

**CITY OF SANTA BARBARA  
CITY COUNCIL**

**Helene Schneider**  
*Mayor*  
**Frank Hotchkiss**  
*Mayor Pro Tempore*  
**Grant House**  
*Ordinance Committee Chair*  
**Dale Francisco**  
*Finance Committee Chair*  
**Cathy Murillo**  
**Randy Rowse**  
**Bendy White**



**James L. Armstrong**  
*City Administrator*

**Stephen P. Wiley**  
*City Attorney*

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

**JUNE 12, 2012  
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](http://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
- 2:00 p.m. - City Council Meeting
- 4:00 p.m. - Interviews for City Advisory Groups (Estimated Time)

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

#### **Subject: Proposed Revisions To Reserve Policies**

Recommendation: That the Finance Committee provide staff final direction on the newly proposed policies governing General Fund reserves.

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

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

### CHANGES TO THE AGENDA

### PUBLIC COMMENT

### CONSENT CALENDAR

**1. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of May 8, 2012, and the regular meeting of May 29, 2012 (cancelled).

**2. Subject: Contract For Water And Wastewater Rate Review And Revenue Plans (540.11)**

Recommendation: That Council authorize the Public Works Director to negotiate and execute a contract, in a form acceptable to the City Attorney, with Raftelis Financial Consultants, Inc., in an amount not to exceed \$100,000 to provide a cost of service analysis for the City of Santa Barbara water and wastewater rates and to develop a ten-year revenue plan.

**3. Subject: Ratification Of The Cachuma Conservation Release Board Fiscal Year 2013 Budget (540.03)**

Recommendation: That Council ratify the Fiscal Year 2013 Cachuma Conservation Release Board budget in the amount of \$643,511, with an estimated City share of \$263,043.

## CONSENT CALENDAR (CONT'D)

**4. Subject: Appropriation Of Highway Bridge Program Funding For The Right-Of-Way Phase Of The Chapala Street Bridge Replacement Project (530.04)**

Recommendation: That Council:

- A. Accept Federal Highway Administration Highway Bridge Program Grant funding in the total amount of \$291,450 for the Right-of-Way Phase of the Chapala Street Bridge Replacement Project; and
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2012 Streets Grants Capital Fund by \$291,450 for the Chapala Street Bridge Replacement Project.

**5. Subject: Adoption Of Ordinance For Supervisors Memorandum Of Understanding (MOU), Management Salary Plans, And Cancellation of FY 2012 Furlough Deductions For Certain Employee Groups (440.02)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2012-2013 Supervisors MOU; Adopting the 2012-2013 Management Salary Plans for Unrepresented Non-Safety Managers, Including the City Administrator and the City Attorney, and for Certain Unrepresented Safety Managers; and Cancelling Three Pay Periods Of Fiscal Year 2012 Furlough Deductions for These Supervisors and Managers, and for Confidential Employees.

**6. Subject: Fiscal Year 2012 Interim Financial Statements For The Ten Months Ended April 30, 2012 (250.02)**

Recommendation: That Council accept the Fiscal Year 2012 Interim Financial Statements For The Ten Months Ended April 30, 2012.

**7. Subject: TEFRA Hearing For Housing Authority Bond Issuance (660.04)**

Recommendation: That Council:

- A. Hold a public hearing with respect to the proposed issuance by the Housing Authority of the City of Santa Barbara ("Housing Authority") of debt obligations in an amount of approximately \$23,000,000 ("Bonds"); and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Incurring of Tax Exempt Obligations by the Housing Authority of the City of Santa Barbara for the Purpose of Providing Financing for the Acquisition and Rehabilitation of SHIFCO and Villa La Cumbre Senior Rental Housing Facilities.

