



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING JUNE 29, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET

CALL TO ORDER

Mayor Cathy Murillo called the meeting to order at 2:01 p.m. (The Ordinance and Finance Committees, which ordinarily meet at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Murillo.

ROLL CALL

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.
Councilmembers absent: None.

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

PUBLIC COMMENT

- Speakers: Ronald Buckley; Katie Mickey.

ITEMS REMOVED FROM CONSENT CALENDAR

2. **Subject: Authorize A Contract With BAE Urban Economics For An Economic Feasibility Study And Introduce Amendments To SBMC Chapter 30.150 To Extend The Duration Of The Average Unit-Size Density Incentive Program (660.06)**

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 Section 30.150.010 of the City's Average Unit-Size Density Incentive Program to Extend the Program from August 31, 2021, to February 28, 2022;
- C. Authorize the Community Development Director to execute a Professional Services Agreement contract with BAE Urban Economics in the amount not to exceed \$70,000 for an economic feasibility study of proposed multi-unit housing standards and related affordable housing requirements; and
- D. Increase appropriations and estimated revenues in the Fiscal Year 2022 Community Development Miscellaneous Grants Fund in the amount of \$70,000, funded by the Regional Early Action Planning Grant.

The title of the ordinance was read.

Documents:

- June 29, 2021, report from the Interim Community Development Director
- Proposed Ordinance

Speakers:

- Staff: City Planner Renee Brooke.
- Members of the Public: Anna Marie Gott.

Motion:

Councilmembers Friedman/Jordan to approve the recommendations; Agreement No. 26,993.

Vote:

Majority roll call vote (Noes: Councilmember Sneddon).

Councilmember Oscar Gutierrez stated he would not vote on the following item due to a potential conflict of interest related to his former employment with the contractor.

12. Subject: Grant Agreement With South Coast Community Media Access Center, dba TV Santa Barbara (230.02)

Recommendation: That Council authorize the Finance Director to execute a one-year grant agreement with the South Coast Community Media Access Center for management of the public and educational access television channels, in an amount of \$297,445 plus an amount for public, educational and government access (PEG) capital expenditures equal to 50% of the actual PEG fees received by the City for Fiscal Year 2022.

Documents:

- June 29, 2021, report from the Finance Director

Motion:

Councilmembers Jordan/Friedman to approve the recommendation; Agreement No. .26,994.

Vote:

Majority roll call vote (Noes: Councilmember Alejandra Gutierrez; Abstentions: Councilmember Oscar Gutierrez).

CONSENT CALENDAR (Item Nos. 1, 3 – 11, and 13)

The titles of ordinances and resolutions related to Consent Calendar items were read.

Motion:

Councilmembers Jordan/Oscar Gutierrez to approve the Consent Calendar as recommended, with the correction to recommendation B of Item No. 10.

Vote:

Unanimous roll call vote.

- 1. Subject: An Ordinance Repealing Chapter 22.22 Of The Santa Barbara Municipal Code Pertaining To Historic Structures, And Amending Santa Barbara Municipal Code Sections 22.68.015 And 22.69.015 To Include The Definition Of Project Design Approval (640.06)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Chapter 22.22 of the Santa Barbara Municipal Code Pertaining to Historic Structures, and Amending Santa Barbara Municipal Code Sections 22.68.015 and 22.69.015 to Include the Definition of Project Design Approval.

Action: Approved the recommendation (June 29, 2021, Report from the Interim Community Development Director; Proposed Ordinance).

- 3. Subject: Introduction Of Ordinance For Average Unit-Size Density Incentive Program Ordinance Amendments Related To Clarifying Rental Inclusionary Rates And Mobilehome Parks (640.09)**

Recommendation: That Council 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 30.150.090 and 30.150.110 of the City's Average Unit-Size Density Incentive Program to Exclude Mobilehome Parks from

Development Under the Program and Clarify That Rental Units Must Be Rented at Moderate Income Levels.

Action: Approved the recommendation (Proposed Ordinance).

4. Subject: Adoption Of The Fee Schedule For Fiscal Year 2022 (210.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending the City of Santa Barbara Schedule of Penalties, Fees, Rates and Service Charges.

