



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING  
DECEMBER 14, 2021  
COUNCIL CHAMBERS, 735 ANACAPA STREET**

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## **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations. (The Finance Committee met at 12:00 p.m. The Ordinance Committee, which normally meets at 12:30 p.m., did not meet on this day.)

## **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

## **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: Meagan Harmon.

Staff present: Interim City Administrator Rebecca Bjork, Assistant City Attorney Daniel Hentschke, City Clerk Services Manager Sarah Gorman.

## **REPORT FROM PUBLIC WORKS DEPARTMENT HEAD**

Public Works Department Head Clifford Maurer discussed the rain storm and power outages in the City of Santa Barbara.

## **PUBLIC COMMENT**

Members of the Public: Miriam Linbeck; Cassandra Ensberg.

## **CHANGES TO THE AGENDA**

Interim City Administrator Rebecca Bjork advised that the following items were being removed from the agenda:

Pulling Item #14 from Consent Agenda, to be brought back in February 2022.

Item #30 on Administrative Agenda, only Recommendations A and B will be presented. Missing two councilmembers during the afternoon session full council required for Recommendations C, D, and E related to Floor to Lot Area Ratio. Item to return late February 2022.

**14. Subject: Adoption Of Resolution Authorizing Application To And Participation In The California Department Of Housing and Community Development Pro-housing Designation Program**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing Application to and Participation in the Pro-housing Designation Program.

**30. Subject: Extension Of The Average Unit-Size Density Incentive Program, Review Of Economic Feasibility Analysis And Draft Floor Area Ratio Map, And Update On Multi-Unit Housing Standards**

Recommendation: That Council:

- A. Receive a presentation on an Economic Feasibility Analysis from BAE Urban Economics;
- B. Provide direction on the proposed Floor Area Ratio (FAR) Map and associated tiers, and preferred Inclusionary housing requirements in consideration of the Economic Feasibility Analysis; and
- C. Receive an update on ongoing efforts to revise other multi-unit housing standards.

**ITEMS REMOVED FROM CONSENT CALENDAR**

**4. Subject: Adoption of Small Wireless Facilities Ordinance**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Title 9 of the Santa Barbara Municipal Code by the Addition of Chapter 9.170 Establishing Regulations for Small Wireless Facilities in the Public Right-Of-Way.

Motion:

Councilmember Friedman / Mayor Murillo to approve the recommendation;  
Ordinance No. 6044

Vote:

Majority roll call vote (Noes: Councilmembers O. Gutierrez and A. Gutierrez;  
Absent: Councilmember Harmon.)

**CONSENT CALENDAR (Item Nos. 1-3, 5-13, 15-27)**

The titles of the Ordinances and Resolutions related to the Consent Calendar were read.

**Motion:**

Councilmember Friedman / Mayor Murillo to approve the Consent Calendar as recommended.

**Vote:**

Unanimous roll call vote (Absent: Councilmember Harmon).

- 1. Subject: Adoption Of An Ordinance To Approve A Restated Thirty-Year Loan Agreement Secured By A Restated Deed Of Trust And A Ninety-Year Affordability Covenant With 2nd Story Associates For Property Located At 1200 Punta Gorda Street**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving a Restated Thirty-Year Loan Agreement Secured by a Restated Deed of Trust in the Amount of \$25,000 and a New 90-Year Affordability Covenant with 2nd Story Associates for Property Commonly Known as Green Mobile Home Park Located at 1200 Punta Gorda Street.

Action: Approved the recommendation(s); Ordinance No. 6040 (December 14, 2021 Council Agenda Report).

- 2. Subject: Adoption Of Ordinances Adopting The 2021-2022 Supervisory Employees' Bargaining Unit Memorandum of Understanding and The 2021-2022 Unrepresented Managers' Salary Plan**

Recommendation: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2021-2022 Supervisors Memorandum of Understanding and Providing for Compensation Changes for Confidential Supervisory Employees
- B. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2021-2022 Salary Plan Applicable to Unrepresented Managers and Professional Attorneys (except the City Administrator and City Attorney), and the 2021-2022 Salary Plan Applicable to Certain Unrepresented Safety Managers.