## CONSENT CALENDAR (CONT'D)

**8. Subject: Amendment To Housing Authority Loan For Bradley Studios Project (660.01)**

Recommendation: That Council authorize the Assistant City Administrator to negotiate and, subject to approval by the City Attorney, to execute an amendment to a loan agreement entered in June 2008 between the Redevelopment Agency (Agency) and City of Santa Barbara Housing Authority (Housing Authority).

## NOTICES

9. The City Clerk has on Thursday, June 7, 2012, 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.
10. A City Council site visit is scheduled on Monday, June 18, 2012, at 1:30 p.m. to the property located at 336 N. Milpas Street, which is the subject of an appeal hearing set for June 19, 2012, at 2:00 p.m.

**This concludes the Consent Calendar.**

## REPORT FROM THE FINANCE COMMITTEE

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### PUBLIC WORKS DEPARTMENT

**11. Subject: Public Hearing Regarding Proposed City Utility Rate Increases (540.01)**

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 2013; and
- B. Provide direction to staff regarding any changes to the proposed Fiscal Year 2013 utility rates.

**12. Subject: Lower Mission Creek Flood Control Project Update (530.03)**

Recommendation: That Council receive a status update on the Lower Mission Creek Flood Control Project.

## **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.

(Estimated Time: 4:00 p.m.; Continued from June 5, 2012, Agenda Item No. 13)

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

## **CLOSED SESSIONS**

### **14. Subject: Conference With Legal Counsel - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is a workers' compensation claim: Russell Alfino v. City of Santa Barbara, WCAB case number ADJ8059798.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

### **15. Subject: Conference With Labor Negotiator (440.05)**

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the City's General bargaining unit, the Police Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

## **ADJOURNMENT**

CITY OF SANTA BARBARA

**FINANCE COMMITTEE**

MEETING AGENDA

DATE: June 12, 2012

Dale Francisco, Chair

TIME: 12:30 P.M.

Bendy White

PLACE: David Gebhard Public Meeting Room  
630 Garden Street

Cathy Murillo

James L. Armstrong  
City Administrator

Robert Samario  
Finance Director

**ITEM TO BE CONSIDERED:**

**Subject: Proposed Revisions To Reserve Policies**

Recommendation: That the Finance Committee provide staff final direction on the newly proposed policies governing General Fund reserves.



# CITY OF SANTA BARBARA

## FINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** June 12, 2012  
**TO:** Finance Committee  
**FROM:** Administration Division, Finance Department  
**SUBJECT:** Proposed Revisions To Reserve Policies

### **RECOMMENDATION:**

That the Finance Committee provide staff final direction on the newly proposed policies governing General Fund reserves.

### **DISCUSSION:**

#### **Background**

On April 10, and again on May 22, 2012, the Finance Committee and City staff met to evaluate and propose changes to existing policies for the establishment and maintenance of General Fund reserves. The newly proposed reserve policies were developed based on feedback received from the City Council and the Finance Committee, as well as recommendations from City staff.

At this meeting of June 12, staff will be seeking final direction from the Committee on the draft proposed policies. Based on the final direction received from the Committee, the proposed policies will be presented to the City Council at a later date for consideration.

Concurrently, staff will be evaluating reserve policies applicable to Enterprise Funds, incorporating suggestions from Enterprise Fund departments, as well as both the Harbor Commission and Water Commission. Once this process is completed, staff will return to the Finance Committee for discussion and possible changes as appropriate.

**ATTACHMENT:** Proposed General Fund Reserve Policies

**PREPARED BY:** Robert Samario, Finance Director

**APPROVED BY:** City Administrator's Office

**CITY OF SANTA BARBARA  
Proposed Reserves Policies  
GENERAL FUND**

**GENERAL POLICY REQUIREMENTS**

The reserves established pursuant to this policy are designed to provide the City with a degree of funds to address unexpected, unplanned and unbudgeted events that have a detrimental impact on the City's financial condition. The use of reserves should be considered in the context of other sources of funds that may be available, such as property and business interruption insurance reimbursements and disaster relief funds in the case of federal and/or state declared emergencies.