Action: Approved the recommendation; Resolution No. 21-050 (June 29, 2021, report from the Finance Director; Proposed Resolution).

5. Subject: Updated Sales Or Transactions And Use Tax Records Disclosure Designations For The Finance Director To Review Tax Records And Authorize Muniservices, LLC, To Review Tax Records On Behalf Of The City (210.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing Examination of Sales or Transactions and Use Tax Records; and
- B. Approve the Second Amendment and Novation Agreement for Sales and Use Tax Services, Assigning the Agreement with Municipal Resource Consultant to Muniservices.

Speakers:

Members of the Public: Anna Marie Gott.

Action: Approved the recommendations; Resolution No. 21-051; Agreement No. 16,379.2 (June 29, 2021, Report from the Finance Director; Proposed Resolution).

6. Subject: May 2021 Investment Report (260.02)

Recommendation: That Council accept the May 2021 Investment Report.

Action: Approved the recommendation (June 29, 2021, Report from the Finance Director).

7. Subject: Allocation Of Awarded California Department Of Resources Recycling And Recovery Grant Funds Reimbursement For Household Hazardous Waste Collection And Education (630.12)

Recommendation: That Council approve the allocation of \$10,000 in Fiscal Year 2022 of the City's California Department of Resources Recycling and Recovery Grant to fund staff costs related to grant administration and implementation of Household Hazardous Waste Collection and Education.

Action: Approved the recommendation (June 29, 2021, Report from the Acting Sustainability and Resilience Co-Director).

8. Subject: Best Interest Waiver For The Purchase Of A New Wastewater Collection Video Inspection Vehicle And Hardware System (540.13)

Recommendation: That Council:

- A. Find it in the City's best interest to waive the formal bid process as authorized by Municipal Code Section 4.52.070(L) and authorize the General Services Manager to issue a purchase order to Haaker Equipment Company in the amount of \$298,274 for the purchase, assembly, and delivery of one custom Wastewater Collection Video Inspection Vehicle and Hardware System;
- B. Authorize the General Services Manager to approve expenditures up to \$15,000 to cover any cost increases that may result from contract change orders for extra work or from necessary changes in the scope, for a total expenditure authority of \$313,274; and
- C. Approve the transfer of available appropriations in the Sanitary Sewer Overflow Compliance Project in the amount of \$244,328 from the Wastewater Capital Fund to the Fleet Replacement Fund; and approve an increase in appropriations and estimated revenue in the Fleet Replacement Fund in the amount of \$244,328 in Fiscal Year 2021, funded by the transfer, for the purchase of the Wastewater Collection Video Inspection Vehicle and Hardware System.

Action: Approved the recommendations (June 29, 2021, Report from the Acting Public Works Director).

9. Subject: Authorization To Amend Agreement With Best Best & Krieger, LLP, For Special Appellate Counsel Support (160.01)

Recommendation: That Council:

- A. Authorize the City Attorney to execute an amendment to the legal services agreement with Best Best & Krieger, LLP, for special appellate support in Theodore P. Kracke v. City of Santa Barbara, Ventura County Superior Court 56-2016-00490376-CU-WM-VTA, increasing the contract amount by \$25,000; and
- B. Increase appropriations in the Fiscal Year 2022 City Attorney's Office budget from the General Fund Reserve for Contingencies in the amount of \$25,000.

Action: Approved the recommendations; Amendment to Agreement No. 26,589 (June 29, 2021, Report from the City Attorney).

10. Subject: Amendment Of Professional Services Agreement With Hiltachk Marketing Group (560.09)

Recommendation: That Council:

- A. Authorize the Airport Director to amend Professional Services Agreement No. 25,939 with Hiltachk Marketing Group for one additional year of services, and increase the contract amount by \$100,000; and
- B. Approve an increase in FY 2021 appropriations in the Airport Operating Fund in the amount of \$100,000, funded from reserves, for the services of Hiltachk Marketing Group.

Speakers:

- Staff: Acting City Administrator Rebecca Bjork, who stated that "FY 2021" in recommendation B should read "FY 2022."

