



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
OCTOBER 1, 2024
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 11:30 a.m. The Finance Committee, which ordinarily meets at 12:00 p.m., did not meet on 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 Kelly McAdoo, City Attorney Sarah J. Knecht, City Clerk Services Manager Sarah Gorman.

CHANGES TO THE AGENDA

There were no changes to the agenda.

CEREMONIAL ITEMS

1. Subject: Breast Cancer Awareness Month October 2024 (120.04)

Action: Mayor Rowse presented the proclamation to Police Services Coordinator Sadie Carr and Police Chief Kelly Gordon.

2. Subject: Hispanic Heritage Month 2024 (120.04)

Action: Mayor Rowse presented the proclamation to Griselda Villalpando of La Bella Vida Senior Club.

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

Recommendation: That Council authorize the City Administrator to express the City’s appreciation to employees who are eligible to receive service award pins for their years of service through October 31, 2024.

Action: Mayor Rowse presented service award pins to the following staff: Matthew Donahoe.

CONSENT CALENDAR

Consent calendar item was pulled for discussion.

REPORT FROM THE ORDINANCE COMMITTEE

Chair Mike Jordan reported that the Committee was briefed on changes regarding Waterfront Police reflective of recent legislation requirements; the ordinance will be coming to council. Continued the item updating the Sign Ordinance and gave staff a list of edits and community outreach to pursue and return to Ordinance Committee.

PUBLIC COMMENT

Members of the Public: Adrienne Davis; Michael Baker; Clint Orr; Aron Ashland; Chris Barros.

PULLED CONSENT ITEMS

4. Subject: El Estero Water Resource Center Electrical Distribution Renewal Project [Resolution; Agreement] (540.13)

Recommendation: That Council:

- A. Award a contract with Leed Electric Inc., in their low bid amount of \$33,660,183 for construction of the El Estero Water Resource Center Electrical Distribution Renewal Project, Bid No. 5053A; and authorize the Public Works Director to execute the contract and approve expenditures up to \$5,049,027 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 Mimiaga Engineering Group Inc., in the amount of \$5,091,617 for construction management services and authorize \$509,162 for potential extra services, for a total expenditure authority of \$5,600,779;

- C. Authorize the Public Works Director to execute a contract with Brown and Caldwell in the amount of \$1,554,394 for design support during construction and authorize \$155,439 for potential extra services, for a total expenditure authority of \$1,709,833;
- D. Authorize the Public Works Director to execute a contract with HiTech Concepts Inc., in the amount of \$138,010 for control integration services and authorize \$13,801 for potential extra services, for a total expenditure authority of \$151,811;
- E. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 24-066, Adopting the Budget for Fiscal Year 2025, to Appropriate Clean Water State Revolving Funds for the El Estero Water Resource Center Electrical Distribution Renewal Project; and
- F. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Setting Forth the Official Intent of the City of Santa Barbara to Reimburse Certain Expenditures from Proceeds of Indebtedness.

Documents:

- October 10, 2024, report from the Public Works Director.
- Proposed Resolutions.

Speakers:

- Staff: Public Works Director Cliff Maurer; Principal Engineer Ashleigh Sizoo.

Motion:

Councilmembers Jordan/A. Gutierrez to approve the recommendations as made by staff; Resolution Nos. 24-112 and 24-113; Agreement Nos. 28,573, 28,574, 28,575, and 28,576.

Vote:

Unanimous roll call vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Sneddon attended the following meeting or event: 1. Creek Week Happy Hour.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

PUBLIC HEARING

5. Subject: Appeal of Planning Commission's Approval of the 101 Garden Street Hotel Project (640.07)

Recommendation: That Council:

- A. Consider the appeals of Lozeau Drury LLP, on behalf of Supporters Alliance for Environmental Responsibility ("SAFER"); Law Office of Marc Chytilo, on behalf of Keep the Funk, Inc.; Steven Johnson; and Rich Untermann, of the Planning Commission's approval of the 101 Garden Street Hotel Project;
- B. Deny the appeals and uphold Planning Commission's decision making the findings set forth in Section IV of the Council Agenda Report, subject to the conditions of approval contained in the Planning Commission Resolution and find that the water use restriction set forth in Section VII.F.1.a of the Specific Plan is no longer applicable due to a change in how projects are currently reviewed; and
- C. Direct staff to return to Council with a Decision and Findings Resolution reflecting the outcome of the appeals.

Mayor Rowse opened the Public Hearing at 2:37 p.m.

The following Ex-parte contacts were disclosed:

1. Councilmember Jordan: met with someone 4 weeks ago who he did not know was a party to the appeal (Rich Untermann); discussed the points of his letter of concern.
2. Councilmember Friedman: spoke with Planning Commissioner Wiscomb regarding the Planning Commission hearing itself.
3. Councilmember Sneddon: met with appellant attorney Marc Chytilo; discussion was limited to documents presented before Council.

City Attorney Sarah Knecht stated that voluminous material has been submitted to Council in the last couple days from the appellants and applicants, and recommended the following procedural update for this meeting: Staff presentation, followed by the appellants' presentations, applicants' presentations, Council questions to staff, staff response to Council questions, public comment, then Council will close the public hearing. There will be no more new material submitted to the record. If Council agrees, they should make a motion to do so, then request continuing the hearing to November 19, 2024, for deliberation and findings. The

City Attorney will draft a response to any incoming communications from involved parties and cautioned to avoid any Ex-parte discussions going forward.

Documents:

- October 1, 2024, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Project Planner Kathleen Kennedy; Associate Planner Julia Pujo; Assistant City Attorney Tava Ostrenger; Supervising Transportation Planner Jessica Grant; Building Official Tina Dye; Planning Director Allison DeBusk.
- Planning Commission: Sheila Lodge; Donald DeLuccio.
- Appellant 1: Brittany Zajac; Marc Chytilo; David Revell; Peter Guerra; Mark Kram; Christy Mason.
- Appellant 2: Steven Johnson.
- Appellant 3: Rich Untermann.
- Applicant: Sean Gilbert; Brian Cearnal; David Goldberg; Joseph Shapp; Jason Moody; Chris Webb.
- Members of the Public: Trish Allen; Hillary Hauser; Noah Boland; Brian Hunot; Andrew Daigel; Karen Barrana; Jeanette Marroquin; Jayson Baiz; Jill Johnson; Hertz Ramirez; Lore Sanchez; Paul Gambarella; Roberta Cifuentez; Craig Ballard; Charlie Carnow; Nancy Avoce; Gareth Kelly; Alejandro Perez.

RECESS

4:33 – 4:55

5. Subject: Appeal of Planning Commission's Approval of the 101 Garden Street Hotel Project (640.07) (cont'd)

Motion:

- Councilmembers A. Gutierrez/ Friedman to close the public hearing, not accept new evidence or testimony into the record, and continue the hearing for deliberations only to November 19, 2024.

Vote:

- Unanimous roll call vote.

Mayor Rowse closed the Public Hearing at 7:14 p.m.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER ENGAGEMENTS

- Councilmember Sneddon attended the following meetings or events: 1. Nuclear peace foundation luncheon; 2. Women's political committee fact or fiction workshop; 3. SBPD swearing in ceremony; 4. Attended new farmer's market.

PUBLIC COMMENT (IF NECESSARY)

No one wished to speak.

ADJOURNMENT

Mayor Rowse adjourned the meeting at 7:17 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on November 19, 2024.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



RANDY ROWSE
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER