

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
Mayor
Cathy Murillo
Mayor Pro Tempore
Randy Rowse
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Gregg Hart
Frank Hotchkiss
Bendy White



James L. Armstrong
City Administrator

Ariel Pierre Calonne
City Attorney

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

**JUNE 10, 2014
AGENDA**

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or City Council regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or City Council.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular City Council meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
- 12:30 p.m. - Ordinance Committee Meeting, Council Chamber
- 2:00 p.m. - City Council Meeting Begins
- 5:00 p.m. - Recess
- 6:00 p.m. - City Council Meeting Reconvenes

FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

1. Subject: Police And Fire Service Retirement Plan Of 1927 Cost Of Living Increase (120.03)

Recommendation: That the Finance Committee:

- A. Hear a report from staff regarding the funded status of the City's Article XV-A Service Retirement Plan established in 1927 for police and fire employees, which preceded the City's enrollment in the CalPERS retirement plan in the 1960s; and
- B. Consider forwarding to City Council a recommendation, based on a recommendation of the Police and Fire Pension Commission, to increase the monthly pension benefits paid to the remaining four retirees in the plan by 10%, which would increase the total monthly benefits by \$596 - from \$5,965 to \$6,561.

2. Subject: Award Of Contract For Processing Of Recyclable Material To MarBorg Industries, Inc. (120.03)

Recommendation: That the Finance Committee consider and recommend authorizing the Finance Director to execute a contract with MarBorg Industries, Inc., for processing of recyclable material.

ORDINANCE COMMITTEE MEETING - 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: State Street Sidewalk Behavior and Panhandling Ordinances (120.03)

Recommendation: That the Ordinance Committee:

- A. Review certain proposed changes to the State Street Sitting and Lying Down Ordinance and the Abusive Panhandling Ordinance; and
- B. Consider enacting an ordinance to prohibit public urination and defecation.

REGULAR CITY COUNCIL MEETING – 2:00 P.M.

AFTERNOON SESSION

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the special meeting of May 29, 2014.

2. Subject: Adoption of Ordinance For 2014-2017 Hourly Employees Memorandum of Understanding (440.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2014-2016 Memorandum of Understanding Between the City of Santa Barbara and the Service Employees' International Union, Local 620, Hourly Employees' Bargaining Unit.

3. Subject: Records Destruction For The City Administrator's Office (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the City Administrator's Office.

CONSENT CALENDAR (CONT'D)

4. Subject: Records Destruction For The Library (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Library Department in the Administration Division.

5. Subject: Resolution To Accept Permanent Easement Interests At Lowena Drive (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Accept Permanent Easement Interests Located at 1122 and 1130 North Milpas Street, and Consenting to the Recordation of the Lowena Drive Easement Deeds in the Official Records, County of Santa Barbara.

6. Subject: Professional Services Agreement With Xerox Government Systems, LLC, For Information Technology Hosting And Support Services (170.04)

Recommendation: That Council authorize the Fire Chief to execute a Professional Services Agreement with Xerox Government Systems, LLC, in the amount of \$38,000 for licensed access to the web version of FIREHOUSE Software Enterprise Version 7, for use in the Fire Department's daily operations.

7. Subject: Request To Amend Tenant Based Rental Assistance Subrecipient Agreement With Housing Authority (660.04)

Recommendation: That Council approve and authorize the Community Development Director to execute a First Amendment to Agreement No. 20,153 Subrecipient Agreement Between the City of Santa Barbara and the Housing Authority of the City of Santa Barbara to increase the federal Home Investment Partnerships Program funds ("HOME") by \$50,000, expand the geographic area within which Housing Authority may use the HOME funds to provide rental assistance and extend the term of the Agreement an additional two years.

CONSENT CALENDAR (CONT'D)

8. Subject: Contract For Construction For The El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program Phase 2 Digester Cleaning And Equipment Rehabilitation Project (540.13)

Recommendation: That Council:

- A. Increase Wastewater Capital Fund appropriations and estimated revenues by \$752,222, representing the total costs for the El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program Phase 2 Digester Cleaning And Equipment Rehabilitation Project that will be funded from a State and City Council approved loan from the Clean Water State Revolving Fund;
- B. Transfer \$194,173 of appropriated funds in the Wastewater Capital Fund from the El Estero Wastewater Treatment Plant Strategic Plan Implementation Project to the El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program, Phase 2 Digester Cleaning and Equipment Rehabilitation Project; and
- C. Award a contract with Synagro - WWT, Inc., in their low bid amount of \$791,725, for construction of the El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program Phase 2 Digester Cleaning and Equipment Rehabilitation Project, Bid No. 3727; and authorize the Public Works Director to execute the contract and approve expenditures up to \$79,170 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.

9. Subject: Sole Source Contract For Flow Metering And Sampling Maintenance Services For The El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council approve and authorize the Public Works Director to execute a City Professional Services contract with Utility Systems, Science and Software, Inc., in the amount of \$44,728 for flow metering and sampling services for the El Estero Wastewater Treatment Plant, and authorize the Public Works Director to approve expenditures of up to \$4,473 for extra services of Utility Systems, Science and Software, Inc., that may result from necessary changes in the scope of work.

NOTICES

10. The City Clerk has on Thursday, June 5, 2014, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

REPORT FROM THE ORDINANCE COMMITTEE

PUBLIC HEARINGS

11. Subject: Public Hearing Regarding Proposed Utility Rate Increases For Fiscal Year 2015 (270.06)

Recommendation: That Council:

- A. Hold a public hearing, as required by State law, regarding proposed utility rate increases for water, wastewater and solid waste collection services for Fiscal Year 2015; and
- B. Provide direction to staff regarding any changes to the proposed Fiscal Year 2015 utility rates.

12. Subject: Proposed Designation Of City Landmarks: The Santa Barbara Club At 1105 Chapala Street, The Unitarian Church At 1535 Santa Barbara Street, And The Masonic Temple At 16 East Carrillo Street (640.06)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Santa Barbara Club at 1105 Chapala Street as a City Landmark;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Unitarian Church at 1535 Santa Barbara Street as a City Landmark; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Masonic Temple at 16 East Carrillo Street as a City Landmark.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

MAYOR AND COUNCIL REPORTS

13. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council hold interviews of applicants to various City Advisory Groups.

(Continued from June 3, 2014)

ADJOURNMENT

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: June 10, 2014

Dale Francisco, Chair

TIME: 12:30 P.M.

Bendy White

PLACE: David Gebhard Public Meeting Room
630 Garden Street

Gregg Hart

James L. Armstrong
City Administrator

Robert Samario
Finance Director

ITEMS TO BE CONSIDERED:

1. Subject: Police And Fire Service Retirement Plan Of 1927 Cost Of Living Increase

Recommendation: That the Finance Committee:

- A. Hear a report from staff regarding the funded status of the City's Article XV-A Service Retirement Plan established in 1927 for police and fire employees, which preceded the City's enrollment in the CalPERS retirement plan in the 1960s; and
- B. Consider forwarding to City Council a recommendation, based on a recommendation of the Police and Fire Pension Commission, to increase the monthly pension benefits paid to the remaining four retirees in the plan by 10%, which would increase the total monthly benefits by \$596 – from \$5,965 to \$6,561.

2. Subject: Award Of Contract For Processing Of Recyclable Material To MarBorg Industries, Inc.

Recommendation: That the Finance Committee consider and recommend authorizing the Finance Director to execute a contract with MarBorg Industries, Inc. for processing of recyclable material.



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Finance Committee

FROM: Administration Division, Finance Department

SUBJECT: Police And Fire Service Retirement Plan Of 1927 Cost Of Living Increase

RECOMMENDATION: That the Finance Committee:

- A. Hear a report from staff regarding the funded status of the City's Article XV-A Service Retirement Plan established in 1927 for police and fire employees, which preceded the City's enrollment in the CalPERS retirement plan in the 1960s; and
- B. Consider forwarding to City Council a recommendation from the Police and Fire Pension Commission, to increase in monthly pension benefits paid to the remaining four retirees in the plan by 10%, which would increase the total monthly benefits by \$596 – from \$5,965 to \$6,561.

DISCUSSION:

The City currently administers three defined benefit pension plans created for police and fire personnel pursuant to Article XV of the 1927 City Charter. All of these plans were created prior to the City's enrollment in the CalPERS retirement system and are "closed" plans, which means no new members have been added since the City enrolled in CalPERS in the 1960s.

The Article XV-A Service Retirement Plan ("Plan") is governed by a Board of Fire and Police Pension Commissioners appointed by City Council. The Board meets quarterly, primarily to discuss the funding status of the Plan and investment results. The Plan currently has four surviving pensioners.

When the Plan was first created, a retirement trust fund was created into which contributions from both covered employees while employed with the City and the City's General Fund were made based on periodic actuarial valuations performed by consultants. Once all employees retired, the only source of additional funds have come from earnings on plan investments and any contributions the City's General Fund may have made since then.

Although records are not available, it appears the Plan may have been fully funded as early as 1992, which would have been based on an actuarial valuation done at that time. The valuation would have included assumptions as to the expected numbers of years the pensioners would receive benefits and expected returns on invested plan assets. However, from 1992 through 2009, these assumptions proved inaccurate. Most notably, pensioners have exceeded the original life expectancies assumed by the actuarial valuations. As a result, by June 2009 the Plan was underfunded by \$493,626. In order to ensure the Plan had sufficient funds to pay the promised benefits, in July 2010 Council approved a one-time contribution of \$493,626 from funds available in the Self Insurance Fund that were earmarked for Police and Fire employees.

It is important to note that the General Fund is ultimately responsible for ensuring the Plan has sufficient assets to pay the expected benefits. If any funds remain after all pensioners have passed away, they would return to the General Fund. Likewise, if the benefits payments exceed the assets in the fund, including future earnings, the General Fund would need to make up the difference.

While the Plan is now fully funded based on the most recent actuarial study, pensioners have not received any increases to monthly benefits since 1980. Consequently, the Fire and Police Pension Commission have recommended a 10% increase in benefits to the remaining four pensioners. If approved, the total monthly benefits would increase by \$596, from \$5,965 to \$6,561. This would amount to an average increase to each pensioner of \$149 per month.

Based on the most recent actuarial valuation, the total expected benefits to be paid over the remaining lives of the pensioners and any surviving spouse is \$556,377. The Plan currently has \$555,094 in assets (investments) to pay these benefits. A 10% increase in monthly benefits would correspondingly increase the total expected benefits payments by \$55,638 (10%), from \$556,377 to \$612,015.

If the 10% increase in monthly benefits were approved, the Plan's funded status would decrease from 99.8% to 90.7%, which means the Plan would be actuarially underfunded by \$56,921.

After considering the impacts to the Plan, the Pension Commission recommends the 10% increase for the following reasons:

1. It has been more than 20 years since the monthly pensions have been increased. A 10% increase amounts to less than 0.5% per year, well below the CPI.
2. The increase in monthly benefits represents an average of only \$149 per pensioner.

3. Although the funded status would decline to 90.7%, the Plan's financial condition is still strong, particularly in relation to other open and active retirement plans across the state, including those administered by CalPERS.

BUDGETARY IMPACT:

There is no immediate budgetary impact to the City since the increase in benefit payments would continue to be funded from assets available in the Plan. However, the City's General Fund may be impacted to the extent the increase in monthly pension benefits results in a shortfall in assets that would have to be made up by the General Fund.

PREPARED BY: Robert Samario, Finance Director

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Finance Committee

FROM: Environmental Services Division, Finance Department

SUBJECT: Award Of Contract For Processing Of Recyclable Material To MarBorg Industries, Inc.

RECOMMENDATION:

That the Finance Committee consider and recommend authorizing the Finance Director to execute a contract with MarBorg Industries, Inc., for processing of recyclable materials.

DISCUSSION:

In February 2013, the City awarded an exclusive franchise to MarBorg Industries, Inc. for the collection of trash and recyclables throughout the City. Once collected, trash is transported to Tajiguas Landfill for burial. Recyclable material is transported to recycling facilities for further processing. Material collected in carts and cans is transported to Gold Coast Recycling in Ventura; material collected in larger dumpsters is transported to MarBorg's processing facility located near the Santa Barbara Airport. For several years, the City has received a portion of the revenue derived from the sale of recyclables collected in carts and cans. However, the City has never shared in the revenue generated from the sale of recyclable material collected from dumpsters.

Since October of 2013, the City has engaged in negotiations with MarBorg on a new contract for the processing of recyclable material that it collects in dumpsters. In March of 2014, staff from the City and MarBorg reached agreement on the following terms for the new contract:

- Work to be Performed: MarBorg will process, separate, divert from disposal and market all material collected from designated recycling dumpsters throughout the City and shall supply all necessary equipment and personnel.
- Contract Term: Five (5) years. Payments to the City will be based on recyclable material collected as of January 1, 2014 and will continue through December 31, 2018. However, the City would have the right to terminate the contract and direct the

recyclable material to an alternative processing facility constructed as part of a cooperative venture with neighboring jurisdictions, such as the Resource Recovery Project, currently under review by the Cities of Santa Barbara, Goleta, Solvang, Buellton and the County.

- Payments by MarBorg to the City: MarBorg will pay the City a base fee of \$30.44 for each ton of recyclable material collected. The base fee will be adjusted by CPI each year of the contract term beginning on July 1, 2015. MarBorg will retain all other revenue derived from the sale of recyclable material.

BUDGET/FINANCIAL INFORMATION:

The Solid Waste Fund will receive \$30.44 per ton of recyclable material collected in dumpsters. Based upon the 4,800 tons of recyclable material collected in Calendar Year 2013, staff anticipates that this contract will generate revenues of approximately \$73,000 and \$146,000 for the Solid Waste Fund in Fiscal Years 2014 and 2015, respectively.

ATTACHMENT(S): Proposed Contract with MarBorg Industries, Inc.

PREPARED BY: Matt Fore, Environmental Services Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

SANTA BARBARA CITY AGREEMENT NO. _____

**AGREEMENT FOR RECYCLABLE MATERIAL PROCESSING
AND RECYCLABLE REVENUE SHARING**

THIS AGREEMENT, made and entered into on _____ by and between the

CITY OF SANTA BARBARA,
a municipal corporation, hereinafter
referred to as "City";

and

MARBORG INDUSTRIES, INC.,
hereinafter referred to as
"MarBorg",

WITNESSETH:

Whereas, MarBorg collects recyclable materials from residential, business and public service solid waste customers within the City of Santa Barbara pursuant to a Municipal Solid Waste Collection and Disposal Franchise dated February 12, 2013, as may be amended from time to time (hereinafter referred to as the "Franchise");

Whereas, recyclable materials have a resale value on the open market;

Whereas, MarBorg has the labor and equipment necessary to collect, process, and market recyclable materials;

Now, therefore, consideration of having the ability to collect, process and market recyclable materials collected within the City of Santa Barbara, the City and MarBorg agree as follows:

1. COLLECTION, PROCESSING AND MARKETING SERVICES

A. MarBorg shall supply all labor and equipment necessary to collect, process, and market all recyclable material collected from dumpsters pursuant to the Municipal Solid Waste Collection and Disposal Franchise Contract between the City of Santa Barbara and MarBorg Industries, Inc. dated as of February 12, 2013 ("Franchise Contract").

For purposes of this Agreement, "recyclable material" means those materials which are segregated by the City trash and recycling customers at the source of generation and set out for

collection in designated recycling dumpsters as defined in the Franchise. Recyclable material includes newsprint (including inserts, coupons and store advertisements); mixed paper (including magazines, catalogs, envelopes, junk mail, corrugated cardboard, brown bags and paper, paperboard, paper egg cartons, milk and juice cartons, office ledger paper, legal pad backing, shoeboxes and telephone books); glass containers (including brown, clear blue and green glass bottles and jars); aluminum (including beverage containers and foil products); scrap and cast aluminum; steel (including "tin" cans, aerosol cans (empty, non-toxic products) and scrap); bimetal containers; all other metals; all plastics (# 1-7), except expanded Polystyrene (EPS); aseptic packaging; textiles and shoes; and those materials as may be added to this Agreement by City.

The City and MarBorg agree that the definition of recyclable material shall be consistently applied across all designated recycling containers, including designated recycling carts, cans and dumpsters serviced pursuant to the Franchise Contract. This consistency ensures that a clear recycling message is communicated to City customers and facilitates uniform use of recycling services. Therefore, MarBorg agrees that City may amend the definition of recyclable material as viable markets develop for previously un-recyclable materials. A viable market is demonstrated if the City's processor of recyclable material from carts and cans is able to process, separate and divert from disposal a new material. Within 60 days of receiving notification from the City of a change to the definition of recyclable material, MarBorg shall process and separate all material types set forth in the amended definition. MarBorg shall then divert from disposal (to the extent practicable) all materials that have been newly added to the definition of recyclable material.

B. MarBorg shall possess and maintain throughout the term of this contract all federal, state, and local permits needed to operate the facility that will accept and process the recyclable material.

C. MarBorg shall collect, process, and market recyclable material without limitation as to amount, weight or periodic variances in quantity generated.

D. MarBorg shall properly dispose of all residual tonnage and pay all costs, including transportation and disposal costs.

E. MarBorg shall maintain a certified truck scale on-site to weigh all incoming loads of recyclable material. Each loaded vehicle shall be weighed upon entering the MarBorg's processing facility and weighed after tipping the recyclable material. MarBorg shall maintain a daily log of the time, sequential ticket number, vehicle number, gross vehicle weight, and tare vehicle weight and shall be provided to City upon request.

F. MarBorg shall divert all recyclable material in a manner that is acceptable for diversion credit under Assembly Bill 939. Under no circumstances may MarBorg landfill, burn, or convert for burning recyclable material diverted.

G. All recyclable material diverted shall meet or exceed secondary material market specifications for each class of recovered product.

H. If MarBorg, for any reason, is unable to process recyclable material collected pursuant to this Agreement, MarBorg shall ensure that such recyclable material is delivered to and processed by an alternate facility. MarBorg shall be responsible for costs to transport recyclable material and processing fees charged by the alternative facility. Regardless of the facility used to process recyclable material, MarBorg shall remit payment to City for all tons of recyclable material collected as set forth in Section 2 below.

I. In the event MarBorg inadvertently collects hazardous waste and during the course of transportation and disposition becomes aware that it has collected hazardous waste, MarBorg shall segregate such hazardous waste, and shall arrange for its transport to a properly permitted recycling, treatment or disposal facility of MarBorg's choosing. MarBorg shall be responsible for handling and arranging the proper transport and disposition of all hazardous waste that is collected or received by MarBorg, but may engage a licensed and permitted hazardous waste transport company to assist it. MarBorg may attempt to identify, locate and bill the responsible waste generator for additional costs incurred in disposing of such hazardous waste. For the purposes of this Scope of Work, "hazardous waste" means "Hazardous Waste" as defined in the Franchise Contract.

2. **PAYMENT TERMS**

A. **Base Per-Ton Compensation:** MarBorg shall remit to the City \$30.44 for each ton of recyclable material collected as recorded by MarBorg on Figure 1 (MarBorg Monthly Report) of Exhibit 10 of the Franchise.

B. **Consumer Price Index (CPI) Adjustment:** The Base Per-Ton Compensation rate shall be adjusted in each fiscal year by a Consumer Price Index adjustment, beginning July 1st of the City's fiscal year 2015-2016 (i.e., July 1, 2015.) The Consumer Price Index adjustment will be a fraction, the numerator of which is the Consumer Price Index as of December in the year in which compensation is to be paid minus the Consumer Price Index as of the December twelve (12) months earlier, and the denominator of which is the Consumer Price Index as of the December twelve (12) months earlier, and rounded to two decimal places. The Consumer Price Index to be used is the Los Angeles-Riverside Orange County Metropolitan Area Consumer Price Index (Urban Wage Earners and Clerical Workers, 1982-84= 1 00) compiled and published by the United States Department of Labor, Bureau of Labor Statistics, or a successor index thereto approved by the Bureau of Labor Statistics.

C. **Timing of Payments:** MarBorg shall remit biannual payments to the City. One payment shall be made by August 1 of each year for recyclable material processed from January 1 through June 30. The second payment shall be made by February 1 of each year for recyclable material processed from July 1 through December 31. The first payment shall be made to the City by July 30, 2014 for recyclable material processed between January 1, 2014 and June 30, 2014.

3. **REPORTING REQUIREMENTS**

A. **Reporting to the City.** By the 30th day following the last day of the preceding fiscal year (July to June) quarter, MarBorg will submit an electronic report to the City that

contains the following information:

1. Incoming Tonnage: Recyclable material collected from designated dumpsters from the City during the previous quarter.
2. Sorted Recyclable material: Tonnage, after sorting, broken down by material type, such as but not limited to:
 - OCC (Card Board)
 - ONP (Newspaper)
 - Mixed Paper
 - Cartons (aseptic and gable top)
 - Clear glass
 - Brown glass
 - Green glass
 - Mixed glass
 - Aluminum
 - Tin cans / bi-metal
 - Scrap metal
 - PET (Plastic #1)
 - Natural HDPE (Plastic #2)
 - Colored HDPE (Plastic #2)
 - Mixed Plastic (Plastics #3 through #7)
 - Mix #1 (unsorted recyclable material)
 - Residue
 - All other categories of recyclables to which MarBorg sorts material
3. Recyclables Revenue: Gross revenue received for the sale of recyclable material by material type, including for each material: a) Price per ton b) Number of tons sold at each price c) Total Revenue (if the same material type was sold at different prices, include this information for each price point at which material was sold, or report the average price weighted by the number of tons)
4. Department of Conservation Funds (CRV): Amount received from Department of Conservation, as: a) California Redemption Value (CRV) reimbursement; b) CRV processing payment c); CRV supplemental processing payment; and, d) any other amounts.

B. Reporting to the Department of Conservation. MarBorg shall complete and submit appropriate reports to the Department of Conservation (DOC) on behalf of the City, indicating the total tons of material attributed to the Curbside Identification Number assigned for this activity.

2. **TERM**

The term of this Agreement shall commence on January 1, 2014 and shall terminate as of midnight on December 31, 2018, unless otherwise terminated earlier pursuant to the terms of this Agreement.

3. **TERMINATION**

Should the City enter into a multi—jurisdictional resource recovery project that requires the diversion of recyclable material to an alternative processing facility, City may terminate this Agreement upon ninety (90) days written notice to MarBorg. Upon such termination, City may direct MarBorg to transport collected and processed recyclable material to an alternative processing facility of City's election as provided in the Franchise.

4. **INSURANCE AND INDEMNIFICATION**

As part of the consideration of this Agreement, MarBorg agrees to purchase and maintain at its sole cost and expense during the life of this agreement, and for five (5) years thereafter, insurance coverage against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by MarBorg, its agents, representatives, or employees.

A. REQUIRED COVERAGE. Coverage shall be at least as broad as:

1. Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations with limits of no less than Five Million Dollars (\$5,000,000) per occurrence for bodily injury, personal injury and property damage. If a general aggregate limit applies, either the aggregate limit shall apply separately to this project or the general aggregate limit shall be twice the required occurrence limit.

2. Automobile Liability: Insurance Services Office Form Number CA 0001 covering Code 1 (any auto), with limits of no less than Five Million Dollars (\$5,000,000) per accident for bodily injury and property damage.

3. Workers' Compensation: In accordance with the provisions of the California Labor Code, MarBorg is required to be insured against liability for Workers' Compensation or to undertake self-insurance. Statutory Workers' Compensation and Employers' Liability of at least \$1,000,000 shall cover all MarBorg's staff while performing any work incidental to the performance or this agreement.

MarBorg is required to be insured for coverage for benefits under the United States Longshoremen's and Harbor Workers' Compensation Act for any work on, over, or near any navigable waters.

If MarBorg maintains higher coverage limits than the amounts shown above, then the City requires and shall be entitled to coverage for the higher coverage limits maintained by MarBorg.

Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

B. OTHER INSURANCE PROVISIONS

Each insurance policy shall contain, or be endorsed to contain, the following five (5) provisions:

1) Additional Insured Status

The City of Santa Barbara, its officers, employees, and agents, shall be covered as additional insureds on the Commercial General Liability and the Automobile Liability policy with respect to liability arising out of work or operations performed by or on behalf of MarBorg including materials, parts, or equipment furnished in connection with such work or operations and automobiles owned, leased, hired, or borrowed by or on behalf of MarBorg. Additional Insured coverage shall be provided in the form of an endorsement to MarBorg's insurance (at least as broad as Insurance Services Office Form CG 20 10 11 85). A copy of the endorsement evidencing that the City of Santa Barbara has been added as an additional insured on the policy, must be attached to the certificate of insurance.

2) Subcontractors

MarBorg shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and MarBorg shall ensure that the City is an additional insured on insurance required from subcontractors. For Commercial General Liability coverage subcontractors shall provide coverage with a format at least as broad as Insurance Services Office form CG 20 38 04 13.

3) Notice of Cancellation

A provision that coverage will not be cancelled or subject to reduction without written notice given to the City Clerk, addressed to P.O. Box 1990, Santa Barbara, California 93102-1990.

4) Primary Coverage

For any claims related to this contract, MarBorg's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the City shall be excess of MarBorg's insurance and shall not contribute with it.

5) Waiver of Subrogation

MarBorg hereby agrees to waive rights of subrogation which any insurer of MarBorg may acquire from MarBorg by virtue of the payment of any loss. MarBorg agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation. MarBorg agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the City for all work performed by MarBorg, its employees, agents and subcontractors.

C. ACCEPTABILITY OF INSURERS

All insurance coverage shall be placed with insurers that have a current rating from AM Best of no less than A: VII; and are admitted insurance companies in the State of California. All other insurers require prior approval of the City.

D. COVERAGE LIMITS SPECIFICATIONS

Approval of the insurance by City or acceptance of the certificate of insurance by City shall not relieve or decrease the extent to which MarBorg may be held responsible for payment of damages resulting from MarBorg's services or operation pursuant to this Agreement, nor shall it be deemed a waiver of City's rights to insurance coverage hereunder.

If, for any reason, MarBorg fails to maintain insurance coverage which is required pursuant to this Agreement, the same shall be deemed a material breach of contract. City, at its sole option, may terminate this Agreement and obtain damages from MarBorg resulting from said breach. Alternately, City may purchase such required insurance coverage, and without further notice to MarBorg, City may deduct from sums due to MarBorg any premium costs advanced by City for such insurance.

E. DEDUCTIBLES AND SELF-INSURED RETENTIONS

Any deductibles or self-insured retentions must be declared to and approved by the City. At the option of the City, either: MarBorg shall cause the insurer to reduce or eliminate such deductibles or self-insured retentions as respects the City, its officers, officials, employees, and volunteers; or MarBorg shall provide a financial guarantee satisfactory to the City guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

F. EVIDENCE OF COVERAGE

MarBorg must provide evidence that it has secured the required insurance coverage before execution of this agreement. A Certificate of Insurance supplied by the City or the appropriate ACORD and Insurance Services Office forms evidencing the above shall be completed by MarBorg's insurer or its agent and submitted to the City prior to execution of this Agreement by the City.

MarBorg shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive MarBorg's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

5. NO WAIVER OF PROVISIONS

No waiver of a breach of any provision of this Agreement shall be construed to be a continuing waiver of that provision, nor a waiver of any breach of another provision of this Agreement.

6. APPLICABLE LAWS, PARTIAL INVALIDITY

This agreement shall be subject to the laws, rules, regulations, Charter and ordinances in effect within the City of Santa Barbara, County of Santa Barbara, California, and any interpretation of the law that may be necessary shall be pursuant to the laws applicable within that jurisdiction. If any provision of this Agreement is determined to be invalid, illegal, or unenforceable for any reason, that provision shall be deleted from this Agreement and such deletion shall in no way affect, impair, or invalidate any other provision of this Agreement, unless it was material to the consideration for the performance required. If a provision is deleted which is not material to such consideration, the remaining provisions shall be given the force and effect originally intended.

IN WITNESS WHEREOF, the parties have executed this agreement as of the date and year first written above.

CITY OF SANTA BARBARA
A Municipal Corporation

MARBORG INDUSTRIES, Inc.

James L. Armstrong
City Administrator

Mario A. Borgatello
President

ATTEST:

David J. Borgatello
Secretary

Gwen Pierce, CMC
City Clerk Services Manager

APPROVED AS TO CONTENT:

Robert Samario
Finance Director

APPROVED AS TO FORM:

Ariel Calonne
City Attorney

Business Tax Compliance:
Certificate No. _____

Brenda Craig

APPROVED AS TO INSURANCE:

Mark Howard
Risk Manager

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE MEETING

MEETING AGENDA

DATE: June 10, 2014
TIME: 12:30 p.m.
PLACE: Council Chambers

Randy Rowse, Chair
Frank Hotchkiss
Cathy Murillo

Office of the City
Administrator

Office of the City
Attorney

Kate Whan
Administrative Analyst

Ariel Pierre Calonne
City Attorney

ITEM FOR CONSIDERATION

Subject: State Street Sidewalk Behavior And Panhandling Ordinances

Recommendation: That the Ordinance Committee:

- A. Review certain proposed changes to the State Street Sitting and Lying Down Ordinance and the Abusive Panhandling Ordinance; and
- B. Consider enacting an ordinance to prohibit public urination and defecation.



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Ordinance Committee

FROM: Ariel Pierre Calonne, City Attorney

SUBJECT: State Street Sidewalk Behavior And Panhandling Ordinances

RECOMMENDATION: That the Ordinance Committee:

- A. Review certain proposed changes to the State Street Sitting and Lying Down Ordinance and the Abusive Panhandling Ordinance; and
- B. Consider enacting an ordinance to prohibit public urination and defecation.

DISCUSSION:

Background

On April 22, 2014, the City Council voted unanimously (6-0, Francisco absent) to refer to the Ordinance Committee for further consideration and review issues raised in a memorandum from Councilmembers Hotchkiss and Rowse. (See April 3, 2014 Memorandum included as Attachment 1.) The memorandum raises the possibility of taking the following specific actions:

- Expanding the 7:00 a.m. to 9:00 p.m. hours of the current Sit/Lie prohibition
- Adding a prohibition on sitting, standing or lying down upon any planting, railing or statue placed or installed on a public sidewalk
- Expanding the "active" panhandling prohibition near ATM's from 25 feet to 80 feet, subject to constitutional analysis by the City Attorney
- Expanding the "active" panhandling prohibition to other areas where there are captive audiences, such as busses and other public transportation vehicles
- Prohibiting urinating or defecating in public

The relevant existing Santa Barbara Municipal Code excerpts are included as Attachment 2 to this report.

The Council memorandum also suggested directing the City Attorney to undertake research and report back to the Ordinance Committee on the legal feasibility of adding to the municipal code the following considerations:

- A prohibition on groups of people congregating in a manner that blocks the free movement of pedestrian traffic on our downtown sidewalks
- A prohibition on the use of public benches and street furniture for the storage, sale or display of merchandise or personal items
- A prohibition on active panhandling within a prescribed distance of a queue of persons waiting to gain admission to a place of business and outdoor dining areas

The Ordinance Committee should give direction on which of the above-referenced ideas it wishes to have researched further. The Ordinance Committee may also wish to add other suggestions after hearing from the public. The City Attorney will prepare draft ordinance amendments in conjunction with the research.

Legal Framework

The Council may generally enact reasonable time, place and manner restrictions upon constitutionally protected speech (such as begging for alms or panhandling), provided that the regulations are content-neutral, narrowly drawn, necessary to further a significant government interest, and allow for ample alternative channels for communication.

Content neutrality is critical. Accordingly, objections to panhandling or panhandlers may not be used to justify regulations:

“The principal inquiry in determining content neutrality, in speech cases generally and in time, place, or manner cases in particular, is whether the government has adopted a regulation of speech because of disagreement with the message it conveys.” *Ward v. Rock Against Racism*, 491 U.S. 781, 791 (1989).

Again, there must be “no evidence that the city adopted the ordinance because of a disagreement with the message” *Honolulu Weekly, Inc. v. Harris*, 298 F.3d 1037, 1044 (9th Cir. 2002).

Regulations must also be narrowly drawn or “tailored.” However, the courts are clear that:

“‘Narrow tailoring’ does not require the government to adopt the ‘least restrictive or least intrusive means of serving the statutory goal’ when the regulation does not completely foreclose any means of communication. The requirement that the regulation be ‘narrowly tailored’ will be met ‘so long as the . . . regulation promotes a substantial government interest that

would be achieved less effectively absent the regulation' and the regulation is not 'substantially broader than necessary to achieve the government's interest.'" *Honolulu Weekly, Inc. v. Harris*, 298 F.3d 1037, 1045 (9th Cir. 2002), citations omitted.

It is important that the Ordinance Committee consider and describe the significant governmental interests it wishes to further so that the regulations can be appropriately tailored to meet Santa Barbara's needs. The City has a significant governmental interest, for example, in traffic congestion, public safety, avoiding visual clutter, and crowd control. As the United States Supreme Court has put it:

"Nor could one, contrary to traffic regulations, insist upon a street meeting in the middle of Times Square at the rush hour as a form of freedom of speech or assembly. Governmental authorities have the duty and responsibility to keep their streets open and available for movement." *Cox v. State of La.*, 379 U.S. 536, 554-55 (1965).

Ample alternative channels of communication must also be left open. This means that it will be necessary to do relatively precise mapping of the City's downtown core areas in order to determine whether expanded "place" regulations – like expanding the ATM panhandling prohibition from 25 to 80 feet – leave open ample alternative channels for communication.

With respect to sitting and lying down regulations, Eighth Amendment cruel and unusual punishment concerns may arise when insufficient shelter space is available and an ordinance criminalizes behavior such as sitting, lying, or sleeping at night while being involuntarily homeless. The Ordinance Committee should be cautious to take these concerns into account as it seeks legal guidance on potential ordinance expansion or other changes.

Next Steps

The Ordinance Committee direction will be used by the City Attorney to conduct detailed research into the legal feasibility of the various proposals. This will include downtown mapping prepared with the assistance of the Public Works and Community Development Departments. The City Attorney will report back to the Ordinance Committee with a comprehensive legal analysis and draft ordinance amendments.