Action: Approved the recommendations; Agreement No. 25,939.2 (June 29, 2021, Report from the Airport Director).

11. Subject: Contract For Airport Poly- And Per-Fluoroalkyl Substance (PFAS) Investigation Efforts (560.01)

Recommendation: That Council:

- A. Authorize the Airport Director to execute a Professional Services Agreement with GSI Environmental, Inc., in the amount of \$204,100 for site investigation work necessary to implement the Poly- and Per-Fluororalkyl Substance Supplemental Work Plan approved by the Regional Water Quality Control Board; and
- B. Approve an increase in FY 2022 appropriations in the Airport Operating Fund in the amount of \$204,100, funded from reserves, for Airport Poly- And Per-Fluororalkyl Substance (PFAS) investigation efforts.

Action: Approved the recommendations; Agreement No. 26,992 (June 29, 2021, Report from the Airport Director).

13. Subject: Potential Acquisition Of A Conservation And Access Easement At 1235 Veronica Springs Road (APN 047-010-039) For A Creek Restoration And Water Quality Improvement Project (540.14)

Recommendation: That Council receive a report and authorize negotiations on the potential acquisition of a conservation and access easement at 1235 Veronica Springs Road for a future creek restoration and water quality improvement project.

Action: Approved the recommendation (June 29, 2021, Report from the Parks and Recreation Director).

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

14. Subject: Water Supply Update And Adoption Of 2020 Enhanced Urban Water Management Plan, 2021 Water Shortage Contingency Plan, And Related Documents (540.01)

Recommendation: That Council:

- A. Receive a water supply update;
- B. Adopt and authorize the Public Works Director to transmit the City's 2020 Enhanced Urban Water Management Plan to the California Department of Water Resources, such adoption to include modifications as may be approved by the Public Works Director to ensure compliance with State UWMP requirements;

- C. Adopt and authorize the Public Works Director to transmit the City's 2021 WSCP to the California Department of Water Resources, such adoption to include modifications as may be approved by the Public Works Director to ensure compliance with State WSCP requirements; and
- D. Adopt and authorize the Public Works Director to transmit an addendum to the City's 2015 UWMP to the California Department of Water Resources.

Documents:

- June 29, 2021, Report from the Acting Public Works Director

Speakers:

- Staff: Acting Water Resources Manager Amanda Flesse, Acting Water Supply and Services Manager Dakota Corey.
- Members of the Public: Hillary Hauser.

Motion:

Councilmembers Sneddon/Friedman to approve the recommendations.

Vote:

Unanimous roll call vote.

SUSTAINABILITY AND RESILIENCE

15. Subject: Temporary Safe Shelter For Fire Prone Encampments Update (660.04)

Recommendation: That Council:

- A. Approve staff's recommendation of a hotel to provide temporary safe shelter and begin cleanup operations at fire-prone encampments;
- B. Direct staff on use of funding for a temporary safe shelter agreement; and
- C. Direct staff to execute a first amendment to Agreement No. 26,897 between the City of Santa Barbara and Kingdom Causes, Inc., DBA City Net, to provide temporary bridge housing services.

Documents:

- June 29, 2021, report from the Acting Sustainability and Resilience Co-Director

Speakers:

- Staff: Acting City Administrator Rebecca Bjork, who stated that recommendation B is intended to request direction on what funding source to use, and to appropriate such funding source(s) to the FY 2022 budget so they may be used for this purpose; Acting Sustainability and Resilience Co-Director Rene Eyerly; Acting City Attorney Daniel Hentschke, Interim Police Chief Bernard Melekian.
- City Net (Contractor with City): Brad Fieldhouse.

Recess: 4:14 p.m. – 4:26 p.m.

Speakers (Cont'd):

- Members of the Public: Tania Smith; Sharon Byrne; Hillary Hauser; Ben Romo; Mary Weather-Clark; Robin Elander; Christal Barros.

Motion:

Councilmembers Jordan/Mayor Murillo to approve the recommendations, directing Staff to fund the temporary safe shelter agreement, begin clean-up operations at fire-prone encampments; using State funding that is available and then migrating to funding from Measure C and appropriate such funding from FY 2022 budget; First amendment to Agreement No. 26,897.

