



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING MARCH 1, 2022 COUNCIL CHAMBERS, 735 ANACAPA STREET

CALL TO ORDER

Mayor Randy Rowse called the meeting to order at 2:06 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 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 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 Rebecca Bjork, City Attorney Ariel Calonne, Deputy City Clerk Naomi Kovacs, City Clerk Services Manager Sarah Gorman.

CEREMONIAL ITEMS

1. **Subject: Employee Recognition – Service Award Pins**

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 March 31, 2022.

Documents:

- March 1, 2022 Council Agenda Report and attachment(s).

Action: By consensus, the Council approved the recommendation and the following employees were recognized:

5 Year Pin

Natasha Schalker, Administrative Specialist, Public Works Department
Rene Eyerly, Environmental Services Manager, Sustainability and Resilience Department

10-Year Pin

Latisha Boyd, Public Safety Dispatcher II, Police Department;
Michael Krashefski, Maintenance Supervisor II, Public Works Department

15-Year Pin

Maken Bierer, Electronics Communication Technician II, Public Works Department;
Matthew Ward, Water System Manager, Public Works Department

CHANGES TO THE AGENDA

There were no changes to the agenda.

PUBLIC COMMENT

Members of the Public: Aron Ashland, Rachel Sim

ITEM REMOVED FROM CONSENT CALENDAR FOR SEPARATE VOTE

10. Subject: Memorandum Of Understanding With County Of Santa Barbara To Provide Parking At City Parking Lot 6 In Support Of Dignity Moves Project

Recommendation: That Council Authorize the City Administrator to enter into a Memorandum of Understanding with the County of Santa Barbara to provide parking in support of the Dignity Moves Homeless Housing project.

Documents:

- March 1, 2022 Council Agenda Report and any attachments

Motion:

Councilmembers Jordan/Sneddon to continue agenda item 10 until next week's consent calendar.

Vote:

Unanimous roll call vote.

CONSENT CALENDAR (Item Nos. 2 – 9, 11 – 16)

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

Motion:

Councilmembers Jordan/Friedman to approve the staff recommendations for Consent Calendar items 2 – 9 and 11 – 16.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive reading and approve the minutes of the regular meetings of June 16, 2020; June 30, 2020; September 22, 2020; September 29, 2020; October 13, 2020; November 17, 2020; November 16, 2021; December 7, 2021; December 14, 2021; February 1, 2022; and February 8, 2022; and the minutes of the special meetings of June 23, 2020; June 30, 2020; July 20, 2020; July 21, 2020; September 14, 2020; September 15, 2020; October 5, 2020; October 22, 2020; November 16, 2020; March 23, 2021; May 11, 2021; June 8, 2021; December 7, 2021 (first special meeting); December 7, 2021 (second special meeting); January 25, 2022; and February 1, 2022.

Action: Approved the recommendation.

3. Subject: Adoption Of Ordinance Amending Municipal Code 28 To Accept California Coastal Commission Modifications Regarding Accessory Dwelling Units

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 Adding Chapter 28.86 to Regulate Accessory Dwelling Units in the Coastal Zone and Include Additional Amendments to Chapter 28 to be Consistent with this Intent.

Action: Approved the recommendation; Ordinance No. 6058.

4. Subject: Introduction Of An Ordinance Amending The Municipal Code To Regulate Sidewalk Vending

Recommendation: That Council introduce and subsequently 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 9.49 to Regulate Sidewalk Vending in Accordance with State Law.

Action: Approved the recommendation (March 1, 2022, Council Agenda Report and any attachments; Proposed Ordinance).

5. Subject: Introduction Of An Ordinance Approving The 2019-2022 Firefighters' Association Bargaining Unit Memorandum Of Understanding

Recommendation: That Council ratify the Memorandum of Understanding between the City and the Santa Barbara Firefighters' 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 Firefighters' Association for the period of July 1, 2019 through June 30, 2022.

Action: Approved the recommendation (March 1, 2022, Council Agenda Report; Proposed Ordinance).