Calculation of the final reserve balances will be calculated at the end of each year after the final closing of the accounting records and will be accounted for in each fund, as applicable, as a designation of fund balance for each type of reserve established by this policy.

As soon as practical after the close of a fiscal year, staff will provide City Council a report showing the status of reserves as of June 30. In addition, at any time the use of reserves is proposed in excess of reserves established pursuant to this policy, staff will provide a similar report on reserves and projected fiscal impact from the proposed use of reserves.

**DISASTER RESERVE**

The Disaster Reserve will be calculated as 15% of the adopted operating budget of the immediately following fiscal year.

The Disaster Reserve is restricted to use in addressing the financial impacts of natural disasters, such as floods, fires, tsunamis, earthquakes and any other event that results in significant damage to City facilities and infrastructure.

The use of Disaster Reserves should generally be limited to disasters that are associated with a federal and/or state declared disaster. However, the use of Disaster Reserves is allowable in cases where the natural disaster is less severe, such as a major fire to a City building that requires temporary facilities to be leased. Disaster reserves may be used only after other available funds are exhausted, including the Economic Contingency Reserve.

Examples of financial impacts that would justify the use of Disaster Reserves include:

- Extraordinary costs incurred in connection with the immediate emergency response to address public safety matters.
- Revenue losses resulting from a significant decline or temporary halt in visitors to the City due to major damage to facilities, infrastructure and local businesses.
- Additional costs necessary to maintain City operations.
- Long term costs incurred to rebuild City facilities and infrastructure.

A simple majority approval of City Council is required for any use of Disaster Reserves.

### **CONTINGENCY RESERVE**

The Contingency Reserve is calculated based on 10% of the adopted operating budget of the immediately following fiscal year.

The main purpose of the Contingency Reserve is to allow for the orderly implementation of a balancing strategy to address the fiscal impacts of unexpected events in a manner that minimizes the impacts to the organization and community, balanced against the goal of preserving reserves.

The Contingency Reserve is restricted to addressing the impacts of unplanned and unexpected events negatively affecting General Fund revenues or expenses. Because the primary revenues in the General Fund can be volatile and fluctuate with economic cycles, an economic recession is the more typical unexpected event that negatively affects local revenues. However, unexpected events that have a financial impact on the General Fund, and the City as a whole, can also include the following:

- Natural disasters, as described above for Disaster Reserves
- Revenue impacts resulting from State of California action and unfunded State mandates
- Unexpected loss of external funding (grants, entitlements, etc.)
- An unplanned loss of, or damage to, a City facility (e.g., loss of a building due to fire)
- Mitigation of an emergency that poses a threat to public health and safety
- Adverse judicial action that requires large cash payments to third parties

The general intent of the Contingency Reserve is not to fund known and/or anticipated financial impacts, such as negotiated salary and benefit increases or increases to health insurance premiums or retirement costs.

The following provides specific requirements applicable to the use of Contingency Reserves.

#### Council Approval

Any use of Contingency Reserves, except in cases of natural disasters, requires a supermajority approval (at least 5 votes) of City Council

#### Assessing the Fiscal Condition and Outlook of the General Fund:

The use of Contingency Reserves should be accompanied by an objective evaluation of the General Fund's fiscal condition and an evaluation of the fiscal impacts of the event that triggered the use of reserves. The purpose of this evaluation is to measure and define the scope and duration of the problem to assist in developing an appropriate balancing strategy.

The assessment of fiscal condition should include the use of available and relevant financial and non-financial data, including but not limited to: economic and demographic indexes and trends; historical revenue and expenditures results; and local economic forecasts developed by recognized academic and financial institutions and paid consultants.