Vote:

Unanimous roll call vote.

MAYOR AND COUNCIL REPORTS

16. Subject: Appointments To City Advisory Groups, Not Including State Street Advisory Committee (140.05)

Recommendation: That Council make appointments to the City's Advisory Groups, not including the State Street Advisory Committee.

Documents:

- June 29, 2021, Report from the City Administrator

Architectural Board of Review

Nominees:

David Black, Steve Nuhn.

Vote:

- For Black: Councilmembers Friedman, Alejandra Gutierrez, Oscar Gutierrez, Harmon, Jordan, Sneddon, Mayor Murillo.
- For Nuhn: Councilmembers Friedman, Alejandra Gutierrez, Oscar Gutierrez, Harmon, Jordan, Mayor Murillo.

Appointments:

David Black and Steve Nuhn were appointed to the Professional Qualifications category for terms expiring December 31, 2024.

Arts Advisory Committee

Nominees:

Kym Yung Ja Cochran, Vincent Gonzales, Darren Martin McNeill.

Vote:

- For Cochran: Councilmembers Friedman, Harmon, Jordan, Sneddon.
- For Gonzales: Councilmembers Alejandra Gutierrez, Oscar Gutierrez.
- For McNeill: Mayor Murillo.

Appointment:

Kym Yung Ja Cochran was appointed for a term expiring December 31, 2023.

Community Development and Human Services Committee

Nominees:

Vincent Gonzales, Clarissa Montenegro Uhl.

Vote:

- For Gonzales: Councilmembers Friedman, Alejandra Gutierrez, Oscar Gutierrez, Harmon, Jordan, Sneddon, Mayor Murillo.
- For Uhl: Councilmembers Friedman, Alejandra Gutierrez, Oscar Gutierrez, Harmon, Jordan, Sneddon, Mayor Murillo.

Appointments:

Vincent Gonzales was appointed to the Disabled Community category, and Clarissa Montenegro Uhl was appointed to the Housing Authority category, both for terms expiring December 31, 2024.

Housing Authority Commission

Nominees:

Steven Faulstich, Rose Munoz, Patricia Wheatley.

Vote:

- For Faulstich: Councilmembers Friedman, Alejandra Gutierrez, Oscar Gutierrez, Harmon, Sneddon, Mayor Murillo.
- For Munoz: Councilmembers Friedman, Alejandra Gutierrez, Oscar Gutierrez, Harmon, Jordan, Sneddon, Mayor Murillo.
- For Wheatley: Councilmembers Friedman, Alejandra Gutierrez, Oscar Gutierrez, Harmon, Jordan, Sneddon, Mayor Murillo.

Appointments:

Steven Faulstich and Patricia Wheatley were appointed to the Public at Large (City resident) category for terms expiring July 12, 2025, and Rose Munoz was appointed to the Public at Large (non-City resident) category for a term expiring September 14, 2024.

Living Wage Advisory Committee

Nominees:

Richard Flacks, Anna Kokotovic.

Vote:

- For Flacks: Councilmembers Friedman, Alejandra Gutierrez, Oscar Gutierrez, Harmon, Jordan, Sneddon, Mayor Murillo.
- For Kokotovic: Councilmembers Friedman, Alejandra Gutierrez, Oscar Gutierrez, Harmon, Jordan, Sneddon, Mayor Murillo.

Appointments:

Richard Flacks and Anna Kokotovic were appointed to the Local Living Wage Advocacy Organization category for terms expiring June 30, 2025.

Santa Barbara Youth Council

Motion:

Councilmember Jordan/Mayor Murillo to nominate Gwen Chenoweth, Sophia Cruz, Alex Hellman, Sagira Manian, Amelia Vander May, and Julia Minor, moving Ms. Manian to the Santa Barbara Unified School District (SBUSD) High School category and Ms. Cruz to the Public at Large category.

Vote:

Unanimous roll call vote.

Appointments:

Gwen Chenoweth, Alex Hellman, Sagira Manian, Amelia Vander May, and Julia Minor were appointed to the SBUSD High School category, and Sophia Cruz was appointed to the Public at Large category, all for terms expiring June 30, 2022.