- ATTACHMENT(S):**
1. April 3, 2014, memorandum from Councilmembers Hotchkiss and Rowse
 2. Santa Barbara Municipal Code excerpts

PREPARED BY: Ariel Pierre Calonne, City Attorney
SUBMITTED BY: Ariel Pierre Calonne, City Attorney
APPROVED BY: City Administrator's Office



City of Santa Barbara
Mayor & Council Office

Memorandum

DATE: April 3, 2014

TO: James L. Armstrong, City Administrator

FROM: Council Members Frank Hotchkiss and Randy Rowse

SUBJECT: Sit-Lie and Abusive Panhandling Ordinance Referral to Ordinance Committee

- Summary of Information to be Presented to the City Council

Receive a report on discussions with the downtown business community regarding specific proposals to update the Sit-Lie and Abusive Panhandling Ordinances. Consider enacting a new ordinance prohibiting urinating or defecating in public. Refer the matter to the Ordinance Committee for further consideration and review.

- Statement of Specific Action the Council will be asked to take

The municipal code currently prohibits sitting or lying down on public sidewalks and paseos along the first thirteen blocks of State Street during the hours between 7:00 a.m. and 9:00 p.m. We would propose expanding the hours of the prohibition and adding a prohibition on sitting, standing or lying down upon any planting, railing or statue placed or installed on a public sidewalk.

The municipal code currently prohibits abusive panhandling anywhere in the City. "Active" panhandling – meaning a verbal (oral) request seeking a donation of money or other item of value is prohibited in certain locations only. For example, active panhandling is currently prohibited with 25 feet of any ATM. We would propose increasing this area to approximately 80 feet, subject to analysis by staff of the impacts on the constitutionally-required alternative locations for solicitation speech. We would also propose expanding the ban on solicitation to busses and other public transportation vehicles.

Neither the municipal code nor state law directly prohibits urinating or defecating in public. While this behavior may be prosecuted under state law as a nuisance, this form of action constitutes a misdemeanor that falls to the District Attorney's Office for prosecution. We propose adding a prohibition on urinating or

defecating in public to the municipal code in order to facilitate enforcement against this nuisance behavior.

Finally, we would like Council to direct the City Attorney to undertake research and report back to the Ordinance Committee on the legal feasibility of adding to the municipal code the following considerations:

- A prohibition on groups of people congregating in a manner that blocks the free movement of pedestrian traffic on our downtown sidewalks;
- A prohibition on the use of public benches and street furniture for the storage, sale or display of merchandise or personal items;
- A prohibition on active panhandling within a prescribed distance of a queue of persons waiting to gain admission to a place of business and outdoor dining areas.
- A requirement for appropriate signage to inform the public of these regulations

We believe all of these issues should be referred to the Ordinance Committee for further consideration and review. We also believe the Ordinance Committee should hear from our Police Department on current enforcement issues that might be further addressed.

- Statement of the Reasons Why it is Appropriate and Within the Jurisdiction of the Council to Consider this Subject Matter and to Take the Requested Action

Improving the quality of life for all Santa Barbara residents is a crucial function of the City Council. We believe our modest proposals will do just that.

cc: Mayor and Council
Cam Sanchez, Police Chief
Ariel Calonne, City Attorney

Chapter 9.97

**SITTING OR LYING ON SIDEWALKS AND PASEOS ALONG CERTAIN
DOWNTOWN PORTIONS OF STATE STREET**

Section:**9.97.010 Sitting or Lying on Public Sidewalks in Certain Downtown Areas of State Street.****9.97.010 Sitting or Lying on Public Sidewalks in Certain Downtown Areas of State Street.**

A. **Prohibition.** No person shall sit or lie down upon a public sidewalk or public paseo or upon a blanket, chair, stool, or any other object placed upon a public sidewalk or public paseo, during the hours between 7:00 a.m. and 9:00 p.m. along the first thirteen (13) blocks of State Street from Cabrillo Boulevard to and including the 1300 block of State Street.

For the purposes of this subsection (A), the terms "public sidewalk or public paseo" shall include those public pedestrian sidewalks or public paseos which serve as access to and from State Street and the City parking facilities adjacent to State Street within the designated blocks, which shall also specifically include the area known as "Storke Placita".

B. **Exceptions.** The prohibitions of Subsection A shall not apply to any person or persons:

1. who is sitting or lying down on a public sidewalk due to a medical emergency;
2. who, as the result of a disability, utilizes a wheelchair, walker, or similar device to move about the public sidewalk;
3. who is operating or patronizing a commercial establishment conducted on the public sidewalk pursuant to a street use permit issued pursuant to Chapter 9.95 of this Title or who is participating in or attending a parade, festival, performance, rally, demonstration, meeting, or similar event conducted on public sidewalk pursuant to a street use or other applicable parade permit issued by the City in accordance with this Code.

Nothing in any of these exceptions shall be construed to permit any conduct which is otherwise prohibited by this Code.

C. **Scope.** Nothing herein shall be deemed to apply the requirements of subsection (A) to the following:

1. a person who is sitting on a chair, wall, or bench located on the public sidewalk which is supplied by a public agency or by the abutting private property owner for such purposes or;
2. a person who is sitting on a public sidewalk within a bus stop zone while waiting for public transportation.

D. **Prior Warning.** No person shall be prosecuted for a violation of this Chapter unless the person engages in conduct prohibited by this Chapter after having been notified by a law enforcement officer that the conduct violates this Chapter.
(Ord. 5009, 1997.)

Chapter 9.98

PEDESTRIANS BLOCKING PUBLIC SIDEWALKS

Sections:**9.98.010 Unlawful.****9.98.020 Parade Viewing Excepted.****9.98.030 Penalty for Violation.****9.98.010 Unlawful.**

No person shall stand or sit in or upon any street, sidewalk or crosswalk in the City in any manner so as to hinder or obstruct the free passage of pedestrians thereon, or to annoy or molest such pedestrians. (Ord. 3162 §1, 1966.)

9.98.020 Parade Viewing Excepted.

This chapter shall not apply to persons engaged in viewing a parade duly and regularly permitted by the City.
(Ord. 3162 §2, 1966.)

9.98.030 Penalty for Violation.

Any person who violates the provisions of this chapter is deemed guilty of a misdemeanor and shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or imprisonment for a term of not exceeding six (6) months, or by both such fine and imprisonment. (Ord. 3162 §3, 1966.)

Chapter 9.48

COMMERCIAL USE OF CITY STREETS

Section:

9.48.010 Commercial Use of City Streets.

9.48.010 Commercial Use of City Streets.

A. **GENERALLY.** It shall be unlawful for any person, whether acting as principal, agent, clerk, employee, or otherwise, to use any public street, public parking lot, or public sidewalk in the City for the purpose of selling, vending, offering for sale or soliciting or receiving orders for the sale of any goods, wares or merchandise.

B. **SALE OF NEWSPAPERS.** Notwithstanding subsection A hereof, nothing herein shall prohibit any person from selling or offering for sale newspapers, magazines and periodicals upon any of the public sidewalks of the City in the present customary and usual manner of selling and offering for sale of newspapers, magazines, and periodicals in the City.

C. **EXEMPTION FOR SIDEWALK SALES, FARMERS' MARKETS, AND SIDEWALK CAFE TABLES.** Notwithstanding subsection A hereof, an individual or an organization may, upon the issuance of a permit by the Director of Public Works in accordance with the requirements of this Chapter and the administrative regulations adopted pursuant hereto, use a public street or sidewalk in the City for the following limited purposes:

1. **Sidewalk Sales.** A retail business licensed to do business at a location within the City may conduct a sale of merchandise on a City sidewalk under the following conditions:

a. the sale occurs only on a public sidewalk immediately adjacent to the retail business; and

b. the retail business does not conduct such sidewalk sales for more than a total of ten (10) days for each calendar year provided, however, that those businesses within a two (2) block radius of a construction project which impacts pedestrian or vehicular access to the City block within which the business is located for a period exceeding fourteen (14) consecutive days may be allowed up to twenty (20) days for sidewalk sales during the year in which the construction project is undertaken.

2. **Farmers' Markets.** An individual or an organization may use a public street or City parking lot for the purpose of conducting a Certified Farmers' Market [as defined and provided for in Title 3, Chapter 3 of the California Code of Regulations] under the following conditions:

a. the merchandise offered for sale at the Farmers' Market is allowed to be sold at a Certified Farmers' Market; and

b. the use of the street or public parking lot is authorized by and pursuant to a written license agreement between the City and the Market sponsor, which license agreement limits the Market to a specified day or days of the week and to certain limited hours; and,

c. the vendors of merchandise at the Farmers' Market are authorized to conduct such sales by the organization sponsoring the Market and entering into the license agreement with the City.

3. **Limited Nonprofit Sidewalk Sales.** In connection and concurrent with a Parade or Event (as permitted and defined in Municipal Code Section 9.12.020), which Parade or Event is sponsored by a nonprofit entity (as evidenced by tax-exempt status under state and federal tax laws), a public sidewalk may be used for the limited merchandising of items or services under the following conditions:

a. the sidewalk sales may occur for a period not to exceed five (5) days in any calendar year, and the sales must be concurrent with the associated Parade or Event; and,

b. the location of any booth or table used by a sidewalk vendor under this subsection shall be at a specific location approved in advance by the City; and,

c. the net proceeds received by the nonprofit corporation from such sales are to be devoted exclusively for the benefit of the sponsoring nonprofit organization(s); and,

d. the persons conducting such sales are authorized in writing to do so by the nonprofit organization sponsoring the event; and,

e. for the purposes of this subsection, the word "concurrent" shall be defined as occurring within the same calendar week (Sunday through Saturday).

4. **Sidewalk Sales in Connection with a Reserved Park Event.** A public street or sidewalk immediately adjacent to a City park facility may be used for the limited merchandising of items under the following conditions:

a. the person or organization sponsoring the merchandising is a nonprofit entity, and it has reserved the adjacent park facility for an event pursuant to the requirements of Santa Barbara Municipal Code Chapter 15.05 and 15.16; and,

b. the sales occur only during the time the park is being used for the reserved event; and,

c. the persons conducting such sales are authorized in writing to do so by the nonprofit sponsoring the event; and

d. the net proceeds received by the nonprofit corporation from such sales are to be devoted exclusively for the benefit of the sponsoring nonprofit organization.

5. **Sidewalk Cafe Tables Under Chapter 9.95.** For the placement of sidewalk cafe tables in accordance with Santa Barbara Municipal Code Chapter 9.95.

D. **SIDEWALK MERCHANDISING REGULATIONS AND PERMITS.** The City Administrator, acting by and through the Director of Public Works, is hereby directed to prepare an appropriate administrative process (along with related administrative regulations) for the City's acceptance, review, and processing of applications for the issuance of sidewalk merchandising permits, as such permits are allowed by and consistent with the requirements of this Section. (Ord. 5350, 2005; Ord. 5236, 2002; Ord. 4843, 1993; Ord. 4751, 1992; Ord. 3880, 1976; Ord. 3852, 1976; prior Code §32.23.)

Chapter 9.50

PROHIBITION OF ABUSIVE PANHANDLING

Sections:

9.50.010	Purpose.	9.50.040	Use of Public Benches and Facilities on Certain Streets for Active Panhandling.
9.50.020	Definitions.	9.50.050	Penalty for Abusive Panhandling.
9.50.030	Abusive Panhandling Prohibited; Specific Locations Where Active Panhandling is Restricted.		

9.50.010 Purpose.

In order to protect and promote the rights of the general public to be free from inappropriate conduct and from the potential physical confrontations sometimes associated with panhandling, the City Council finds that there is a need to adopt a City ordinance which imposes reasonable and specific time, place, and manner limitations on those forms of inappropriate and unlawful conduct which may be associated with aggressive panhandling. At the same time, the Council seeks to properly and duly recognize, as well as fully protect to the full extent possible, the First Amendment free speech rights of all concerned.

The Council also finds that balancing the need for public safety with the need to duly protect constitutional rights is especially critical in certain popular retail and visitor-serving areas of the City, such as Cabrillo Boulevard, lower Milpas Street, and certain blocks of State Street (those within the City Central Business District) since these areas are popular public gathering spaces and are often crowded with members of the public and visitors to the Santa Barbara area, and since these areas provide only limited public amenities, such as public seating and outdoor dining areas. The Council further finds that, because these areas of Santa Barbara often have thousands of visitors each day and because there is limited public seating and gathering areas available within these blocks of these streets, it is necessary and appropriate to provide panhandling regulations which prevent some persons from monopolizing the use of a public bench or a public seating area for active panhandling. There is therefore a necessity for the City Council to adopt City regulations which provide for the shared and reasonable use of these public facilities by all members of the public, especially the elderly and persons with special access needs.

Finally, the City Council believes that these City panhandling regulations will not prevent those persons who wish to properly solicit alms or charitable donations from appropriately using public benches and public seating facilities within these areas of the City for temporary respite purposes, nor will these panhandling regulations impact the content of any protected forms of expressive statements made by a panhandler or otherwise improperly restrict anyone's First Amendment rights. (Ord. 5499, 2009.)

9.50.020 Definitions.

The following words or phrases as used in this Chapter shall have the following meanings:

A. Panhandling.

1. Forms of Panhandling. Panhandling may occur in two forms as follows:

a. Active Panhandling. Any verbal request made by one person to another person seeking a direct response of an immediate donation of money or other item of value.

b. Passive Panhandling. The act of only passively displaying a sign or using any other non-verbal indication that a person is seeking donations without addressing a verbal request or solicitation to any specific person, other than in response to an inquiry from that person.

B. Donation. A gift of money or other item of value and including the purchase of an item for an amount far exceeding its value under circumstances where a reasonable person would understand that the purchase is in substance a gift.

C. Abusive Panhandling. To do one or more of the following acts while engaging in panhandling or immediately thereafter:

1. Blocking or impeding the passage or the free movement of the person panhandled;
2. Following the person panhandled by proceeding behind, ahead or alongside of him or her after the person panhandled declines to make a donation;
3. Threatening, either by word or gesture, the person panhandled with physical harm or an assault;
4. Abusing the person being panhandled with words which are offensive and inherently likely to provoke an immediate violent reaction;
5. Touching the person being panhandled without that person's consent; or
6. Engaging in Active Panhandling in any of the prohibited places or under any of the circumstances specified in subparagraph B of section 9.50.030 hereof. (Ord. 5499, 2009.)

9.50.030 Abusive Panhandling Prohibited; Specific Locations Where Active Panhandling is Restricted.

A. Abusive Panhandling Prohibited. Abusive Panhandling is unlawful and prohibited entirely within the city of Santa Barbara.

B. Active Panhandling Restricted. Active Panhandling is prohibited when the person being panhandled is in any of the following locations:

1. Waiting at a bus stop;
2. In a vehicle on a public street or alleyway;
3. In a City parking lot or parking structure without regard to whether the person is in a vehicle or not;
4. Within an outdoor dining area of a restaurant or other dining establishment serving food for immediate consumption;
5. Within twenty-five feet of an automated bank teller machine; or
6. In a queue of persons waiting to gain admission to a place of business or to a vehicle, or waiting to purchase an item or admission ticket. (Ord. 5499, 2009.)

9.50.040 Use of Public Benches and Facilities on Certain Streets for Active Panhandling.

Active Panhandling is prohibited while seated on or otherwise using a public bench or seating area (including any landscape planter or other public street furniture which can be sat upon) within the following areas of the City:

1. **State Street.** On either side of State Street from the 400 block to the 1200 block; or
2. **Milpas Street.** Either side of Milpas Street from the 00 block South to the 200 block North; or
3. **Cabrillo Boulevard.** Cabrillo Boulevard between Castillo Street and Milpas Street. (Ord. 5499, 2009.)

9.50.050 Penalty for Abusive Panhandling.

Any person who engages in abusive panhandling as defined herein shall be guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed one thousand dollars (\$1000) or be imprisoned for a period not to exceed six months, or both. Other violations of this chapter shall be prosecuted in accordance with the requirements of Santa Barbara Municipal Code Section 1.28.010. (Ord. 5499, 2009.)



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING
May 29, 2014

CENTRAL LIBRARY, FAULKNER GALLERY, 40 E. ANAPAMU STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 6:02 p.m.

ROLL CALL

Councilmembers present: Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Dale Francisco.

Staff present: City Administrator James L. Armstrong, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

(Note: This Public Comment was taken after the public comment related to the Work Session item.)

Speakers: Wayne Scoles, Cruzito Herrera Cruz, Mickey Flacks.

NOTICES

The City Clerk has on Thursday, May 22, 2014, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

WORK SESSIONS

Subject: District Elections And Other Voting System Options (110.03)

Recommendation: That Council review the accompanying discussion, receive public comment, and consider providing direction to staff regarding possible Charter amendments.

(Cont'd)

Subject: District Elections And Other Voting System Options (Cont'd)

Documents:

May 29, 2014, report from the City Attorney.

Speakers:

- Staff: City Attorney Ariel Calonne, City Administrator James Armstrong.
- Members of the Public: Ted Tedesco; Wayne Scoles; Mickey Flacks; Isaac Garrett; Cruzito Herrera Cruz; Bonnie Raisin; Milt Hess; Lanny Ebenstein; Lucas Zucker, CAUSE; Jacqueline Inda; Sebastian Aldana, Jr.; Jason Colbert; Sheila Lodge; Robin Morse.

Motion:

Councilmembers Hotchkiss/Rowse to direct Staff to engage a demographic expert to present to Council information regarding the determination as to whether racially polarized voting exists in Santa Barbara.

Vote:

Unanimous voice vote (Absent: Councilmember Francisco).

Motion:

Councilmembers Murillo/Hart to place an item on a future Council agenda for the formation of an ad hoc Council subcommittee which will discuss the issue of district elections with the committee from the community supporting this change to the City's election system.

Vote:

Majority voice vote (Noes: Councilmember Hotchkiss; Absent: Councilmember Francisco).

Motion:

Councilmember Murillo/Mayor Schneider to place a measure on the November 2014 election ballot to ask the voters whether the City should change its election system to a configuration in which 6 Councilmembers are elected by district and the Mayor is elected at large.

Vote:

Failed to carry by voice vote (Ayes: Councilmembers Murillo, White, Mayor Schneider; Noes: Councilmembers Hart, Hotchkiss, Rowse; Absent: Councilmember Francisco).

ADJOURNMENT

Mayor Schneider adjourned the meeting at 7:36 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA ADOPTING THE 2014-2016 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA BARBARA AND THE SERVICE EMPLOYEES' INTERNATIONAL UNION, LOCAL 620, HOURLY EMPLOYEES' BARGAINING UNIT

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. The Memorandum of Understanding between the City of Santa Barbara and the Service Employees' International Union, Local 620, Hourly Employees' Bargaining Unit, entered into as of January 1, 2014 and attached hereto and incorporated herein by reference as Exhibit "A", is hereby adopted.

SECTION 2. The City Administrator is authorized to extend the same salary and benefit provisions contained in Exhibit "A" to hourly employees who otherwise meet the qualifications for bargaining unit, but are excluded from bargaining unit membership under Section 1(a), 1(b), or 1(c) of Appendix A ("Defining Eligibility in the Bargaining Unit") to Exhibit "A".

SECTION 3. During the term of the Memorandum of Understanding, the City Administrator is hereby authorized to implement the terms contained therein without further action by the City Council, unless such further action is explicitly required by state or federal law. This authorization shall include, but not be limited to, the authority to implement employee wage increases and changes to the wage schedule(s) that were adopted with the annual budget.

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF SANTA BARBARA
AND
SERVICE EMPLOYEES' INTERNATIONAL UNION, LOCAL 620,
HOURLY EMPLOYEES' BARGAINING UNIT**

THIS AGREEMENT IS ENTERED INTO AS OF _____, BETWEEN THE CITY OF SANTA BARBARA, HEREINAFTER REFERRED TO AS THE "CITY", AND THE SERVICE EMPLOYEES' INTERNATIONAL UNION, LOCAL 620, HEREINAFTER REFERRED TO AS "UNION."

Pursuant to Section 3.12 of the Municipal Code of the City of Santa Barbara and Section 3500 et. seq. of the Government Code, the duly authorized representatives of the City and the Union, having met and conferred in good faith concerning the issue of wages, hours, and terms and conditions of employment, as herein set forth, declare their agreement to the provisions of this Memorandum of Understanding.

FOR THE CITY:

FOR THE UNION:

Kristine Schmidt
Acting Administrative Services Director

Roberta Van Gelder
Library Assistant I

Kate Whan
Administrative Analyst

Cynthia Goena
SEIU Local 620

Mike Woods
SEIU Local 620

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HOURLY EMPLOYEES**

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1. PREAMBLE

This AGREEMENT, hereinafter referred to as the Agreement, entered into by the CITY OF SANTA BARBARA, hereinafter referred to as the City, and the SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 620, hereinafter referred to as the Union, has as its purpose the promotion of harmonious labor relations between the City and the Union; establishment of an equitable and peaceful procedure for the resolution of differences; and the establishment of rates of pay, hours of work and other terms and conditions of employment.

The term "Agreement" as used herein means the written agreement provided under Section 3505.1 of the Government Code.

2. RECOGNITION

The City recognizes the Union as the recognized employee organization for temporary employees as defined in the tentative agreement "Defining Eligibility in the City of Santa Barbara Temporary Employee Bargaining Unit" signed by the parties on 11/3/03 (see appendix A). The parties agree that henceforth bargaining unit members will be referred to as "hourly" employees, and the bargaining unit will be the "Hourly Employees Bargaining Unit".

3. TERM OF AGREEMENT

Pursuant to California Government Code Section 3500 et seq., the parties have met and conferred over wages, hours, benefits and other terms and conditions of employment. As a result of agreement being reached, and subsequent ratification by the Union and approval by the City Council, the following terms and conditions of employment shall remain in effect for the period commencing January 1, 2014 and expiring December 31, 2016.

Either party may present to the other a written proposal to reopen negotiations for a successor Memorandum of Understanding if done between October 31, 2016 and December 31, 2016. Failure to submit such a proposal to reopen negotiations shall result in the continuation of the Memorandum of Understanding on the same terms and conditions therein for one additional year.

4. IMPLEMENTATION

City shall implement the provisions of this Memorandum of Understanding by adopting appropriate resolutions, ordinances, and administrative policies.

5. EQUAL EMPLOYMENT OPPORTUNITY, NO DISCRIMINATION

a. The City and the Union agree that the provisions of this Agreement shall be applied to all employees covered herein without favor or discrimination because race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, pregnancy, age, sexual orientation, political or religious affiliations, union membership, or military and veteran status.

b. The City and the Union agree to commit themselves to the goal of equal employment opportunity in all City services. Further, the Union agrees to encourage their members to assist in the implementation of the equal opportunity program.

c. Employees who believe they have been subjected to discrimination or harassment based on one of the categories above, or have been retaliated against for good faith participation in efforts to address such discrimination or harassment, may complain through the procedure outlined in the City's Non-discrimination and Harassment Policy and Employee Complaint Procedure. Employees may also pursue their complaint with the Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission.

6. DEFINITIONS

a. Assignment to Regular Classification: An hourly assignment to a classification that exists as a regular full-time or part-time classification.

b. Assignment to an Hourly or "L/T" (Limited/Term) Classification: An hourly assignment to a classification that exists only as an hourly employment classification. (Also: "L/T employee")

c. Active Employee/ Status: An hourly employee still active in the payroll system. An employee will remain in active status until his/her employment assignment has ended, whether or not the employee is in paid status during any specific pay period.

d. Terminated Employee/ Status: An employee who has been taken out of active status because the employee's assignment has been terminated. The department will mail a copy of the personnel/payroll action terminating the employee from the payroll system to the employee's address on file.

7. AGENCY SHOP

a. The City recognizes that the bargaining unit is organized as an agency shop in accordance with a September 2005 election of bargaining unit members. Agency shop as used in this section means an organizational security arrangement as defined in Government Code Section 3502.5 and applicable law.

b. Agency Fee –Unless the employee has within 30 days of the mailing of the agency shop notification: a) voluntarily submitted to the City an effective dues deduction request; b) individually made direct financial arrangements satisfactory to the Union as evidenced by notice of same by the Union to the City; or c) qualified for exemption upon religious grounds as provided below, upon notice from the Union, the City shall process a mandatory agency fee payroll deduction in the appropriate amount and forward that amount to the Union.

Each new employee attaining eligibility for the bargaining unit shall be required to choose to: a) become a member in good standing of the Union (a “union member”), or, b) satisfy the agency fee financial obligations set forth above (become a “fee payer”), unless he/she qualifies for the religious exemption set forth in subsection “d” below.

The amount of the fee to be charged shall be determined by the Union subject to applicable law; and will therefore be an amount not to exceed the normal periodic membership dues, initiation fee, and general assessment applicable to Union members.

For non-members objecting to the Union spending their agency fee on matters unrelated to collective bargaining and contract administration (“core fee payers”), the amount of the agency fee charged will not reflect expenditures which the Court has determined to be non-chargeable, including political contributions to candidates and parties, members only benefits, charitable contributions and ideological expenditures and for certain aspects of lobbying, ballot measures, publications, organizing and litigation.

c. Union Obligations– The Union shall comply with applicable law regarding disclosure and allocation of its expenses, notice to employees of their right to object, provision for agency fee payers to challenge the Union’s determinations of amounts chargeable to the objecting non-members, and appropriate escrow provisions to hold contested amounts while the challenges are underway.

The Union shall make available, at its expense; an expeditious administrative appeals procedure to unit employees who object to the payment of any portion of the representation service fee. Such procedure shall provide for a prompt decision to be made by an impartial decision-maker jointly selected by the Union and the objecting employee(s). A copy of such procedure shall be made available upon request by the Union to non-Union-member employee and the City.

The foregoing description of permissible agency fee charges and related procedures is included for informational purposes and is not intended to change applicable law. The City will promptly remit to the Union all monies deducted, accompanied by a list of employees for whom such deductions have been made.

The City will make every effort to distribute to each new employee in the unit affected by the agency shop provision, a letter supplied by the Union which describes the agency fee obligation.

d. Religious Exemption from Agency Fee Obligation

1. Any employee who is a member of a religious body whose traditional tenets or teaching include objections to joining or financially supporting employee organization shall not be required to meet the above agency fee obligations, but shall pay by mean of mandatory payroll deduction an amount equal to the agency fee (proportionate share of the Union's cost of legally authorized representational services), to a non-religious, non-labor charitable organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, as designated by the employee from a list provided by the City Finance Department.

2. To qualify for the religious exemption the employee must provide to the Union, with a copy to the City, a written statement of objection, along with verifiable evidence of membership in a religious body as described above. The City will implement the change in status within thirty days unless notified by the Union that the requested exemption is not valid.

e. Leave Without Pay – Employees on an unpaid leave of absence for an entire pay period or more shall have agency shop fees suspended for the period of the leave.

f. Rescission of Agency Shop – An Agency shop provision may be rescinded pursuant to the procedures contained in Government Code Section 3502.5(b). Rescission elections shall be conducted by the SMCS using the same procedures utilized for implementation elections, e.g., secret mail ballot, limitation on voting period, posting of notices, limits on employer communications, etc.

g. Indemnification/Hold Harmless Clause – The Union agrees to fully indemnify and defend the City and its officers, employees and agents against any and all claims, proceedings and liability arising, directly or indirectly out of any action taken or not taken by or on behalf of the City under this section.

h. The Union agrees to indemnify, defend and hold the City harmless against any claims made of any nature and against any suit instituted against the City arising from its check off for the dues, fees, political action, insurance or benefits programs of the Union, or its failure to do so.

i. Maintenance of Membership: All unit employees who on the effective date of this Agreement are members in good standing, and all employees who thereafter voluntarily become members of the Union shall maintain their membership in the Union in good standing subject, however, to the right to resign from membership during the month of October in 2005, and then in September beginning in 2006 and annually thereafter. Any member may exercise his/her right to resign by submitting a notice in writing to the Union during the resignation window period. Members who resign from membership during the term of this MOU will be required to pay an agency fee if an agency shop provision is in effect, unless the employee qualifies for an exemption set forth in the agency shop agreement.

Beginning in 2006, fee payers may also change their status from full fee payer to “core fee payer” by submitting a written request to the Union during the month of September annually. The window period limitation shall not apply to filing religious objections under section “d”, above.

8. HOURS OF WORK

a. Work Day: Bargaining unit employees shall work hours as assigned by the Department. Each work day of six hours or more shall include an unpaid lunch period of not less than thirty (30) minutes to be taken approximately mid point during the day, except Downtown Parking Lot Operators who work a 6 hour and 15 minute shift and are not entitled to a lunch period.

b. Rest Periods: Each employee shall be entitled to take one fifteen (15) minute paid rest period for each four (4) hours of work performed. Downtown Parking Lot Operators who work a shift of 6 hours and 15 minutes or more will be entitled to two 15 minute paid rest periods.

c. Standby: Employees who are required to report to work shall receive a minimum of two (2) hours of straight time compensation. Employees who are instructed to be available to be called in by phone or other electronic communication device to work a shift shall receive one (1) hour of straight time compensation per standby shift if they are not called in to perform work.

d. Overtime: Overtime work shall be defined as all work performed that is in excess of forty (40) hours per work week. Overtime shall be paid at the rate of one and one-half times the employee’s regular rate of pay, unless the employee is exempt from the overtime requirements of the Fair Labor Standards Act.

e. Hours Limited to 999 in a Fiscal Year: Bargaining unit employees will generally be limited to a maximum of 999 hours of work in a fiscal year (July-June). The City Administrator may approve hourly employment in excess of 999 hours in a fiscal year for special projects or to meet the needs of the City. Such projects may include, but are not limited to, substituting for a regular employee on extended leave of absence and/or

performing some or all of the duties of a vacant City Council-authorized regular position during an active recruitment process.

Employees listed in APPENDIX B of this Agreement who remain active employees without a break in active service of more than 90 days shall not be subject to the 999-hour limitation. This does not entitle anyone to ongoing employment or a particular number of hours, or any benefit of regular City employment. These employees are still hourly employees.

9. PROMOTIONAL OPPORTUNITIES

a. Qualified bargaining unit hourly employees may compete in open and promotional examinations for regular and part-time positions authorized by City Council in the official Position and Salary Control Resolution.

For promotional examinations, the employee must be employed at the time of application. Upon establishment of a promotional employment list an hourly employee whose name appears on that list will be eligible for promotion for the active duration of that list as long as the employee remains continuously employed, or for 6 months from the date of application, if longer.

b. During the month of October annually, the Union may submit a request in writing to the City to meet to discuss whether work being performed by an hourly employee would be more appropriately assigned to a regular position. This discussion will be for consultation only. All related decisions will remain a management right.

10. EFFECT OF L/T CLASSIFICATION ADJUSTMENTS

The Union and the City agree to the following effects related to changes to the L/T classification schedule:

A. The Job Apprentice I and Job Apprentice II classifications will be combined into a new single Job Apprentice classification and set at the salary reflected in Appendix C.

B. The following classifications will be eliminated: Maintenance Worker Trainee, Office Aide, Recreation Aide I, Recreation Aide II, Student Intern, and Youth Recruiter. Such classifications are unused and the elimination will not affect any incumbent employees.

C. The following classifications will be eliminated: CAO Intern I, Lot Operator I, Lot Operator II, and Management Intern II. Any incumbents in a classification eliminated shall be reclassified to the next higher classification rate within the same series, and eligible for increases under this Agreement that are applicable to the new classification. The remaining classifications in the same series will be re-titled as reflected in Appendix

C. (For example: when the Lot Operator I classification is eliminated, a current Lot Operator I would be reclassified to the Lot Operator 3 classification, which will be retitled to become the new "Lot Operator I", and will be paid a wage rate of \$9.20 per hour retroactive to January 11, 2014)

11. WAGES

a. Employees in Regular Classifications: For the duration of this Agreement, the salaries of hourly employees in regular classifications shall continue to be established at "Step A" of the regular classification.

b. Employees in Hourly "L/T" Classifications: For hourly employees not working in regular classifications (i.e., working in classifications listed on the hourly "L/T" schedule), the regular rate of pay will not be increased under paragraph "a" above. However

1. L/T wage rates shall be increased as reflected in APPENDIX C.
2. The following longevity based minimum pay scale will apply:
 - i. Level One: An employee who has worked as an hourly employee for one year without a break in active service of longer than 90 days and has worked a combined total of at least 1040 hours in the current and prior fiscal years shall receive an hourly wage of not less than \$10.50 per hour, which shall be increased as follows;

<u>Date of increase</u>	<u>Minimum Hourly Wage</u>
January 11, 2014	\$10.70
July 11, 2015	\$10.95
July 9, 2016	\$11.25

- ii. Level Two: An employee who has worked as an hourly employee for two years without a break in active service of longer than 90 days and has worked a combined total of at least 1040 hours in the current and prior fiscal years shall receive an hourly wage of not less than \$12.20 per hour, which shall be increased as follows;

<u>Date of increase</u>	<u>Minimum Hourly Wage</u>
January 11, 2014	\$12.40
July 11, 2015	\$12.65
July 9, 2016	\$12.95

- iii. Level Three: An employee who has worked as an hourly employee for three years without a break in active service of longer than 90 days and has worked a combined total of at least 1040 hours in the current and prior fiscal years shall receive an hourly wage of not less than \$13.25 per hour, which shall be increased as follows;

<u>Date of increase</u>	<u>Minimum Hourly Wage</u>
January 11, 2014	\$13.65
July 11, 2015	\$14.05
July 9, 2016	\$14.60

3. Once an employee qualifies for the wage rate in Section b(2i), b(2ii) or b(2iii) above, the City may reduce the wage rate to the regular wage rate for the class only following a break in active service of 90 days or more.

12. RETROACTIVITY

An employee will be eligible for the retroactive increases to salaries and benefits provided under the Agreement on the dates specified for each increase if the employee is an active City employee and bargaining unit member on the date that the City Council ratifies this Agreement.

13. HEALTH CARE REIMBURSEMENT

a. The purpose of this section is to provide qualifying employees with assistance toward the purchase of health insurance, or the payment of other health care related expenses, for the employee and/or the employees' dependents.

b. An employee must work a cumulative total of at least 1000 hours since date of appointment as a City hourly employee, without a break in active service of more than 90 days, to qualify for a health insurance allowance.

Beginning the following quarter (Quarters are July-Sept, Oct-Dec, Jan-March, April-June), if the employee works at least 200 hours during any quarter the employee will receive a payment of \$80 per quarter.

An employee who has qualified for the health reimbursement allowance by working at least 200 hours in each of any 3 consecutive quarters, and does not work at least 200 hours in the quarter immediately following such 3 consecutive quarters, will still be eligible for the allowance. In order to be eligible for an allowance the following quarter, however, the employee must meet the 200 hour minimum.