#### Developing a Balancing Strategy

Whenever Contingency Reserves are proposed to be used, the City Council should also approve a balancing strategy. The balancing strategy should include, as appropriate and feasible, other measures that minimize the use of Contingency Reserves, such as:

- Expenditure reductions achieved through efficiency measures, cuts to programs, services and staffing
- Revenue enhancement measures that generate new or increased revenues
- Use of existing one-time funds
- Use of available reserves in other funds, as allowable and appropriate

The balancing strategy should also be consistent with the nature of the fiscal impact. For example, a one-time impact may be resolved fully with the use of reserves, depending on its severity. However, an event that has an ongoing financial impact, such as decline in revenues due to a major recession, will require a balancing strategy that includes ongoing budget adjustments to minimize the use of reserves.

Plan of Replenishment

The use of Contingency Reserves should be accompanied by a plan for their restoration.

- A one-time (one-year) use of reserves should be accompanied by a specific plan for how and when the reserves will be restored.
- An extended use of reserves for more than one year should be accompanied by a long-term strategy that includes a more long-term plan for how the reserves will be restored.



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING May 8, 2012 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 p.m. (The Finance Committee met at 11:00 a.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

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

Councilmembers absent: Dale Francisco, Grant House.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Sarah Fox.

### CEREMONIAL ITEMS

1. Subject: Proclamation Declaring May 11, 2012, As National Public Gardens Day (120.04)

#### Speakers:

- Staff: Parks and Recreation Director Nancy Rapp.
- Members of the Public: Dr. Steve Windhager, Executive Director of The Santa Barbara Botanical Gardens; Robert Adams, Santa Barbara Beautiful; Patty Clarke, Manager of Parks and Recreation Community Foundation (PARC).

Action: Proclamation presented to Dr. Windhager.

Councilmember Francisco entered the meeting at 2:05 p.m.

## **CHANGES TO THE AGENDA**

### Item Removed from Agenda

City Administrator James Armstrong stated that the following item was being removed from the agenda and will be brought back on a future date:

10. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the City's General bargaining unit, the City's Supervisory bargaining unit, the Police Officers Association, and the Police Management Association, and regarding discussions with confidential City employees and unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 45 minutes; anytime

Report: None anticipated

## **PUBLIC COMMENT**

Speakers: Ruth Wilson, Robert Burke.

Councilmember House entered the meeting at 2:11 p.m.

## **CONSENT CALENDAR (Item Nos. 2 - 8)**

The title of the resolution related to Agenda Item No. 3 was read.

Motion:

Councilmembers Hotchkiss/White to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of April 20, 2012.

Action: Approved the recommendation.

3. Subject: Records Destruction For Parks And Recreation Department (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 Parks and Recreation Department in the Administration, Parks, and Recreation Divisions.

Action: Approved the recommendation; Resolution No. 12-027 (May 8, 2012, report from the Parks and Recreation Director; proposed resolution).

4. Subject: Capital Improvement Projects Third Quarter Report For Fiscal Year 2012 (230.01)

Recommendation: That Council receive a report on the City's Capital Improvement Projects for the Third Quarter of Fiscal Year 2012.

Speakers:

Staff: Assistant Public Works Director/City Engineer Pat Kelly.

Action: Approved the recommendation (May 8, 2012, report from the Public Works Director).

5. Subject: Amendment To Service Agreement With Idea Engineering For Airport Marketing Services (560.01)

Recommendation: That Council approve and authorize the Airport Director to execute an amendment to increase the scope of work and compensation by an amount of \$27,250 under Agreement No. 386906 with Idea Engineering for development of marketing and advertising campaign concepts for an amended total compensation amount of \$42,250.

Action: Approved the recommendation (May 8, 2012, report from the Airport Director).

6. Subject: Software Maintenance Services From Level II, Inc., For Law Enforcement Telecommunications Message Switching System, Journal And Billing Application (520.04)

Recommendation: That Council authorize the Police Information Technology Manager to purchase software maintenance services from Level II, Inc., for the CLETS Joint Powers Agreement (JPA) Message Switching System, Journal, and Billing Application for a period of one year, with four one-year renewal options in a form of agreement acceptable to the City Attorney.

Action: Approved the recommendation; Agreement No. 24,123 (May 8, 2012, report from the Chief of Police).

## NOTICES

7. The City Clerk has on Thursday, May 3, 2012, 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.
8. Cancellation of a City Council site visit scheduled on Monday, May 14, 2012, at 1:30 p.m. to the property located at 1085 Coast Village Road.

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to review the Fiscal Year 2012 Third Quarter Interim Financial Statements, which will be presented to the Council as Agenda Item No. 9.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### FINANCE DEPARTMENT

9. Subject: Fiscal Year 2012 Third Quarter Interim Financial Statements (250.02)

Recommendation: That Council:

- A. Hear a report from staff on the status of revenues and expenditures in relation to budget as of March 31, 2012;
- B. Accept the Fiscal Year 2012 Interim Financial Statements for the Nine Months Ended March 31, 2012; and
- C. Approve the proposed adjustments to Fiscal Year 2012 estimated revenues and appropriations.

Documents:

- May 8, 2012, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Treasury Manager Jill Taura, Accounting Manager Ruby Carrillo, Assistant Public Works Director/City Engineer Pat Kelly.

Motion:

Councilmembers House/White to approve recommendations B and C.

Vote:

Unanimous voice vote.

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

### Information:

- Councilmember Murillo reported on her attendance at the following events: 1) Youth Speak-Out on Environmental Issues at the Davis Center; 2) a concert fundraiser at the Westside Boys & Girls Club; and 3) a fundraiser for La Cumbre Jr. High School. Also, as the Ambassador for Chihuahua de Mayo she mentioned that May is "Adopt a Chihuahua" month.
- Mayor Schneider mentioned that she attended the Parks and Recreation Community Foundation (PARC) cruise on the Condor; the money raised will go towards summer recreation programs and scholarships for local youth.

## **RECESS**

Mayor Schneider recessed the meeting at 2:43 p.m. in order for Council to reconvene in closed session for Agenda Item Nos. 11 and 12; no reportable action is anticipated.

## **CLOSED SESSIONS**

11. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (170.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Administrator

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

### Documents:

May 8, 2012, report from the Mayor.

### Time:

2:45 p.m. - 3:35 p.m.

No report made.

12. Subject: Public Employee Performance Evaluation - Government Code Section 54957 (160.01)

Recommendation: That Council hold a closed session for a Public Employee Performance Evaluation per Government Code Section 54957.

Title: City Attorney

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

(Cont'd)

12. (Cont'd)

Documents:

May 8, 2012, report from the Mayor.

Time:

3:37 p.m. - 4:15 p.m.

No report made.

## **RECESS**

4:15 p.m. - 6:01 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco, Hotchkiss, House, Murillo, Rowse, White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

## **PUBLIC COMMENT**

No one wished to speak.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### PUBLIC WORKS DEPARTMENT

13. Subject: Pedestrian Crossing Treatment Alternatives On Milpas Street At Ortega And Yanonali Streets (530.04)

Recommendation: That Council:

- A. Receive a report on the options for pedestrian crossing treatments on Milpas Street at Ortega and Yanonali Street;
- B. Approve the implementation of a neighborhood striping transition, ~~painted~~ raised median, and pedestrian activated flashing lights; and
- C. Approve the installation of overhead mounted pedestrian activated flashers at Milpas and Yanonali Streets.

Documents:

- May 8, 2012, report from the Public Works Director.
- May 8, 2012, PowerPoint presentation prepared and made by Staff.
- April 12, 2012, memorandum from the Neighborhood Advisory Council.