6. Subject: Adoption Of Resolution For A Lease Amendment With The State Of California State Lands Commission To Allow Unused Wastewater Outfall Pipeline To Remain In Its Current Location For The Remainder Of The Lease Agreement

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 execute an amendment to Lease No. PRC 4924 with the State of California State Lands Commission.

Action: Approved the recommendation; Resolution No. 22-016; First amendment to Lease No. PRC 4924 (March 1, 2022, Council Agenda Report and any attachments).

7. Subject: January 2022 Investment Report (260.02)

Recommendation: That Council accept the January 2022 Investment Report.

Action: Approved the recommendation (March 1, 2022, Council Agenda Report and any attachments).

8. Subject: Fiscal Year 2022 Second Quarter Review (230.04)

Recommendation: That Council:

- A. Receive a report from staff on the status of revenues and expenditures in relation to the budget for the six months ended December 31, 2021;
- B. Accept the Fiscal Year 2022 Interim Financial Statements For the Six Months Ended December 31, 2021; and
- C. Approve the proposed second quarter adjustments to Fiscal Year 2022 Appropriations and Estimated Revenues as detailed in the attached Schedule of Proposed Second Quarter Adjustments.

Action: Approved the recommendation (March 1, 2022, Council Agenda Report and any attachments).

9. Subject: Approve Entering Into Assignment And Assumption Agreements For Long-Term Renewable Energy With Duran Mesa LLC And Manzana Wind LLC On Behalf Of Santa Barbara Clean Energy

Recommendation: That Council:

- A. Approve and Authorize the City Administrator to Execute an Assignment and Assumption Agreement for Long-Term Renewable Energy by and Among the City of Baldwin Park, a California municipal corporation (“Assignor”), the City of Santa Barbara, a California municipal corporation (“Assignee”) and Duran Mesa LLC (“PPA Seller”); and
- B. Approve and Authorize the City Administrator to Execute an Assignment and Assumption Agreement for Long-Term Renewable Energy by and Among the City of Baldwin Park, a California municipal corporation (“Assignor”), the City of Santa Barbara, a California municipal corporation (“Assignee”) and Manzana Wind LLC (“PPA Seller”).

Action: Approved the recommendation; Contract Nos. 28,032 and 28,033 (March 1, 2022, Council Agenda Report and any attachments).

11. Subject: Contract For Design Of El Estero Water Resource Center SCADA Upgrades Project

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Aspect Engineering Group for the El Estero Water Resource Center SCADA Upgrades Project in the initial amount of \$124,637 for phase 1 design services with phase 2 installation services subject to future contract amendment and Council approval, and authorize the Public Works Director to approve expenditures of up to \$12,464 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 28,034 (March 1, 2022, Council Agenda Report and any attachments).

12. Subject: Police Canine Emergency Veterinary Services Contract

Recommendation: That Council approve the Professional Services Agreement with Sage Veterinary Centers for a term of three (3) years, with two one-year optional extensions, to provide emergency care for the Santa Barbara Police Department canines.

Action: Approved the recommendation; Contract No. 28,035 (March 1, 2022, Council Agenda Report and any attachments).

13. Subject: Increase The Contracts For Construction Management And Environmental Mitigation And Monitoring Services Of The Las Positas And Modoc Roads Multiuse Path Project

Recommendation: That Council:

- A. Authorize the Public Works Director to execute the First Amendment to the City Professional Services Contract No. 26,724 with Rincon Consultants Inc., in the amount of \$348,836 for environmental monitoring and restoration specialist services, and approve expenditures of up to \$34,883 for extra services that may result from necessary changes in the scope of work; for a total contract amount of \$1,328,667;
- B. Authorize the Public Works Director to execute the First Amendment to the City Professional Services Contract No. 26,723 with Filippin Engineering Inc., in the amount of \$41,625 for construction management services, for a total contract amount of \$1,039,125; and
- C. Approve the allocation of available appropriations in the Pavement Maintenance Program in the Measure C Capital Fund in the amount of \$383,719, to cover the cost increase for the Las Positas and Modoc Roads Multiuse Path Project.

Action: Approved the recommendation; Contract Nos. 26,724.1 and 26,723.1 (March 1, 2022, Council Agenda Report and any attachments).