The payment will be made as regular lump-sum earnings. Employees will be responsible for all tax consequences related to the allowance.

c. Once qualified, an employee will remain eligible under this section unless or until the employee has a break in active service of more than 90 calendar days.

d. In the unlikely event that an hourly employee works the minimum number of hours during the City's designated measurement period, as established under the Affordable Care Act, the City may elect to offer employee-only enrollment in one or more of the City's qualified medical plans. If offered, such enrollment will be at the employee's expense, though the employee may receive partial reimbursement under the health care reimbursement allowance provisions, above. The City may, upon notice to the Union, offer additional payment toward the premiums to qualifying employees.

14. PAID TIME OFF (PTO) ALLOWANCE

a. The purpose of the Paid Time Off (PTO) allowance is to provide an employee with time away from a scheduled work shift without a loss in pay. Bargaining Unit members will accrue paid time off at a rate of .023 hours per full completed hour of work.

b. PTO shall be scheduled by management to provide adequate staffing. Such scheduling may be available throughout the calendar year subject to departmental operational necessity and the needs of the City. Such scheduling shall take into account employee choice.

c. An employee may not have more than 20 hours of PTO in the employee's PTO bank. Effective March 28, 2009, this maximum accrual will be increased to 40 hours. If an employee has more than this maximum amount of PTO in his/her bank, the employee will cease accruing PTO until the PTO balance is below this amount. However, requests to take PTO to avoid disruption of PTO accrual will not be unreasonably denied.

d. Employees will be eligible to be paid for any accrued but unused PTO upon termination of employment. The City will reflect PTO accrual on pay stubs.

15. HOLIDAY PREMIUM PAY

a. A bargaining unit member employee who is scheduled by management to work on the following holidays shall receive premium pay of time and ½ for hours worked on that day:

The last Monday in May (Memorial Day)
July 4th (Fourth of July)
The first Monday in September (Labor Day),
The 4th Thursday in November (Thanksgiving Day)
December 25th (Christmas Day)
January 1st (New Years Day)

b. For purposes of this section, the holiday means the actual holiday listed above, regardless of when the holiday is observed by the City.

16. RETIREMENT

a. An employee will be enrolled in the City's Part-time, Seasonal and Temporary (PST) retirement plan, unless the employee is a member of the Public Employees Retirement System (PERS).

b. An employee who is a member of the Public Employees Retirement System (PERS) shall be enrolled in the appropriate PERS retirement plan.

c. Hourly employees in a PERS retirement plan, other than the PERS Miscellaneous Plan, will contribute the full required member contribution for that plan.

d. Effective October 29, 2005, hourly employees in the PERS Miscellaneous plan will pay a contribution for retirement according to the following formula:

1. While the PERS Miscellaneous plan employer rate is exactly equal to 20.164%, the employee shall pay 7.162% of the 8% required employee contribution, and the City will pay the remaining .838% (EPMC). These contributions will be made on a pre-tax basis and credited to the employee's PERS member account.

2. If PERS sets the employer rate at less than 20.164%, the employee shall receive credit for 30.559% of the amount by which the employer rate is less than 20.164%. The City shall apply the credit by paying an additional portion of the required 8% employee contribution, up until the point where the City pays a full 7% of the 8% required employee contribution.

[For example: If the employer rate is only 18.164% of PERS-able compensation, the City will pay an additional 0.61% (2% times 30.559%) of the 8% employee contribution, for a total of 1.448%];

3. If PERS sets the employer rate at more than 20.164%, the employee shall pay 30.559% of the amount by which the employer rate exceeds 20.164%. The employee shall pay for this cost in the following manner:

i. First, through an increase in the employee-paid portion of the 8% required employee contribution up to a maximum increase of 0.838%. This additional employee paid amount will be deducted on a pre-tax basis and credited to the employee's member account.

[For example: If the employer rate is 22.164% of PERS-able compensation, the employee will pay an additional 0.61% (2% times 30.559%) of the 8% employee contribution, for a total of 7.772%];

ii. Second, through payroll deduction. To the extent allowable by PERS, and in compliance with any restrictions imposed by PERS, the City will amend its contract to allow the employee to assume this additional cost in such a way that it will be credited to the employee's PERS member account and payable on a pre-tax basis. [Unless the parties through meeting and consulting (not meeting and conferring) agree that affected employees can pay through another mechanism, including, but not limited to paid time off or paid holiday. If the parties enter into the meet and consult process, a State mediator will act as the facilitator.]

[For example: If the employer rate is 25.164% of PERS-able compensation, the employee will pay an additional 1.528% (5% times 30.559%) of PERS-able compensation as follows: an additional 0.838% (8%-7.162%) to cover the full 8% employee contribution, and a payroll deduction equal to 0.69% (1.528%-0.838%) of PERS-able compensation.]

4. If for any reason the cost-sharing agreement above is not allowable under PERS regulations, the City and the Union agree to re-open negotiations with the sole purpose of achieving the same cost sharing proportions through other means.

e. Notwithstanding the above, Effective January 1, 2013, all new employees and/or members, as defined by California Public Employees' Pension Reform Act of 2013 (hereinafter CPEPRA), who are enrolled in the Public Employees Retirement System (PERS) will be covered under the retirement formulas, compensation measurement periods, employee contribution, and all other statutory requirements of CPEPRA. "

17. JURY/WITNESS DUTY

a. In the event that an employee of the City is required by a court of competent jurisdiction to perform jury duty, and that requirement causes the employee to be away from his/her hourly employment, said jury duty shall be considered leave without pay without interruption of service. At the employee's request, the City shall make reasonable efforts to reschedule employee work hours to accommodate the jury duty requirement, subject to the operation needs of the department.

b. Pursuant to Government Code §1230.1, whenever an employee is served with a subpoena which compels his/her presence as a witness, unless he/she is a party or an expert witness, such employee shall be granted release time with pay in the amount of the difference between the employee's regular earnings and any amount he/she receives for such appearance.

18. RELEASE TIME FOR BEREAVEMENT

Effective upon ratification, at the request of the employee, an employee will be released from a minimum of five (5) scheduled work days without pay upon the death of the following immediate family members: spouse, domestic partner, mother, father, brother, sister, or child. Domestic partnerships must be registered with the California Secretary of State. The intent of bereavement leave is to provide employees with adequate time to be with their immediate family during a period of anguish, whether it be at the time of death, preparation of funeral arrangements and/or to attend a funeral. Bereavement leave is unpaid, however employees may elect to use accrued paid time off (PTO) during an unpaid bereavement leave. The employee may be required to present a death certificate or other satisfactory proof of death.

19. MEDICAL LEAVE OF ABSENCE

Employees who are not eligible for a medical leave of absence under family medical leave laws and policies (FMLA/CFRA) will alternatively be eligible to request up to a maximum of 12 weeks of unpaid leave of absence for medical reasons under terms of the City's "Leave Of Absence Without Pay – Medical Reasons" Policy.

20. HEALTH AND SAFETY

a. The City and the Union agree to abide by all provisions of the California Plan approved in accordance with the provisions of the Federal Occupational Safety & Health Act of 1970, and any applicable legislation as may be passed by the State of California to implement that plan. The City recognizes that it is the duty of management to make every reasonable effort to provide and maintain a safe place of employment. The Union will cooperate by encouraging all employees to perform their work in a safe manner. It is the duty of all employees in the course of performing their duties to be alert to unsafe

practices, equipment, and conditions and to report any such unsafe practices or conditions to their immediate supervisors. If such conditions can not be satisfactorily remedied by the immediate supervisor, an employee has the right to submit the matter either personally or through the Steward to his/her Department Head or his/her designated representative. On any matter of safety that is not resolved, consultation will take place between management and Union representatives. Compliance with basic safety requirements will be part of each employee's job performance criteria.

b. The City agrees to conduct a Safety Program on City time for the purpose of educating employees concerning the provisions of the Occupational Safety and Health Act as well as the City's safety policies. The Union agrees to support without qualification the City's Safety Program and will encourage its members to attend safety courses if required by the City and made available on City time. The City agrees that any safety courses the employees are required to take will be provided on City time with pay and that first aid training shall be provided to City designated employees in an on-duty status.

c. Both the City and the Union recognize the need and will strive to reduce the number of industrial injuries among the employees.

d. The parties agree that the City shall perform on-site safety inspections in major work sites at least once a year, and to hold regular safety meetings with departmental safety coordinators. It is further agreed that the City shall continue to maintain vehicles and equipment in a safe operating condition and that no employee will be penalized for refusing to use vehicles or equipment proven to be unsafe pursuant to State law.

e. In departments where regular safety meetings are conducted, if minutes of those meetings are taken, copies of those minutes shall be posted on departmental bulletin boards. Departmental stewards will be permitted to place items on the safety meeting agenda and to attend these meetings to explain those items.

f. The City shall comply with all State and federal requirements that pertain to the operation of computer equipment. In addition, as part of its commitment to making a reasonable effort to provide and maintain a safe place of employment the City shall review the Health and Safety implications of operating computer equipment.

g. Departments shall maintain binders of current Material Safety Data Sheets on substances with which unit employees work or come into contact. These binders shall be made available for inspection at all reasonable times.

21. SAFETY EQUIPMENT

a. The City and the Union agree that the City will either provide all safety equipment required by the City or will reimburse the employee for purchasing the equipment whenever such equipment has been required by the City as necessary for the job. Such equipment shall include, but not be limited to, safety shoes, safety glasses, helmets, gloves, boots, life jackets, and all related safety items. Both parties agree that the City shall retain the right to determine the minimum specifications of the safety equipment, procurement procedures, and limitations and exclusions by department.

b. Notwithstanding the above, the parties agree that employees designated by the City as required to wear steel-toed safety shoes in the performance of their duties shall be eligible to receive an annual allowance for the provision of said shoes upon the presentation of valid claims in keeping with City established procedures in an amount not to exceed \$150.

22. PAYROLL & EMPLOYEE CONTACT INFORMATION

a. Employees who receive payroll overpayments shall reimburse City for such overpayments. City shall establish a reasonable schedule of payments based upon the amount of such overpayment and the date such overpayment was made.

b. City agrees to explain all payroll stub information to employee upon request of said employees.

c. The City agrees to provide the Union with up to four (4) deduction codes. These deduction codes may be the same codes used for other bargaining units.

d. The parties agree that City will continue deducting monies from payroll and remit same to the Union as authorized by employee payroll deduction authorizations in accordance with present policy.

Employees will retain their union deduction category (member, agency fee payer, etc.) while on active but unpaid status. No payroll deductions shall be taken or accrue while an employee is on active unpaid status.

When an employee switches from the Hourly bargaining unit to a unit not represented by S.E.I.U., Local 620, S.E.I.U. deductions will no longer be deducted unless and until the Union submits another signed authorization form. Any changes in dues deductions shall be subject to indemnification of the City by the Union.

e. The City shall provide to the Union, on a bi-weekly basis:

1. A new hire and termination list of bargaining unit employees. The list will also show employees who have been promoted to the General or Treatment and Patrol Bargaining Units.
 2. A list of current active bargaining unit members showing (1) name, (2) job classification title, (3) department, (4) hours worked in the current fiscal year, (5) hours worked in the two prior fiscal years, (6) hire date, (7) retirement plan, (8) hourly wage, (9) hours worked in the current pay period, (10) union deduction and category (dues, fees, political action, insurance, etc.), if any, for that pay period.
- f. Beginning within 6 weeks following ratification of this Agreement::
1. The information provided to the Union on a biweekly basis under Section “e”, above, shall include home mailing addresses and phone numbers of employees in the bargaining unit;
 2. The Union will hold the City harmless for any and all claims arising from the inappropriate release of such private information so provided; and
 3. The Union will provide a mechanism to allow employees who are not union members to opt out of receiving union communication (with the exception of Hudson letters and other legally required notices) through their home addresses and/or telephone numbers, and will notify these employees of this option in writing.

23. MANAGEMENT RIGHTS

- a. The City shall retain, whether exercised or not, solely and exclusively, all express and inherent rights and authority pursuant to law with respect to determining the level of, and the manner in which, the City’s activities are conducted, managed, and administered, and the Union recognizes the exclusive right of the City to establish and maintain departmental rules and procedures for the administration of its departments.
- b. The City has the exclusive right and authority to schedule work and/or overtime as required in the manner most advantageous to the City.
- c. Every incidental duty connected with operations enumerated in job descriptions is not always specifically described; nevertheless, it is intended that all such duties shall be performed by the employee.
- d. The City reserves the right to terminate bargaining unit members at any time. The Union recognizes that bargaining unit members are “unclassified” employees.

24. REPRESENTATION- UNION OFFICERS AND REPRESENTATIVES

a. **Employees Meeting and Conferring:** City shall allow a reasonable number of employee representatives reasonable time off without loss of compensation or other benefits when formally meeting and conferring with representatives of the City on matters within the scope of representation.

b. **Union Stewards:** The City recognizes that Local 620 Stewards are the official on-site representatives of the Union. Upon request, the Union shall provide the City with a list identifying by name and work location all regular and alternate stewards. Said list shall be kept current at all times.

Stewards may spend a reasonable amount of time to promptly investigate and process grievances within their jurisdiction without loss of pay or benefits of any kind. Stewards, before leaving their work location to transact such investigations or processing, shall inform their supervisor of the area to be visited and obtain prior permission. If permission cannot be granted to leave her/his workstation at the time the request is made, the parties agree that the timelines for processing a formal grievance shall be extended until permission can be granted.

c. **Union Staff Representatives:** The City agrees that authorized union staff representatives shall be given access to work locations during working hours to observe working conditions. However in no case shall such representatives interrupt employees while on scheduled work time. Such visits are to be made with the prior knowledge of the Department Head (or his/her designee) and a management representative may accompany the Union staff member on the visit. A staff representative is defined as a full or part-time employee of the Union.

d. **Bulletin Boards:** Management will provide adequate bulletin board space at each facility where members of this unit are assigned.

Prior to posting the Union shall submit a copy to the City Administrator or a designated representative.

e. **Union Business Attendance:** It is agreed that City will make reasonable efforts to reschedule up to 2 work shifts per fiscal year for union-designated officers or stewards, subject to the needs of the Department, in order to allow them to attend to Union related business on their own time. Union related business is defined as follows: conferences, meetings, training and other union activities outside the workplace. No such release time will be taken except with two weeks' notice and prior approval of the Department Head (or his/her designee) who shall notify the Human Resources Manager.

25. GRIEVANCE PROCEDURE

- a. Grievances shall be defined as an alleged violation of this Agreement. No act or activity which may be grievable will be considered for resolution unless a grievance is filed in accordance with Step One of the procedure contained herein within twenty (20) working days of the date the grievable activity occurred.
- b. The Union agrees that whenever investigation or processing a grievance is to be transacted during working hours, only the amount of time necessary to bring about a prompt disposition of the matter will be utilized.
- c. The parties agree that all grievances will be processed in accordance with the following procedure:

Step One

Any employee who has a grievance shall first try to resolve it through discussion with her/his immediate supervisor. Every effort will be made to find an acceptable resolution at the lowest possible level of supervision.

Step Two

If after such discussion the employee does not believe the grievance has been satisfactorily resolved she/he may file a formal written grievance in writing within ten (10) days to her/his Department Head.

The Department Head receiving the formal grievance shall render her/his written decision and respond to the employee within ten (10) working days after receipt of the grievance.

Grievances which are general in character and which involve interpretation or application of this MOU or which involve matters requiring resolution outside the authority of the employee's Department Head shall be filed directly with the Assistant City Administrator who shall provide a written response within ten (10) working days

Step Three

If within ten (10) working days after the Department Head's or Assistant City Administrator's response, the employee is still dissatisfied, he or she may request the services of a mediator from the State Mediation and Conciliation Service.

Step Four

If, within ten (10) working days after the mediation process has been completed, the employee is still dissatisfied he or she may file a written appeal of the decision of the Department Head to the City Administrator. The City Administrator shall review information provided by the employee, the decision of the Department Head, and suggestions or information provided by the Mediator. The City Administrator shall

render his/her decision within twenty-five (25) working days after the appeal is filed. The City Administrator's decision shall be considered final.

d. Time limitations for filing and responding to grievances may be waived or extended by mutual agreement of the parties.

26. MAINTENANCE OF BENEFITS

The City and the Union agree that all compensation, including direct wages, as provided by ordinance, resolution, and City Charter, which are in existence at the commencement of this Agreement, shall not be diminished, lessened, or reduced for the duration of this Agreement.

Wage adjustments as provided for from time to time by ordinance, resolution, or by City Charter, as may be amended, shall also continue for the duration of this Agreement.

The City and the Union agree that the City has the right and prerogative to assign duties to and direct employees in accordance with applicable job specifications and Section 3.12 of the Santa Barbara Municipal Code.

27. EFFECT OF LEGISLATION:

a. For the term of this Agreement, the Union explicitly waives on behalf of hourly bargaining unit members coverage under any "Living Wage Ordinance" or other local law setting minimum compensation and/or benefit rates for City employees, if the local law permits a waiver by a collective bargaining agreement.

b. In the event that state, federal, or local legislation is passed which increases the combined costs of wages and/or benefits that the City must pay to its represented hourly employees including, but not limited to, (1) a City "Living Wage Ordinance" that does not allow a waiver or (2) a mandatory health insurance benefit statute, the City may request that the parties reopen negotiations. The parties shall meet and confer within 30 days of such written request to the Union. The intent of such negotiations will be to meet and confer over adjustments to wages and/or benefits provided under this Agreement related to the new legislation.

28. WAIVER

The City and the Union agree that, for the term of this Agreement, each party waives the right and each agrees that the other party shall not be obligated to meet and confer with respect to any subject or matter pertaining to or covered by this Agreement, except as to meeting and conferring over the renewal or continuation of this Agreement or as otherwise provided herein.

It is further agreed that nothing in this Agreement shall in any way diminish the rights of the employees, the City, or the Union as established by the Meyers-Milias-Brown Act of the State of California and all amendments thereto, or Santa Barbara Municipal Code, Chapter 3.12, except as herein provided.

29. SEVERABILITY

Should any provision in this Agreement be held inoperative, void or invalid by a court of competent jurisdiction, the remaining provisions of this Agreement shall not be affected thereby, and the parties agree to meet and confer over the invalidated provision.

APPENDIX A: Defining Eligibility in the Bargaining Unit

THIS AGREEMENT IS ENTERED INTO AS OF NOVEMBER 3, 2003 BETWEEN THE CITY OF SANTA BARBARA, HEREINAFTER REFERRED TO AS THE "CITY", AND THE SERVICE EMPLOYEES' INTERNATIONAL UNION, LOCAL 620, HEREINAFTER REFERRED TO AS "THE UNION "

1. Bargaining Unit Membership: Eligible Temporary Employee Bargaining Unit employees are City employees who have worked 520 hours or more in the current fiscal year¹ or the prior fiscal year and who are assigned on a temporary basis to those job classifications regularly contained in the General or Treatment and Patrol Bargaining Units and to other temporary job classifications, **except:**

- a. Employees assigned on a temporary basis to job classifications regularly contained in other City bargaining units (Supervisors, Managers, Fire and Police units);
- b. Temporary employees who are in positions designated by the City Administrator as "confidential employee" or "management employee" positions pursuant to Municipal Code Section 3.12.020(e) and 3.12.020(f). This Letter of Agreement does not otherwise limit the rights such employees may have to be members of or hold office in another employee organization;
- c. Employees assigned to certain temporary job classifications at the Police and Fire Departments whose job duties are closely tied to regular police or fire related duties (The parties agree that this exclusion will include, but not be limited to, Background Investigator, Police Cadet, Police Reserves Officer, Assistant Police Activities League Coordinator, Nurse Educator, Parking Citation Administration Review Officer, etc. However, positions such as "host" or "crossing guard" will not be excluded.);
- d. Employees hired through temporary employment agencies and other contingent worker staffing firms who are not City of Santa Barbara employees. The City agrees to provide the Union with information about such workers as well as information about payments made to the temporary employment agencies or other contingent worker staffing firms, upon request.

2. Bargaining Unit Adjustment: Following recognition, for purposes of bargaining unit adjustment, eligible employees will become part of the bargaining unit as of the first day of the pay period beginning after the employee reaches 520 hours of work in a fiscal year. At the beginning of each new fiscal year, bargaining unit members who did not work 520 hours or more in the prior fiscal year will be removed from the bargaining unit, and dues deductions will

¹ For purposes of counting hours under this agreement, a "fiscal year" begins with the first day of the first biweekly pay period ending in the new July-June fiscal year.

be discontinued. The City will provide SEIU with a list of employees deleted from the bargaining unit.

3. Card Check Recognition: Only workers in eligible job classifications who were active in the payroll system on September 19, 2003 and who worked 520 hours or more in fiscal year 2003 shall be considered part of the eligible universe for the purpose of card check recognition. The City and the Union agreed on a list of these employees on November 3, 2003.

4. Card Count: The City and the Union shall cause the State Mediation & Conciliation Service S.M.C.S., or another mutually agreeable neutral party, to conduct the card count and validate the cards for the purpose of recognition as soon as practicable after November 3, 2003, but in no case after December 31, 2003.

5. The Union must submit all valid cards for card count purposes, together in a single group in alphabetical order, to the neutral party selected pursuant to Section 4 of this Letter of Agreement on the card count date.

6. To be valid, a card must be:

- a. In the format attached hereto, and incorporated by reference, as Exhibit A[**Exhibit A on file*]; and
- b. Signed and dated within the 6 months immediately preceding September 19, 2003; and
- c. Legible enough to make a definite identification of the employee's name and the date of the signature for count purposes, according to the determination of the neutral party selected pursuant to Section 4 of this Letter of Agreement.

7. Upon certification by the neutral party selected pursuant to Section 4 of this Letter of Agreement that a majority of eligible temporary employees, as defined above, have authorized the Union to represent them for the purpose of collective bargaining on wages, hours and other terms and conditions of employment, the City will recognize the Union as the exclusive bargaining representative for employees in the Unit.

8. Following recognition, the City will provide information for all City temporary employees who meet the criteria for representation by the Union (520+ hours, etc.) in the same manner and timeframes as the City provides information to the Union for General Unit employees.

APPENDIX B: Hours Limitation- List of Grandfathered Employees

See M.O.U. Article 8(e) - "Hours of Work: Hours Limited to 999 in a Fiscal Year"

FUND		DIVISION	EMPLOYEE NAME	TITLE
431	4317	PBIA OPERATIONS	AARON GRAY	MAINTENANCE WORKER I
431	4315	PW-DOWNTOWN PARKING	VILLA, DEBRA	LOT OPERATOR III
621	8121	WATERFRONT-PARKING SVC	HENAULT, MARCELLA	WATERFRONT WORKER VIII
621	8121	WATERFRONT-PARKING SVC	TUCHSCHERER, THOMAS	MAINTENANCE WORKER II
621	8121	WATERFRONT-PARKING SVC	WASHINGTON, ROBERT	WATERFRONT WORKER VIII

APPENDIX C: Wage Rate Increases For L/T Classes

Rate Class	Classification	Department	Hourly Rate	1/11/2014	7/11/2015	12/26/2015	7/9/2016
17312	Airport Marketing Assistant	Airport	\$15.00	\$15.20	\$15.40	--	\$15.60
17311	Airport Operations Intern	Airport	\$13.00	\$13.20	\$13.40	--	\$13.60
17313	Airport Traffic Aide	Airport	\$12.25	\$12.45	\$12.65	--	\$12.85
17310	Alternative Transportation Planner	Public Works	\$36.50	\$36.70	\$36.90	--	\$37.10
17319	Assistant PAL Coordinator I	Police	\$12.25	\$12.45	\$12.65	--	\$12.85
17316	Assistant PAL Coordinator II	Police	\$15.00	\$15.20	\$15.40	--	\$15.60
17318	Assistant Park Planner	Parks & Recreation	\$21.00	\$21.20	\$21.40	--	\$21.60
17317	Assistant to Council I	City Council	\$12.25	\$12.45	\$12.65	--	\$12.85
17512	Assistant to Council II	City Council	\$13.00	\$13.20	\$13.40	--	\$13.60
17513	Assistant to Council III	City Council	\$15.00	\$15.20	\$15.40	--	\$15.60
17320	Automotive Parts Specialist	Public Works	\$17.00	\$17.20	\$17.40	--	\$17.60
17321	Background Investigator	Police	\$40.00	\$40.20	\$40.40	--	\$40.60
17237	Beach Lifeguard I	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17238	Beach Lifeguard II	Parks & Recreation	\$13.50	\$13.70	\$13.90	--	\$14.10
17239	Beach Lifeguard III	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17240	Beach Lifeguard IV	Parks & Recreation	\$14.50	\$14.70	\$14.90	--	\$15.10
17241	Beach Lifeguard V	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17242	Beach Lifeguard VI	Parks & Recreation	\$15.50	\$15.70	\$15.90	--	\$16.10
17900	Bus Driver I	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17901	Bus Driver II	Parks & Recreation	\$18.00	\$18.20	\$18.40	--	\$18.60
17902	Bus Driver III	Parks & Recreation	\$19.00	\$19.20	\$19.40	--	\$19.60
17903	Bus Driver IV	Parks & Recreation	\$20.00	\$20.20	\$20.40	--	\$20.60
17322	Cannoneer	Waterfront	\$20.00	\$20.20	\$20.40	--	\$20.60
17330	CAO Special Projects Manager	CAO	\$54.31	\$54.51	\$54.71	--	\$54.91
17361	CAO Intern I	CAO	\$8.25				
17362	CAO Intern II	CAO	\$10.00	\$10.20	\$10.40	--	\$10.60
17363	CAO Intern III	CAO	\$12.00	\$12.20	\$12.40	--	\$12.60
17370	City Council Intern	City Council	\$10.00	\$10.20	\$10.40	--	\$10.60
17371	City Council Intern II	City Council	\$11.00	\$11.20	\$11.40	--	\$11.60
17410	City TV Production Aid Lead	Admin Services	\$15.75	\$15.95	\$16.15	--	\$16.35
17408	City TV Production Aide	Admin Services	\$12.25	\$12.45	\$12.65	--	\$12.85
17409	City TV Production Aide II	Admin Services	\$14.00	\$14.20	\$14.40	--	\$14.60
17406	City TV Production Intern	Admin Services	\$8.00	\$9.00	\$9.20	\$10.00	
17335	Clerical Aide	Public Works	\$10.00	\$10.20	\$10.40	--	\$10.60
17227	Clerical Assistant I	Parks & Recreation	\$11.00	\$11.20	\$11.40	--	\$11.60
17228	Clerical Assistant II	Parks & Recreation	\$11.50	\$11.70	\$11.90	--	\$12.10
17229	Clerical Assistant III	Parks & Recreation	\$12.00	\$12.20	\$12.40	--	\$12.60
17230	Clerical Assistant IV	Parks & Recreation	\$12.50	\$12.70	\$12.90	--	\$13.10
17231	Clerical Assistant V	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17337	Commercial Driver Trainer	Public Works	\$24.50	\$24.70	\$24.90	--	\$25.10
17309	Community Services Liaison	Police	\$16.00	\$16.20	\$16.40	--	\$16.60
17338	Creeks Resources Technician	Parks & Recreation	\$24.00	\$24.20	\$24.40	--	\$24.60
17342	Database Specialist	Public Works	\$18.60	\$18.80	\$19.00	--	\$19.20
17343	Development Manager	Library	\$32.00	\$32.20	\$32.40	--	\$32.60
17345	Dispatch Training Coordinator	Police	\$42.90	\$43.10	\$43.30	--	\$43.50
17360	Diver	Waterfront	\$20.00	\$20.20	\$20.40	--	\$20.60
17904	Driver Trainer I	Parks & Recreation	\$20.00	\$20.20	\$20.40	--	\$20.60
17905	Driver Trainer II	Parks & Recreation	\$25.00	\$25.20	\$25.40	--	\$25.60
17378	Extension Aide	Library	\$16.00	\$16.20	\$16.40	--	\$16.60
17379	Facilities Project Manager	Public Works	\$35.00	\$35.20	\$35.40	--	\$35.60
17386	Fire Public Education Assistant	Fire	\$14.30	\$14.50	\$14.70	--	\$14.90
17332	Fire Service Mutual Aide Specialist I	Fire	\$36.00	\$36.20	\$36.40	--	\$36.60
17333	Fire Service Mutual Aide Specialist II	Fire	\$50.00	\$50.20	\$50.40	--	\$50.60
17331	Fire Special Projects Manager	Fire	\$46.93	\$47.13	\$47.33	--	\$47.53
17403	GIS Mapping Technician	Fire	\$17.00	\$17.20	\$17.40	--	\$17.60

APPENDIX B

Rate Class	Classification	Department	Hourly Rate	1/11/2014	7/11/2015	12/26/2015	7/9/2016
17404	Golf Course Maintenance Worker	Parks & Recreation	\$12.50	\$12.70	\$12.90	--	\$13.10
17417	Grounds Maintenance Assistant I	Parks & Recreation	\$12.25	\$12.45	\$12.65	--	\$12.85
17418	Grounds Maintenance Assistant II	Parks & Recreation	\$13.50	\$13.70	\$13.90	--	\$14.10
17630	Harbor Patrol Crew I	Waterfront	\$12.50	\$12.70	\$12.90	--	\$13.10
17631	Harbor Patrol Crew II	Waterfront	\$13.20	\$13.40	\$13.60	--	\$13.80
17632	Harbor Patrol Crew III	Waterfront	\$13.90	\$14.10	\$14.30	--	\$14.50
17633	Harbor Patrol Crew IV	Waterfront	\$14.60	\$14.80	\$15.00	--	\$15.20
17634	Harbor Patrol Crew V	Waterfront	\$15.30	\$15.50	\$15.70	--	\$15.90
17635	Harbor Patrol Crew VI	Waterfront	\$16.00	\$16.20	\$16.40	--	\$16.60
17636	Harbor Patrol Crew VII	Waterfront	\$16.70	\$16.90	\$17.10	--	\$17.30
17637	Harbor Patrol Crew VIII	Waterfront	\$17.40	\$17.60	\$17.80	--	\$18.00
17638	Harbor Patrol Crew IX	Waterfront	\$18.10	\$18.30	\$18.50	--	\$18.70
17639	Harbor Patrol Crew X	Waterfront	\$18.80	\$19.00	\$19.20	--	\$19.40
17640	Harbor Patrol Crew XI	Waterfront	\$19.50	\$19.70	\$19.90	--	\$20.10
17279	Head Beach Lifeguard I	Parks & Recreation	\$16.00	\$16.20	\$16.40	--	\$16.60
17280	Head Beach Lifeguard II	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17281	Head Beach Lifeguard III	Parks & Recreation	\$18.00	\$18.20	\$18.40	--	\$18.60
17282	Head Beach Lifeguard IV	Parks & Recreation	\$19.00	\$19.20	\$19.40	--	\$19.60
17283	Head Beach Lifeguard V	Parks & Recreation	\$20.00	\$20.20	\$20.40	--	\$20.60
17259	Head Pool Lifeguard I	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17260	Head Pool Lifeguard II	Parks & Recreation	\$13.50	\$13.70	\$13.90	--	\$14.10
17261	Head Pool Lifeguard III	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17262	Head Pool Lifeguard IV	Parks & Recreation	\$14.50	\$14.70	\$14.90	--	\$15.10
17263	Head Pool Lifeguard V	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17592	Human Resources Specialist	Admin Services	\$25.00	\$25.20	\$25.40	--	\$25.60
17206	Indoor Facilities Monitor I	Parks & Recreation	\$9.00	\$9.20	\$9.40	\$10.00	
17207	Indoor Facilities Monitor II	Parks & Recreation	\$9.50	\$9.70	\$9.90	\$10.40	
17208	Indoor Facilities Monitor III	Parks & Recreation	\$10.00	\$10.20	\$10.40	\$10.80	
17209	Indoor Facilities Monitor IV	Parks & Recreation	\$10.50	\$10.70	\$10.90	\$11.20	
17210	Indoor Facilities Monitor V	Parks & Recreation	\$11.00	\$11.20	\$11.40	\$11.60	
17450	Internal Affairs Investigator	Police	\$39.60	\$39.80	\$40.00	--	\$40.20
17197	Job Apprentice I	Parks & Recreation	\$8.00	\$9.00	\$9.20	\$10.00	
17198	Job Apprentice II	Parks & Recreation	\$8.50				
17243	Junior Lifeguard Instructor I	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17244	Junior Lifeguard Instructor II	Parks & Recreation	\$13.50	\$13.70	\$13.90	--	\$14.10
17245	Junior Lifeguard Instructor III	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17246	Junior Lifeguard Instructor IV	Parks & Recreation	\$14.50	\$14.70	\$14.90	--	\$15.10
17247	Junior Lifeguard Instructor V	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17248	Junior Lifeguard Instructor VI	Parks & Recreation	\$15.50	\$15.70	\$15.90	--	\$16.10
17284	Junior Lifeguard Program Director I	Parks & Recreation	\$16.00	\$16.20	\$16.40	--	\$16.60
17285	Junior Lifeguard Program Director II	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17286	Junior Lifeguard Program Director III	Parks & Recreation	\$18.00	\$18.20	\$18.40	--	\$18.60
17287	Junior Lifeguard Program Director IV	Parks & Recreation	\$19.00	\$19.20	\$19.40	--	\$19.60
17288	Junior Lifeguard Program Director V	Parks & Recreation	\$20.00	\$20.20	\$20.40	--	\$20.60
17470	Library Building Monitor	Library	\$19.00	\$19.20	\$19.40	--	\$19.60
17548	Library Volunteer Coordinator	Library	\$17.00	\$17.20	\$17.40	--	\$17.60
17485	Lot Operator I	Public Works	\$8.00				
17486	Lot Operator II	Public Works	\$8.50				
17487	Lot Operator III (Lot Operator I)	Public Works	\$9.00	\$9.20	\$9.40	\$10.00	
17488	Lot Operator IV (Lot Operator II)	Public Works	\$9.25	\$9.45	\$9.65	\$10.25	
17489	Lot Operator V (Lot Operator III)	Public Works	\$9.50	\$9.70	\$9.90	\$10.50	
17490	Lot Operator VI (Lot Operator IV)	Public Works	\$12.25	\$12.45	\$12.65	--	\$12.85
17509	Maintenance Worker Trainee	Public Works	\$8.30				
17506	Management Intern II	Various	\$8.00				
17507	Management Intern III (Management Intern I)	Various	\$8.25	\$9.00	\$9.20	\$10.00	
17508	Management Intern IV (Management Intern II)	Various	\$10.00	\$10.20	\$10.40	--	\$10.60
17517	Management Intern V (Management Intern I)	Various	\$12.00	\$12.20	\$12.40	--	\$12.60

