



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**REGULAR MEETING
JUNE 13, 2023
COUNCIL CHAMBERS, 735 ANACAPA STREET**

CALL TO ORDER

Mayor Randy Rowse called the meeting to order at 2:00 p.m. (The Finance Committee and Ordinance Committee, which ordinarily meet 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 Administrator Rebecca Bjork, City Attorney Sarah Knecht, City Clerk Services Manager Sarah Gorman.

CEREMONIAL ITEMS

1. Subject: Pride Month June 2023 (120.04)

Action: Proclamation presented by Mayor Rowse and received by Neil Coffman-Grey and Kristin Flickinger.

Speakers

- Members of the Public: Ashley Griffin; Patricia Clancy; Tania Israel; David Landecker.

CHANGES TO THE AGENDA

There were no changes to the agenda.

CONSENT CALENDAR (Item Nos. 2 – 15)

The titles of the Ordinances and Resolutions were read.

Motion:

Councilmembers Friedman/Harmon to approve Consent Calendar items as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Adoption of Ordinance Approving the 2022-2023 Unrepresented Non-Supervisory Confidential Employees Salary Plan [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 2022-2023 Salary Plan Applicable to Unrepresented Non-Supervisory Confidential Employees.

Action: Approved the recommendation; Ordinance No. 6116.

3. Subject: Establishing Speed Limits [Ordinance Introduction] (530.05)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Section 10.60.015 of the Santa Barbara Municipal Code by Revising and Establishing Prima Facie Speed Limits on Certain Portions of Alamar Avenue, De La Vina Street, La Colina Road, Miramonte Drive, and Yanonali Street.

Action: Approved the recommendation; Proposed Ordinance (June 13, 2023 Council Agenda Report and any attachments).

4. Subject: Water Supply Update and Repeal of Stage Two Water Shortage Alert [Resolution] (540.08)

Recommendation: That Council:

- A. Receive an update on the City's water supply condition; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Repealing Resolution No. 22-067 Establishing a Stage Two Water Shortage Alert.

Action: Approved the recommendations; Resolution No. 23-067 (June 13, 2023 Council Agenda Report and any attachments).

5. Subject: Best Interest Waiver for the Construction of the Cabrillo Pavilion Windscreen Project and PARC Foundation Funds [Resolution] (700.06)

Recommendation: That Council:

- A. Approve a Best Interest Waiver under Santa Barbara Municipal Code §4.52.070, subdivision L authorizing the General Services Manager to issue a Contract in the amount of \$84,827 to Chapala Iron for the Cabrillo Pavilion Windscreen Project; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 22-059, Adopting the Budget for Fiscal Year 2023, to Increase Revenue and Expenditure Appropriations by \$131,479 in the Parks and Recreation Department Fiscal Year 2023 Capital Outlay Fund for the Cabrillo Pavilion Windscreen Project.

Action: Approved the recommendations; Resolution No. 23-068 (June 13, 2023 Council Agenda Report and any attachments).

6. Subject: Amendments to Professional Services Agreements for Permit, Plan Check, and Inspection Services [Resolution; Agreement] (640.04)

Recommendation: That Council:

- A. Authorize the Community Development Director to execute the fourth amendment to increase the amount of Santa Barbara City Agreement No. 26,978 with Bureau Veritas North America, Inc., by \$200,000, for a total contract amount of \$945,000, to provide permit, plan check, and inspection services;
- B. Authorize the Community Development Director to execute the fourth amendment to increase the amount of Santa Barbara City Agreement No. 26,979 with Interwest Consulting Group, by \$50,000, for a total contract amount of \$485,000, to provide permit, plan check, and inspection services; and
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 22-059, Adopting the Budget for Fiscal Year 2023, to Approve an Increase in Fiscal Year 2023 Revenue and Expenditure Appropriations in the General Fund in the Amount of \$200,000 from Building Permit Revenues Projected to Exceed the Fiscal Year 2023 Revised Budget Amount by at Least \$200,000, to Cover the Costs of Amendments to Santa Barbara City Agreements No. 26,978 and No. 26,979.

Action: Approved the recommendations; Resolution No. 23-069; Agreement Nos. 26,978.4; 26,979.4 (June 13, 2023 Council Agenda Report and any attachments).

7. Subject: Projects for Fiscal Year 2023-2024 Funded by SB 1: the Road Repair And Accountability Act [Resolution] (530.04)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting Projects for Fiscal Year 2023-2024, Funded by SB 1: the Road Repair and Accountability Act.

Action: Approved the recommendation; Resolution No. 23-070 (June 13, 2023 Council Agenda Report and any attachments).

8. Subject: Intention to Levy Parking and Business Improvement Area Assessment Rates and Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2024 [Resolution] (550.1)

Recommendation: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 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 Parking and Business Improvement Area Assessment Rates for Fiscal Year 2024, at a Public Hearing to be Held on June 27, 2023, at 2:00 PM.

Action: Approved the recommendations; Resolution No. 23-071 (June 13, 2023 Council Agenda Report and any attachments.)

9. Subject: Acceptance of Grant Funds and Contract Approval for Climate Adaptation Projects [Resolution; Agreement] (630.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Accepting Two Grants from the California State Coastal Conservancy in the Total Amount of \$2,680,000, and Amending Resolution No. 22-059 to Approve an Increase in Revenue and Expenditure Appropriations in the Sustainability and Resilience Miscellaneous Grants Fund in the Amount of \$2,680,000; and
- B. Authorize the Sustainability and Resilience Director to execute a Professional Services Agreement with Water Systems Consulting for consulting services on the Wastewater and Water Systems Adaptation Project in the amount of \$599,912 and authorize the Sustainability and Resilience Director to approve expenditures of up to \$90,000 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Resolution No. 23-072; Agreement No. 28,364 (June 13, 2023 Council Agenda Report and any attachments).

10. Subject: Construction of Fiscal Year 2023C Street Related Concrete Curb, Gutter, Sidewalk, and Access Ramps Project and Program Support [Resolution; Agreement] (530.04)

Recommendation: That Council:

- A. Award a contract with Lash Construction, Inc. in their low bid amount of \$6,313,510 for construction of the Fiscal Year 2023C Street Related Concrete Curb, Gutter, Sidewalk, and Access Ramps Pavement Maintenance Project, Bid No. 5004; and authorize the Public Works Director to execute the contract and approve expenditures up to \$631,351 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 Flowers & Associates, Inc. in the amount of \$532,415 for construction support services of the Fiscal Year 2023C Pavement Maintenance Project, and authorize \$53,242 for potential extra services, for a total expenditure authority of \$585,657;
- C. Authorize the Public Works Director to execute the First Amendment to City Professional Services Contract No. 28,330 with Flowers & Associates, Inc. for design services for the Fiscal Year 2024 Pavement Maintenance Project in the amount of \$56,264, for a total expenditure authority of \$491,651;
- D. Determine that the Fiscal Year 2023C Pavement Maintenance Project is exempt under California Environmental Quality Act Guidelines § 15301 (c) and § 15302 (c);
- E. Approve Construction of the Fiscal Year 2023C Street Related Concrete Curb, Gutter, Sidewalk, and Access Ramps Project and Program Support and direct the filing of a Notice of Exemption in compliance with California Environmental Quality Act Guidelines § 15062; and
- F. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 22-059, Adopting the Budget for Fiscal Year 2023, to Appropriate Funds for Street Related Concrete Curb, Gutter, Sidewalk and Access Ramps and Program Support.

Action: Approved the recommendations; Resolution No. 23-073; Agreement Nos. 28,365, 28,366, 28,330.1 (June 13, 2023 Council Agenda Report and any attachments).

11. Subject: Purchase of 222 East Anapamu Street (Police Department Annex) [Resolution; Agreement] (520.01)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a standard offer, agreement, and escrow instructions for purchase of real estate to acquire the real property generally described as 222 East Anapamu Street (APN 029-162-005) for a price of \$4,300,000 and to take all necessary actions, subject to approval by the City Attorney, to implement the transaction; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 22-059, Adopting the Budget for Fiscal Year 2023, for Appropriation of Additional Funds for the Acquisition of Real Property Located at 222 East Anapamu Street.

Action: Approved the recommendations; Resolution No. 23-074; Agreement No. 28,367 (June 13, 2023 Council Agenda Report and any attachments).

12. Subject: Approval of Five-Year Pre-Qualified Data Integration Consultants for Water Resources Facilities Support [Agreement] (540.01)

Recommendation: That Council:

- A. Approve a pre-qualified list of consultants to provide data integration services to support the Water Resources Division's water and wastewater facilities for a five-year period, ending June 30, 2028; and
- B. Authorize the Public Works Director to execute four five-year Task Order Agreements with the selected consultants to provide on-call data integration services in an amount not to exceed \$250,000 each.

Action: Approved the recommendations; Agreement Nos. 28,368; 28,369; 28,370; 28,371 (June 13, 2023 Council Agenda Report and any attachments.)

13. Subject: Environmental Consulting Services for the Vic Trace Reservoir Replacement Project [Agreement] (540.01)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services Agreement with Rincon Consultants, Inc. in the amount of \$109,723 for initial environmental and permitting services for the Vic Trace Reservoir Replacement Project and authorize \$10,972 for potential extra services, for a total expenditure authority of \$120,695.

Action: Approved the recommendation; Agreement No. 28,372 (June 13, 2023 Council Agenda Report and any attachments).

14. Subject: Amendment to the Joint Powers Agreement Creating the Central Coast Water Authority for Actions for Groundwater Storage [Agreement] (540.03)

Recommendation: That Council authorize the mayor to execute a Second Amendment to the Joint Powers Agreement creating the Central Coast Water Authority, relating to contracts or other actions taken regarding the storage and use of water in a groundwater bank, reservoir, or any other system or facilities for the storage of water.

Action: Approved the recommendation; Agreement No. 28,373 (June 13, 2023 Council Agenda Report and any attachments).

15. Subject: Waterfront Department Purchase Order with Momentum Work, Incorporated for Marina Janitorial Services (570.03)

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070 (L) and authorize the General Services Manager to issue annual purchase orders to Momentum Work, Incorporated for marina janitorial services at the Waterfront for Fiscal Year 2024 in an amount not to exceed \$425,000, and for Fiscal Year 2025 in an amount not to exceed \$438,000 subject to budget appropriations.

Action: Approved the recommendation (June 13, 2023 Council Agenda Report and any attachments.)

This concluded the Consent Calendar.

PUBLIC COMMENT

Members of the Public: Mark Wofford; Eplanet Thunderstriker; Art Ludwig; Barney Melekian; Jonathan Puu.

PULLED CONSENT ITEMS

None.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

There were no reports.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

16. Subject: Adoption of the Two-Year Financial Plan for Fiscal Years 2024 and 2025 and the Operating and Capital Budget for Fiscal Year 2024 (230.05)

Recommendation: That Council:

- A. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara, Adopting the Two-Year Financial Plan for Fiscal Years 2024 and 2025;
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the Budget for the Fiscal Year 2024 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;
- C. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2024;
- D. 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, and Service Charges;
- E. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending the City of Santa Barbara Waterfront Harbor Slip, Mooring, and User Fees;
- F. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Establishing a Citywide Cost Recovery and Revenue Policy;
- G. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 1, 2023, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2024 Fiscal Year;
- H. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2024;
- I. Introduce, and subsequently adopt by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 4.24 of the Santa Barbara Municipal Code by Repealing Section 4.24.060 Relating to the Garbage Collection Tax;

- J. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Confirming and Amending Rate Setting Formula for Santa Barbara Clean Energy;
- K. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Execute Water Purchase Agreements, in a Form Approved by the City Attorney, and in Accordance with the Appropriation in the Approved Budget as May Be Amended from Time to Time; and
- L. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara to Adopt the Abandoned Shopping Cart Recovery Fee.

Documents:

- June 13, 2023 Council Agenda Report and any attachment(s)
- Proposed Resolutions.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Finance Director Keith De Martini.
- Members of the Public: Vince Mrstik; Anita Williamson; Arturo Tello; Eplanet Thunderstriker.

Discussion:

- Councilmembers' questions were answered.

Councilmember O. Gutierrez stated that he was recommended by the City Attorney to recuse himself from anything regarding TVSB as a Councilmember because of his 17 year employment by that organization and that accordingly he would recuse himself from consideration of Item B.

Councilmember O. Gutierrez was excused from the meeting at 3:12 p.m.

Motion:

Councilmembers Jordan/Friedman for the recommended action for Item B; Resolution No. 23-076.

Vote:

Unanimous roll call vote (Recused: Councilmember O. Gutierrez).

Councilmember O. Gutierrez returned to the meeting at 3:13 p.m.

Mayor Rowse stated that he was recusing himself from consideration of Item E because he has a mooring slip.

Mayor Rowse was excused from the meeting at 3:13 p.m.

Motion:

Councilmember Friedman/Harmon for the recommended action for Item E;
Resolution No. 23-079.

Vote:

Unanimous roll call vote (Recused: Mayor Rowse).

Mayor Rowse returned to the meeting at 3:14 p.m.

Councilmember Friedman stated that he would recuse himself from consideration of item L as it may affect his employer's income.

Councilmember Friedman was excused from the meeting at 3:15 p.m.

Motion:

Councilmembers Jordan/Harmon for the recommended action for Item L;
Resolution No. 23-085.

Vote:

Unanimous roll call vote (Recused: Councilmember Friedman).

Councilmember Friedman returned to the meeting at 3:17 p.m.

Motion:

Councilmember Jordan/Friedman for the recommended action for Item F;
Resolution No. 23-080

Vote:

Majority roll call vote (Noes: Councilmember Sneddon).

Motion:

Councilmembers Jordan/O. Gutierrez for the recommended actions for items A, C, D, G, H, I, J and K; Proposed Ordinance; Resolution Nos. 23-075; 23-077; 23-078; 23-081; 23-082; 23-083; 23-084

Vote:

Unanimous roll call vote.

COMMUNITY DEVELOPMENT DEPARTMENT

17. Subject: Amendment to Single Family Design Board Appeal Process [Ordinance Introduction] (640.03)

Recommendation: That Council:

- A. Find that the proposed ordinance amendments to sections 22.69.030, 22.69.080, and 22.69.090 of the Santa Barbara Municipal Code is categorically exempt from further environmental review pursuant to SBMC §22.100.070.C.5.c – Class 5: Minor Alterations in Land Use Limitations; and

- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Sections 22.69.030, 22.69.080, and 22.69.090 of the Santa Barbara Municipal Code to Amend Appeal Procedures of the Single Family Design Board.

Documents:

- June 13, 2023 Council Agenda Report and any attachments
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Design Supervisor Ellen Kokinda; Assistant City Attorney Tava Ostrenger.
- Single Family Design Board: Leslie Colasse
- Members of the Public: Anita Williamson; A. Michael Marzella; Todd Shea; Fred Sweeney; Andrew Juiliano.

Discussion:

- Councilmembers' questions were answered.

Motion:

Councilmembers Jordan/Friedman to approve the recommended actions and direct staff to return with a report approximately one year after the program is instituted; Proposed Ordinance.

Vote:

Majority roll call vote (Noes: Councilmembers O. Gutierrez and Sneddon).

COUNCILMEMBER ENGAGEMENTS

Councilmember Sneddon reported on their attendance at the following events or made the following comments: 1. Happy 94th birthday to Sheila Lodge; 2. Honor her Aunt Joy Shaw.

Councilmember Sneddon was excused at 4:56 p.m.

RECESS

4:56 p.m. – 6:00 p.m.

CEREMONIAL ITEMS

18. **Subject: Recognition of SBFD's Community Emergency Response Team Program Graduates - 6:00 p.m. estimated time (120.04)**

Action: Proclamation presented by Mayor Rowse and received by Fire Chief Chris Mailes; Fire Public Education Coordinator Liliana Encinas; and the following graduates: Isabel Beveridge; Isael Castellano; Lidia Cordero; Vicky Estrada; Johana Garzon; Monica

Gastelum; Lila Luna Hernandez; Feliciano Moran; Catalina Moreno; Romelia Reyes; Maria Salgado; Juan Sanchez; Alma Rosa Serrano; Marcelo Silva; Lizbeth Zamora.

MAYOR AND COUNCIL REPORTS

19. Subject: Interviews for City Advisory Groups (140.05)

Recommendation: That Council hold interviews of applicants to various City Advisory Groups (Est. time 6:00 p.m.).

Documents:

- June 13, 2023 Council Agenda Report and any attachments.

Speakers:

- Members of the public: None

Interviewees:

Applicant Speakers:

Committee:

Teri Ball

Arts Advisory Committee; Community Events and Festivals Committee

George Yatchisin

Arts Advisory Committee

Barbara Silver

Citizens Oversight Committee

Zachary Kramer

Community Development and Human Services Committee; Neighborhood Advisory Council

Dacia Harwood

Community Events and Festivals Committee

Kate Ford

Harbor Commission

Elly Cuevas

Santa Barbara Youth Council

Gabriel Scussat

Santa Barbara Youth Council

Alok Thakrar

Santa Barbara Youth Council

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER ENGAGEMENTS

Councilmember Friedman reported on their attendance at the following events or made the following comments: 1. New Beginnings grand opening; 2. Green and Blue Gala for Environmental Defense Center.

Mayor Pro Tem A. Gutierrez reported on their attendance at the following events or made the following comments: 1. New Beginnings grand opening.

Councilmember O. Gutierrez reported on their attendance at the following events or made the following comments: 1. McKinley Elementary School graduation; 2. Santa Barbara

Police Department Torch Run for the Special Olympics; 3. Ribbon Cutting for Kimpton Canary Hotel's Finch and Fork Restaurant; 4. State Street RAP meeting; 5. Communitify luncheon; 6. New Beginnings ribbon cutting.

Mayor Rowse reported on their attendance at the following events or made the following comments: 1. Meeting with Salud Carbajal and FEMA; 2. SLO Chamber of Commerce; 3. Green Hills Software meeting.

PUBLIC COMMENT (IF NECESSARY)

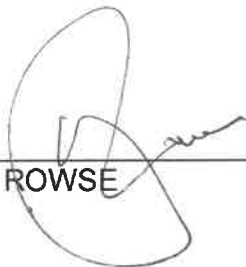
ADJOURNMENT

Mayor Rowse adjourned the meeting at 6:38 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on August 1, 2023.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE



RANDY ROWSE
MAYOR

ATTEST: 

SARAH GORMAN
CITY CLERK SERVICES MANAGER