Action: Approved the recommendation(s); Ordinance No. 6041 & Ordinance No. 6042 (December 14, 2021 Council Agenda Report).

**3. Subject: Adoption of Ordinance Adopting The Fire Management Association 2021-2022 Memorandum Of Understanding**

Recommendation: That Council ratify the Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Fire Management Association for the period of July 1, 2021, through June 30, 2022, by adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2021-2022 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Fire Management Association.

Action: Approved the recommendation(s); Ordinance No. 6043 (December 14, 2021 Council Agenda Report).

**5. Subject: Proposed Lease Assignment And Adoption Of An Ordinance For Lease Agreement No. 20,493 With Santa Barbara Harbor Restaurant, A California Corporation, For The Harbor Restaurant Located At 210 Stearns Wharf**

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 the Consent to Assignment of Lease Agreement No. 20,493 from Longharbor LLC, to Santa Barbara Harbor Restaurant, a California Corporation, for the Harbor Restaurant Located at 210 Stearns Wharf, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation(s); Ordinance No. 6045 (December 14, 2021 Council Agenda Report).

**6. Subject: Adoption Of An Ordinance For A Lease Agreement With Santa Barbara Landing, LLC**

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 a Lease Agreement with Santa Barbara Landing LLC, Located at 301 West Cabrillo Boulevard, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation(s); Ordinance No. 6046 (December 14, 2021 Council Agenda Report).

**7. Subject: Introduction Of Ordinance Approving The 2019-2022 Police Officers' Association Bargaining Unit Memorandum Of Understanding For Authorization Of Dispatch Trainer Specialty Pay**

Recommendation: That Council: Ratify the Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Police Officers' Association by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting a Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara Police Officers Association for the period of July 1, 2019 through June 30, 2022.

Action: Approved the recommendation(s) (December 14, 2021 Council Agenda Report; Proposed Ordinance).

**8. Subject: Introduction Of Ordinance Amending Municipal Code Pertaining To Solid Waste Management Regulations**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of The Council of the City of Santa Barbara Amending the Municipal Code by Adding a New Chapter 7.16 Pertaining to Solid Waste Management and by Repealing Chapter 7.16 Garbage and Refuse Collection.

Action: Approved the recommendation(s) (December 14, 2021 Council Agenda Report; Proposed Ordinance).

**9. Subject: Adoption Of Resolution Approving Minimum Wage Salary And Compaction Implementation**

Recommendation: That Council: Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 21-047, the Position and Salary Control Resolution for Fiscal Year 2022, affecting the Salary Range for Certain Hourly positions, effective January 1, 2022.

Action: Approved the recommendation(s); Resolution No. 21-078 (December 14, 2021 Council Agenda Report).

**10. Subject: Adoption Of Resolution Authorizing An Agreement With County Of Santa Barbara For Bridge Replacement Project On East Mountain Drive Over Cold Spring Creek With Related Improvements On City Property Known As Gould Park**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing The Parks and Recreation Director to Execute and Cause Recording of an Agreement to Enter, Construct, and Maintain on Portions of County Assessor Parcel Numbers 013-040-014 and 011-010-002, to the County of Santa Barbara for Public Road Improvements to the Existing County Road Known as East Mountain Drive Located at the Cold Spring Creek Crossing.

Action: Approved the recommendation(s); Resolution No. 21-079 (December 14, 2021 Council Agenda Report).

**11. Subject: Adoption Of A Resolution Continuing Teleconferencing Of City Meetings During The Ongoing COVID-19 State Of Emergency**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Extending Its Direction that Meetings of the City Council and City Boards and Commissions Continue to be Held by Teleconference as Authorized by Government Code § 54953(e)(1)(A) to Promote Social Distancing and Prioritize the Public's Health and Well-being Under Santa Barbara County Health Officer Orders.

Action: Approved the recommendation(s); Resolution No. 21-080 (December 14, 2021 Council Agenda Report).