APPENDIX B

Rate Class	Classification	Department	Hourly Rate	1/11/2014	7/11/2015	12/26/2015	7/9/2016
	Intern III)						
17518	Management Intern VI (Management Intern IV)	Various	\$14.00	\$14.20	\$14.40	--	\$14.60
17510	Marketing Assistant I	Airport	\$13.00	\$13.20	\$13.40	--	\$13.60
17511	Marketing Assistant II	Airport	\$18.00	\$18.20	\$18.40	--	\$18.60
17514	Mayor's Aide	City Council	\$23.25	\$23.45	\$23.65	--	\$23.85
17520	Nurse Educator	Fire	\$55.00	\$55.20	\$55.40	--	\$55.60
17543	Office Aide	Police	\$8.00				
17222	Outdoor Facility Monitor I	Parks & Recreation	\$11.00	\$11.20	\$11.40	--	\$11.60
17223	Outdoor Facility Monitor II	Parks & Recreation	\$11.50	\$11.70	\$11.90	--	\$12.10
17224	Outdoor Facility Monitor III	Parks & Recreation	\$12.00	\$12.20	\$12.40	--	\$12.60
17225	Outdoor Facility Monitor IV	Parks & Recreation	\$12.50	\$12.70	\$12.90	--	\$13.10
17226	Outdoor Facility Monitor V	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17545	Page I	Library	\$8.00	\$9.00		\$10.00	
17546	Page II	Library	\$8.50	\$9.50		\$10.50	
17549	Parking Citation Admin Review Officer	Police	\$41.43	\$41.63	\$41.83	--	\$42.03
17570	Parks Project Manager	Parks & Recreation	\$46.50	\$46.70	\$46.90	--	\$47.10
17563	Park Ranger Assistant I	Parks & Recreation	\$12.25	\$12.45	\$12.65	--	\$12.85
17564	Park Ranger Assistant II	Parks & Recreation	\$13.50	\$13.70	\$13.90	--	\$14.10
17555	Planning Intern I	Community Development	\$14.00	\$14.20	\$14.40	--	\$14.60
17556	Planning Intern II	Community Development	\$16.50	\$16.70	\$16.90	--	\$17.10
17560	Police Cadet I	Police	\$9.00			\$10.00	
17561	Police Cadet II	Police	\$10.00			\$11.00	
17216	Pool Lifeguard I	Parks & Recreation	\$11.00	\$11.20	\$11.40	--	\$11.60
17217	Pool Lifeguard II	Parks & Recreation	\$11.50	\$11.70	\$11.90	--	\$12.10
17218	Pool Lifeguard III	Parks & Recreation	\$12.00	\$12.20	\$12.40	--	\$12.60
17219	Pool Lifeguard IV	Parks & Recreation	\$12.50	\$12.70	\$12.90	--	\$13.10
17220	Pool Lifeguard V	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17249	Pool Technician Assistant I	Parks & Recreation	\$11.00	\$11.20	\$11.40	--	\$11.60
17250	Pool Technician Assistant II	Parks & Recreation	\$11.50	\$11.70	\$11.90	--	\$12.10
17251	Pool Technician Assistant III	Parks & Recreation	\$12.00	\$12.20	\$12.40	--	\$12.60
17252	Pool Technician Assistant IV	Parks & Recreation	\$12.50	\$12.70	\$12.90	--	\$13.10
17253	Pool Technician Assistant V	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17574	Project Manager I	Public Works	\$42.00	\$42.20	\$42.40	--	\$42.60
17575	Project Manger II	Public Works	\$54.00	\$54.20	\$54.40	--	\$54.60
17577	Public Information Assistant	Public Works	\$12.50	\$12.70	\$12.90	--	\$13.10
17199	Recreation Aide I	Parks & Recreation	\$8.00				
17200	Recreation Aide II	Parks & Recreation	\$8.50				
17211	Recreation Assistant I	Parks & Recreation	\$9.00	\$9.20	\$9.40	\$10.00	
17212	Recreation Assistant II	Parks & Recreation	\$9.50	\$9.70	\$9.90	\$10.40	
17213	Recreation Assistant III	Parks & Recreation	\$10.00	\$10.20	\$10.40	\$10.80	
17214	Recreation Assistant IV	Parks & Recreation	\$10.50	\$10.70	\$10.90	\$11.20	
17215	Recreation Assistant V	Parks & Recreation	\$11.00	\$11.20	\$11.40	\$11.60	
17201	Recreation Equipment Tech I	Parks & Recreation	\$9.00	\$9.20	\$9.40	\$10.00	
17202	Recreation Equipment Tech II	Parks & Recreation	\$9.50	\$9.70	\$9.90	\$10.40	
17203	Recreation Equipment Tech III	Parks & Recreation	\$10.00	\$10.20	\$10.40	\$10.80	
17204	Recreation Equipment Tech IV	Parks & Recreation	\$10.50	\$10.70	\$10.90	\$11.20	
17205	Recreation Equipment Tech V	Parks & Recreation	\$11.00	\$11.20	\$11.40	\$11.60	
17289	Recreation Program Coordinator I	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17290	Recreation Program Coordinator II	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17291	Recreation Program Coordinator III	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17292	Recreation Program Coordinator IV	Parks & Recreation	\$16.00	\$16.20	\$16.40	--	\$16.60
17293	Recreation Program Coordinator V	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17264	Recreation Program Director I	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17265	Recreation Program Director II	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17266	Recreation Program Director III	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17267	Recreation Program Director IV	Parks & Recreation	\$16.00	\$16.20	\$16.40	--	\$16.60
17268	Recreation Program Director V	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17254	Recreation Program Leader I	Parks & Recreation	\$11.00	\$11.20	\$11.40	--	\$11.60

APPENDIX B

Rate Class	Classification	Department	Hourly Rate	1/11/2014	7/11/2015	12/26/2015	7/9/2016
17255	Recreation Program Leader II	Parks & Recreation	\$11.50	\$11.70	\$11.90	--	\$12.10
17256	Recreation Program Leader III	Parks & Recreation	\$12.00	\$12.20	\$12.40	--	\$12.60
17257	Recreation Program Leader IV	Parks & Recreation	\$12.50	\$12.70	\$12.90	--	\$13.10
17258	Recreation Program Leader V	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17906	Recreation Therapist/Nurse I	Parks & Recreation	\$20.00	\$20.20	\$20.40	--	\$20.60
17907	Recreation Therapist/Nurse II	Parks & Recreation	\$25.00	\$25.20	\$25.40	--	\$25.60
17908	Recreation Therapist/Nurse III	Parks & Recreation	\$35.00	\$35.20	\$35.40	--	\$35.60
17580	Rental Mediation Aide I	Community Development	\$12.25	\$12.45	\$12.65	--	\$12.85
17581	Rental Mediation Aide II	Community Development	\$18.00	\$18.20	\$18.40	--	\$18.60
17582	Rental Mediation Aide III	Community Development	\$21.00	\$21.20	\$21.40	--	\$21.60
17590	Restorative Outreach Specialist	Police	\$20.00	\$20.20	\$20.40	--	\$20.60
17600	School Crossing Guard I	Police	\$12.00	\$12.20	\$12.40	--	\$12.60
17601	School Crossing Guard II	Police	\$13.00	\$13.20	\$13.40	--	\$13.60
17274	Sports Coach I	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17275	Sports Coach II	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17276	Sports Coach III	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17277	Sports Coach IV	Parks & Recreation	\$16.00	\$16.20	\$16.40	--	\$16.60
17278	Sports Coach V	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17299	Sports Official I	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17300	Sports Official II	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17301	Sports Official III	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17302	Sports Official IV	Parks & Recreation	\$16.00	\$16.20	\$16.40	--	\$16.60
17303	Sports Official V	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17294	Sports Program Coordinator I	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17295	Sports Program Coordinator II	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17296	Sports Program Coordinator III	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17297	Sports Program Coordinator IV	Parks & Recreation	\$16.00	\$16.20	\$16.40	--	\$16.60
17298	Sports Program Coordinator V	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17605	Standby Diver	Waterfront	\$15.00	\$15.20	\$15.40	--	\$15.60
17608	Student Intern	Admin Services	\$8.00				
17232	Swim Instructor I	Parks & Recreation	\$12.00	\$12.20	\$12.40	--	\$12.60
17233	Swim Instructor II	Parks & Recreation	\$12.50	\$12.70	\$12.90	--	\$13.10
17234	Swim Instructor III	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17235	Swim Instructor IV	Parks & Recreation	\$13.50	\$13.70	\$13.90	--	\$14.10
17236	Swim Instructor V	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17306	Tennis Instructor I	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17307	Tennis Instructor II	Parks & Recreation	\$16.00	\$16.20	\$16.40	--	\$16.60
17308	Tennis Instructor III	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17304	Tennis Maintenance Asst. I	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17305	Tennis Maintenance Asst. II	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17615	Traffic Counter	Public Works	\$10.00	\$10.20	\$10.40	--	\$10.60
17616	Traffic Counter-Lead	Public Works	\$12.25	\$12.45	\$12.65	--	\$12.85
17618	Traffic Engineer	Public Works	\$75.00	\$75.20	\$75.40	--	\$75.60
17620	Utility Worker I	Public Works	\$14.97	\$15.17	\$15.37	--	\$15.57
17621	Utility Worker II	Public Works	\$16.45	\$16.65	\$16.85	--	\$17.05
17269	Van/Youth Bus Driver I	Parks & Recreation	\$13.00	\$13.20	\$13.40	--	\$13.60
17270	Van/Youth Bus Driver II	Parks & Recreation	\$14.00	\$14.20	\$14.40	--	\$14.60
17271	Van/Youth Bus Driver III	Parks & Recreation	\$15.00	\$15.20	\$15.40	--	\$15.60
17272	Van/Youth Bus Driver IV	Parks & Recreation	\$16.00	\$16.20	\$16.40	--	\$16.60
17273	Van/Youth Bus Driver V	Parks & Recreation	\$17.00	\$17.20	\$17.40	--	\$17.60
17642	Waterfront Worker I	Waterfront	\$8.00				
17643	Waterfront Worker II	Waterfront	\$8.25				
17644	Waterfront Worker III (Waterfront Worker I)	Waterfront	\$8.75	\$9.00		\$10.00	
17649	Waterfront Worker IV (Waterfront Worker II)	Waterfront	\$9.50	\$9.70	\$9.90	\$10.40	
17650	Waterfront Worker V (Waterfront Worker III)	Waterfront	\$10.00	\$10.20	\$10.40	\$10.80	
17651	Waterfront Worker VI	Waterfront	\$10.50	\$10.70	\$10.90	\$11.20	

APPENDIX B

Rate Class	Classification	Department	Hourly Rate	1/11/2014	7/11/2015	12/26/2015	7/9/2016
	(Waterfront Worker IV)						
17652	Waterfront Worker VII (Waterfront Worker V)	Waterfront	\$11.00	\$11.20	\$11.40	\$11.60	
17645	Waterfront Worker VIII (Waterfront Worker VI)	Waterfront	\$12.25	\$12.45	\$12.65	--	\$12.85
17646	Waterfront Worker IX (Waterfront Worker VII)	Waterfront	\$12.50	\$12.70	\$12.90	--	\$13.10
17647	Waterfront Worker X (Waterfront Worker VIII)	Waterfront	\$12.75	\$12.95	\$13.15	--	\$13.35
17648	Waterfront Worker XI (Waterfront Worker IX)	Waterfront	\$13.00	\$13.20	\$13.40	--	\$13.60
17680	Web Technician	Administrative Services	\$24.00	\$24.20	\$24.40	--	\$24.60
17685	Youth Recruiter	Administrative Services	\$8.80				



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Records Destruction For The City Administrator's Office

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the City Administrator's Office.

DISCUSSION:

The City Council adopted Resolution No. 14-006 on February 11, 2014, approving the City of Santa Barbara Records Management Policies and Procedures Manual. The Manual contains the records retention and disposition schedules for all City departments. The schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice.

Pursuant to the Manual, the City Administrator submitted a request for records destruction to the City Clerk Services Manager to obtain written consent from the City Attorney. The City Clerk Services Manager agreed that the list of records proposed for destruction conformed to the retention and disposition schedules. The City Attorney has consented in writing to the destruction of the proposed records.

The City Administrator requests the City Council to approve the destruction of the City Administrator's Office records listed on Exhibit A of the proposed Resolution, without retaining a copy.

SUSTAINABILITY IMPACT:

Under the City's sustainability program, one of the City's goals is to increase recycling efforts and divert waste from landfills. The Citywide Records Management Program outlines that records approved for destruction be recycled, reducing paper waste.

Council Agenda Report
Records Destruction For The City Administrator's Office
June 10, 2014
Page 2

PREPARED BY: Jennifer M. Jennings, Office Supervisor

SUBMITTED BY: James L. Armstrong, City Administrator

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA RELATING TO THE DESTRUCTION OF
RECORDS HELD BY THE CITY ADMINISTRATOR'S
OFFICE

WHEREAS, the City Council adopted Resolution No. 14-006 on February 11, 2014, approving the City of Santa Barbara Records Management Policies and Procedures Manual;

WHEREAS, the City of Santa Barbara Records Management Policies and Procedures Manual contains the records retention and disposition schedules for all City departments. The records retention and disposition schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice;

WHEREAS, Government Code section 34090 provides that, with the approval of the City Council and the written consent of the City Attorney, the head of a City department may destroy certain city records, documents, instruments, books or papers under the Department Head's charge, without making a copy, if the records are no longer needed;

WHEREAS, the City Administrator submitted a request for the destruction of records held by the City Administrator's Office to the City Clerk Services Manager to obtain written consent from the City Attorney. A list of the records, documents, instruments, books or papers proposed for destruction is attached hereto as Exhibit A and shall hereafter be referred to collectively as the "Records";

WHEREAS, the Records do not include any records affecting title to real property or liens upon real property, court records, records required to be kept by statute, records less than two years old, video or audio recordings that are evidence in any claim or pending litigation, or the minutes, ordinances or resolutions of the City Council or any City board or commission;

WHEREAS, the City Clerk Services Manager agrees that the proposed destruction conforms to the City's retention and disposition schedules;

WHEREAS, the City Attorney consents to the destruction of the Records; and

WHEREAS, the City Council of the City of Santa Barbara finds and determines that the Records are no longer required and may be destroyed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA that the City Administrator, or his designated representative, is authorized and directed to destroy the Records without retaining a copy.

CITY ADMINISTRATOR'S OFFICE

Records Series

Date(s)

City Administrator's Office Departmental Files,
Routine Correspondence

1995

Human Resources Subject Files

1967 - 1998



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Mayor and Councilmembers

FROM: Administration Division, Library Department

SUBJECT: Records Destruction For Library Department

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Library Department in the Administration Division.

DISCUSSION:

The City Council adopted Resolution No. 14-006 on February 11, 2014, approving the City of Santa Barbara Records Management Policies and Procedures Manual. The Manual contains the records retention and disposition schedules for all City departments. The schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice.

Pursuant to the Manual, the Library Director submitted a request for records destruction to the City Clerk Services Manager to obtain written consent from the City Attorney. The City Clerk Services Manager agreed that the list of records proposed for destruction conformed to the retention and disposition schedules. The City Attorney has consented in writing to the destruction of the proposed records.

The Library Director requests the City Council to approve the destruction of the Library Department records in the Administration Division listed on Exhibit A of the proposed Resolution, without retaining a copy.

SUSTAINABILITY IMPACT:

Under the City's sustainability program, one of the City's goals is to increase recycling efforts and divert waste from landfills. The Citywide Records Management Program outlines that records approved for destruction be recycled, reducing paper waste.

Council Agenda Report
Records Destruction For Library Department
June 10, 2014
Page 2

PREPARED BY: Norma Cervantes, Accounting Technician

SUBMITTED BY: Irene Macias, Library Director

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA RELATING TO THE DESTRUCTION OF
RECORDS HELD BY THE LIBRARY DEPARTMENT IN
THE ADMINISTRATION DIVISION

WHEREAS, the City Council adopted Resolution No. 14-006 on February 11, 2014, approving the City of Santa Barbara Records Management Policies and Procedures Manual;

WHEREAS, the City of Santa Barbara Records Management Policies and Procedures Manual contains the records retention and disposition schedules for all City departments. The records retention and disposition schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice;

WHEREAS, Government Code section 34090 provides that, with the approval of the City Council and the written consent of the City Attorney, the head of a City department may destroy certain city records, documents, instruments, books or papers under the Department Head's charge, without making a copy, if the records are no longer needed;

WHEREAS, the Library Director submitted a request for the destruction of records held by the Library Department to the City Clerk Services Manager to obtain written consent from the City Attorney. A list of the records, documents, instruments, books or papers proposed for destruction is attached hereto as Exhibit A and shall hereafter be referred to collectively as the "Records";

WHEREAS, the Records do not include any records affecting title to real property or liens upon real property, court records, records required to be kept by statute, records less than two years old, video or audio recordings that are evidence in any claim or pending litigation, or the minutes, ordinances or resolutions of the City Council or any City board or commission;

WHEREAS, the City Clerk Services Manager agrees that the proposed destruction conforms to the City's retention and disposition schedules;

WHEREAS, the City Attorney consents to the destruction of the Records; and

WHEREAS, the City Council of the City of Santa Barbara finds and determines that the Records are no longer required and may be destroyed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA that the Library Director, or her designated representative, is authorized and directed to destroy the Records without retaining a copy.

LIBRARY DEPARTMENT - ADMINISTRATION DIVISION

<u>Records Series</u>	<u>Date(s)</u>
Credit Card Transaction Records	July 2010 – December 2012
Gift Fund	2004-2007
Gift Files	2004-2007
Monthly Circulation Statistics Report	2010-2012



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Resolution To Accept Permanent Easement Interests At Lowena Drive

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Accept Permanent Easement Interests Located at 1122 and 1130 North Milpas Street, and Consenting to the Recordation of the Lowena Drive Easement Deeds in the Official Records, County of Santa Barbara.

DISCUSSION:

As part of the construction of Santa Barbara Bowl Foundation's (SBBF) new box office, administration building, and pedestrian plaza (Project), a portion of the City Street Easement known as Lowena Drive was conditionally vacated by the adoption of Council Resolution No. 12-085 on December 4, 2012 (Attachment 1).

Prior to vacation of a portion of Lowena Drive by the City, and as part of the Conditions of Approval for the Project, SBBF was required to complete street improvements to the portion of Lowena Drive that was to remain a public street. The public improvements to the portion of Lowena Drive remaining as a public street were collectively determined by the City's traffic engineering, transportation planning, fire and police staff. The improvements included a cul-de-sac with sufficient area for vehicular turnaround, curbs, sidewalk and gutters, a vehicle gate with an attached Fire Department Knox Box (for emergency access), a new street light and pedestrian gate at the point of termination of the remaining portion of public street.

As part of the process necessary to complete the improvements described above, SBBF has dedicated to the City a portion of their adjacent property for street easement purposes to accommodate the configuration of the cul-de-sac at the end of the public street portion of Lowena Drive (Attachment 2). Additionally, the County of Santa Barbara has granted the City easement rights for public right of way purposes, and for maintenance and access on its adjacent property (Attachment 3). The recordation of these easements was deferred until completion of the public improvements and the subsequent recordation of

the Lowena Drive Order to Vacate by City Resolution 12-085 (Resolution to Vacate), per the conditions placed on the vacation.

The improvements to the remaining public street portion of Lowena Drive are now complete, as evidenced by Public Works inspection and approval. Since the conditions placed on the vacated portion of Lowena Drive have been satisfied, the Resolution to Vacate was recorded on May 22, 2014. As such, the City can now accept the proffered permanent easement interests.

Having met the conditions of the Resolution to Vacate, staff recommends that Council adopt the Resolution to accept the permanent easements as described, and consent to their recordation in the Official Records, County of Santa Barbara.

ATTACHMENT(S):

1. Resolution No. 12-085
2. Street Easement Deed from Santa Barbara Bowl Foundation
3. Lowena Drive Easement Deed from County of Santa Barbara

PREPARED BY: John Ewasiuk, Principal Civil Engineer/DT/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

RECORDING REQUESTED BY)
 AND WHEN RECORDED MAIL TO:)
)
 City of Santa Barbara)
 City Clerk)
 P.O. Box 1990)
 Santa Barbara, CA 93102-1990)
)
) No fee per STS & HWY CODE 8325
 _____)
 Space above line for Recorder's Use

RESOLUTION NO. 12-085

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ORDERING THE VACATION OF THE PORTION OF LOWENA DRIVE LOCATED ADJACENT TO ASSESSOR'S PARCEL NOS. 029-202-001 AND 029-201-004 AS HEREINAFTER DESCRIBED, AND PROVIDING FOR THE RECORDATION OF THIS RESOLUTION UPON SUCCESSFUL COMPLETION OF CONDITIONS CONTAINED HEREIN

WHEREAS, the Council of the City of Santa Barbara, by Resolution No. 12-076, has declared its intention to vacate a certain portion of Lowena Drive between Assessor's Parcel Nos. 029-202-001 and 029-201-004, on the premises commonly known as the Santa Barbara Bowl, within the City Limits of said City, which portion of Lowena Drive is hereinafter referred to as the "Street Easement";

WHEREAS, on December 4, 2012, at 2:00pm, during the regularly scheduled Council meeting, the Santa Barbara City Council held a hearing upon the proposed vacation of the Street Easement for all persons interested in or objecting to the vacation;

WHEREAS, the above referenced hearing was duly noticed and held pursuant to Division 9, Part 3, Chapter 3 (Sections 8320-8325) of the Streets and Highways Code of the State of California as amended;

WHEREAS, the City Council caused Notices of Vacation to be posted in the manner and during the time required by Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California;

WHEREAS, the Council of said City caused the City Clerk to publish the notice of the hearing on the proposed vacation of the Street Easement in a weekly newspaper of general circulation, published and circulated in the City of Santa Barbara as required by Division 9, Part 3, Chapter 3 of the Streets and Highways Code of the State of California;

WHEREAS, the City Council, having heard and considered the evidence offered by all interested persons appearing at the hearing, finds that the Street Easement is not necessary for present or prospective public use purposes, but is needed for existing public utilities service easement which shall herein be reserved for rights that are or may be necessary for the use and maintenance of various public utility services other than for a public street;

WHEREAS, the Street Easement hereinafter described is not necessary or useful for a non-motorized transportation facility;

WHEREAS, the City claims no interest in the underlying fee ownership of the subject portion of Lowena Drive;

WHEREAS, the City additionally makes no claim as to any underlying fee ownership, or any easement rights related to what is commonly known as Cove Mound Drive on the County of Santa Barbara property;

WHEREAS, Lowena Drive in part runs over land owned by the County of Santa Barbara and upon which the large outdoor amphitheater known as the Santa Barbara Bowl is located;

WHEREAS, the Santa Barbara Bowl Foundation, the operators of the Santa Barbara Bowl, own land adjacent to the Santa Barbara Bowl and lease the land upon which the Santa Barbara Bowl is located from the County of Santa Barbara;

WHEREAS, the Santa Barbara Bowl Foundation desires to renovate the existing box office and construct a new 2,210 square-foot administration building with box office and public restrooms at the Santa Barbara Bowl, and improve pedestrian and shuttle routes from the box office to the amphitheater (hereinafter the "Bowl Renovation Project");

WHEREAS, part of the Bowl Renovation Project the Santa Barbara Bowl Foundation has agreed to construct certain street improvements on a portion of Lowena Drive which is not subject to the proposed street vacation;

WHEREAS, the recordation of the Resolution vacating Lowena Drive is conditioned upon construction of certain public street improvements made to Lowena Drive, which are more particularly described in the C-1 drawings prepared in conjunction with the Bowl Renovation Project identified as City Master Planning Permit No. MST2009-00551, not later than three (3) years from adoption of this Resolution; and

WHEREAS, the City Council authorizes the City Clerk to record this Resolution only upon receipt of an approved final inspection by the City of Santa Barbara of the Lowena Drive cul-de-sac street improvements set forth in the C-1 drawings prepared in conjunction with the Bowl Renovation Project

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

The City Council finds and determines as follows:

SECTION 1. That, upon completion of the duly noticed December 4, 2012 public hearing regarding this vacation, the City Council approves the proposed street easement vacation of the portion of Lowena Drive as described hereinafter for the following reasons:

1. The above findings are true and correct.
2. The street easement for the portion of Lowena Drive described is not necessary for the present or prospective public street purposes or City of Santa Barbara waterline utility use purposes, with the exception of the reservation for public utilities services use, other than for a public street.

SECTION 2. The vacation of Lowena Drive is conditioned upon the prior construction of certain public street improvements made to Lowena Drive which are more particularly described in the C-1 drawings prepared in conjunction with the Bowl Renovation Project identified as City Master Planning Permit No. MST2009-00551 not later than three (3) years after the adoption of this Resolution.

SECTION 3. Upon receipt of an approved final inspection by the City of Santa Barbara of the Lowena Drive cul-de-sac street improvements, as set forth in the C-1 drawings prepared in conjunction with the Bowl Renovation Project, the City Clerk shall cause a certified copy of this Resolution to be duly attested and recorded in the Office of the County Recorder of the County of Santa Barbara.

SECTION 4. Upon issuance by the City of the permit to construct the Santa Barbara Bowl Box Office Renovation project, as identified under City Master Planning Permit No. MST2009-00551 the Santa Barbara Bowl Foundation is hereby granted a temporary construction right of entry to use and occupy that portion of Lowena Drive that is subject to the conditional vacation in order to construct the Santa Barbara Bowl Box Office Renovation Project.

Section 5. In view of the above, and only upon satisfaction of SECTIONS 2 and 3 above, it is resolved that the Lowena Drive Street Easement described below is ordered vacated and all lands covered by any of said public street easement shall no longer be subject to a public street easement, namely;

DESCRIPTION

Those certain portions of street easement known as Lowena Drive, in the City of Santa Barbara, County of Santa Barbara, State of California, more particularly described on Exhibit "A", and generally depicted on Exhibit Map "B" attached hereto.

RESERVING THEREFROM said vacation to the City of Santa Barbara, a non-exclusive public service easement for all public utilities to use, maintain, operate, alter, repair, relocate and/or remove, at any time and from time to time, public facilities consisting of gas pipelines, electrical transmission lines and appurtenances, communication lines, cable television conduits, and other public utilities easement use other than for street or highway purposes, upon, over, in, under, along, through and across that entire certain portion of Lowena Drive herein described per Exhibits "A" and "B" as referred to above.

EXHIBIT "A"**LEGAL DESCRIPTION:**

Abandonment of a portion of the City of Santa Barbara's Easement known as "Lowena Drive"

All that portion of "Lowena Drive" granted in the Deed to the County of Santa Barbara, recorded July 13, 1936, in Book 364, Page 461 of Official Records in the office of the Santa Barbara County Recorder, and accepted as an Easement for "Street Purposes" by the City of Santa Barbara per City Resolution Nos. 2736 and 2737 adopted February 24, 1955, that portion to be abandoned is described as follows:

Beginning at a point on the Northeasterly line of Milpas Street, said point bears South 50°19'00" East 177.08 feet from the intersection of said Northeasterly line of Milpas Street with the Northwesterly line of Anapamu Street;

Thence	North 36°04'00" East, 127.79 to the beginning of a curve to the left with a radius of 245.75 feet and a delta of 14°54'40";
Thence	Along the arc of said curve a distance of 63.96 feet to the end of said curve;
Thence	North 21°09'20" East 35.35 feet to the beginning of a curve to the right with a radius of 41.74 feet and a delta of 45°19'40";
Thence	Along the arc of said curve a distance of 33.02 feet to the end of said curve;
Thence	North 66°30'00" East 49.97 feet to a point;
Thence	North 23°30'00" West 30.00 feet to a point;
Thence	South 66°30'00" West 28.26 feet to the beginning of a curve to the right with a radius of 11.00 feet and a delta of 107°10';
Thence	Along the arc of said curve a distance of 20.57 feet to the end of said curve and the beginning of a reverse curve to the left with a radius of 96.81 feet and a delta of 17°00';
Thence	Along the arc of said curve a distance of 28.72 feet to the end of said curve;
Thence	North 23°20'00" West 88.85 feet to the beginning of a curve to the left with a radius of 43.21 feet and a delta of 91°13'40";
Thence	Along the arc of said curve a distance of 68.80 feet to the end of said curve;
Thence	North 3°51'00" West 13.45 feet more or less to a intersect the Pueblo Line of the City of Santa Barbara and the monument line shown on Record of Survey Book 49, Page 40 Santa Barbara County Records;
Thence	Along the Pueblo Line North 88°39' 50" West 13.95 feet to a point on the Northwesterly line of Lowena Drive as shown on said map;

Thence South 30°16'30" West along said Northwesterly line 14.50 feet to a point;
Thence South 44°44'21" East 43.78 feet to a point on the Southeasterly line of Lowena Drive, said point being the beginning of a curve to the right having a radius of 13.21 feet and a delta of 109°36';
Thence Along the arc of said curve a distance of 25.27 feet to the end of said curve;
Thence South 23°20'00" East 88.85 feet to the beginning of a curve to the right with a radius of 66.81 feet and a delta of 44°29'50";
Thence Along the arc of said curve a distance of 51.89 feet to the end of said curve;
Thence South 21°09'20" West 59.35 feet to the beginning of a curve to the right with a radius of 215.75 feet and a delta of 14°54'40";
Thence Along the arc of said curve a distance of 56.15 feet to the end of said curve;
Thence South 36°04'00" West 125.90 feet to intersect the Northeasterly line of Milpas Street;
Thence South 50°19'00" East along said Northeasterly line 30.06 feet to the Point of Beginning.

End of Description

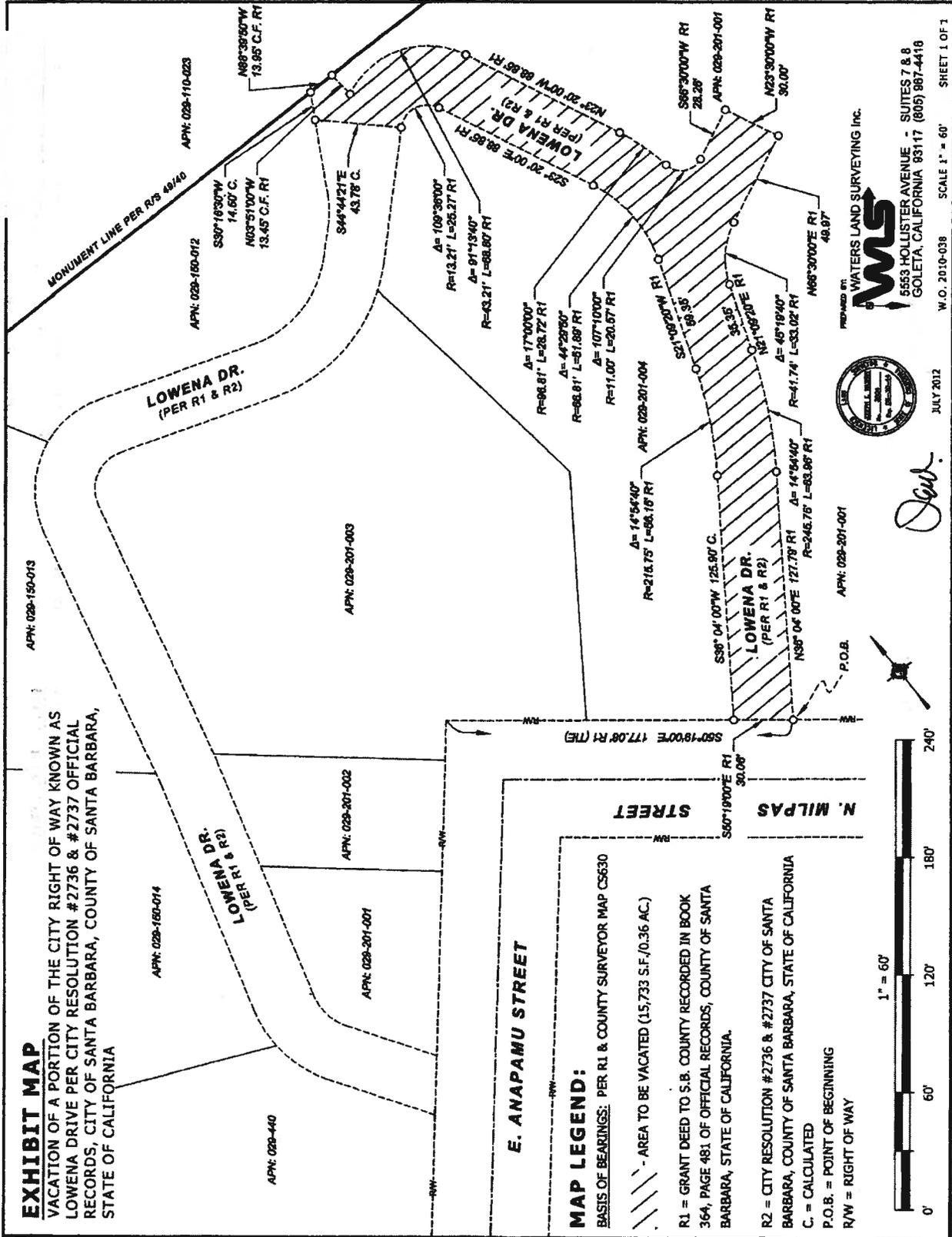
Calculated Area: 15,733 Sq. Ft. / 0.36 Acres

Prepared by: Joseph E. Waters, PLS 3804

Date: June 28, 2012



EXHIBIT MAP "B"



RESOLUTION NO. 12-085

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
)
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on December 4, 2012, by the following roll call vote:

- AYES: Councilmembers Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse; Bendy White, Mayor Helene Schneider
- NOES: None
- ABSENT: Dale Francisco
- ABSTENTIONS: None

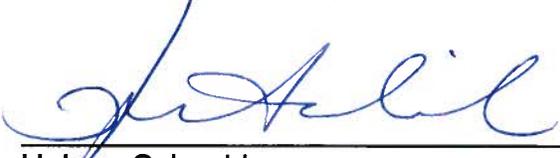
IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on December 5, 2012.





Gwen Peirce, CMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on December 5, 2012.



Helene Schneider
Mayor

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)
City Clerk)
City of Santa Barbara)
P.O. Box 1990)
Santa Barbara, CA 93102-1990)

No fee per GOVT CODE 6103
Space above line for Recorder's Use

APN 029-201-004

STREET EASEMENT DEED

Resolution No _____

For consideration, THE SANTA BARBARA BOWL FOUNDATION, a California Nonprofit Public Benefit Corporation, does hereby grant to the CITY OF SANTA BARBARA, a municipal corporation, an easement for public street and all related purposes and uses in, on, over, under, along, through and across a portion of that certain tract of land in the City of Santa Barbara, County of Santa Barbara, State of California, described in the Grant Deed to the Santa Barbara Bowl Foundation recorded April 15, 2005, as Instrument No. 2005-0034322 of Official Records of the Office of the County Recorder of said County, said street easement being more particularly described as follows:

As described in the Attached *Exhibit A*;

Said street easement described herein being an additional portion of Lowena Drive, and containing approximately 463 square feet of land area as generally depicted on attached *Exhibit B*.

APPROVED AS TO CONTENT:

GRANTOR: Santa Barbara Bowl Foundation, a California Nonprofit Public Benefit Corporation

Christine F. Andersen
Public Works Director

By: 
Paul Dore, President of the Santa Barbara Bowl Foundation

APPROVED AS TO FORM:
Stephen P. Wiley
City Attorney

By: 
Eric Lassen, Chairman of the Santa Barbara Bowl Facilities Committee

EXHIBIT A

Legal Description for Right of Way easement in favor of the City of Santa Barbara:

Over a portion of the real property conveyed in the Grant Deed to the Santa Barbara Bowl Foundation recorded on April 15, 2005 as Instrument No. 2005-0034322 of Official Records of the County of Santa Barbara, State of California, described as follows:

Beginning on the Southeasterly line of Lowena Drive at the Westerly commencement of the curve described in the 7th course of Parcel Three as described in said Grant Deed;

Thence 1st along the boundary of said Parcel Three and the Southeasterly line of Lowena Drive South 46°48'00" West 60.76 feet to the beginning of a non-tangent curve to the right, concave Southeasterly with a radial bearing of South 29°57'09" East, a radius of 194.19 feet and a delta angle of 02°43'29";

Thence 2nd leaving the boundary of Parcel Three and the Southeasterly line of Lowena Drive Northeasterly along the arc of the last described curve 9.23 feet to a point;

Thence 3rd North 65°20'53" East 26.86 feet to the beginning of a non-tangent curve to the left, concave Northwesterly with a radial bearing of North 25°54'38" West, a radius of 27.00 feet and a delta angle of 72°18'38";

Thence 4th Northeasterly and Northerly along the arc of the last described curve 34.08 feet to the beginning of a non-tangent curve to the left, concave Southeasterly with a radial bearing of South 26°17'03" East, a radius of 13.21 feet and a delta angle of 16°38'57";

Thence 5th along the arc of the last described curve 3.84 feet to the Point of Beginning;

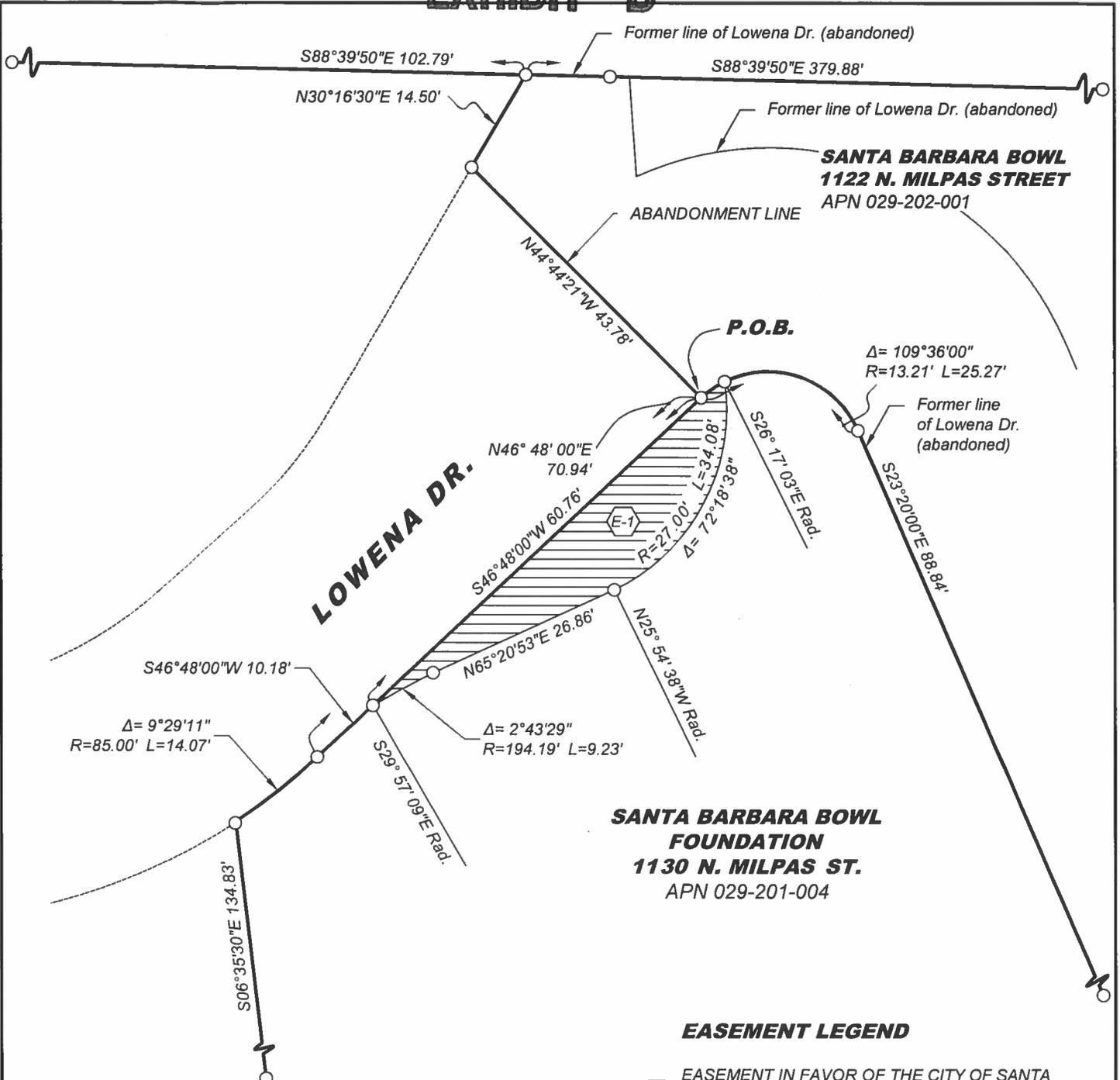
End of Description

Containing 463 square feet, 0.011 acres


Joseph E. Waters, P.L.S. No. 3804
License Expiration Date: 6-30-14



EXHIBIT B



MAP LEGEND

- P.O.B. = POINT OF BEGINNING
- = NO MONUMENT FOUND OR SET UNLESS OTHERWISE NOTED
- = PARCEL BOUNDARY

EASEMENT LEGEND

(E-1) EASEMENT IN FAVOR OF THE CITY OF SANTA BARBARA FOR PUBLIC RIGHT OF WAY PURPOSES. (FROM S.B. BOWL FOUNDATION)

EXHIBIT B - EASEMENT PLOT
SANTA BARBARA BOWL FOUNDATION
1130 N. MILPAS STREET
SANTA BARBARA, STATE OF CALIFORNIA



1" = 20'



PREPARED BY:
WATERS LAND SURVEYING Inc.
WLS
5553 HOLLISTER AVENUE - SUITES 7 & 8
GOLETA, CALIFORNIA 93117 (805) 967-4416

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)SS

On July 29, 2013, before me, Robin P. Lyons,
a notary public,
personally appeared Paul Dore,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under *PENALTY OF PERJURY* under the laws of the State of California that the foregoing
paragraph is true and correct.

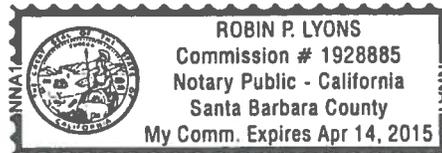
Witness my hand and official seal.

Signature: Robin P. Lyons

Printed: Robin P. Lyons

Commission No.: 192 8885

My Commission Expires: 4/14/15



ACKNOWLEDGMENT

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA)SS

On July 29, 2013, before me, Robin P. Lyons,
a notary public,
personally appeared Eric Lassen,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same
in his/her/their authorized capacity (ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under *PENALTY OF PERJURY* under the laws of the State of California that the foregoing
paragraph is true and correct.

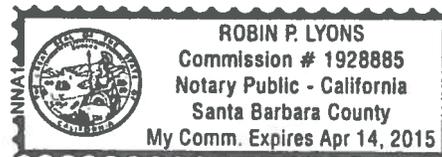
Witness my hand and official seal.

Signature: Robin P. Lyons

Printed: Robin P. Lyons

Commission No.: 192 8885

My Commission Expires: 4/14/15



Recorded at the request of
and when recorded mail to:
COUNTY OF SANTA BARBARA
Department of General Services
Office of Real Estate Services
WILL CALL

**COUNTY OF SANTA BARBARA
OFFICIAL BUSINESS**

No Fee Pursuant to Government Code §6103
No Tax Due

SPACE ABOVE THIS LINE FOR RECORDER'S USE
APN: 029-202-001

**LOWENA DRIVE
EASEMENT DEED
(Permanent Easement)**

COUNTY OF SANTA BARBARA, a political subdivision of the State of California, owner of all that real property in County of Santa Barbara, State of California, commonly referred to as Assessor's Parcel No. 029-202-001, referred to as GRANTOR herein,

FOR A VALUABLE CONSIDERATION, DOES HEREBY GRANT TO

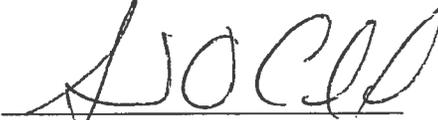
CITY OF SANTA BARBARA, a municipal corporation of the State of California, its successors and assigns (hereinafter referred to as "Grantee"), a permanent right-of-way and water utility easement for the present and future construction, reconstruction, operation, repair, and maintenance of roadway improvements and to construct, reconstruct, alter, replace, use, operate, inspect, maintain, repair, and remove water pipelines including structures and appurtenances with all connections thereto and any such related public improvements, including access thereto for maintenance and construction required by GRANTEE for GRANTEE'S operations including, but not limited to, roadway and pipeline extension, roadway and pipeline repair, erosion protection, landscaping and related public improvements in such number and size, and with such accessory parts and structures, and with all surface and subsurface appurtenances incidental thereto, as the GRANTEE, or its successors in interest, may from time to time deem necessary to install within the easement, together with the necessary rights of ingress and egress to the easement for the above-referenced purposes, in, on, over, along, under and through that certain land situated in the County of Santa Barbara, State of California, legally described in Exhibit A and shown on map depicted on Exhibit B, attached hereto and incorporated herein by reference. This easement is granted to allow for the construction of cul-de-sac and domestic water improvements to Lowena Drive.

GRANTEE shall defend, indemnify and hold harmless GRANTOR, its agents, employees, officers, successors and assigns from and against any and all claims, liabilities, demands, costs (including reasonable attorney fees), and causes of action of all kinds arising from GRANTEE'S use of the easement area, or any obligations arising there from, including but not limited to contamination by harmful, hazardous and/or toxic materials; except for any such claim arising solely out of the negligence or willful misconduct of GRANTOR, its agents, employees or officers.

In the event the indemnity hereunder exceeds that permitted by applicable law, such indemnity shall be construed as the maximum permitted by law. This indemnity shall not apply to any contamination which may occur on the easement area as a result of the operations of GRANTOR subsequent to the effective date of this easement.

IN WITNESS WHEREOF, GRANTOR and GRANTEE have executed this Easement Deed by the respective authorized officers as set forth below.

GRANTOR
COUNTY OF SANTA BARBARA

By: 
Chair, Board of Supervisors

Date: 5-14-13

State of California
County of Santa Barbara

On 5-7-13 before me, Russ Barker, a Deputy Clerk, personally appeared Salud Carbajal, Chair, who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose names(~~s~~) is/are subscribed to the within instrument, and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/~~their~~ authorized capacity(~~ies~~), and that by his/~~her~~/~~their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Russ Barker
Deputy Clerk
(Seal)

California Civil Code section 1189

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the interest in the real property conveyed by the Easement Deed (Permanent Easement) dated _____, 2013 from the COUNTY OF SANTA BARBARA, a political subdivision of the State of California, to the CITY OF SANTA BARBARA, a municipal corporation of the State of California, is hereby accepted by consent of Grantee as authorized by the City Council, pursuant to Resolution No. _____ dated _____, 2013, and consents to recordation thereof by its duly authorized officer.

Dated this _____ day of _____, 2013

CITY OF SANTA BARBARA
CITY CLERK

By: _____
Deputy Clerk

APPROVED AS TO FORM:
DENNIS MARSHALL
COUNTY COUNSEL

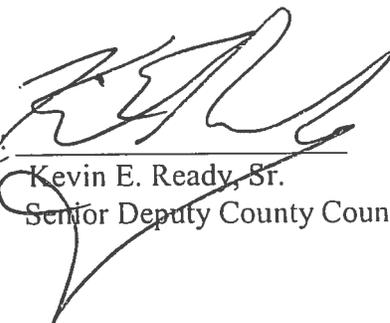
By: 
Kevin E. Ready, Sr.
Senior Deputy County Counsel

EXHIBIT A

Parcel One:

Legal Description for Right of Way easement in favor of the City of Santa Barbara:

Over a portion of the real property conveyed in the Grant Deed to the County of Santa Barbara recorded on July 13, 1936 in Book 364, Page 461 through 463, inclusive, of Official Records of the County of Santa Barbara, State of California, described as follows:

Beginning on the Southeasterly line of Lowena Drive at the Westerly commencement of the curve described in the 7th course of Parcel Three per the Grant Deed to the Santa Barbara Bowl Foundation recorded on April 15, 2005 as Instrument No. 2005-0034322 of Official Records of the County of Santa Barbara, State of California said point also being the Westerly commencement of the curve described as "to the right with a radius of 13.21 feet and a delta of 109°36'" per said Grant Deed to the County of Santa Barbara;

- Thence 1st leaving the Southeasterly line of Lowena Drive North 44°44'21" West 43.78 feet to the Northwesterly line of Lowena Drive;
- Thence 2nd along the Northwesterly line of Lowena Drive North 30°16'30" East 1.29 feet to the Northerly line of Lowena Drive;
- Thence 3rd leaving the Northwesterly line of Lowena Drive South 62°25'39" East 22.12 feet to the beginning of a non-tangent curve to the right, concave Southwesterly with a radial bearing of South 28°49'57" West, a radius of 27.00 feet and a delta angle of 52°56'47";
- Thence 4th along the arc of the last described curve 24.95 feet to the Southeasterly line of Lowena Drive and the Northwesterly line of the above described Parcel Three (same line) to the beginning of a non-tangent curve to the left, concave Southeasterly with a radial bearing of South 26°17'03" East with a radius of 13.21 feet and a delta angle of 16°38'57";
- Thence 5th Southwesterly along the arc of the last described curve 3.84 feet to the Point of Beginning.

End of Description

Containing 280 square feet, 0.006 acres

(The above described easement lies within an abandoned portion of Lowena Drive.)

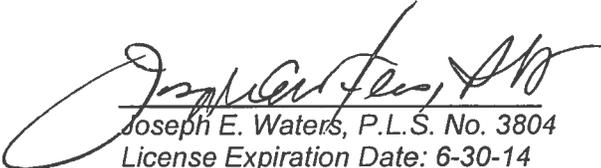

Joseph E. Waters, P.L.S. No. 3804
License Expiration Date: 6-30-14



EXHIBIT A

Parcel Two:

Legal Description for Maintenance easement in favor of the City of Santa Barbara

Over a portion of the real property conveyed in the Grant Deed to the County of Santa Barbara recorded on July 13, 1936 in Book 364, Page 461 through 463, inclusive, of Official Records of the County of Santa Barbara, State of California, described as follows:

Beginning at the intersection of the Pueblo Line and the Northwesterly line of Lowena Drive as described in said Grant Deed to the County of Santa Barbara;

Thence 1st along the Northwesterly line of Lowena Drive South 30°16'30" West 13.21 feet;

Thence 2nd leaving the Northwesterly line of Lowena Drive South 62°35'29" East 16.12 feet

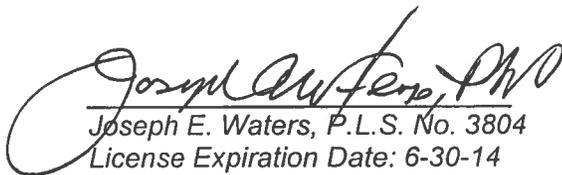
Thence 3rd North 11°10'57" East 18.97 feet to a point in the Pueblo Line (said line also being the Northerly line of the abandoned Lowena Drive);

Thence 4th along the Pueblo Line North 88°39'50" West 11.31 feet to the Point of Beginning.

End of Description

Containing 212 square feet, 0.005 acres

(The above described easement lies within an abandoned portion of Lowena Drive.)


Joseph E. Waters, P.L.S. No. 3804
License Expiration Date: 6-30-14



RESOLUTION OF ACCEPTANCE NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA TO ACCEPT PERMANENT EASEMENT INTERESTS LOCATED AT 1122 AND 1130 NORTH MILPAS STREET, AND CONSENTING TO THE RECORDATION OF THE LOWENA DRIVE EASEMENT DEEDS IN THE OFFICIAL RECORDS, COUNTY OF SANTA BARBARA

WHEREAS, the City of Santa Barbara Planning Commission on November 1, 2012 approved a conditional use permit for the Santa Barbara Bowl Foundation project to construct a new box office, administration building, and pedestrian plaza, and such conditional approval included the vacation of a portion of Lowena Drive in the City of Santa Barbara;

WHEREAS, the Council of the City of Santa Barbara on December 4, 2012 approved a Resolution for the conditional vacation of a portion of Lowena Drive that would require certain improvements to the portion of Lowena Drive remaining as a public street to be completed, and such conditions have now been satisfied allowing for the recordation of the vacation in the Official Records, County of Santa Barbara;

WHEREAS, the Santa Barbara Bowl Foundation granted certain easement interests to the City of Santa Barbara over its real property commonly known as 1130 North Milpas Street, APN 029-201-004 for public street purposes, and the County of Santa Barbara also granted certain easement interests for public right of way and utility access and maintenance on its real property commonly known as 1122 North Milpas Street, APN 029-202-001, County of Santa Barbara;

WHEREAS, the Street Easement Deed from the Santa Barbara Bowl Foundation has been signed by the respective owner, and the County Board of Supervisors has approved the Grant of Easement Interests described in the Lowena Drive Easement Deed to allow the City to acquire the real property interests, subject to final approval by the Council of the City of Santa Barbara; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the permanent easement interests particularly described in the respective Street Easement Deed as executed by the Santa Barbara Bowl Foundation, and the County Board of Supervisors approved Lowena Drive Easement Deed delivered for such purposes, without further action or subsequent resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The City of Santa Barbara hereby accepts the interests on the real property mentioned above, as more particularly described in the Street Easement Deed signed by the authorized representatives of the Santa Barbara Bowl Foundation, and the Lowena Drive Easement Deed authorized by the County Board of Supervisors, which have been executed and delivered hereunder.

SECTION 2. The City of Santa Barbara hereby consents to the recordation of the Street Easement Deed by the Santa Barbara Bowl Foundation, and the Lowena Drive Easement Deed by the County of Santa Barbara, in the Official Records, County of Santa Barbara subsequent to the acceptance of this Resolution.

SECTION 3. This Resolution shall become effective immediately upon its adoption.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Mayor and Councilmembers

FROM: Administration Division, Fire Department

SUBJECT: Professional Services Agreement With Xerox Government Systems, LLC, For Information Technology Hosting And Support Services

RECOMMENDATION:

That Council authorize the Fire Chief to execute a Professional Services Agreement with Xerox Government Systems, LLC, in the amount of \$38,000 for licensed access to the web version of FIREHOUSE Software Enterprise Version 7, for use in the Fire Department's daily operations.

DISCUSSION:

Background

For the past 10 years, the Fire Department has successfully utilized Firehouse Software Standard Version for its Record Management System (RMS) needs. Because of technological advancement, Xerox Government Systems, LLC (Xerox) will discontinue supporting this version within two years and has recommended that its customers install an upgraded version of this software.

Project Description

Firehouse Software (FH) is the RMS program used by the Fire Department to collect, record, report and analyze critical fire operations data. Modules included are Fire and Emergency Medical Response reporting, Analytics tool, Staff Activities and Training, Fire Inspection Occupancy Management, Apparatus Equipment and Inventory and Hydrant Tracking with Computer-Aided-Dispatch Monitor. This project implements FH Software Enterprise Version 7 in place of the Standard version being used currently.

FH Software Enterprise Version 7 offers a number of advantages:

- Software is web hosted by FH; reduces City Information Systems server costs and maintenance
- 24/7 network support; patches and upgrades performed by FH technicians

- City information protected in off-site, state-of-the-art data center
- System now available for mobile applications for use with tablets/electronic devices
- User interface remains the same; minimal user training required

Selection Process

The Fire Department conducted a review of competing RMS products and vendors and determined that FIREHOUSE Software Enterprise Version 7 best meets the needs and requirements of its operations with minimum disruption to existing procedures and training. Xerox is the only supplier of this software and has been selected as the vendor to provide it.

BUDGET/FINANCIAL INFORMATION:

The estimated total project cost for this Firehouse software is \$38,000. The agreement's term is 5 years and the annual cost is \$7,600. Fire's annual budget will absorb this cost and additional funding is not required.

PREPARED BY: Ronald Liechti, Administrative Services Manager

SUBMITTED BY: Patrick McElroy, Fire Chief

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Mayor and Councilmembers

FROM: Administration, Housing and Human Services Division, Community Development Department

SUBJECT: Request To Amend Tenant-Based Rental Assistance Subrecipient Agreement With Housing Authority

RECOMMENDATION:

That Council approve and authorize the Community Development Director to execute a First Amendment to Agreement No. 20,153 Subrecipient Agreement Between the City of Santa Barbara and the Housing Authority of the City of Santa Barbara to increase the federal Home Investment Partnerships Program funds ("HOME") by \$50,000, expand the geographic area within which Housing Authority may use the HOME funds to provide rental assistance and extend the term of the Agreement an additional two years.

DISCUSSION:

Background

In 2012, the City provided the Housing Authority with a \$300,000 HOME grant in to provide tenant based rental assistance to house approximately 20 chronically homeless persons while those persons are on the Section 8 program waiting list. The 2012 agreement expires in 2015.

Tenant Based Rental Assistance Program (TBRA)

The TBRA support provided is nearly identical to Section 8 assistance in that participants receive a rental subsidy that is used to rent apartments participants select that meet specified requirements. The Housing Authority helps participants find suitable apartments, inspects the apartments to ensure that they are decent and appropriately sized, and determines a reasonable amount for the rent in conjunction with the landlord. Participants are very low income persons with adjusted gross income not exceeding fifty percent (50%) of Area Median Income as determined annually by the Department of Housing and Urban Development (HUD). Participants contribute 30 percent of their income toward rent, and HOME funds make up the difference, with payments going directly to the landlord.

Currently, the Housing Authority is participating in a collaborative pilot program with other housing providers within the City of Santa Barbara in an effort to bring about a much-needed Housing First model to the South Coast. The additional funds requested today will provide rental assistance for up to two (2) years to an additional five (5) TBRA participants -- those experiencing chronic homelessness with a need for intensive wraparound services. The actual number of assisted persons will depend on actual figures for individual participant's income, rent, and how long rental assistance is needed. Although HOME TBRA grant funds may not be utilized for case management, these services are provided to TBRA clients by the Housing Authority through their Supportive Services program. Housing Authority recognizes the important connection between case management services and successful housing placements.

Expansion of Geographic Area

Santa Barbara has one of the most expensive housing markets in the country. The median rent for studios is approximately \$1,160 per month and \$1,500 per month for one-bedroom apartments. High rents exacerbate efforts to move homeless people back into housing and to retain housing for residents who are at risk of becoming homeless. Expanding the geographic area for this project will allow housing units to be located throughout the South Coast region of Santa Barbara County (from Gaviota to the Ventura County line) and could facilitate participants leasing more affordable units and sustaining their housing after assistance has ended.

BUDGET/FINANCIAL INFORMATION:

There are sufficient existing appropriations in the HOME Fund to cover the proposed grant increase. In accordance with HUD regulations, the City must commit \$47,930 before the end of the City's fiscal year on June 30, 2014. Committing the funds requested here would help meet this commitment deadline and address critical housing needs.

The City's Finance Committee approved the proposed Amendment at its meeting of June 3, 2014.

ATTACHMENT(S): March 27, 2014 Housing Authority Request

PREPARED BY: Deirdre Randolph, Community Development Programs
Supervisor/SLG

SUBMITTED BY: Betty Weiss, Acting Community Development Director

APPROVED BY: City Administrator's Office



HOUSING

AUTHORITY OF THE
CITY OF SANTA BARBARA808 Laguna Street / Santa Barbara
California / 93101Tel (805) 965-1071
Fax (805) 564-7041
TDD (805) 965-2521

March 27, 2014

Sue Gray
Community Development Business Manager
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

Subject: REQUEST TO AMEND AGREEMENT #24,153 (HOME TBRA II)

Dear Sue:

This letter is to request an amendment to the Housing Authority of the City of Santa Barbara's current TBRA agreement (#24,153) with the City of Santa Barbara.

Under the amended agreement the Housing Authority proposes to increase the amount of our TBRA funding by \$50,000, allowing us to serve an additional 5 clients. Additionally, we would like to extend the term of the agreement to 2017, as well as expand the geographic area for this project to allow housing units to be located throughout the South Coast region of Santa Barbara County (specifically from Gaviota to the Ventura County line). We feel this will facilitate the successful lease-up of TBRA voucher holders.

As you know, the Housing Authority currently operates a Supportive Services program which makes case management services available to all clients of the Authority requiring additional services, including TBRA clients. These services will continue to be provided to TBRA clients under the amended grant agreement, as we recognize the important connection between services and successful housing placements.

Lastly, the Housing Authority is currently participating in a collaborative pilot program with other providers and constituents within the City of Santa Barbara in an effort to bring about a much-needed Housing First model to the South Coast. This multi-agency collaborative will involve generating new housing stock (from the existing rental market) in order to house an underserved segment of our community—namely those experiencing chronic homelessness with a need for intensive wraparound services.

Please feel free to contact me at (805) 897-1051 should you have any questions concerning our request.

Sincerely,

HOUSING AUTHORITY OF THE
CITY OF SANTA BARBARAROB FREDERICKS
Deputy Executive Director/CAO



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction For The El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program Phase 2 Digester Cleaning And Equipment Rehabilitation Project

RECOMMENDATION: That Council:

- A. Increase Wastewater Capital Fund appropriations and estimated revenues by \$752,222, representing the total costs for the El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program Phase 2 Digester Cleaning And Equipment Rehabilitation Project that will be funded from a State and City Council approved loan from the Clean Water State Revolving Fund;
- B. Transfer \$194,173 of appropriated funds in the Wastewater Capital Fund from the El Estero Wastewater Treatment Plant Strategic Plan Implementation Project to the El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program, Phase 2 Digester Cleaning and Equipment Rehabilitation Project; and
- C. Award a contract with Synagro – WWT, Inc., in their low bid amount of \$791,725, for construction of the El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program Phase 2 Digester Cleaning and Equipment Rehabilitation Project, Bid No. 3727; and authorize the Public Works Director to execute the contract and approve expenditures up to \$79,170 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.

DISCUSSION:

BACKGROUND

On November 11, 2011, Council awarded a contract for construction for the El Estero Wastewater Treatment Plant (El Estero) Pilot Fats, Oil and Grease (FOG) Program. The goal was to divert a waste stream of fats, oil, and grease to El Estero's two digester units to increase biogas production. Biogas can be used as a reusable energy source. The FOG Facility was constructed, and El Estero has been receiving FOG waste material from MarBorg since April 2013.

Council Agenda Report

Contract For Construction For The El Estero Wastewater Treatment Plant Pilot Fats, Oil and Grease Program Phase 2 Digester Cleaning And Equipment Rehabilitation Project
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Funding for the FOG Project was secured via a Clean Water State Revolving Fund (SRF) loan. The loan agreement was for a 20-year loan in the amount of \$1,600,000, at an interest rate of 2.6 percent. The SRF loan had two phases: Phase 1 included the construction of the FOG receiving facility at a total project cost of \$847,778. Phase 2 will utilize the remaining SRF funds of \$752,222 for the El Estero FOG Phase 2 Digester Cleaning and Equipment Rehabilitation Project (Project).

PROJECT DESCRIPTION

The work consists of cleaning both digesters and replacing isolation valves and gas piping associated with the digesters.

The design work was completed by CDM Smith and was included in their existing Biosolids Handling Assessment contract. Design costs for this Project are estimated at approximately \$15,000, which includes both CDM Smith and engineering staff time.

CONTRACT BIDS

A total of two bids was received for the subject work, ranging as follows:

	BIDDER	BID AMOUNT
1.	Synagro - WWT, Inc. Baltimore, MD	\$791,725
2.	GSE Construction Livermore, CA	\$794,500

The low bid of \$791,725, submitted by Synagro - WWT, Inc., is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$79,170, or ten percent, is typical for this type of work and size of project.

FUNDING

This project is funded in part by an SRF loan, with the remaining costs funded by the Wastewater Capital Fund. There are sufficient funds currently budgeted in the El Estero Strategic Plan Implementation Program line item to cover the portion of the project unfunded by the SRF Loan. Staff requests to reallocate \$194,173 for the new Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Synagro	\$791,725	\$79,170	\$870,895
TOTAL RECOMMENDED AUTHORIZATION			\$870,895

The following summarizes all Project design costs, construction contract funding, and other Project costs:

ESTIMATED TOTAL PROJECT COST

**Cents have been rounded to the nearest dollar in this table.*

Design Costs (estimate of Contract and City Staff)	\$15,000
Subtotal	\$15,000
Construction Contract	\$791,725
Construction Change Order Allowance	\$79,170
Subtotal	\$870,895
Construction Management/Inspection (by City Staff)	\$60,500
Subtotal	\$60,500
TOTAL PROJECT COST	\$946,395

PREPARED BY: Lisa Arroyo, Supervising Civil Engineer/LA/mh

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Sole Source Contract For Flow Metering And Sampling Maintenance Services For The El Estero Wastewater Treatment Plant

RECOMMENDATION:

That Council approve, and authorize the Public Works Director to execute, a City Professional Services contract with Utility Systems, Science and Software, Inc., in the amount of \$44,728 for flow metering and sampling services for the El Estero Wastewater Treatment Plant, and authorize the Public Works Director to approve expenditures of up to \$4,473 for extra services of Utility Systems, Science and Software, Inc., that may result from necessary changes in the scope of work.

DISCUSSION:

BACKGROUND

The El Estero Wastewater Treatment Plant (El Estero) treats an average of approximately 7 million gallons of wastewater each day. However, plant influent measurements, such as flow and loading (concentration of constituents) into El Estero, are not directly monitored; the flow and sampling measurements are taken on the confluent line, which is located downstream of the Influent Pump Station, and they include recycled flows from several other plant processes. Staff needs to accurately determine influent flows and loadings into El Estero, rather than continue to rely on confluent measurements.

In 2012, Council authorized the City to enter into a contract with V&A Consulting Engineers, Inc., (V&A) to install flow meters and samplers on El Estero's four influent lines. The hardware for the meters and samplers was procured in 2012, and the installation was completed in 2013. As part of the City's contract with V&A, they were to maintain the meters and record the flows. However, staff has encountered maintenance problems associated with the meters and samplers, and questions the validity of the samples and accuracy of the flow data collected.

Given the current maintenance issues with the flow meters and samplers, a specialized contractor is needed to provide these flow metering and sampling maintenance services. As such, the City has terminated its remaining contract with V&A and proposes to enter into a one-year contract with Utility Systems, Science and Software, Inc., (US3).

PROJECT DESCRIPTION

The work to be performed by US3 generally includes verifying the accuracy of the existing flow metering and sampling equipment, calibrating meters and samplers to accurately collect and record the desired data, providing ongoing routine maintenance of the meters and samplers for one year, uploading the recorded flow data to cloud-based software, and training El Estero staff on basic troubleshooting. Staff will return to Council to seek a long-term maintenance contract for the samplers and meters once the one-year maintenance contract has ended.

CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with US3 in the amount of \$49,201 for flow monitoring and sampling verification and maintenance services. US3 is experienced in this type of work and successfully completed a comparable sewer system flow/sampling study associated with the City's wastewater rate study in mid-2013. US3's current proposal was analyzed by staff, and it has been determined that US3 proposes these services at a reasonable cost.

FUNDING

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

Flow Metering and Sampling Verification and Maintenance Services w/ Extra Services (by Contract)	\$49,201
Project Management (City Staff)	\$17,000
TOTAL PROJECT COST	\$66,201

There are sufficient appropriated funds in the Wastewater Capital Fund to cover these costs.

PREPARED BY: Chris Toth, Wastewater System Manager/LA/mh
SUBMITTED BY: Rebecca J. Bjork, Public Works Director
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department
Environmental Services Division, Finance Department

SUBJECT: Public Hearing Regarding Proposed Utility Rate Increases For Fiscal Year 2015

RECOMMENDATION: That Council:

- A. Hold a public hearing, as required by State law, regarding proposed utility rate increases for water, wastewater and solid waste collection services for Fiscal Year 2015; and
- B. Provide direction to staff regarding any changes to the proposed Fiscal Year 2015 utility rates.

EXECUTIVE SUMMARY:

The water rates that are recommended for Fiscal Year 2015 are the result of a drought water rate study that evaluated upcoming revenue requirements for the Water Fund based on capital improvement planning, reserve requirements, debt service, and operations and maintenance costs.

The drought-based water rates have been designed to incentivize extraordinary water conservation, while also providing sufficient revenues to meet operating and debt service requirements in order to maintain compliance with obligations to holders of City bonds. However, the proposed water rates will not generate enough revenue to cover the full cost of necessary drought-related capital projects. Therefore, additional costs will be funded from a combination of reserves, the reprogramming of already funded Fiscal Year 2014 capital projects, and the postponement of planned Fiscal Year 2015 capital projects, including main replacements, pump station improvements, and other maintenance projects.

For Fiscal Year 2015, Water Resources staff is proposing an across-the-board wastewater rate increase of 5.5%, as well as reclassification of commercial accounts. The rate increase will provide funding for operations, maintenance, and capital

improvements needed to keep the wastewater utility functioning reliably and in compliance with federal and state regulations.

The rates for trash and recycling services are proposed to increase by 1.6% for all customer classes to cover: 1) contractually-required CPI increases to the compensation paid to MarBorg Industries; 2) increases to the tipping fees charged by the processing and disposal sites that receive City waste; and, 3) a new fee to fund the long-term repair and replacement of the City's public trash and recycling containers. In addition to the across-the-board fee adjustment described above, the proposed rate schedule also adjusts multi-unit residential rates to more closely align the rates to collect an equivalent volume of material from carts, cans and dumpsters.

DISCUSSION:

As presented to Council during the development of the Fiscal Year 2015 recommended budget, staff is recommending increases in water, wastewater and solid waste fees for Fiscal Year 2015. Proposition 218, approved by California voters in 1996, requires that customers of a utility must be notified of the proposed rate increase through the agency's regular billing statement or by direct mail sent to the address used to send billing statements and that a public hearing be held prior to the adoption of the rate increase. A rate increase can be adopted unless a majority of the customers submit written protests. Accordingly, the Notice of a Public Hearing regarding Wastewater and Trash and Recycling rates (Attachment 1) was sent via customer utility bills in March and April 2014. The Notice of a Public Hearing for Water Rates (Attachment 2) was sent directly to customers in April 2014. The notices were also posted on the City's website. As of publication of this CAR, eleven written protests on one or more of the proposed rate increases have been received.

Water Rates

Santa Barbara is experiencing unprecedented drought conditions. In response, Council declared a Stage Two Drought Condition, which establishes a targeted system-wide reduction of 20% in water use. The proposed drought-based water rates are based on an analysis of cost of service and are designed to preserve the normally scheduled rate increase for the lowest tier rates and fixed meter fees and to incentivize extraordinary water conservation for the higher tiers to help achieve the overall 20% reduction in water use. In Fiscal Year 2014, a drought-based water rate study was completed to update the City's comprehensive water rate model created in 2012. This study evaluated the City's water rate structure for compliance with state law, for its performance with helping the City meet extraordinary water conservation goals, and with allocating costs fairly between user categories. The rate study was also designed to ensure that there are sufficient revenues, along with some use of reserves, to fund the operations, maintenance and capital improvements needed to keep the water utility functioning reliably and in compliance with federal and state regulations.

Proposed changes to the existing water rates include:

- Monthly meter fees: an increase of 3 to 4%, depending on the meter size.
- Single-Family Residential use: a 3% increase for the first four units of water, a 24% increase for the next 12 units of water (a reduction from 14 units), and an increase of 103% for all additional units of water.
- Multi-Family Residential use: a 3% increase for the first four units of water, a 24% increase for the next four units of water, and an increase of 103% for all additional units of water.
- Commercial/Industrial: a 3% increase in the 100% base allotment, and a 96% increase for all additional units of water.
- Irrigation – Residential and Commercial: a 24% increase for 100% of the monthly water budget, and a 103% increase for all additional units of water.
- Irrigation – Recreation, Parks, and Schools: a 3% increase for 100% of the monthly water budget, and a 103% increase for all additional units of water.
- Irrigation – Agriculture: a 3% increase for 100% of the monthly water budget, and a 103% increase for all additional units of water.
- Recycled: a 4% increase for all units of water.
- Outside City Limits: 130% of the corresponding in-City water rates

With the recommended rates, the typical Single-Family Residential water customer, using 12 HCF of water per month, would see a water bill increase of \$10.65, from \$67.81 to \$78.46. Water rates will be revisited upon any status change to the Stage Two Drought Condition.

Wastewater Rates

For wastewater service, an across-the-board increase of 5.5% is proposed for monthly base charges and unit rates for both residential and commercial customers. This is consistent with the Council-approved ten-year financial plan for the Wastewater Fund, developed to support the ongoing operation, maintenance, rehabilitation, and improvement of the wastewater system. The principle goals of the plan are to perform required maintenance to maximize equipment lifecycles, replace capital facilities as needed for the protection of the environment and for permit compliance, and to avoid higher costs and other impacts associated with deferred maintenance.

The Fiscal Year 2015 increase for the maximum bill to a Single-Family Residential customer would be \$2.22 per month, from \$40.78 to \$43.00. Commercial classifications are being modified to create two additional class categories. All commercial classifications will receive the same 5.5% rate increase in Fiscal Year 2015. Staff will conduct outreach to commercial users in Fiscal Year 2015 to reduce the strength of food service establishment discharge to the wastewater collection system. The success of this outreach effort will determine if future differential commercial rate changes will be necessary, based upon cost-of-service criteria.

Solid Waste Rates

The following rate adjustments are proposed for Fiscal Year 2015:

1. All Customer Classes: an increase of 1.6% is proposed for all customer classes as follows:
 - Consumer Price Index (CPI) Adjustment: 0.81% tied to the CPI to fund Environmental Services Division operations and to compensate MarBorg Industries pursuant to its contract with the City.
 - Tipping Fee Increases: 0.09% to cover increases to the “tipping fees” charged by the processing and disposal sites that receive the City’s solid waste.
 - Public Container Maintenance: 0.7% to fund the long-term repair and replacement of approximately 1,300 public trash and recycling containers located throughout the City.
2. Re-Balance Cost of Multi-Unit Residential Containers: The proposed rate schedule adjusts Multi-Unit Residential rates to reduce the price discrepancy that exists between materials collected in carts and cans and materials collected in dumpsters.

The current rate for material collected in carts and cans is 10% less per gallon than materials collected in dumpsters. This pricing imbalance financially incentivizes customers to subscribe to carts and cans, even if dumpster service would better meet the customer’s needs. Dumpsters accommodate bulky materials, can consolidate multiple carts and cans on space-constrained property, and are necessary to comply with state recycling mandates and the City’s own franchise agreement.

The proposed rate schedule re-balances Multi-Unit Residential rates on a revenue-neutral basis, while ensuring that no single customer receives more than a total 2% increase to their monthly bill, net of the across-the-board adjustments discussed above.

Effective Date

The proposed rate increases, if approved, would be included in customer bills mailed starting July 1, 2014 for services provided starting June 1, 2014. The timing of the effective date is consistent with prior year rate adjustments. However, given the potential impacts to certain water customers, our notices and direct mailings have emphasized the June 1st date so that water customers, particularly those that use more than 16 units of water, can minimize the financial impacts of the rate increases by finding ways to reduce water consumption starting no later than June 1st.

Water Commission Review

The Water Commission discussed the proposed changes to the Wastewater Rates and Water Rates at its meetings of February 10, and April 14, 2014, respectively.

Council and Finance Committee Review

On March 4, 2014, the Finance Committee received a presentation from staff on the proposed utility rate increases for trash and recycling and wastewater services. On April 15, 2014, Council received a presentation from staff on the proposed drought water rates. On May 13, 2014, the Finance Committee received a second presentation from staff on the proposed changes to trash and recycling, water and wastewater rates. Rate and fee changes will be adopted by Resolution with the City's 2015 Budget.

ATTACHMENTS:

1. Notice of a Public Hearing regarding Wastewater and Trash and Recycling rates
2. Notice of a Public Hearing for Water Rates

PREPARED BY: Joshua Haggmark, Acting Water Resources Manager
Matt Fore, Environmental Services Manager

SUBMITTED BY: Rebecca J. Bjork, Public Works Director
Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

NOTICE OF PUBLIC HEARING Proposed Increase to Utility Rates



Date: June 10, 2014
Time: 2:00 p.m.
Place: City Council Chambers, City Hall
 735 Anacapa Street, Santa Barbara

NOTICE IS HEREBY GIVEN that the City Council of the City of Santa Barbara will consider, at the above-indicated time and place, a recommendation to adopt a resolution to increase water, wastewater (sewer), and solid waste collection rates charged by the City. Increases would be effective on utility bills dated July 1, 2014 or later. Sample billing comparisons for current and proposed rates are shown on the reverse. Small variations in the stated percentages may occur due to rounding.

Water Rates

Water rates will be noticed in the coming weeks. A separate notice will be mailed out.

Wastewater Rates (Applicable only to customers billed by the City for sewer service)

The proposed wastewater rate change is a 5.5% percent increase to the City's current charges for all customer classes. The maximum monthly charge for a single family residential customer would increase by \$2.22 under the proposed rates. The proposed increase will fund operating costs, as well as replacement and repair of the City's aging sewer system. This includes replacement of critical facilities at the wastewater treatment plant. The City will expand the number of non-residential customer classifications during FY 2015. All non-residential accounts will have the same 5.5% rate increase during FY 2015 as for residential accounts.

Trash & Recycling (Applicable only to customers billed by the City for trash/recycling collection)

The proposed rate schedule includes an increase for all customer classes (Single Family Residential, Multi-Unit Residential and Business) of up to 1.6%, comprised of the following components: 1) 0.9% which represents a) an increase in the amounts paid to the City's contracted hauler tied to the increase in the Consumer Price Index (CPI) and, b) increases to the "tipping fees" charged by the processing and/or disposal sites that receive City waste. The City is contractually obligated to compensate its franchised waste hauler for these increases; and, 2) a new fee of 0.7% to fund the long-term repair and replacement of the City's public trash and recycling containers.

In addition to the 1.6% increase described above, rates for Multi-Unit Residential carts and cans will increase by 2%, and Multi Unit dumpsters will *decrease* by 2%. These adjustments are part of the City's long term plan to bring Multi-Unit dumpster and cart/can rates to an equivalent price per gallon regardless of the type of container serviced. The impact of this change on actual bills will vary depending upon each Multi-Unit Residential customer's specific mix of cars/carts and dumpster service.

This notice is intended only for customers billed by the City of Santa Barbara for water, wastewater, and/or solid waste collection services. For a complete list of all current and proposed rates, go to: www.SantaBarbaraCA.gov/UtilityBilling or call (805) 564-5460.

If you oppose any of the above increases, please deliver your protest **in writing**, including your name and service address, to the City Clerk of the City of Santa Barbara at 735 Anacapa Street, Santa Barbara, CA, 93101, prior to or during the City Council's consideration of this item on June 10, 2014. (If you wish to submit your protest during the public hearing, please deliver it to City Staff in the Council Chamber.) Because multiple rates are being considered by City Council at the same hearing, please indicate the specific rate you are protesting.

Typical Wastewater Billing Comparisons – Current vs. Proposed Rates

Customer Class	Example	Assumed Monthly Usage (hcf/mth)	Total Monthly Wastewater Charges		
			Current Rates	Proposed Rates	Proposed Increase
Single Family Residential	Low User 5/8" meter	6	\$30.42	\$32.08	\$1.66
	Average User 5/8" meter	12	\$40.78	\$43.00	\$2.22
Multi-Family Residential Building	12 dwelling units 2" meter	60	\$333.96	\$352.20	\$18.24
Commercial Classes 1, 2, & 3	2" meter	60	\$175.80	\$185.40	\$9.60
Commercial Class 4	2" meter	100	\$355.00	\$375.00	\$20.00

Note: Small variations in the stated percentage increases may occur due to rounding.

Typical Trash, Recycling, & Greenwaste Billing Comparisons Current vs. Proposed Rates

Service Level	Current Rates*	Proposed Rates*	% Change
Common Single Family Residential Service (65-gal trash, 65-gal greenwaste, 65-gal recycle) 1x/week	\$34.74	\$35.27	1.5%
Multi-Unit Residential (Cart/Can Service) (5-95 gal trash, 95-gal greenwaste, 5-95 gal recycle) 1x/week	\$220.80	\$229.22	3.8%
Multi-Unit Residential (Small/Medium Dumpster Service) (4 yard trash, 2 yard recycle) 1x/week	\$368.77	\$366.55	-0.6%
Business (Cart/Can Service) (3-95 gal trash, 3-95 gal recycle) 2x/wk	\$377.68	\$383.34	1.5%
Business Dumpster Service (4yd trash, 4yd recycle) 2x/week	\$991.39	\$1006.34	1.5%

* Not including 6% utility tax on trash/recycling collection, as applicable

For more information, including a complete list of all current and proposed rates:
www.SantaBarbaraCA.gov/UtilityBilling or (805) 564-5343



NOTICE OF PUBLIC HEARING PROPOSED CHANGES TO CITY OF SANTA BARBARA WATER RATES

Date: Tuesday, June 10, 2014, 2:00 p.m.

Place: City of Santa Barbara Council Chambers, City Hall
735 Anacapa Street, Santa Barbara

PROPOSED CITY DROUGHT WATER RATES

(Applicable only to customers billed by the City of Santa Barbara for water service)

During a drought, the City relies on its customers to preserve remaining water supplies through extraordinary water conservation. At the same time, the City faces increased costs to maintain essential water service, including more expensive capital and operating costs to increase drought water supplies from groundwater and water purchases.

The City is proposing drought water rates to provide a portion of the revenue needed for the City's cost of water service, and to encourage extraordinary water conservation to ensure the City maintains sufficient drinking water supplies for its customers.

How were drought water rates determined?

Last year, the City's water rate structure was revised based on a Rate Study that used a rate model to evaluate water rates. To cover normal operating expenses, the City's water rates were expected to increase by 3% this July. However, to account for financial impacts from the drought, the City worked with an expert rate consultant to update the rate model and develop drought pricing that:

- Promotes extraordinary water conservation to reach at least a 20% City-wide reduction;
- Ensures revenue stability;
- Is fair and equitable; and
- Is based on cost of service principles, as required by Proposition 218.

Rate consultants and staff evaluated the City's budgets and financial impacts associated with the drought, and developed rates to encourage customers to meet at least a 20% reduction in water use.

How will the proposed changes impact my water bill?

For single family homes using a 5/8" meter, examples of charges depending on the amount of water used are shown in the table below. The table on the back page shows the proposed rates for all customers at all tiers. Customers are encouraged to use the online water rate calculator to see how the new rates would impact their bill.

Usage Level	Monthly Usage (HCF)	Existing Bill	Proposed Bill	Difference	% Change
Low	4	\$26.53	\$27.34	\$0.81	3%
Moderate	12	\$67.81	\$78.46	\$10.65	16%
High	32	\$191.45	\$319.06	\$127.61	67%

Will the drought water rates generate additional revenue?

The revenues generated from drought water rates will partially offset the cost of service to customers during the drought. Because the revenues will not cover the full cost of service, the City plans to use a substantial portion of available financial reserves to make up the difference and will postpone capital projects that can be delayed.

Drought Update

On February 11, 2014, City Council declared a Stage 1 Drought Condition, asking customers to reduce water use by at least 20%.

This year's rainfall was not enough to change the water supply outlook, and water shortages are projected within the next year. City Council will consider declaring a Stage 2 Drought Condition by June 2014, which will require mandatory water use restrictions.

The City is asking residents and businesses to reduce water use through extraordinary water conservation. The best way to do this is by evaluating landscape watering and checking for leaks.

The City's Water Conservation Program is here to help. For assistance with evaluating water usage and conservation opportunities, schedule a free water checkup by calling 564-5460.

**CHECK OUT THE RESIDENTIAL WATER RATE CALCULATOR AT:
WWW.SANTABARBARACA.GOV/WATER**

TABLE 1 – PROPOSED WATER RATE CHANGES (1 HCF (Hundred Cubic Feet) = 748 GALLONS)

Customer Class	Tiers	Current	Proposed	% Increase
Single Family Residential	First 4 HCF	\$3.18	\$3.28	+3%
	Next 14 HCF (Current)/ 12 HCF (Proposed)	\$5.16	\$6.39	+24%
	All other HCF	\$6.62	\$13.44	+103%
Multi-Family Residential	First 4 HCF (per dwelling unit)	\$3.18	\$3.28	+3%
	Next 4 HCF (per dwelling unit)	\$5.16	\$6.39	+24%
	All other HCF	\$6.62	\$13.44	+103%
Commercial / Industrial	100% of base allotment	\$5.16	\$5.32	+3%
	All other HCF	\$5.91	\$11.61	+96%
Irrigation – Residential & Commercial	100% of monthly water budget*	\$5.16	\$6.39	+24%
	All other HCF	\$6.62	\$13.44	+103%
Irrigation - Recreation/ Parks/Schools	100% of monthly water budget*	\$2.70	\$2.79	+3%
	All other HCF	\$6.62	\$13.44	+103%
Irrigation – Agriculture	100% of monthly water budget*	\$1.51	\$1.56	+3%
	All other HCF	\$6.62	\$13.44	+103%
Recycled Water	All HCF	\$2.16	\$2.24	+4%
Outside City Limits	Percentage of corresponding in-City rates	130%	130%	

***What is a Monthly Water Budget?**

The monthly water budget for irrigation accounts is a calculation of Tier 1 allotment based on the property’s irrigated landscape area and the monthly watering needs of water-wise plants. Please call 564-5460 for further details.

TABLE 2 – PROPOSED MONTHLY METER CHARGES

	5/8"	3/4"	1"	1 ½"	2"	3"	4"	6"	8"	10"
Current:	\$13.81	\$19.57	\$31.09	\$59.89	\$94.44	\$203.87	\$365.14	\$751.02	\$1,384.55	\$2,190.86
Proposed:	\$14.22	\$20.23	\$32.23	\$62.24	\$98.25	\$212.28	\$380.32	\$782.43	\$1,442.60	\$2,282.82
% Increase:	+3%	+3%	+4%	+4%	+4%	+4%	+4%	+4%	+4%	+4%

How do I protest?

If you wish to protest any of the above increases, please deliver your protest **in writing**, including your name and service address, to the City Clerk of the City of Santa Barbara at 735 Anacapa Street, Santa Barbara, CA, 93101, prior to or during the City Council’s consideration of this item on June 10, 2014. (If you wish to submit your protest during the public hearing, please deliver it to City Staff in the Council Chamber). Because multiple rates are being considered by City Council at the same hearing, please indicate the specific rate you are protesting.

When do the drought rates take effect?

City Council will consider adopting drought rates on June 17, 2014 (one week after the public hearing). New rates will appear on bills dated July 1 or later, effective for usage starting as early as June 1, 2014.

How do I stay informed?

- **Explore** updated information on drought conditions, conservation, and rates at www.SantaBarbaraCA.gov/Water
- **Share** social media posts at www.Facebook.com/SaveWaterSB and www.Twitter.com/SaveWaterSB
- **Contact** City staff at WConservation@SantaBarbaraCA.gov or (805) 564-5460
- **Attend** Water Commission Meetings: May 12 and June 9, 2014 @ 3 PM, 619 Garden Street, Santa Barbara
- **Watch** City Council meetings live online at www.CityTV18.com, or tune into City-TV Channel 18

Go to WWW.SANTABARBARACA.GOV/WATER to see all proposed changes



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 10, 2014

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Proposed Designation Of Three City Landmarks: The Santa Barbara Club At 1105 Chapala Street, The Unitarian Church At 1535 Santa Barbara Street, And The Masonic Temple At 16 East Carrillo Street

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Santa Barbara Club at 1105 Chapala Street as a City Landmark;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Unitarian Church at 1535 Santa Barbara Street as a City Landmark; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Masonic Temple at 16 East Carrillo Street as a City Landmark.

DISCUSSION:

Santa Barbara Municipal Code Section 22.22.050 grants the Historic Landmarks Commission (HLC) the authority to adopt resolutions to forward recommendations to the City Council regarding City Landmark designations. Designation as a City Landmark confers honor and recognition on structures contributing to the City's unique historical and architectural traditions.

On March 12, 2014, the HLC held public hearings for three separate City Landmark designations; the Unitarian Church, the Masonic Temple, and the Santa Barbara Club. The HLC voted 8 to 0 to adopt resolution number 2014-3 to recommend to the City Council that it designate the Unitarian Church as a City Landmark and resolution number 2014-2 to recommend to the City Council that it designate the Masonic Temple as a City Landmark. The HLC continued the hearing for the Santa Barbara Club for two weeks at the request of the property owners. The owners wanted additional time to present to the HLC a thorough building history prepared by the architectural historians, Post/Hazeltine Associates. On March 26, 2014, HLC voted 8 to 0 to adopt resolution number 2014-1 to

Council Agenda Report

Proposed Designation Of Three City Landmarks: The Santa Barbara Club At 1105 Chapala Street, The Unitarian Church At 1535 Santa Barbara Street, And The Masonic Temple At 16 East Carrillo Street

June 10, 2014

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recommend to the City Council that it designate the Santa Barbara Club as a City Landmark. The HLC determined through evidence provided in the staff reports that the three resources are historically and architecturally significant and qualify under Santa Barbara Municipal Code Section 22.22.040 as City Landmarks (Attachments 1, 2 and 3).

Under the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution Dated November 10, 1998), staff has determined that the designation of the Santa Barbara Club, the Unitarian Church, and the Masonic Temple as City Landmarks are eligible for Categorical Exemptions as per the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines.

The Santa Barbara Club

The Santa Barbara Club building is significant for its Neoclassical style architecture. It was designed 1904 by noted Santa Barbara architect, Francis W. Wilson, who made a significant contribution to the heritage of the City. The Neoclassical style was popular across the United States for affluent and important buildings in the early 20th Century, because the appropriation of classical forms suggested learning, democratic values, moral virtue, and a sophisticated appreciation of beauty. The style represents the confidence of a wealthy new nation coming into its own as a world power in the 20th century. The Santa Barbara Club is the best example of a Neoclassical style building in downtown Santa Barbara with its classical elements of a dentil molding, bracketed cornice, round arches and the symmetrical façade. The Neoclassical Santa Barbara Club gave Santa Barbara a structure that speaks to the importance of the members of the Community and is an important part of Santa Barbara's heritage.

Upon notification of the proposed Landmark designation, the property owners submitted a statement of support of the designation on January 21, 2014. The property owners not only supported the designation, but hired architectural historians at Post/Hazeltine Associates to complete an in depth building history of the structure.

The building history prepared by Post/Hazeltine revealed that there were other elements on the property that were historically significant that should be added to the City Landmark Designation of the two-story building constructed in 1904. The proposed boundary of the City Landmark designation was revised to include the two-story building constructed in 1904, the one-story brick building on Chapala Street (c. 1904-1907), the plastered wall and piers on Chapala Street (c. 1904-1906), and the sandstone retaining walls along Figueroa Street as per the map on page 3 of the Staff Report.

The Unitarian Church

The Unitarian Church building was designed by noted Santa Barbara architect E. Keith Lockard in 1930. The building's composition, massing and simplicity are exemplary of the Spanish Colonial Revival style which is an important regional style that significantly

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Proposed Designation Of Three City Landmarks: The Santa Barbara Club At 1105 Chapala Street, The Unitarian Church At 1535 Santa Barbara Street, And The Masonic Temple At 16 East Carrillo Street

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influenced the heritage of Santa Barbara. The hand cut, stone archway, wrought iron details, intricately carved wood door, and detailed windows are a few examples of the outstanding attention to detail, materials, and craftsmanship.

The proposed boundary of the City Landmark designation is 5 feet around the 1930 church, courtyard and stucco wall. The 1957 building portion of the parcel is not included in the City Landmark designation as noted on page 2 of the staff report.

Historic research in the form of the Historic Structures/Sites Report accepted on August 22, 2007 by the Historic Landmarks Commission, has determined that the property listed in the title of this document qualifies for historic designation under City of Santa Barbara Master Environmental Assessment criteria.

The Masonic Temple

Constructed in 1924, the Masonic Temple played a significant part in the heritage of Santa Barbara as it was designed by noted architect, Carl Werner in the Italian Mediterranean style. The Temple was designed as a meeting house for Santa Barbara's influential Freemasons as well as the Scottish Rite. The architect paid great attention to intricate details, as demonstrated in the ornate detail of the elegant terra-cotta and pre-cast stone relief that adorn the entrance, arcade and cornice of the exterior of the Masonic Temple.

The proposed boundary of the City Landmark designation includes the entire parcel with no perimeter as the building encompasses the entire parcel and the City Landmark designation does not include the interior of the building.

At the public hearing on March 12, 2014, members of the Masonic Temple spoke in opposition to the City Landmark designation based on concerns that the designation would impact the activities on the interior and impose control over exterior sacred emblems, symbols and bank tenant space. In response to these concerns, Staff clarified that the storefront space has been altered from the original appearance and any future applications for altered space will be based on compatibility with the rest of the building and will not be required to be returned to its original appearance. Commissioners stated that the emblems and symbols that adorn the building help tell the history of the building and contribute to the building's historic significance and would be elements that would be protected by the HLC. In addition, because of the high standard of architecture that the Masons across the country have had for their buildings, staff and HLC members noted that many Masonic Temples in California and across the nation have been designated both locally and listed on the National Register for Historic Places based on architectural importance of the buildings. Because the building had such a high level of architectural significance to Santa Barbara, the HLC voted 8 to 0 to adopt resolution number 2014-2 to recommend to the City Council that it designate the Masonic Temple as a City Landmark.

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Proposed Designation Of Three City Landmarks: The Santa Barbara Club At 1105 Chapala Street, The Unitarian Church At 1535 Santa Barbara Street, And The Masonic Temple At 16 East Carrillo Street

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On April 29, 2014, a letter to the Urban Historian was submitted by the law firm Haws, Record & Magnusson, LLP representing the Masons stating that the Masons withdraw their opposition to the designation of the buildings with the understanding that HLC has no purview over the interior of the building or the artifacts in the time capsule in the cornerstone of the building.

SIGNIFICANCE CRITERIA:

The HLC found that the Santa Barbara Club meets the following City Landmark criteria listed in Section 22.22.040, subsection A through K, of the Municipal Code:

- Criterion A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
- Criterion C. Its identification with a person or persons who significantly contributed to the culture and development of the City, the State, or the Nation;
- Criterion D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
- Criterion E. Its exemplification of the best remaining architectural type in a neighborhood;
- Criterion F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;
- Criterion G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;
- Criterion I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

The HLC found that the Unitarian Church meets the following City Landmark criteria listed in Section 22.22.040, subsection A through K, of the Municipal Code:

- Criterion A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
- Criterion D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
- Criterion F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;
- Criterion G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;
- Criterion I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

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The HLC found that the Masonic Temple meets the following City Landmark criteria listed in Section 22.22.040, subsection A through K, of the Municipal Code:

- Criterion A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
- Criterion C. Its identification with a person or persons who significantly contributed to the culture and development of the City, the State, or the Nation;
- Criterion D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
- Criterion E. Its exemplification of the best remaining architectural type in a neighborhood;
- Criterion F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;
- Criterion G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;
- Criterion I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

RECOMMENDATION:

Staff recommends the designation of these three buildings that are architectural gems to the City of Santa Barbara. The outstanding attention to detail, materials and craftsmanship cannot be duplicated. These prominent and beautifully designed buildings deserve to join the elite list of City Landmarks that are important structures contributing to the City's unique historical and architectural traditions.

Staff and the HLC recommend that there is sufficient evidence on record that supports the City Landmark designation of the Santa Barbara Club, the Unitarian Church, and the Masonic Temple and that City Council adopt resolutions designating the Santa Barbara Club the Unitarian Church, and the Masonic Temple as City Landmarks.

- ATTACHMENTS:**
1. HLC Resolution No. 2014-1 and Staff Report for the Santa Barbara Club, dated March 26, 2014
 2. HLC Resolution No. 2014-3 and Staff Report for the Unitarian Church, dated March 12, 2014
 3. HLC Resolution No. 2014-2 and Staff Report for the Masonic Temple, dated March 12, 2014

NOTE: The following information has been provided to Councilmembers under separate cover and is available for review in the City Clerk's office and online as noted:

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- *Building History* prepared by Post/Hazeltine Associates Architectural Historians, dated March 18, 2014 available at City Clerk Office.

PREPARED BY: Nicole Hernandez, Urban Historian

SUBMITTED BY: Bettie Weiss, Acting Community Development Director

APPROVED BY: City Administrator's Office



**CITY OF SANTA BARBARA
HISTORIC LANDMARKS COMMISSION**

**RESOLUTION RECOMMENDING THAT CITY COUNCIL
DESIGNATE AS A CITY LANDMARK
THE SANTA BARBARA CLUB AT
1105 CHAPALA STREET, SANTA BARBARA, CALIFORNIA
APN 039-222-024
RESOLUTION 2014-1**

MARCH 26, 2014

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural or aesthetic significance; and

WHEREAS, on January 21, 2014, the property owner, Santa Barbara Club, sent a letter supporting the City Landmark designation; and

WHEREAS, on February 12, 2014, the Historic Landmarks Commission adopted Resolution of Intention 2014-2 to hold a public hearing to consider a recommendation to City Council for designation of the Santa Barbara Club located at 1105 Chapala Street as a City Landmark; and

WHEREAS, the historic research found in the Building History by Post Hazeltine Associates on March 18, 2014 and in the Staff Report, found the structure at 1105 Chapala Street, designed by the noted architect Francis W. Wilson in 1904 in the Neoclassical style, significant for its historical and architectural influence on the heritage of the City; and

WHEREAS, the proposed boundary of the City Landmark designation includes the two story building constructed in 1904, the one-story brick building on Chapala (c. 1904-1907), the plastered wall and piers on Chapala (c. 1904-1906), and the sandstone retaining walls along Figueroa Street as per exhibits A and B; and

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City council Resolution Dated November 10, 1998), staff has determined that designation of the Santa Barbara Club as a City Landmark is eligible for a Categorical Exemption; and

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara states that the City Council may designate as a Landmark any structure, natural feature, site or area having historic, architectural, archeological, cultural, or aesthetic significance by adopting a resolution of designation within 90 days following receipt of a recommendation from the Historic Landmarks Commission, and;

WHEREAS, in summary, the Historic Landmarks Commission finds that the Santa Barbara Club at 1105 Chapala Street, Assessor's Parcel No. 039-222-024, meets the following City Landmark criteria (A through K) listed in section 22.22.040 of the Municipal Code:

- A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
- C. Its identification with a person or persons who significantly contributed to the culture and development of the City, the State, or the Nation;
- D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
- E. Its exemplification of the best remaining architectural type in a neighborhood;
- F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;
- G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;

NOW, THEREFORE, BE IT RESOLVED that on March 26, 2014, the Historic Landmarks Commission of the City of Santa Barbara hereby recommends to the City Council that it designate the Santa Barbara Club located at 1105 Chapala Street, Assessor's Parcel No. 039-222-024, as a City Landmark and makes findings based on the historic and cultural significance of facts presented in the Staff Report.