14. Subject: Amendments To Professional Services Agreements For Permit, Plan Check, And Inspection Services

Recommendation: That Council:

- A. Authorize the Community Development Director to execute the first amendment to increase the amount of Santa Barbara City Agreement No. 26978 with Bureau Veritas North America, Inc., by \$385,000, for a total contract amount of \$465,000, to provide permit, plan check, and inspection services;
- B. Authorize the Community Development Director to execute the first amendment to increase the amount of Santa Barbara City Agreement No. 26979 with Interwest Consulting Group, by \$100,000, for a total contract amount of \$175,000, to provide permit, plan check, and inspection services; and
- C. Approve an increase in Fiscal Year (FY) 2022 revenue and expenditure appropriations in the General Fund in the amount of \$200,000, funded by building permit revenues projected to exceed the FY 2022 adopted budget

amount by at least \$200,000, to cover a portion of the costs of the recommended amendments to Santa Barbara City Agreements No. 26978 and No. 26979.

Action: Approved the recommendation; Contract Nos. 26,978.1 and 26,979.1 (March 1, 2022, Council Agenda Report and any attachments).

15. Subject: Report Of Emergency Purchase Order To Replace The El Estero Water Resource Center Substation B Transformer

Recommendation: That Council receive a report regarding an Emergency Purchase Order issued to VISTAM, Inc., totaling \$403,975 for an emergency replacement of the El Estero Water Resource Center Substation B Transformer.

Action: Approved the recommendation (March 1, 2022, Council Agenda Report and any attachments).

16. Subject: Accept Grant Funding For Expansion Of Library On The Go Mobile Library To Add An Additional Mobile Van And Staff Support

Recommendation: That Council:

- A. Accept the California State Library grant; and
- B. Approve an increase in revenue and expenditure appropriations in the Library's Miscellaneous Grants Fund in the amount of \$250,000, funded by the California State Library to expand the Library On the Go program to support additional outreach opportunities in the community.

Action: Approved the recommendation; (March 1, 2022, Council Agenda Report and any attachments).

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC HEARINGS

17. Subject: Public Hearing And Adoption Of HOME American Rescue Plan Funds Allocation Plan

Recommendation: That Council:

- A. Conduct a public hearing to obtain input on the City's HOME American Rescue Plan (ARP) Allocation Plan;

- B. Adopt the City's HOME ARP Allocation Plan for submittal to the U.S. Department of Housing and Urban Development (HUD);
- C. Approve the Substantial Amendment of the City's Program Year 2021 Annual Action Plan to include the HOME Allocation Plan; and
- D. Authorize the City Administrator to sign all necessary documents to submit the City's HOME ARP Allocation Plan to HUD.

Public Hearing opened: 2:22 p.m.

Documents:

- PowerPoint Presentation prepared by staff.
- March 1, 2022 Council Agenda Report and attachment(s).

Speakers:

- Staff: Elizabeth Stotts, Senior Community Development Programs Specialist
- Members of the Public: None.

Discussion:

- Councilmembers' questions were answered.

Public Hearing closed: 2:48 p.m.

Motion:

Councilmembers Jordan/Friedman to support the staff report.

Vote:

Unanimous roll call vote.

FINANCE COMMITTEE REPORT

Councilmember Friedman reported that the Finance Committee: (a) Reviewed the second quarter financials, and (b) Discussed the second tranche of American Rescue Plan Act (ARPA) funding (\$10.9M), and will present a package of recommendations on how to use the funds, along with other recommendations, during Council's upcoming budget discussions.

PUBLIC WORKS DEPARTMENT

18. Subject: Annual Update On Bicycle Share Pilot Program

Recommendation: That Council receive an update on the development and implementation of the Bicycle Share Pilot Program.

Documents:

- PowerPoint Presentation by staff

- March 1, 2022 Council Agenda Report and any attachments

Speakers:

- Staff: Samuel Furtner, Associate Transportation Planner; Jessica Grant, Supervising Transportation Planner
- Members of the Public: E. Howard Green, Anna Marie Gott

Discussion:

- Councilmembers' questions were answered.