**12. Subject: Adoption Of A Resolution To Submit A Grant Application For The Charles E. Meyer Desalination Plant Product Water Pump Station Upgrades Project**

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 Submit a Grant Application Under the Department Of Water Resources 2021 Urban And Multibenefit Drought Relief Grant Program for the Charles E. Meyer Desalination Plant Product Water Pump Station Upgrades Project.

Action: Approved the recommendation(s); Resolution No. 21-081 (December 14, 2021 Council Agenda Report).

**13. Subject: Adoption Of Resolution Establishing Special Capital Project Reserve For Desalination Plant Facilities**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Establishing a Special Reserve for the Charles E. Meyer Desalination Plant Facilities.

Action: Approved the recommendation(s); Resolution No. 21-082 (December 14, 2021 Council Agenda Report).

**15. Subject: Adoption Of Resolution Adopting Revisions To The City's Emergency Operations Plan**

Recommendation: That Council adopt by reading of title only, A Resolution of the Council of the City of Santa Barbara adopting the October 2021 Revisions to the City of Santa Barbara Emergency Operations Plan.

Action: Approved the recommendation(s); Resolution No. 21-083 (December 14, 2021 Council Agenda Report).

**16. Subject: Adoption Of Resolution Adopting The Statement Of Investment Policy And Delegation Of Investment Authority For Calendar Year 2022 (260.01)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 20-091.

Action: Approved the recommendation(s); Resolution No. 21-084 (December 14, 2021 Council Agenda Report).

**17. Subject: Annual Comprehensive Financial Report For The Fiscal Year Ended June 30, 2021 (210.01)**

Recommendation: That Council accept the Annual Comprehensive Financial Report for the fiscal year ended June 30, 2021.

Action: Approved the recommendation(s) (December 14, 2021 Council Agenda Report).

**18. Subject: Fiscal Year 2022 Interim Financial Statements For The Four Months Ended October 31, 2021 (250.02)**

Recommendation: That Council accept the Fiscal Year 2022 Interim Financial Statements for the four months ended October 31, 2021.

Action: Approved the recommendation(s) (December 14, 2021 Council Agenda Report).

**19. Subject: Lease Agreement With Mercury Air Center Santa Barbara, Inc. DBA Atlantic Aviation (Atlantic Aviation)**

Recommendation: That Council approve and authorize the Airport Director to Execute a four-year Lease Agreement, with two one-year options to extend, with Mercury Air Center-Santa Barbara, Inc. dba Atlantic Aviation, a California Corporation, for ramp/apron surface area, and building and hangar space to support a fixed base operator business at Santa Barbara Municipal Airport.

Action: Approved the recommendation(s); Agreement No. 28,008 (December 14, 2021 Council Agenda Report).

**20. 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, 2021.

Action: Approved the recommendation(s) (December 14, 2021 Council Agenda Report).

**21. Subject: Professional Services Agreement With RRM Design Group For Final Design And Construction Documents For The Dwight Murphy Field Renewal Project**

Recommendation: That Council:

- A. Increase revenue and expenditure appropriations in the Fiscal Year 2022 Capital Outlay Fund in the amount of \$460,000 in anticipation of a future donation from The Gwendolyn Strong Foundation; and
- B. Authorize the Public Works Director to execute a professional services agreement with RRM Design in the amount of \$838,191 for design services for the Dwight Murphy Field Renewal Project.

Action: Approved the recommendation(s); Agreement No. 28,009 (December 14, 2021 Council Agenda Report).

**22. Subject: Professional Services Agreement With RRM Design Group For Final Design And Construction Documents For Ortega Park Renewal Project**

Recommendation: That Council authorize the Public Works Director to execute a professional services agreement with RRM Design Group in the amount of \$969,763 for design services of the Ortega Park Renewal Project.

Action: Approved the recommendation(s); Agreement No. 28,010 (December 14, 2021 Council Agenda Report).