**CITY OF SANTA BARBARA
HISTORIC LANDMARKS COMMISSION**

Adopted: March 26, 2014

**HISTORIC LANDMARKS COMMISSION
LANDMARK DESIGNATION
STAFF REPORT**

**THE SANTA BARBARA CLUB
1105 CHAPALA
SANTA BARBARA, CALIFORNIA
APN 039-222-024
MARCH 26, 2014**

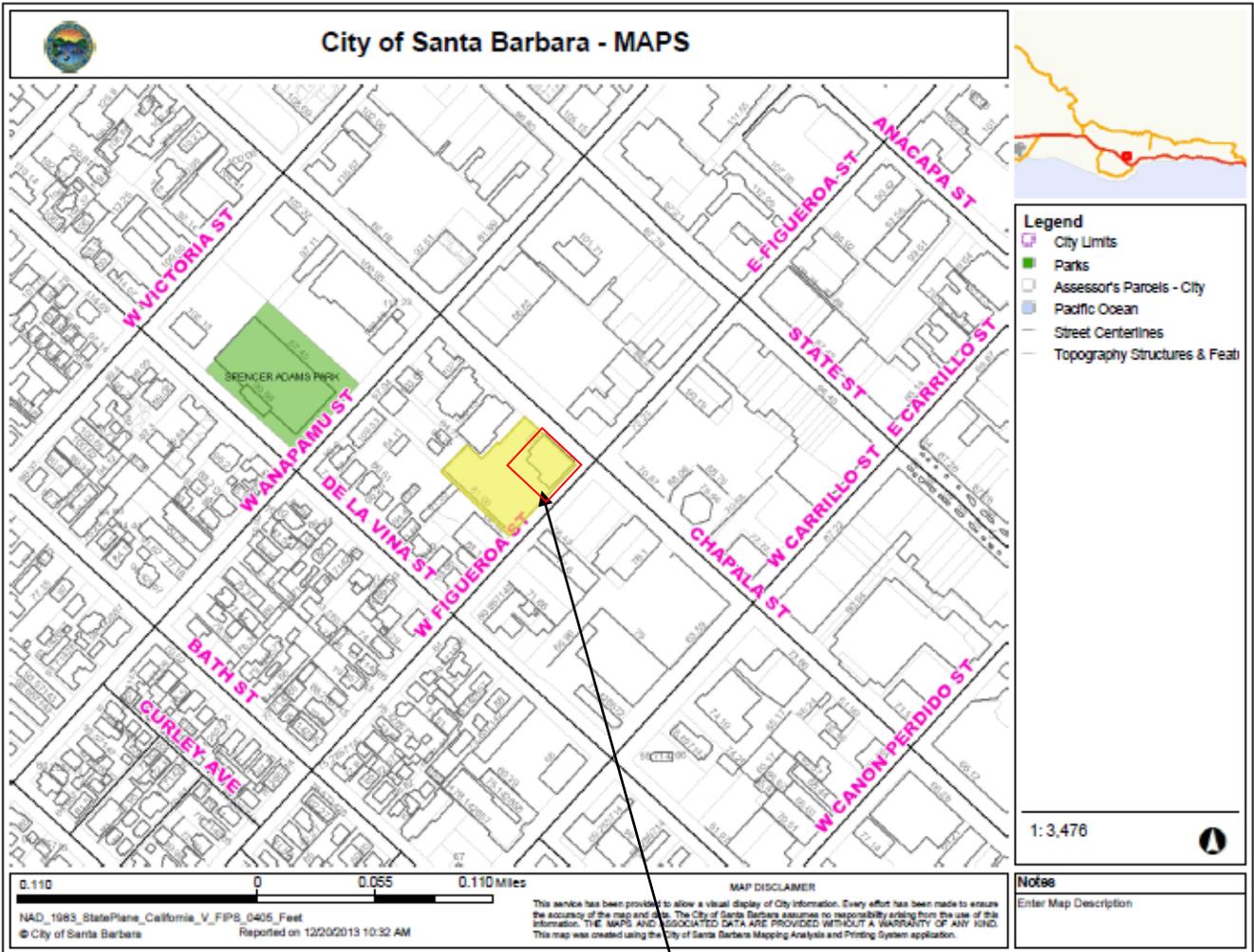
Background:

Constructed in 1904, the Santa Barbara Club was designed by noted architect, Francis W. Wilson as one of Santa Barbara's architectural gems that played a significant part in the heritage of the City. The Santa Barbara Club was designed in the Neoclassical style; a style that was popular for affluent landmarks and important buildings across the United States at the turn-of-the-century. The building has been on the City's List of Potential Historic Resource since 1978 and noted as

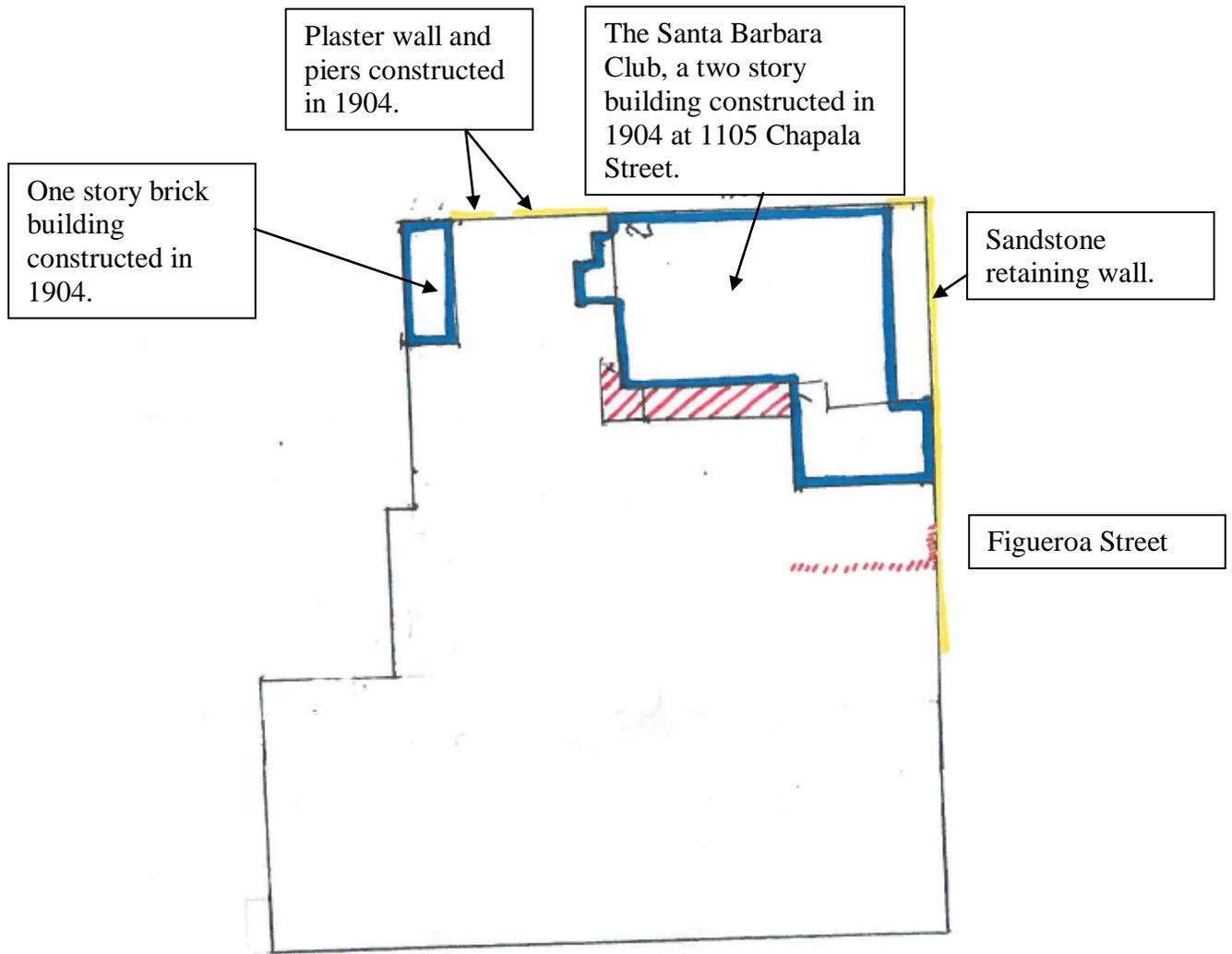


eligible as a City Landmark and for inclusion on the California Register of Historic Resources. The Historic Landmarks Commission Designation Subcommittee selected the Santa Barbara Club to be designated a City Landmark as it is one of the few prominent and noteworthy historic buildings in downtown that has not yet been designated a City Landmark. In 2013, the owners of the Santa Barbara Club completed a window replacement project meeting the Secretary of Interior Standards for Rehabilitation. Due to the severity of deterioration, the windows required replacement, the Santa Barbara Club replaced the windows with new windows that matched the originals in design, color, texture and materials. In addition, the Santa Barbara Club has commissioned Post/Hazeltine Architectural Historians to complete a building chronology and identification of contributing and non-contributing buildings, structures and features for the Santa Barbara Club.

The Historic Landmarks Commission (HLC) appreciates the excellent stewardship demonstrated in the recent window replacement project that retained the historic integrity of the building. The designation of the building as a City Landmark will honor and recognize the Santa Barbara Club's efforts to restore and maintain the building to the high standards required by the HLC. The Santa Barbara Club will join the elite list of important structures contributing to the City's unique historical and architectural traditions. The proposed boundary of the City Landmark designation is the Francis W. Wilson designed building itself, since its two public elevations sit on the property line.



Vicinity Map, City of Santa Barbara Mapping Analysis and Printing System, 2013, Santa Barbara Club, red line indicates boundary of City Landmark Designation



Blue = contributing building
 Red= non-contributing addition to Clubhouse
 Red hatching= non-contributing terrace and wall fountain
 Yellow= contributing sandstone wall (West Figueroa St. and south end of street frontage)
 Yellow= contributing plastered wall and gate piers on Chapala St.

Site map courtesy Post/Hazeltine Associates.

Historic Context:

The Santa Barbara Club was founded in 1892 as a private men’s Club for prominent members of the community. The Neoclassical, two-story building was designed by the noted architect Francis W. Wilson (a Club member) in 1904 as the Club’s permanent home. The grand opening of the Club in 1904 drew over 200 people and featured the esteemed Potter Hotel orchestra.



The Club not only claimed members prominent in the Santa Barbara community, but also prominent visitors with large winter residences. As noted in the recent report, *Building History* of the Santa Barbara Club, completed by Post/Hazeltine Associates, the Santa Barbara Club is one of Santa Barbara’s oldest continuously operating social clubs. Over the years, the club’s members included leading politicians, professionals and artists including such figures as W.W. Hollister, Sherman Stow, Francis Wilson, George Washington Smith, and Harold Chase. The Club has had a continuous association with the area’s leading political, business and cultural figures for over 100 years that significantly contributed to the culture and development of the City.



Above: Photos of the Santa Barbara Club prior to 1925, courtesy of the Gledhill Library, Santa Barbara History Museum.

There have only been a few exterior alterations made to the building since its construction; most significant was the removal of the prominent front entrance steps and portico with classical columns (See historic photos to right). On August 7, 1925 the *Morning Press* reported that the front steps and entrance originally adorning the building were removed to widen Chapala Street.

Neoclassical Style

The Neoclassical style became a dominant style for public buildings nationwide from 1900-1940. It was directly inspired by the Beaux-Arts style. Beaux-Arts was much more 3 dimensional, with heavy forms of ornament, in larger scale, grandeur, massing, and composition than the Neoclassical style. Both of these styles represent the confidence of a wealthy new nation coming into its own as a world power in the 20th century. The Columbian Exposition at the Chicago World’s Fair in 1893 was critical in spreading the popularity of the Neoclassical style. The



Above: North elevation of Santa Barbara Club designed in the Neoclassical Style, January 2014.

Exposition's planners mandated a classical theme, and many of the best-known architects of the day designed dramatic colonnaded buildings to display their talents in the style. The Exposition was widely photographed, reported, and attended so that the Neoclassical models became the latest fashion throughout the country. The central buildings of the Exposition were of monumental scale and inspired countless public and commercial buildings. The style tends to include the features of classical symmetry, full-height porch with columns and temple front, and classical ornament such as dentil cornices and round arches. Because the style was more scaled down and flexible than its grander cousin, the Beaux-Arts, Neoclassical spread prolifically throughout the United States and became popular for a wide range of everyday buildings. Everything from townhouses, suburban homes, county courthouses, main street commercial



Above: North elevation of Santa Barbara Club. Although the first floor portico was removed, the detailed Ionic, fluted pilasters and dentil cornice over the central three second story windows are original and remain intact, January 2014.

buildings, and bank branches readily employed variations of the style. The appropriation of Classical forms suggests learning, democratic values, moral virtue, and a sophisticated appreciation of beauty, each considered essential components in the development of a nation. The style represented important and affluent buildings across the United States and expressed the importance of the members of the community. Often the single identifying feature on simpler structures is the prominent columned porch with Greek portico above the entryway. Although the defining portico was removed from the Santa Barbara Club in 1925, the detailed Ionic, fluted pilasters and dentil cornice over the central three second story windows are original and remain intact. The building has been in its current configuration since 1925, thus the alteration of the entrance has acquired historic significance.

Architect

Francis W. Wilson (1870 - 1947) was the noted local architect that designed the Santa Barbara Club, to which he was a member. Born in Massachusetts, Wilson moved to California at the age of seventeen. Wilson studied at the San Francisco chapter of the American Institute of Architects and toured Europe before establishing his own firm in Santa Barbara in 1895.

Shortly after arriving in Santa Barbara, Wilson built up a practice designing homes for the wealthy, as well as designing, building and selling speculative houses. His connections with the wealthy led to commissions for not only for the Santa Barbara Club, but also the Santa Barbara Central Library, Post Office, and Railroad Station. His practice in Santa Barbara included work for the Atchison, Topeka and Santa Fe Railway and its associated Fred Harvey Company hotels, as well as many residences.

Significance:

The City of Santa Barbara defines historic significance as outlined by the Municipal Code, Section 22.22.040. Any historic building that meets one or more of the eleven criteria (Criteria A through K) established for a City Landmark or a City Structure of Merit can be considered significant. The Santa Barbara Club meets the following six criteria:

Criterion A: its character, interest or value as a significant part of the heritage of the City, the State or the Nation;

Because the 1904 Santa Barbara Club represents an example of the work of Francis W. Wilson, one of the noted architects of Santa Barbara, and is an excellent example of the Neoclassical style, the building's character is a significant part of the heritage of Santa Barbara.

Criterion C: its identification with a person or persons who significantly contributed to the culture and development of the City, the State, or the Nation;

As noted in the recent report, *Building History* of the Santa Barbara Club, completed by Post/Hazeltine, the property is associated with the Santa Barbara Club, one of Santa Barbara's oldest continuously operating social clubs. Over the years, the club's members included leading politicians, professionals and artists including such figures as W.W. Hollister, Sherman Stow, Francis Wilson, George Washington Smith, and Harold Chase. The Club has had a continuous association with the area's leading political, business and cultural figures for over 100 years that significantly contributed to the culture and development of the City.

Criterion D: its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;

The building is an exemplification of the Neoclassical style with its dentil molding and bracketed cornice, round arches and the symmetrical façade. The style is important to the City as it has been used for many affluent and important buildings throughout the country and the Santa Barbara Club members selected the style to give Santa Barbara a structure that speaks to the importance of the members of the Community.

Criterion E: Its exemplification of the best remaining architectural type in a neighborhood.

The Santa Barbara Club is one of the few buildings designed in the Neoclassical style in Santa Barbara, as the Spanish Colonial Revival and Mediterranean style buildings dominate the City. The building is one of the best remaining Neoclassical public buildings in Downtown Santa Barbara.

Criterion F: its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;

The Neoclassical style building represents an example of the work of Francis W. Wilson, one of the leading architects in Santa Barbara from 1895 through 1947, whose work significantly influenced the heritage of Santa Barbara. In addition to the Santa Barbara Club, he designed



Above: The Neoclassical Santa Barbara Club that commands Grandeur and Elegance on the Corner of West Figueroa and Chapala Streets, January 2014.



Above: Photograph demonstrating the outstanding attention to architectural detail and craftsmanship in the dentil cornice, January 2014.

significant landmarks in the City including; the Central Savings Bank, the Central Library, Post Office, and Railroad Station.

Criterion G, its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;

The building demonstrates outstanding attention to architectural detail in the Neoclassical style design as well as the details, materials and craftsmanship of the wood windows and dentil cornice and ionic columns.

Criterion I, Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood.

The Neoclassical building has commanded grandeur and elegance on the corner of West Figueroa and Chapala Streets since 1904 and represents an established and familiar visual feature of downtown Santa Barbara.

Historic Integrity:

Integrity is the ability of a property to convey its historical associations or attributes. There are essential physical features that must be considered to evaluate the integrity of a significant building. Although the defining portico was removed from the Santa Barbara Club in 1925, the detailed Ionic, fluted pilasters and dentil cornice over the central three second story windows are original and remain intact. The building has been in its current configuration since 1925, thus the alteration of the entrance has acquired historic significance. Since 1925, the building has retained its integrity of location, design, setting, materials, workmanship, feeling and association so that the building can still convey its appearance of 1925.

Recommendation:

Staff Recommends that the HLC adopt a resolution to recommend to City Council that the Santa Barbara Club be designated as a City Landmark. The proposed boundary of the City Landmark designation includes the two-story building constructed in 1904, the one-story brick building on Chapala (c. 1904-1907), the plastered wall and piers on Chapala Street (c. 1904-1906), and the sandstone retaining walls along Figueroa Street as per exhibits A and B of the Resolution.

Works Cited:

Post/Hazeltine Associates. *History of Santa Barbara Club, 1105 Chapala Street, March 18, 2014.* City of Santa Barbara Planning Division Files, 630 Garden Street.

Spalding, Edward S. *Santa Barbara Club: A History 1892-1954.* (Santa Barbara, Spalding, 1954).
Santa Barbara Museum of Natural History, Gledhill Library

Historic photographs courtesy Gledhill Library archives.

Web Sites

<http://architecturestyles.org/>



Above: Photograph demonstrating the outstanding attention to architectural detail and craftsmanship in the wood windows, January 2014.



**CITY OF SANTA BARBARA
HISTORIC LANDMARKS COMMISSION**

**RESOLUTION RECOMMENDING THAT CITY COUNCIL
DESIGNATE AS A CITY LANDMARK
THE UNITARIAN CHURCH AT
1535 SANTA BARBARA STREET, SANTA BARBARA, CALIFORNIA
APN 027-241-026 (FORMERLY KNOWN AS APN 027-241-005)**

**RESOLUTION 2014-3
MARCH 12, 2014**

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural or aesthetic significance; and

WHEREAS, on February 12, 2014, the Historic Landmarks Commission adopted Resolution of Intention 2014-3 to hold a public hearing to consider a recommendation to City Council for designation of the Unitarian Church located at 1535 Santa Barbara Street as a City Landmark; and

WHEREAS, the Historic Structure Report accepted on August 22, 2007, by the Historic Landmarks Commission has determined that the property listed in the title of this document qualifies for historic designation under City of Santa Barbara Master Environmental Assessment (MEA) criteria; and

WHEREAS, the Historic Structure Report of 2007 found the church at 1535 Santa Barbara Street designed by the noted architect E. Keith Lockard in the Spanish Colonial Revival style is significant for its historical and architectural influence on the heritage of the City; and

WHEREAS, the proposed boundary of the City Landmark designation is 5 feet around the 1930 church and courtyard and excludes the 1957 building and portion of the parcel as noted on map on page 2 of staff report; and

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City council Resolution Dated November 10, 1998), staff has determined

that designation of the Unitarian Church as a City Landmark is eligible for a Categorical Exemption; and

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara states that the City Council may designate as a Landmark any structure, natural feature, site or area having historic, architectural, archeological, cultural, or aesthetic significance by adopting a resolution of designation within 90 days following receipt of a recommendation from the Historic Landmarks Commission, and;

WHEREAS, in summary, the Historic Landmarks Commission finds that the Unitarian Church located at 1535 Santa Barbara Street, Assessor's Parcel No. 027-241-026 (formerly 027-241-005), meets the following City Landmark criteria (A through K) listed in section 22.22.040 of the Municipal Code:

- A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
- D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
- F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;
- G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;

NOW, THEREFORE, BE IT RESOLVED that on March 12, 2014, the Historic Landmarks Commission of the City of Santa Barbara hereby recommends to the City Council that it designate the Unitarian Church located at 1535 Santa Barbara Street, Assessor's Parcel No. 027-241-026 (formerly 027-241-005) as a City Landmark and makes findings based on the historic and cultural significance of facts presented in the Staff Report.

**CITY OF SANTA BARBARA
HISTORIC LANDMARKS COMMISSION**

Adopted: March 12, 2014

HISTORIC LANDMARKS COMMISSION
CITY LANDMARK DESIGNATION
STAFF REPORT

UNITARIAN CHURCH
1535 SANTA BARBARA STREET)
SANTA BARBARA, CALIFORNIA
APN 027-241-026 (FORMERLY 027-241-005)
MARCH 12, 2014

Background:

The 1930, Spanish Colonial Revival style, Unitarian Church building was designed by noted Santa Barbara architect E. Keith Lockard. The property was placed on the Potential Historic Resources List in 1978. The Church embodies character defining features of the Spanish Colonial Revival style with its ornate bell tower, red clay tile roof, deeply recessed, wood windows, and smooth stucco walls and courtyard surrounded by low stucco walls. The property includes not only the 1930s designed Church, but a Junior Church adjacent to it that was



Above: View from the northern elevation of the Unitarian Church from the corner of Santa Barbara and East Arrellaga St., December 2013.

constructed in 1957. Although compatible with the original 1930 church, the 1957 building it is not historically or architecturally significant and is excluded from the boundaries of the City Landmark designation. The proposed boundary of the City Landmark designation includes the Lockard designed 1930 church building and courtyard including the scalloped, stucco walls as per map on page 2. In 2007, a Historic Structures Report was accepted by the HLC, and determined that the church qualifies for listing on the California Register of Historic Places and for designation as a City Landmark under City of Santa Barbara Master Environmental Assessment criteria. Because the tile bench was added into the curve of the original 1930 stucco wall, it is a non-contributing element of the property. Because the Church meets the City Landmark eligibility criteria for its architectural style, historical significance, and notable architect, it is the opinion of the Historic Landmarks Commission Designation Subcommittee that the building is an excellent candidate for City Landmark designation.



City of Santa Barbara - MAPS



Vicinity Map, City of Santa Barbara Mapping Analysis and Printing System, 2013

Historic Context:

The Unitarian Society originated in Santa Barbara in 1876, when the Reverend George H. Young came from the East to become the first minister of the Santa Barbara congregation. The Unitarian Society's first stone Church on State Street was destroyed in the 1925 earthquake. After five years of fundraising, the church was able to hire the noted architect E. Keith Lockard to design the new Church in the Spanish Colonial Revival style. When the earthquake of 1925 occurred, the Santa Barbara Community Arts Association viewed the disaster as an opportunity to rebuild the downtown in definitive styles of the Spanish Colonial Revival, Mediterranean and Mission styles that reflect the unique heritage of the City. Many architects, later notable for their use of this style created commercial facades and whole new buildings in a variety of the style. In 1932, the Community Arts Association; Plans and Planting Committee awarded the Unitarian Church its first award for a distinctive example of civic architecture.

Many talented craftsmen were hired to create the intricate details of the building. For example, Los Manos Iron Works created the wrought iron details and stone contractor, G. Antolinio, cut and set the stone arch at the front entry. Von Walt-Hansen Studio created all of the art stone and cast concrete decorations, while Mary Wesselhoeft created and fabricated the rose window over the entrance on the east facade. Wesselhoeft created the window with hundreds of pieces of colored glass which were designed to harmonize with the cream walls of the church, the red of the cushions and floor tiles, the dark oak woodwork, and the touches of gilt in the furnishings. The fact that she was a woman artist was underscored in a newspaper article.



Above: The east elevation of the 1930 Church with intricate rose window and stone arch over wood doors, December 2013.



Above: The east elevation of the Junior Church constructed in 1957 is not part of the proposed City Landmark, December 2013.

By the 1950's, the Sunday school had outgrown its accommodations in the Annex, and the congregation raised funds to build a junior building for the Sunday School classes in 1957. This building was designed by architects Howell, Arendt, Mosher and Grant, with the contractor being Edward Bates. The 1957 building had stucco walls and a red tile roof to harmonize with the existing building and streetscape.

Spanish Colonial Revival Style:

The L-shaped, Spanish Colonial Revival Church has an octagonal open belfry with wrought iron decorative railings, cast stone scrolled volutes, blind arches, and a ridged dome rising above the corner. The character-defining terracotta tile roof and smooth stucco walls with deeply recessed openings of the Spanish Colonial Revival Style building form a backdrop for the original courtyard with a fountain on the northeast corner of the property. The sanctuary is located in the east wing with a dramatic entrance of a pair intricately carved wood plank doors surrounded by a large stone arch facing Santa Barbara Street. The entrance is under a rose window set in cast stone grilles within a quatrefoil surround. The parish hall is in the north wing with a covered arcade facing the courtyard. The Church's composition, massing, and simplicity are exemplary of the Spanish Colonial Style.



Above: East elevation of the belfry, December 2013

This building is an excellent example of the Spanish Colonial Revival style, which became an important part of Santa Barbara's heritage in the early 1920s, when the City deliberately transformed its architecture and look from an ordinary western style town into a romantic Spanish Colonial Revival city. This transformation was the result of the planning vision of a number of Santa Barbara citizens in the early 1920s with the founding of the Santa Barbara Community Arts Association, who urged that the town identify its individual character and then use planning principles to develop it.

Architect:

E. Keith Lockard was born in 1892 in Santa Ynez. Lockard graduated from Santa Barbara High School, attended Occidental College for a year, and graduated from the University of California at Berkeley in 1916 with a degree in architecture and



Above: The courtyard and fountain from the north elevation, December 2013.

engineering. For six years he was a draftsman in the offices of various Santa Barbara architects before joining with Roland Sauter in 1922. Together, the two men were major practitioners of the Spanish Colonial Revival style in the 1920s and were chosen by the Community Arts Association; Plans and Planting Committee to design the new City Hall on De la Guerra plaza in 1923. After the 1925 earthquake, Lockard and Sauter's firm rebuilt several of the downtown State Street buildings in the Spanish Colonial Revival style, including the Fithian Building at 629 State Street and the Neal Hotel, adjacent to the Southern Pacific Train Depot on lower State Street. Lockard made a significant contribution to the architectural heritage of Santa Barbara and his legacy lies in contributing to the Spanish Colonial Style character of the City.

Significance:

The City of Santa Barbara defines historic significance as outlined by the Municipal Code, Section 22.22.040. Any historic building that meets one or more of the eleven criteria (Criteria A through K) established for a City Landmark or a City Structure of Merit can be considered significant. Unitarian Church meets the following six criteria:

Criterion A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;

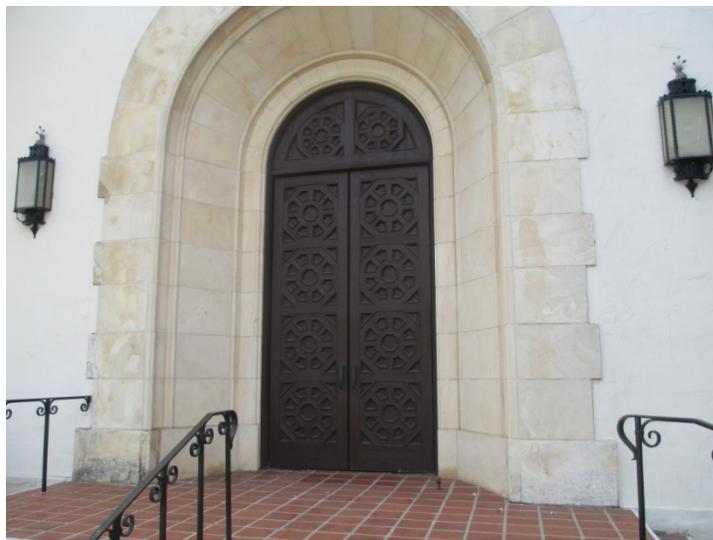
This building is an excellent example of the Spanish Colonial Revival style, which became an important part of Santa Barbara's heritage in the early 1920s, when the City deliberately transformed its architecture and look from an ordinary western style town into a romantic Spanish Colonial Revival city. This transformation was the result of the planning vision of a number of Santa Barbara citizens in the early 1920s with the founding of the Santa Barbara Community Arts Association, who urged that the town identify its individual character and then use planning principles to develop it. As an original 1930's, Spanish Colonial Revival structure, it qualifies as a City Landmark because it is a significant part of the heritage of the City.

Criterion D, its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;

The building embodies distinguishing characteristics of the Spanish Colonial Revival style that is an important architectural style of Santa Barbara. Its smooth stucco walls, deeply recessed wood windows, red clay tile roof, and unique bell tower are character defining features of the buildings Spanish Colonial Revival style. Between 1922 and 1925, several major cultural buildings within the downtown core, were built using the architectural motif of the City's Colonial and Mexican past. As a result, when the earthquake occurred in 1925, the Community Arts Association viewed the disaster as an opportunity to rebuild the downtown in Spanish Colonial Revival/Mediterranean/Mission styles that reflect the heritage of the city.

Criterion F, its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;

The building is significant as the work of architect E. Keith Lockard, who with his partner Roland F. Sauter, was a major practitioner of the Spanish Colonial Revival style in the 1920's. Lockard and Sauter helped design the Santa Barbara City Hall and Santa Barbara High school in the



Above: The intricate carved wooden doors and stone surround of the east elevation, December 2013.

early 1920's and went on to help design the rebuilding of several downtown State Street buildings affected after the 1925 earthquake in the Spanish Colonial Revival style. His work is significantly influential to the heritage of the City as he used the Spanish Colonial Revival style to transform the architectural style of the downtown area.

Criterion G, its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;

The Unitarian Church demonstrates outstanding attention to architectural design, detail, materials, and craftsmanship. The building's composition, massing and simplicity are exemplary of the style. The hand cut stone archway, wrought iron details, intricately carved wood door, and intricately detailed windows are a few examples of the outstanding attention to detail, materials, and craftsmanship that the church embodies that qualify it as a City Landmark.



Above: The intricate rose window of the front façade, December 2013.

Criterion I, Its unique location or singular physical characteristic representing an establish and familiar visual feature of a neighborhood;

The intricate belfry rising over the corner of Santa Barbara and East Arrellaga Streets has been an established and familiar visual feature of the neighborhood since 1930.

Historic Integrity:

Integrity is the ability of a property to convey its original appearance. There are essential physical features that must be considered to evaluate the integrity of a significant building. Since 1930, its location, setting, association and feeling have not changed. The original design, materials, and workmanship have been retained so that the building conveys its original 1930 appearance. Thus, the building has retained a high level of historical integrity.

Recommendation:

Staff Recommends that the HLC adopt a resolution to recommend to City Council that the Unitarian Church be designated as a City Landmark. Staff recommends the proposed boundary of the City Landmark designation be five feet around the 1930 Spanish Colonial Revival structure and courtyard as delineated on map on page 2.

Works Cited:

Preservation Planning Associates, *Historic Structure Report for the Unitarian Society, 1535 Santa Barbara Street, August 2007*. City of Santa Barbara Planning Division Files, 630 Garden Street.



**CITY OF SANTA BARBARA
HISTORIC LANDMARKS COMMISSION**

**RESOLUTION RECOMMENDING THAT CITY COUNCIL
DESIGNATE AS A CITY LANDMARK
THE MASONIC TEMPLE AT
16 EAST CARRILLO STREET, SANTA BARBARA, CALIFORNIA
APN 039-322-044**

**RESOLUTION 2014-2
MARCH 12, 2014**

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural or aesthetic significance; and

WHEREAS, on February 12, 2014, the Historic Landmarks Commission adopted Resolution of Intention 2014-1 to hold a public hearing to consider a recommendation to City Council for designation of the Masonic Temple located at 16 East Carrillo Street as a City Landmark; and

WHEREAS, the historic research, summarized in the Staff Report, found the structure at 16 East Carrillo Street, designed by the noted architect Carl Werner in 1924 in the Italian Mediterranean style, significant for its historical and architectural influence on the heritage of the City; and

WHEREAS, the proposed boundary of the City Landmark designation is the entire parcel with no perimeter as the building encompasses the entire parcel. The City Landmark designation does not include the interior of the building; and

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City council Resolution Dated November 10, 1998), staff has determined that designation of the Masonic Temple as a City Landmark is eligible for a Categorical Exemption; and

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara states that the City Council may designate as a Landmark any structure, natural feature, site or area having

historic, architectural, archeological, cultural, or aesthetic significance by adopting a resolution of designation within 90 days following receipt of a recommendation from the Historic Landmarks Commission, and;

WHEREAS, in summary, the Historic Landmarks Commission finds that the Masonic Temple at 16 East Carrillo Street, Assessor's Parcel No. 039-322-044, meets the following City Landmark criteria (A through K) listed in section 22.22.040 of the Municipal Code:

- A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
- C. Its identification with a person or persons who significantly contributed to the culture and development of the City, the State, or the Nation;
- D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
- E. Its exemplification of the best remaining architectural type in a neighborhood.
- F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;
- G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;

NOW, THEREFORE, BE IT RESOLVED that on March 12, 2014, the Historic Landmarks Commission of the City of Santa Barbara hereby recommends to the City Council that it designate the Masonic Temple located at 16 East Carrillo Street, Assessor's Parcel No. 039-322-044 as a City Landmark and makes findings based on the historic and cultural significance of facts presented in the Staff Report.

**CITY OF SANTA BARBARA
HISTORIC LANDMARKS COMMISSION**

Adopted: March 12, 2014

HISTORIC LANDMARKS COMMISSION
LANDMARK DESIGNATION
STAFF REPORT

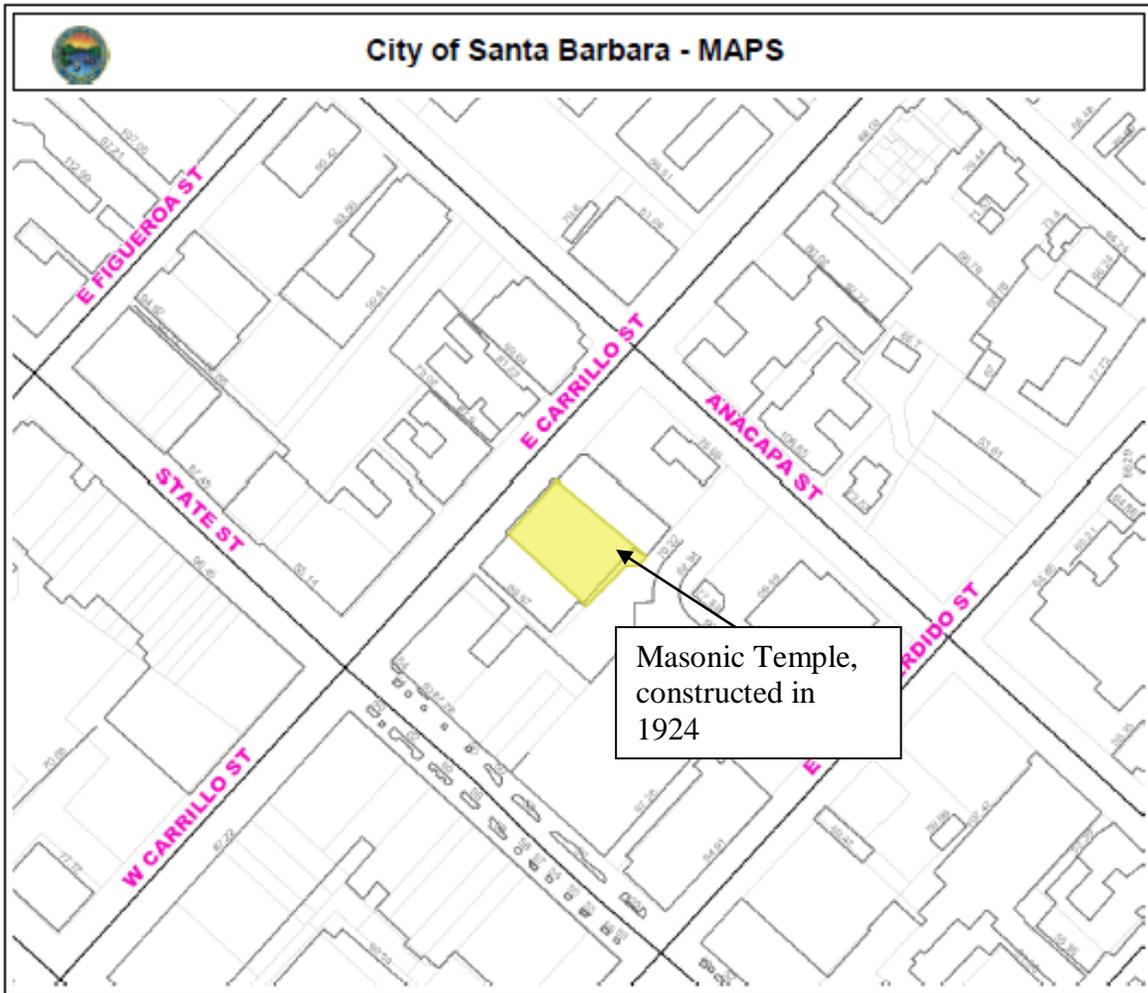
MASONIC TEMPLE
16 EAST CARRILLO STREET
SANTA BARBARA, CALIFORNIA
APN 039-322-044
MARCH 12, 2014

Background:

Constructed in 1924, the Masonic Temple, was designed by noted architect, Carl Werner in the Italian Mediterranean style that played a significant part in the heritage of Santa Barbara. The Temple was designed as a meeting house for Santa Barbara's influential Freemasons as well as the Scottish Rite. The architect paid great attention to intricate details in all of his buildings as demonstrated in the ornate detail of the elegant terracotta and pre-cast stone relief that adorn the entrance, arcade and cornice of the exterior of the Masonic Temple. The structure has been on the City's Potential Historic Resource list since 1978 as it is eligible for the National Register of Historic Places, California Register of Historic Resources, and as a City Landmark for its architectural style, historical significance, and notable architect. It is the opinion of the Historic Landmarks Commission Designation Subcommittee that building is an excellent candidate for City Landmark designation.