PUBLIC HEARINGS

QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM

19. Subject: Public Hearing To Consider Declaration Of A Public Nuisance Resulting From The Operation Of A Drive-Through At The Restaurant Located At 3707 State Street

Recommendation: That Council:

- A. That the City Council conduct a public hearing to consider a declaration of a public nuisance resulting from the operation of a drive-through at the restaurant located at 3707 State Street and to order the abatement of the nuisance by cessation of use of the drive-through facility; and
- B. That the City Council, based on the evidence presented at the public hearing, direct the City Attorney to prepare appropriate findings and an ordinance for Council to introduce and subsequently adopt declaring a public nuisance and ordering the abatement thereof. (Time Certain: 4:00 p.m.)

Documents:

- PowerPoint Presentation by staff
- PowerPoint Presentation by Chick-fil-A
- March 1, 2022 Council Agenda Report and attachments:

Ex Parte Statements:

- Councilmember Friedman stated that he received unsolicited emails from several constituents. Those emails included a communication from Ronda Hobbs discussing a recall. He confirmed that those emails would not bias his consideration of the issues.
- Mayor Rowse stated that he received the same contact as Councilmember Friedman from Ronda Hobbs. He confirmed that her email would not bias his consideration of the issues.

Public Hearing opened: 4:12 pm.

Speakers:

- Staff: Derrick Bailey, Principal Traffic Engineer; Michelle Sosa-Acosta, Deputy City Attorney; Renee Brooke, City Planner; Daniel Hentschke, Assistant City Attorney; Barney Melekian, Interim Chief of Police
- Property Owner Representatives: Joe Billings
- Chick-fil-A Representatives: Beth Collins; Travis Collins; Keil Maberry; Jennifer Daw.
- Members of the Public: Rick Closson, Greg Molokov, Barry Remis, Chris Hartman, Barbara Battistini; Mark Patterson; Nancy Willstatter; Scott DuPar; Mary Denny; Hunter Thompson; Larry Bickford; Matthew Stern; Greg; Adrienne Schuele; Robert Bernstein; Teri Palmer; Scott Skripsky; Anna Marie Gott; 805-704-7774; 805-705-2001; Ronda Hobbs; Breanna Cronen; Denys Luna.

RECESS

6:15 p.m. – 6:40 p.m.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmembers Friedman/Jordan to: 1. Continue this public hearing until June 7, 2022; 2. Direct the City Attorney to prepare a draft ordinance with nuisance findings based on council comments and evidence presented and return on June 7, 2022; 3. Direct staff to work with Chick-fil-A and property owners to develop potential remedies and remedial recommendations on June 7, 2022; 4. By March 11, 2022, receive a letter from Chick-fil-A outlining the continuing mitigations they are producing, plus to receive monthly reports from Chick-fil-A of traffic surveys.

Vote:

Unanimous roll call vote.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

- Councilmember Sneddon attended the following events or meetings: 1. Bohnett Park ribbon cutting; 2. HLC meeting; 3. Water commission; 4. Meeting with Yanonali community gardeners; 5. Chamber of Commerce awards; 6. Sustainability Committee; 7. CDHS meeting with final recommendations; 8. COMB; 9. La Cumbre valve turning event; 10. Film festival opens tomorrow.
- Councilmember Friedman attended the following events or meetings: 1. Central Coast Water Authority; 2. Bohnett Park ribbon cutting; 3. Sea Level Rise Coastal Commission working group; 4. Chamber annual awards; 5. La Cumbre valve turning event; 6. Sustainability Committee.

- Councilmember O. Gutierrez attended the following events or meetings: 1. Point in Time Count; 2. Film Festival starts tomorrow; 3. Demonstration in unity with Ukraine.

PUBLIC COMMENT (IF NECESSARY)

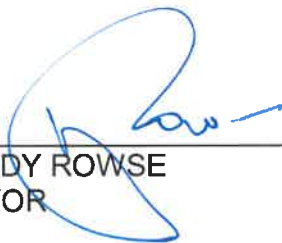
ADJOURNMENT

Mayor Rowse adjourned the meeting at 8:32 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on March 29, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



RANDY ROWSE
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER

