



City of Santa Barbara  
Public Works Department

## Interoffice Memorandum

**DATE:** May 31, 2022  
**TO:** Mayor and Councilmembers  
**FROM:** Clifford M. Maurer, P.E., Public Works Director   
**SUBJECT:** Resolution of the Access Advisory Committee of the City of Santa Barbara Regarding Outdoor Business Arrangements

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Please find attached a Resolution of the Access Advisory Committee (Committee) of the City of Santa Barbara Regarding Outdoor Business Arrangements, adopted by the Committee at its regular meeting held on May 20, 2022. Please contact me if you have any questions.

AS/em

Attachment: Resolution of the Access Advisory Committee (Committee) of the City of Santa Barbara Regarding Outdoor Business Arrangements

Cc: Rebecca J. Bjork, City Administrator  
Daniel S. Hentschke, Assistant City Attorney  
Jessica Grant, Interim Public Works Downtown Manager  
Ashleigh A. Shue, P.E., Interim City Engineer/ADA Coordinator

A RESOLUTION OF THE ACCESS ADVISORY COMMITTEE OF THE CITY OF SANTA BARBARA REGARDING OUTDOOR BUSINESS ARRANGEMENTS

WHEREAS, in May of 2020 the City Council received the Covid-19 Business Advisory Task Force Recommendation to Assist Businesses;

WHEREAS, several members of the Access Advisory Committee (AAC) expressed concerns to the City Council and the City Administrator that the recommendation did not adequately protect the civil rights of disabled community members;

WHEREAS, this Covid-19 Business Advisory Task Force Recommendation has led to the adoption of municipal ordinances which now constitute a service, program or activity;

WHEREAS it has been two years since the Santa Barbara City Council directed City staff to allow businesses in the City to expand their sales and services into new "outdoor business areas" in the public's right of way;

WHEREAS all of the businesses in Santa Barbara that have taken advantage of this new program are "public accommodations" as defined under both state and federal accessibility law;

WHEREAS after two years of persistent advocacy by the members of the Access Advisory Committee, only a minority of these public accommodations operating in the Public Right of Way are fully accessible to people with disabilities;

WHEREAS this constitutes discrimination, both by the businesses, and by the City, against people with disabilities;

WHEREAS these Civil Rights violations are occurring city wide, and the ineffective enforcement efforts have been limited to a few blocks of State Street;

BE IT RESOLVED THAT THE CITY OF SANTA BARBARA, ACCESS ADVISORY COMMITTEE:

Hereby expresses its disappointment and its objection, to the lack of accessibility of the outdoor business areas operating in the Public Right of Way throughout the City;

Believes that the City of Santa Barbara has undermined the Civil Rights of its disabled community members;

Requests that Council allocate sufficient funding, resources and direction to resolve these injustices and Civil Rights violations without further delay;