Single Family Design Board

Nominee:

Ohan Arakelian.

Vote:

Unanimous roll call vote.

Appointment:

Ohan Arakelian was appointed to the Professional Qualifications category for a term expiring June 30, 2025.

Transportation and Circulation Committee

Motion:

Councilmember Friedman/Mayor Murillo to appoint Ian Bauke.

Vote:

Unanimous roll call vote.

Appointment:

Ian Bauke was appointed for a term expiring December 31, 2024.

Water Commission

Motion:

Councilmembers Sneddon/Friedman to appoint Cora Dammeyer.

Vote:

Unanimous roll call vote.

Appointment:

Cora Dammeyer was appointed for a term expiring December 31, 2024.

RECESS

The Mayor recessed the meeting at 5:27 p.m. in order for the Council to reconvene in closed session for Item Nos. 17 and 18. She stated that no reportable action is anticipated.

CLOSED SESSIONS

17. **Subject: Conference With Real Property Negotiators (330.03)**

Recommendation: That Council hold a closed session pursuant to Government Code Section 54956.8, to consider price and terms of payment for the potential acquisition of a conservation and access easement. Real Property: Conservation and Access Easements on property at 1235 Veronica Springs Road (APN 047-010-039). City Negotiators: Jill Zachary, Parks and Recreation Director; Cameron Benson, Creeks Restoration/Clean Water Manager; Dan Hentschke, Acting City Attorney. Negotiating Party: Hillside House. Under Negotiation: Price and terms of acquisition of easements.

Scheduling: Duration, 15 minutes; anytime
Report: None anticipated

Documents:

- June 29, 2021, Report from the Acting City Attorney

Time:

5:28 p.m. – 5:43 p.m.

No report made.

18. **Subject: Conference With City Attorney – Existing Litigation – Gov. Code §54956.9(d)(1) (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is George Martinez v. COSB, et al. SBSC Case No. 20CV02839.

Scheduling: Duration, 15 minutes; anytime
Report: None anticipated

Documents:

- June 29, 2021, Report from the City Attorney

Time:

5:44 p.m. – 5:59 p.m.

No report made.

RECESS

5:59 p.m. – 6:14 p.m.

MAYOR AND COUNCIL REPORTS

19. Subject: State Street Advisory Committee Applicant Interviews (140.05)

Recommendation: That Council interview applicants to the State Street Advisory Committee.

Documents:

- June 29, 2021, Report from the City Administrator

Staff: Administrative Analyst III Sam Ramirez.

Interviews were held.

- Speakers/Interviewees:
Jeff Schaefer
David Herrera
Henry Lenny
Ray Estrada
Andrew Gardner
David Davis
Benjamin Peterson
Berkeley Johnson
Diane Black
Lucille Boss
Patricia Saley
Paul Rupp
Robin Elander
Trey Pinner
Kourtney Miller
Ed Cavazos
Ian Baucke
Jennifer Miller

Joie McKay
Harvey Molotoch

RECESS

8:01 p.m. – 8:11 p.m.

- Speakers/Interviewees:
Nadra Ehrman
Todd Stockwell
Jeffrey Burke
Joseph Meutchka
Bendy White
Kaylee Ganske
Ken Saxton
Peter Lewis
Robert Perez

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

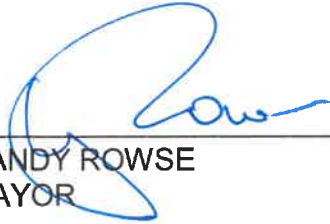
- Councilmember Sneddon reported on her attendance at the following meetings or events: 1) a panel arranged by the Santa Barbara Trust for Historic Preservation; 2) Solstice Celebration; and 3) Cachuma Operation and Maintenance Board.
- Mayor Murillo commented on the re-opening event for the Women's Athletic Club.

ADJOURNMENT

Mayor Murillo adjourned the meeting at 9:29 p.m. in memory of Alva Munoz, a longtime domestic workers' union leader.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



RANDY ROWSE
MAYOR

ATTEST:



SARAH GORMAN
CITY CLERK SERVICES MANAGER