**23. Subject: Increase In Construction Change Order Authority For The Construction Of Louise Lowry Davis Center Phase I Project**

Recommendation: That Council authorize an increase in the Public Works Director's authority to approve change orders for extra work for the Construction of Louise Lowry Davis Center Phase I Project, with BNC Construction, Inc., Contract No. 26,870, in the amount of \$8,000, for a total Project change order authority of \$74,450.

Action: Approved the recommendation(s); Agreement No. 26,870.1 (December 14, 2021 Council Agenda Report).

**24. Subject: Contract For Soils Compaction Testing Services For The Fiscal Year 2021A Water Main Replacement Project**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Pacific Materials Laboratory of Santa Barbara, Inc., in the amount of \$50,150 for soils compaction testing services in support of the Fiscal Year 2021A Water Main Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,015 for extra services of Pacific Materials Laboratory of Santa Barbara, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendation(s); Agreement No. 28,011 (December 14, 2021 Council Agenda Report).

**25. Subject: Approval Of Standard Equipment List For The Water Resources Division**

Recommendation: That Council find it to be in the City's best interest to waive formal purchase bidding requirements and approve the Standard Equipment List for the Water Resources Division for the next three years, in accordance with Section 4.52.070 (L) of the Municipal Code.

Action: Approved the recommendation(s) (December 14, 2021 Council Agenda Report).

**26. Subject: Amendment To Existing Aircraft Noise Monitoring, Flight Tracking Service, Landing Fee Collection, And Maintenance/Technical Support Agreement**

Recommendation: That Council authorize the City's General Services Manager to execute an amendment to existing contract 26,363, adding funding of \$24,000 annually, for a total annual cost of \$122,900, in addition to a one-time technology set up fee of \$15,000, with a \$2,500 contingency requiring Airport Director approval. The contract would be extended by an additional three (3) years, to expire in October 2026. This amendment will add the PlaneNoise integrated complaint management solution to Santa Barbara Airport's overall L3Harris Symphony noise solution.

Action: Approved the recommendation; Agreement No. 26,363.2 (December 14, 2021 Council Agenda Report).

**27. Subject: Cancellation Of Certain Council Meetings In 2022 ()**

Recommendation: That Council cancel the regular Council Meetings on the following dates: January 4, January 18, February 22, March 22, April 5, May 31, July 5, July 12, August 2, August 9, September 6, November 22, November 29, December 20, and December 27, 2022.

Action: Approved the recommendation(s) (December 14, 2021 Council Agenda Report).

## CONSENT PUBLIC HEARING

### 28. Subject: Senate Bill 9 Implementing Ordinances

Recommendation: That Council:

- A. Adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Title 30 of the Santa Barbara Municipal Code by Amendment of Sections 30.20.010, 30.20.020, 30.20.030, 30.140.120, 30.300.050"E", 30.300.080"H", and 30.300.230"W", and by Addition of Section 30.185.440; and Amending Title 27 by Adding Chapter 27.60, All Pertaining to Regulations for Two-Unit Residential Development and Urban Lot Splits in Single-Unit Zones to Implement California Statutes Chapter 162 (Senate Bill 9; and
- B. Adopt, by reading of title only, an Ordinance Of The Council Of The City Of Santa Barbara Amending The Santa Barbara Municipal Code By Amending Chapters 28.15 And 28.44; And Adding Chapter 28.80; Pertaining To Regulations For Two-Residential Unit Development In Single-Unit Zones To Adopt Senate Bill 9 (SB-9) California Government Code Sections 65852.21 And 66411.7 In The Coastal Zone Of The City; and
- C. Adopt by reading in full, by a four-fifths vote, an Uncodified Emergency Ordinance of the Council of the City of Santa Barbara Adopting the Provisions of Ordinances Amending Titles 27, 28, and 30 of the Santa Barbara Municipal Code implementing Senate Bill 9 (Government Code Sec. 65852.21 and 66411.7), as Introduced on December 7, 2021, as an Emergency Measure to be Effective Immediately.

Action: Approved the recommendation(s); Ordinance No. 6047, Ordinance No. 6048, and Ordinance No. 6049 (December 14, 2021 Council Agenda Report).

