie Gott.

PULLED CONSENT ITEMS

6. Subject: Adoption of Ordinance Authorizing and Regulating Parklets for Outdoor Dining in the Public Right of Way [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 the Santa Barbara Municipal Code by the Addition of Chapter 9.180 Relating to Parklets in the Public Right of Way.

The title of the Ordinance was read.

Documents:

- Ordinance as introduced on December 5, 2023.

Speakers:

- Staff: Assistant City Attorney Dan Hentschke.
- Members of the Public: None.

Motion:

Councilmembers Sneddon/A. Gutierrez for staff recommendation with amendment to add the amendment to chapter 9.180.140: “then, the design body may specify a barrier from the list during design review for a parklet; and the design review body may specify coloring, coating, or other aesthetic features of the traffic safety barriers as part of the design review for a parklet...”; Ordinance No. 6134.

The item was continued to later in the Council meeting.

The item was reopened at 4:30 p.m.

Vote:

Majority roll call vote (Noes: Councilmember Friedman, Mayor Rowse).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

None.

RECESS

2:42 p.m. – 2:45 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

29. Subject: Measure C Annual Accountability Report Fiscal Year (FY) 2023 and Funding Priorities [Resolution] (210.01)

Recommendation: That Council:

- A. Accept the Measure C Annual Accountability Report for the Fiscal Year Ended June 30, 2023; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Establishing Priorities for the Expenditure of Revenue from

the Santa Barbara Critical Infrastructure and Essential Community Services Measure, and Rescinding Resolution 18-011.

The title of the Resolution was read.

Documents:

- December 12, 2023, report from the Finance Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Finance Director Keith DeMartini; Budget Manager Natalija Glusac.
- Measure C Oversight Committee: Jarrett Gorin.
- Member of the Public: Alex Gravenor.

Motion:

Councilmembers Friedman/A. Gutierrez for the recommended action including the adding the word "limit" and after short term rentals add the word encourage in reference to conversions and repairs; Resolution No. 23-161.

Vote:

Unanimous roll call vote.

PUBLIC HEARING

30. Subject: Adoption of the 2023–2031 Housing Element [Resolution] (650.06)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the 2023–2031 Housing Element with Proposed Revisions as an Amendment to the General Plan and Determining That the Housing Element Amendment Is Exempt from CEQA Pursuant to CEQA Guidelines Section 15061(b)(3).

The title of the Resolution was read.

Documents:

- December 12, 2023, report from the Community Development Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Community Development Director Eli Issacson; Principal Planner Daniel Gullett; Project Planner Rosie Dyste.
- Members of the Public: Ben Romo; Sheila Lodge.

Motion:

Councilmembers Friedman/A. Gutierrez for the recommended action including the adding the word "limit" and after short term rentals add the word encourage in reference to conversions and repairs; Resolution No. 23-162.

Vote:

Unanimous roll call vote.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER ENGAGEMENTS

- Councilmember A. Gutierrez attended the following meetings or events: 1. Casa de la Raza community event; 2. Milpas holiday parade.
- Councilmember Friedman attended the following meetings or events: 1. Cencal Health 40th Anniversary Celebration; 2. Coastal Housing Coalition conference; 3. BEACON Board of Directors meeting; 4. Recognized passing of David Krieger.
- Councilmember Sneddon attended the following meetings or events: 1. Cater ribbon cutting; 2. Mr. Hentschke retirement event; 3. Independent holiday party; 4. Grace Fisher Holiday Showcase; 5. Democratic Women holiday party; 6. City parade of lights; 7. Recognized passing of David Krieger.
- Councilmember O. Gutierrez attended the following meetings or events: 1. Hispanic Chamber of Commerce mixer; 2. Cencal Health 40th Anniversary Celebration; 3. Mr. Hentschke retirement event; 4. Independent holiday party; 5. TVSB meeting; 6. La Noches des Posadas; 7. Milpas holiday parade.
- Councilmember O. Gutierrez attended the following meetings or events: 1. Harding School ribbon cutting of opening of campus to community after school hours; District also opening La Cumbre campus to community; 2. SBIFF Opening Night; 3. Ribbon Cutting of Cookie Plug Bakery; 4. Dog adoption event on State Street; 5. Chinese New Year celebration at the Presidio; 6. Mardi Gras celebration put on by Theresa and La Boheme Group; 7. Acknowledged passing of Cecilia Torres; 8. Fall Festival; 9. Grace Fisher Foundation holiday event; 10. Santa Barbara United Nations chapter luncheon; 11. Democratic Women annual meeting; 12. Parade of Lights; 13. Milpas holiday parade; 14. Thanks to Rebecca Bjork for decades of service to the City.
- Mayor Rowse attended the following meetings or events: 1. Zoo lights; 2. Coast Village Road tree lighting; 3. AIA design awards gala; 4. Unite Shoppe event; 5. Thanks to Rebecca Bjork for decades of service to the City.

PUBLIC COMMENT (IF NECESSARY)

No one wished to speak.

ADJOURNMENT

Mayor Rowse adjourned the meeting at 4:43 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on June 11, 2024.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



RANDY ROWSE
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER

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