Above: Front elevation of the 1924 Masonic Temple that towers over E. Carrillo Street, December 2013



Vicinity Map, City of Santa Barbara Mapping Analysis and Printing System, 2013

Historic Context:

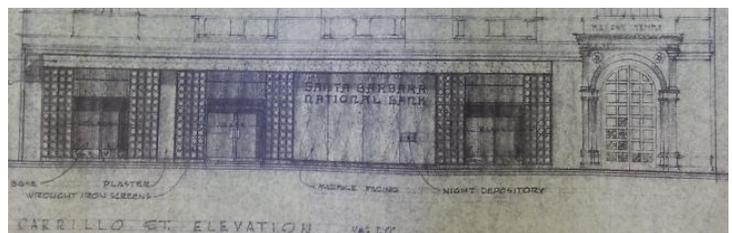
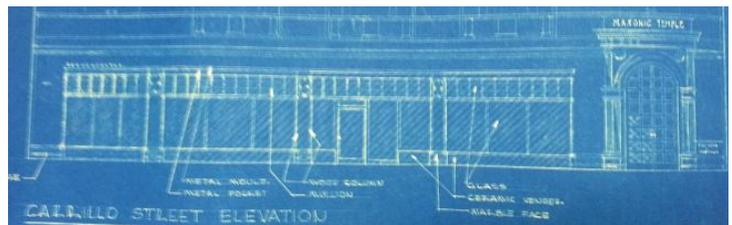
The Masonic Temple is home to the fraternal society of Freemasons in Santa Barbara that was founded in 1868. The four-story, Italian Mediterranean building was designed by the noted San Francisco architect, Carl Werner (himself a Freemason) in 1924 as the Freemasons' permanent home in Santa Barbara.

The club claimed prominent members of the Santa Barbara community. One of the original Santa Barbara Masons was John Stearns, the former District Attorney turned lumberyard owner. Stearns was not only instrumental in the formation of the freemasons in Santa Barbara, but is most well known for the building of Stearns Wharf as a conduit through which Stearns could supply his lumberyard. With some of the most influential men in Santa Barbara as members, the Masonic Temple was built to be a tall structure that stood out on a street composed of relatively short buildings. The choice of the

Italian Mediterranean style shows that while the Masons were sensitive to the fact that Santa Barbara was moving towards a Spanish Colonial Revival/Mediterranean aesthetic. There have been no exterior alterations to the upper three floors and grand arched entrance to the Masonic Temple. However, the four bay, street level storefront with divided light transoms (see photo above) was removed and replaced with a stucco wall pierced with two small entrances for the store front tenant, Santa Barbara National Bank, in 1959. It is the opinion of the HLC Designation Subcommittee that due to the high architectural integrity of the majority of the exterior, the building still qualifies as a City Landmark.



Above: Historic sketch of Masonic Temple c.1924, courtesy of the Gledhill Library, Santa Barbara Historic Museum.



Above: The 1959 drawings that illustrate the replacement of original 1924 wood store front and transoms with stucco and new openings.

Architectural Style: Italian Mediterranean

The Period Revival movement encompassed a diverse range of architectural influences, such as Tudor, French Norman, Spanish, Italian Renaissance, Italian Mediterranean, American Colonial and Spanish Colonial styles. An important part of Santa Barbara's architecture, the Italian Mediterranean pre-dates the Spanish colonial Revival and was key to Santa Barbara's spirit as the new American Riviera. Having both the climate and geography similar to the coastal hill-towns of the Italian Riviera, Santa Barbara embraced Italian Palazzos as architecture well suited to Santa Barbara's Riviera status. The Masonic Temple is an excellent example of this style, with elements such as a symmetrical façade, terracotta roof, as well as the terracotta detailing and large overhanging eaves.

The Santa Barbara Masonic Temple is highly influenced by late 14th century Florentine palazzos of Italy, given its Neoclassic form and 15th century Italian ornament. Specific late 14th century elements include the pointed stone voussoir of the three central arches and the projecting, bracketed eaves. In a Neoclassic manner, the palazzo has been simplified and its elements over scaled to make the moderate sized structure appear monumental. Late Italian Renaissance decoration includes the blue and white terracotta mural work in the flattened cross vaults of the arcade, cupids bearing shields in the spandrels above the attic windows and medallions in the end spandrels of the arcade.

The building is well scaled to create a strong feeling of place that is urban but not forbidding or unfriendly. The stucco exterior of the building is somewhat of a departure from its Italian prototype palazzos which would have been more likely finished in rusticated stone. The result is that the building takes on a more generalized Mediterranean character, in keeping with the architecture of Santa Barbara.



Above: The façade is an excellent example of the Italian Mediterranean Style. Pictured December 2013



Above: View of detailed cornice of the Masonic Temple, December 2013.

Architect:

Carl Werner was the noted architect that designed the Masonic Temple. Born in 1875 in Philadelphia, Werner moved to San Francisco and became the unofficial architect for the city of Alameda on the east side of California's San Francisco Bay. During this time he built Alameda High

School as well as numerous single family homes in various styles. Werner worked closely with his colleague Matthew O'Brien and they based their architectural offices in San Francisco. Werner was a Freemason and it is possibly one reason that Werner and O'Brien received the commission to design the Santa Barbara Masonic Temple. Between the two of them, they designed and built several San Francisco movie palaces like the Orpheum, the Tivoli Opera House (later the Columbia), the Hippodrome, Golden Gate Theater, The Princess Theater, and the Valencia Theater. They designed the Golden Eagle Hotel and three buildings in the Alamo Square Historic District. It is for these reasons Werner and O'Brien are considered noted architects who made a significant contribution to the architectural heritage of California.

Significance:

The City of Santa Barbara defines historic significance as outlined by the Municipal Code, Section 22.22.040. Any historic building that meets one or more of the eleven criteria (Criteria A through K) established for a City Landmark or a City Structure of Merit can be considered significant. The Masonic Temple meets the following seven criteria:

Criterion A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;

Because the 1924 building represents an example of the work of Carl Werner, one of the noted architects of California, and is an example of the Italian Mediterranean style which is congruent and important to the development of Santa Barbara as the American Riviera, it is a significant part of the heritage of the city of Santa Barbara.

Criterion C. Its identification with a person or persons who significantly contributed to the culture and development of the City, the State, or the Nation

The Masonic Temple's membership is associated with many important figures, such as judges, lawyers, architects, and businessmen from Santa Barbara's history including John Stearns, the man credited to the building of Stearns Wharf. Thus, the property is identified with a group who significantly contributed to the development of Santa Barbara.



Above: The intricately detailed cast stone entrance to the Masonic Temple, December 2013.

Criterion D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;

The building embodies distinguishing characteristics of the Italian Mediterranean style with its three, rounded arches of the arcade, the symmetrical façade, the terra cotta roof, and smooth stucco walls. The Italian Mediterranean style once contended for being the preferred design style of Santa Barbara. While the Spanish Colonial Revival style went on to dominate the city's aesthetic, it remains important to the development of Santa Barbara's architectural repertoire and reputation as the American Riviera.

Criterion E, Its exemplification as the best remaining architectural type in its neighborhood;

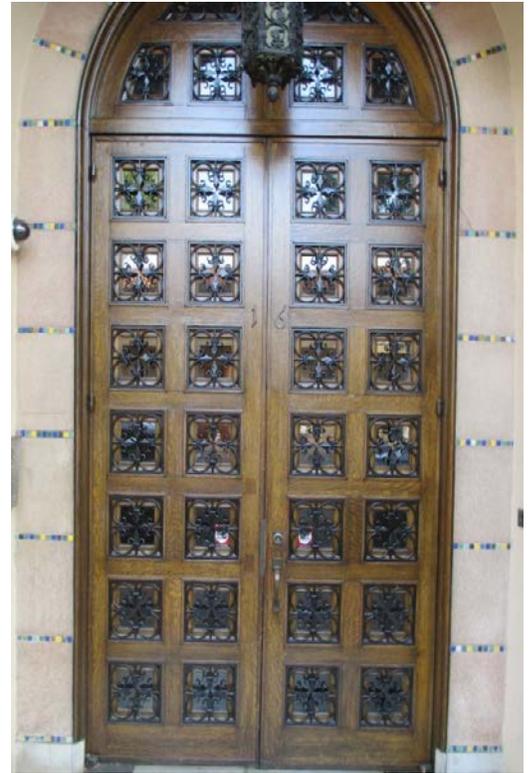
Because, the Masonic Temple is one of the few Italian Mediterranean Style commercial buildings in downtown Santa Barbara, and one of the most intricately detailed, it is the best remaining architectural type in the neighborhood.

Criterion F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;

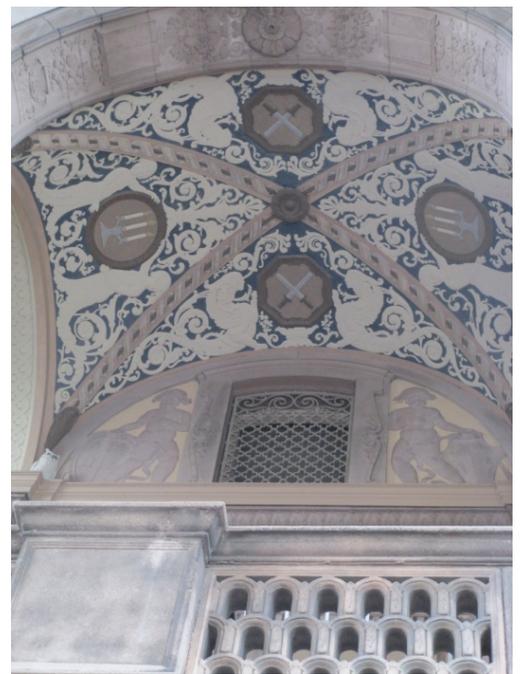
The Italian Mediterranean style building represents an example of the work of Carl Werner, one of the leading architects of California in the 1920s. He and his partner designed numerous famous theaters and other public buildings in the San Francisco Bay Area. His buildings are known for great attention to detail, and many of his buildings are designated as Landmarks and listed on the State and National Registers of Historic Places as important to the heritage of California. The Masonic Temple is an exemplary example of the work of Carl Werner, whose work has significantly influenced the heritage of Santa Barbara and California.

Criterion G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;

Detail work on the building is unmatched on most Santa Barbara buildings in the downtown area. Engraved arches, stone balustrades, ceiling terracotta and cast stone designs are all clearly visible from the street. The first floor is crowned with a Classical dentil cornice. The overhanging eaves are detailed with painted panels divided by wood brackets. The original wooden doors with cast iron detailing both at the entryway and on the arcade remain intact and in excellent condition. The arcade's ceiling features intricate relief work. The building embodies not only outstanding attention to design, but extreme attention to detail, materials and craftsmanship, that qualifies this building as a City Landmark.



Above: 2013 Photograph of the intricate carved wooden doors and stone surround of the east elevation, December 2013.



Above: Details of the ceiling of the arcade, December 2013.

Criterion I, Its unique location or singular physical characteristic representing an establish and familiar visual feature of a neighborhood;

The three, grand and intricate arches of the building dominate the first block of East Carrillo Street off of State Street and have been an established and familiar visual feature of downtown Santa Barbara for the past since 1924.

Historic Integrity:

Integrity is the ability of a property to convey its historical associations or attributes. There are essential physical features that must be considered to evaluate the integrity of a significant building. Since 1924, its location, setting, association and feeling have not changed. The placement of the original entry at the corner of the front elevation was originally balanced by a four bay storefront with divided light transoms that ran the length of the rest of the front façade. The original storefront has been replaced by a stucco wall pierced with two small openings and signage that diminish the original, dramatic street presence and historic integrity of the building. However, no other alterations have been made to the four story building and it has been well maintained and retains enough of its original materials and workmanship that it is able to convey its original appearance.

Recommendation:

Staff Recommends that the HLC adopt a resolution to recommend to City Council that the Masonic Temple be designated as a City Landmark. Staff recommends that the proposed boundary of the City Landmark be the entire building with no perimeter as the building encompasses the entire parcel. The proposed City Landmark designation does not include the interior of the building.



Above: Details of the relief in the arches of the arcade, December 2013.

Works Cited:

McMahon, Marilyn. "A Century Plus 25 for Masons." *News-Press*. 4 Dec. 1988: pf. 28A. Print
Ober, Ruth. "Masonry Established Its First Foothold in City of Santa Barbara." *Morning Press*. 6 July. 1930: Pg. 4. Print.

Web Sites

"Knights Templar Building" *Art and Architecture San Francisco*. 2012. Web
<http://www.artandarchitecture-sf.com/tag/carl-werner>

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA DESIGNATING THE SANTA BARBARA
CLUB AT 1105 CHAPALA STREET AS A CITY LANDMARK

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural or aesthetic significance;

WHEREAS, the owner of the property is The Santa Barbara Club, 1105 Chapala Street, Santa Barbara, CA 93101;

WHEREAS, the legal description on the original deed of January 2003 reads: beginning at the east corner of Block number one hundred and twenty-six, according to the official map of said city, at the intersection of Chapala and Figueroa streets, and running thence north-west along Chapala street one hundred and seventy feet; thence at right angles into said Block, south-west one hundred feet; thence at right angles south-east, one hundred and seventy feet to Figueroa street; thence along Figueroa street north-east, one hundred feet to the place of beginning;

WHEREAS, determined that the property listed in the title of this document qualifies for historic designation under City of Santa Barbara Master Environmental Assessment (MEA) criteria;

WHEREAS, the historic research found in the *Building History* by Post Hazeltine Associates on March 18, 2014 and in the Staff Report dated March 26, 2014, found the structure at 1105 Chapala Street, designed by the noted architect Francis W. Wilson in 1904 in the Neoclassical style is significant for its historical and architectural influence on the heritage of the City;

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution Dated November 10, 1998), staff has determined that designation of the Santa Barbara Club as a City Landmark is categorically exempt in accordance with the California Environmental Quality Act Guidelines, section 15308;

WHEREAS, on February 12, 2014, the Historic Landmarks Commission adopted Resolution of Intention 2014-1 to hold a public hearing to begin the City Landmark

designation process for the Santa Barbara Club located at 1105 Chapala Street, Assessor's Parcel No. 039-222-024;

WHEREAS, the Historic Landmarks Commission held a public hearing on March 26, 2014, during which hearing public comments were invited on the proposed City Landmark designation and the Historic Landmarks Commission adopted Resolution No. 2014-1 to recommend to the City Council designation as a City Landmark the Santa Barbara Club located at 1105 Chapala Street, APN 039-222-024; and

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara states that the City Council may designate as a City Landmark any structure, natural feature, site or area having historic, architectural, archeological, cultural, or aesthetic significance by adopting a resolution of designation within 90 days following receipt of a recommendation from the Historic Landmarks Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The Santa Barbara Club located at 1105 Chapala Street, Assessor's Parcel No. 039-222-024, is designated as a City Landmark based on the historic and cultural significance of facts presented in the City Landmark Designation Staff Report dated March 26, 2014.

SECTION 2. The City Landmark designation includes the two story building constructed in 1904, the one-story brick building on Chapala Street (c. 1904-1907), the plastered wall and piers on Chapala Street (c. 1904-1906), and the sandstone retaining walls along Figueroa Street.

SECTION 3. The City Council finds that the subject property meets the following City Landmark criteria (A through K) listed in section 22.22.040 of the Municipal Code:

- A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
- C. Its identification with a person or persons who significantly contributed to the culture and development of the City, the State, or the Nation;
- D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
- E. Its exemplification of the best remaining architectural type in a neighborhood;
- F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;
- G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;

SECTION 4. The City Clerk shall cause this resolution, upon adoption, to be recorded in the Office of the recorder of the County of Santa Barbara pursuant to Santa Barbara Municipal Code Section 22.22.055.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA DESIGNATING THE UNITARIAN
CHURCH AT 1535 SANTA BARBARA STREET AS A CITY
LANDMARK

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural or aesthetic significance;

WHEREAS, the owner of the property is the Unitarian Society of Santa Barbara at 1529 Santa Barbara St., Santa Barbara, CA 93101;

WHEREAS, the Historic Structures/Sites Report accepted on August 22, 2007 by the Historic Landmarks Commission, has determined that the property listed in the title of this document qualifies for historic designation under City of Santa Barbara Master Environmental Assessment (MEA) criteria;

WHEREAS, the Historic Structures/Sites Report of 2007 found the Unitarian Church and Courtyard at 1535 Santa Barbara Street, designed by noted Santa Barbara architect E. Keith Lockard in 1930 with composition, massing and simplicity that are exemplary of the Spanish Colonial Revival style, is significant for its historical and architectural influence on the heritage of the City;

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution Dated November 10, 1998), staff has determined that designation of the 1930 Unitarian Church Building and Courtyard as a City Landmark is categorically exempt in accordance with the California Environmental Quality Act Guidelines, section 15308;

WHEREAS, on February 12, 2014, the Historic Landmarks Commission adopted Resolution of Intention 2014-3 to hold a public hearing to begin the City Landmark designation process for the 1930 Unitarian Church building and courtyard located at 1535 Santa Barbara Street, Assessor's Parcel No. 027-241-026;

WHEREAS, the Historic Landmarks Commission held a public hearing on March 12, 2014, during which hearing public comments were invited on the proposed City Landmark designation and the Historic Landmarks Commission and adopted Resolution

No. 2014-3 to recommend to the City Council designation as a City Landmark the Unitarian Church located at 1535 Santa Barbara Street, APN 027-241-026; and

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara states that the City Council may designate as a City Landmark any structure, natural feature, site or area having historic, architectural, archeological, cultural, or aesthetic significance by adopting a resolution of designation within 90 days following receipt of a recommendation from the Historic Landmarks Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The Unitarian Church and the courtyard enclosed by stucco, scalloped walls, located at 1535 Santa Barbara Street, Assessor's Parcel No. 027-241-026, are designated as a City Landmark based on the historic and cultural significance of facts presented in the City Landmark Designation Staff Report dated March 12, 2014. The 1957 building and the southerly portion of the parcel are excluded from the landmark designation as shown on the map on page 2 of the Historic Landmarks Commission Staff Report dated March 12, 2014.

SECTION 2. The City Council finds that the subject property meets the following City Landmark criteria (A through K) listed in section 22.22.040 of the Municipal Code:

- A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
- D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
- F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;
- G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;

SECTION 3. The City Clerk shall cause this resolution, upon adoption, to be recorded in the Office of the recorder of the County of Santa Barbara pursuant to Santa Barbara Municipal Code Section 22.22.055.

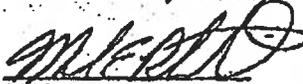
Exhibit B
"Newly Merged Parcel Description"

All that portion of Block Fifty-nine (59) in the City of Santa Barbara, County of Santa Barbara, State of California, according to the Official Map thereof, described as follows:

Beginning at the most northerly corner of said Block 59; thence,

- 1st southeasterly along the southwesterly line of Santa Barbara Street, 225.00 feet to the intersection of said southwesterly line with the northwesterly line of La Paz Avenue; thence,
- 2nd southwesterly along the northwesterly line of said La Paz Avenue 231.67 feet to a point in the southeasterly extension of the northeasterly line of the land described in the deed to William S. McLaren, dated March 17, 1874, recorded in Book "M", Page 119 of Deeds, records of said County; thence,
- 3rd northwesterly along said southeasterly extension and along the northeasterly line of said land of McLaren 50.00 feet to the most southerly corner of the land described in the deed to the Unitarian Society of Santa Barbara dated June 19, 1962 and recorded in Book 1949, Page 1325 of Official Records of said County; thence,
- 4th northeasterly along the southeasterly line of said land of the Unitarian Society, 66.67 feet to the most easterly corner of said land; thence,
- 5th northwesterly along the northeasterly line of said Unitarian Society land 175.00 feet to the most northerly corner of said Unitarian Society land, said point being on the southeasterly line of Arrellaga Street; thence,
- 6th northeasterly along the southeasterly line of Arrellaga Street, 165.00 feet to the point of beginning.

This real property description was prepared by me, or under my direction, in conformance with the Professional Land Surveyor's Act.

Signature: 

Mark E. Reinhardt, PLS

Date: 4-17-08



Y:\02-00100 Series\0200101 Unitarian Society\0200101 Merge Legal Description.doc

Description: Santa Barbara, CA Document-Year.DocID 2008.36988 Page: 7 of 8
Order: 4 Comment:

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA DESIGNATING THE MASONIC
TEMPLE AT 16 EAST CARRILLO STREET AS A CITY
LANDMARK

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara grants the Historic Landmarks Commission the authority to initiate a designation process to recommend to the City Council the designation as a City Landmark of any structure, natural feature, site or area having historic, architectural, archaeological, cultural or aesthetic significance;

WHEREAS, the owner of the property is Masonic Properties SB Inc, 16 East Carrillo Street, Santa Barbara, CA 93101;

WHEREAS, determined that the property listed in the title of this document qualifies for historic designation under City of Santa Barbara Master Environmental Assessment (MEA) criteria;

WHEREAS, the historic research found in the Staff Report dated March 12, 2014, found the structure at 16 East Carrillo Street, designed by the noted California architect Carl Werner in 1924 in the Italian Mediterranean style is significant for its historical and architectural influence on the heritage of the City;

WHEREAS, the proposed boundary of the City Landmark designation includes the entire parcel with no perimeter as the building encompasses the entire parcel and does not include the interior of the building or the time capsule in the cornerstone of the building;

WHEREAS, under the provisions of Article 19, Section 15308 of the California Environmental Quality Act Guidelines and the City List of Activities Determined to Qualify for a Categorical Exemption (City Council Resolution Dated November 10, 1998), staff has determined that designation of the Masonic Temple as a City Landmark is categorically exempt in accordance with the California Environmental Quality Act Guidelines, section 15308;

WHEREAS, on February 12, 2014, the Historic Landmarks Commission adopted Resolution of Intention 2014-2 to hold a public hearing to begin the City Landmark designation process for the Masonic Temple located at 16 East Carrillo Street, Assessor's Parcel No. 039-322-044;

WHEREAS, the Historic Landmarks Commission held a public hearing on March 26, 2014, during which hearing public comments were invited on the proposed City

Landmark designation and the Historic Landmarks Commission adopted Resolution No. 2014-2 to recommend to the City Council designation as a City Landmark the Masonic Temple located at 16 East Carrillo Street, APN 039-322-044; and

WHEREAS, Section 22.22.050 of the Municipal Code of the City of Santa Barbara states that the City Council may designate as a City Landmark any structure, natural feature, site or area having historic, architectural, archeological, cultural, or aesthetic significance by adopting a resolution of designation within 90 days following receipt of a recommendation from the Historic Landmarks Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA AS FOLLOWS:

SECTION 1. The Masonic Temple located at 16 East Carrillo Street, Assessor's Parcel No. 039-322-044, is designated as a City Landmark based on the historic and cultural significance of facts presented in the City Landmark Designation Staff Report dated March 12, 2014. The landmark designation does not include the interior of the building or the time capsule located within the cornerstone of the building.

SECTION 2. The City Council finds that the subject property meets the following City Landmark criteria (A through K) listed in section 22.22.040 of the Municipal Code:

- A. Its character, interest or value as a significant part of the heritage of the City, the State or the Nation;
- C. Its identification with a person or persons who significantly contributed to the culture and development of the City, the State, or the Nation;
- D. Its exemplification of a particular architectural style or way of life important to the City, the State, or the Nation;
- E. Its exemplification of the best remaining architectural type in a neighborhood;
- F. Its identification as the creation, design, or work of a person or persons whose effort significantly influenced the heritage of the City, the State, or the Nation;
- G. Its embodiment of elements demonstrating outstanding attention to architectural design, detail, materials and craftsmanship;
- I. Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood;

SECTION 3. The City Clerk shall cause this resolution, upon adoption, to be recorded in the Office of the recorder of the County of Santa Barbara pursuant to Santa Barbara Municipal Code Section 22.22.055.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 20, 2014

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Interviews For City Advisory Groups

RECOMMENDATION: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 3, 2014, and June 10, 2014.

DISCUSSION:

Interviews of applicants for various positions on City Advisory Groups are to be held on May 20, 2014, at an estimated time of 4:00 p.m. Applicants will also have the option to be interviewed on June 3, 2014, at an estimated time of 4:00 p.m. and June 10, 2014, at 6:00 p.m.

For the current vacancies, 43 individuals submitted 45 applications. A list of eligible applicants and pertinent information about the City Advisory Groups is attached to this report.

Applicants have been notified that to be considered for appointment they must be interviewed. Applicants have been asked to prepare a 2-3 minute verbal presentation in response to a set of questions specific to the group for which they are applying. Applicants applying to more than one advisory group may have up to 5 minutes for their presentation.

Applicants for the Santa Barbara Youth Council have been notified that they must also appear for an interview before the Youth Council. They will have the option to appear on Monday, May 19, 2014, at 4:15 p.m. in Room 15 at City Hall or Monday, May 29, 2014, at 5:30 p.m. at the Louise Lowry Davis Center.

Appointments are scheduled to take place on June 24, 2014.

ATTACHMENT: List of Applicants

PREPARED BY: Deborah L. Applegate, Deputy City Clerk

SUBMITTED BY: Kristy Schmidt, Acting Administrative Services Director

APPROVED BY: City Administrator's Office

ACCESS ADVISORY COMMITTEE

- One vacancy.
- Term expires December 31, 2014 (Architectural/Engineering/Building Community).
- Resident of the City or a full-time employee of an entity doing business within the City who demonstrates an interest, experience, and commitment to issues pertaining to disability and access.
 - One representative from the Architectural/Engineering/Building Community.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
<i>Architectural/ Engineering/Building Community (1)</i>	Brian Barnwell	Appointed 12/16/2008 Term expired 12/31/2011; continuing to serve until a successor is appointed (5 years 6 months)		

ARTS ADVISORY COMMITTEE

- One vacancy.
- Term expires December 31, 2015.
- Member should be a person with acknowledged accomplishments in the arts and demonstrates an interest in and commitment to cultural and arts activities.
- Qualified Elector of the City.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector of the City (1)</i>	Valerie Velazquez			

BUILDING AND FIRE CODE BOARD OF APPEALS

- Two vacancies.
- Open terms.
- Residents of the City or adjoining unincorporated areas of Santa Barbara County.
- Appointees shall demonstrate knowledge and expertise in specialty areas governed by the construction and fire codes of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Resident of the City or unincorporated area of Santa Barbara County (2)</i>	Bonnie Elliott			
	Karen L. Johnson			
	Ken McLellan			

CENTRAL COAST COMMISSION FOR SENIOR CITIZENS

- One vacancy.
- Term expires June 30, 2016.
- Must be a qualified elector of the City.
- May not hold any full-time paid office or employment in City government, and for one year after ceasing to be a member, shall not be eligible for any salaried office or employment with the City.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
<i>Qualified Elector of the City (1)</i>	James F. Scafide			

COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE

- Four vacancies.
- One term expires December 31, 2014 (Westside Neighborhood);
One term expires December 31, 2015 (Senior Community);
One term expires December 31, 2016 (Downtown Neighborhood); and
One term expires December 31, 2017 (African American Community).
- Must be residents or employees of the designated organizations, but need not be qualified electors of the City, and must represent one of the specified categories or organizations. One representative from each:
 - Senior Community ➤ Westside Neighborhood ➤ African American Community
 - Downtown Neighborhood
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
<i>Senior Community (1)</i>	Doedy Sheehan Orchowski			
<i>Westside Neighborhood (1)</i>	None			
<i>African American Community (1)</i>	None			
<i>Downtown Neighborhood (1)</i>	None			

COMMUNITY EVENTS & FESTIVALS COMMITTEE

- Two vacancies.
- One term expires December 31, 2014 (Public at Large); and
One term expires December 31, 2015 (Cultural Arts).
- Members must be a representative of the Public at Large and Cultural Arts.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Public at Large (1)</i>	Barbara Kaplan			
<i>Cultural Arts (1)</i>	Brad Nack			

FIRE AND POLICE PENSION COMMISSION

- Two vacancies.
- One term expires December 31, 2017 (Active/Retired Police Officer); and
One term expired December 31, 2016 (Qualified Elector).
- One active retired police officer who need not be a resident of the City; and
One Qualified Elector of the City who is not an active firefighter or police officer for the City of Santa Barbara.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Active/Retired Police Officer (1)</i>	None			
<i>Qualified Electors (1)</i>	None			

HARBOR COMMISSION

- Two vacancies.
- One term expires December 31, 2017; and
One term expires December 31, 2015.
- Two Qualified Electors of the City.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector of the City (2)</i>	Cory Bantilan	6/29/2010 (4 years)		
	Stephen MacIntosh			
	Mark A. Rincon-Ibarra		1) Harbor Commission 2) Parks & Recreation	
	Virginia Rubsam			

HOUSING AUTHORITY COMMISSION

- Two vacancies.
- One term expires June 30, 2016 (Tenant); and
One term expires June 30, 2018 (Member at Large).
- Member must be a Qualified Elector of the City, a tenant who is receiving housing assistance from the City of Santa Barbara Housing Authority.
- Member at Large must be a Qualified Elector of the City.
- Member should have some interest and background in housing development, management or other comparable experience.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Tenant Who Is Receiving Housing Assistance from the City of Santa Barbara Housing Authority (1)</i>	Dolores Zoila Daniel			
<i>Member at Large – Qualified Elector of the City (1)</i>	Donald D. Olson	6/29/2010 (4 Years)		

LIVING WAGE ADVISORY COMMITTEE

- Five vacancies.
- One term expires June 30, 2018 (Owner/Manager of a Business within the City); One term expires June 30, 2018 (Qualified Elector of the City); One term expires June 30, 2017 (Nominee of a Local Living Wage Advocacy); One term expires June 30, 2016 (Employee of Local Santa Barbara Area Non-Profit Entity); and One term expires June 30, 2015 (Owner/Manager of a Service Contractor Subject to the City's Living Wage Ordinance)
- One representative from each:
 - One member who is an owner or a manager of a business operating within the City;
 - One member from the public at large who shall be a qualified elector of the City;
 - One member who is a nominee of a Local Living Wage Advocacy;
 - One member shall be employed by a local Santa Barbara area non-profit entity; and
 - One owner/manager of a service contractor subject to the City's Living Wage Ordinance.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Owner or a Manager of a Business Operating Within the City (1)</i>	Gabe Dominocielo	12/15/2009 (4 years, 6 months)	1) Mosquito and Vector MDB) 2) Living Wage	
<i>Member of the Public at Large – Qualified Elector of the City (1)</i>	None			
<i>Nominee of a Local Living Wage Advocacy (1)</i>	Anna M. Kokotovic	6/28/2011 (3 years)		
<i>Employed by a Local Santa Barbara Area Non-Profit Entity (1)</i>	None			
<i>Owner/Manager of a Service Contractor Subject to the City's Living Wage Ordinance (1)</i>	None			

MEASURE P COMMITTEE

- Four vacancies.
- One term expires December 31, 2016 (Criminal Defense Attorney);
One term expires December 31, 2017 (Medical Professional);
One term expires December 31, 2014 (Resident of the City); and
One term expires December 31, 2014 (Drug Abuse, Treatment & Prevention Counselor).
- One representative from each:
 - Criminal Defense Attorney
 - Medical Professional
 - Resident of the City
 - Drug Abuse, Treatment & Prevention Counselor
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Criminal Defense Attorney (1)</i>	Patric H. R. Weddle			
<i>Medical Professional (1)</i>	None			
<i>Resident of the City (1)</i>	None			
<i>Drug Abuse, Treatment & Prevention Counselor (1)</i>	None			

MOSQUITO AND VECTOR MANAGEMENT DISTRICT BOARD

- One vacancy.
- Term expires January 7, 2015.
- Registered voter of the City of Santa Barbara or a member of the City Council.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
<i>Registered Voter of the City of Santa Barbara (1)</i>	Gabe Dominocielo		1) Mosquito and Vector MDB 2) Living Wage	
	Larry L. Fausett			

PARKS AND RECREATION COMMISSION

- Two vacancies.
- One term expires December 31, 2016.
- One term expires December 31, 2017.
- Qualified elector of the City.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1st, 2nd, 3rd)	Notes
<i>Qualified Elector of the City (2)</i>	John Abrami			
	Margery Baragona			
	Carolyn Brown			
	Nichol Clark			
	Rocky Jacobson			
	Linus Huffman			
	Mark A. Rincon-Ibarra			1) Harbor Commission 2) Parks & Recreation

RENTAL HOUSING MEDIATION TASK FORCE

- Two vacancies.
- One term expires December 31, 2014; and
One term expires December 31, 2016.
- Two tenants of the County of Santa Barbara.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Tenant – County (2)</i>	Jason Saltoun-Ebin			

SANTA BARBARA YOUTH COUNCIL

- Six vacancies.
- One term expires June 30, 2016 (Member at Large);
One term expires June 30, 2016 (San Marcos High School Student);
One term expires June 30, 2015 (Dos Pueblos High School Student);
One term expires June 30, 2016 (Local Alternative, Community or Continuation HS); and
One term expires June 30, 2015 (Local Alternative, Community or Continuation HS).
- Members must be between the ages of 13 – 19 years.
- Members must be:
 - Two members from local alternative, community, or continuation high school (City or County);
 - One member from San Marcos High School (City or County);
 - One member from Dos Pueblos High School (City or County); and
 - One member at large, who may or may not attend any high school (City or County).
 - One member from Local Private High School (City or County).

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Student From San Marcos High School (1)</i>	Camille Cosio (City)			
	Gabriela (Gabby) Goldberg (County)			
	Cindy Gonzalez (City)			
	Sharon Martinez (City)			
	Yesenia Munoz (City)			
	Selena Romero (City)			
	Luke Tricase (City)			

	Scott Voulgaris (City)			
<i>Dos Pueblos High School (1)</i>	Ciara Giordani (County)			
	Megan Handley (County)			
	Juliet Ho (City)			
	Aahat Jain (County)			
	William MacFarlane (County)			
	Zainab Noorsher (City)			
<i>Member at Large, May or May Not Attend Any High School (1)**</i>	Ashlie Bissell -SBHS-(City)			
<i>Members From Local Alternative, Community, or Continuation High School (2)</i>	None			
<i>Local Private High School (1)</i>	Katherine (Katie) Carrillo – Laguna Blanca (County)			
	Jack Kelly – Bishop Diego High School (County)			

**** May be applicant from any other category.**

SINGLE FAMILY DESIGN BOARD

- Two vacancies.
- One term expires June 30, 2018 (Professional Qualifications); and
One term expires June 30, 2018 (Licensed Architect).
- Members shall reside within Santa Barbara County.
- One member shall be a licensed architect;
One member shall possess professional qualifications in fields related to architecture, including, but not limited to, building design, structural engineering, industrial design, or landscape contracting.
- Members may serve on the Architectural Board of Review or the Historic Landmarks Commission and the Single Family Design Board.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Licensed Architect (1)</i>	James Zimmerman	6/29/2010 (4 Years)		
<i>Professional Qualifications (1)</i>	Brian Miller	6/29/2010 (4 Years)		