Public Hearing opened: 2:24 p.m.

Documents: Proposed Ordinances.

Speakers: None.

Public Hearing closed: 2:33 p.m.

Motion: Councilmember Sneddon/ Mayor Murillo for recommended action.

Vote: Unanimous roll call vote.

This concluded the Consent Calendar.

Councilmember Jordan was excused from the meeting at 2:34 p.m.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Friedman that the Finance Committee recommended moving the Statement of Investment Policy and Delegation of Investment Authority for Calendar Year 2022 to City Council. The Committee received a report regarding the transition to an on-line digital budget book. The Committee also recommending that Council accept the Annual Comprehensive Financial Report and forward the report to Council.

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

### **COMMUNITY DEVELOPMENT DEPARTMENT**

#### **29. Subject: Economic Development Plan Implementation Update**

Recommendation: That Council receive an update on implementation efforts of the City's Economic Development Plan.

Documents:

- December 14, 2021 Council Agenda Report and any attachment(s).
- PowerPoint presentation prepared and made by staff.

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Speakers:

- Staff: Economic Development Manager Jason Harris.
- Members of the Public: Cassandra Ensberg.

Discussion:

- Councilmembers' questions were answered.

#### **30. Subject: Extension Of The Average Unit-Size Density Incentive Program, Review Of Economic Feasibility Analysis And Draft Floor Area Ratio Map, And Update On Multi-Unit Housing Standards**

Recommendation: That Council:

- A. Make the California Environmental Quality Act findings contained in this Council Agenda Report;

- 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 30.150.010 and 30.150.040 of the City's Average Unit-Size Density Incentive Program to Extend the Program from February 28, 2022, to February 15, 2023.

Documents:

- December 14, 2021 Council Agenda Report and any attachment(s).
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Project Planner Jessica Metzger; Principal Planner Daniel Gullett; Assistant City Attorney Daniel Hentschke; Assistant City Attorney Tava Ostrenger.
- Members of the Public: None.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmember Friedman / A. Gutierrez to approve the staff recommendations A and B with the change of recommendation B to extend from February 15, 2023 to February 15, 2024.

Vote:

Unanimous roll call vote.

## **PUBLIC WORKS DEPARTMENT**

- 31. Subject: Adoption Of Resolution To Select Cliff Drive From Salida Del Sol To San Rafael For CPUC Rule 20A Funds And Establish Underground Utility District No. 11**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Establishing Underground Utility District No. 11 on Cliff Drive from Salida Del Sol to San Rafael Avenue.

Documents:

- December 14, 2021 Council Agenda Report and any attachment(s).
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Principal Engineer Adam Hendel.
- Members of the Public: None

Discussion: Staff direction was provided to contact CPUC regarding the support of utility undergrounding.

Motion:

Councilmembers Sneddon / Mayor Murillo to approve the staff recommendation.

Vote:

Unanimous roll call vote; Resolution No. 21-085.

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Friedman reported on their attendance at the following events or made the following comments: 1. Milpas Christmas Parade 2. League of Cities Coastal Cities meeting.
- Councilmember A. Gutierrez reported on their attendance at the following events or made the following comments: 1. Milpas Christmas Parade.
- Councilmember O. Gutierrez reported on their attendance at the following events or made the following comments: 1. Milpas Christmas Parade 2. Harbor Lights.
- Councilmember Sneddon reported on their attendance at the following events or made the following comments: 1. Milpas Christmas Parade 2. Holiday boat parade 3. COMB meeting.
- Mayor Murillo reported on their attendance at the following events or made the following comments: 1. Milpas Holiday Parade 2. Parade of Lights.

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

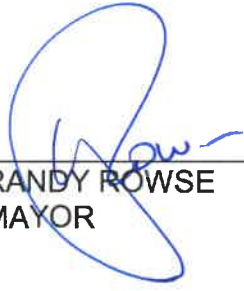
### **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 4:06 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on March 2, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE



RANDY ROWSE  
MAYOR

ATTEST:



SARAH GORMAN  
CITY CLERK SERVICES MANAGER