(Cont'd)

13. (Cont'd)

Speakers:

- Staff: Supervising Transportation Engineer Derrick Bailey, City Attorney Stephen Wiley, Police Sergeant Mike McGrew, Public Works Director Christine Andersen.
- Transportation and Circulation Committee: Chair Hillary Blackerby.
- Neighborhood Advisory Council: Chair Theresa Pena.
- Members of the Public: Anna Rico, (Coalition for Sustainable Transportation (COAST)); Sebastian Aldana, Jr.; Beatriz Molina, Milpas Community Association (MCA); Naomi Greene; Javier Limon; Alan Bleecker, MCA; Silvia and Olivia Uribe, Latino Democrats; Abel Maldonado; Sally Foxen; Rose Aldana; Guadalupe Gonzalez; Santos Guzman; Sherrie Fisher, General Manager, Santa Barbara Metropolitan Transit District.

Motion:

Councilmembers House/Rowse to approve the staff recommendations as revised, and to indicate Council's interest in the high prioritization of a long range comprehensive plan for the area, including Salinas Street and Milpas Street and their cross streets.

Vote:

Unanimous voice vote.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 8:46 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
SARAH FOX  
DEPUTY CITY CLERK

ATTEST: \_\_\_\_\_  
BRENDA ALCAZAR, CMC  
DEPUTY CITY CLERK



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
May 29, 2012  
COUNCIL CHAMBER, 735 ANACAPA STREET**

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The regular meeting of the City Council, scheduled for 2:00 p.m. on May 29, 2012, was cancelled by the Council on November 1, 2011.

The next regular meeting of the City Council is scheduled for June 5, 2012, at 2:00 p.m. in the Council Chamber.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
HELENE SCHNEIDER  
MAYOR

ATTEST: \_\_\_\_\_  
SUSAN TSCHECH, CMC  
DEPUTY CITY CLERK



Agenda Item No. \_\_\_\_\_

File Code No. 540.11

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012

**TO:** Mayor and Councilmembers

**FROM:** Water Resources Division, Public Works Department

**SUBJECT:** Contract For Water And Wastewater Rate Review And Revenue Plans

### **RECOMMENDATION:**

That Council authorize the Public Works Director to negotiate and execute a contract, in a form acceptable to the City Attorney, with Raftelis Financial Consultants, Inc., in an amount not to exceed \$100,000 to provide a cost of service analysis for the City of Santa Barbara water and wastewater rates and to develop a ten-year revenue plan.

### **DISCUSSION:**

The water and wastewater utilities are dependent on user rates to fund most of the operations, maintenance and capital improvements needed to keep the utilities functioning reliably and in compliance with federal and state regulations. Water rates were last reviewed in 1994 and wastewater rates in 2004. Cost of service evaluations should be conducted at least every ten years. Cost of service analysis and rate review will ensure that City water rates are compliant with state law governing the manner in which rates can be charged.

Both the water and wastewater utilities have infrastructure dating back to the late 1800s. The City has a long standing approach of developing multi-year capital planning to identify and prioritize infrastructure needs. Using the projected capital needs, staff can develop an understanding of what level of revenues is needed to accomplish the required work.

Water and wastewater funding is challenging because the infrastructure is aging and requires increasing levels of investment. Added to that are increased costs from new regulations. For example, the Water Fund has invested over \$50 million in the last decade alone to comply with the Disinfection By-Products Rule for drinking water. Additionally, water use and wastewater production are declining, which means that, fortunately, the City does not have to spend significant capital funds to develop new water supplies or add capacity at the wastewater treatment plant. This allows the City to avoid significant costs. However, because most of the costs of operating the water

and wastewater utilities are fixed costs and increase with inflation, rate payers will see increasing bills, even if their use is declining.

The work to be performed under the recommended contract is to evaluate the City's water rate study for compliance with state law, as well as for its performance in helping the City meet water conservation goals and in fairly allocating costs between user categories. A comprehensive wastewater rate review was recently completed, so the scope of work for wastewater rates will be a review to confirm that they are still compliant with state law. For both, water and wastewater, the consultant will be asked to recommend a revenue plan that minimizes impacts on rate payers and provides sufficient revenue to accomplish the required capital work.

A Request For Proposals was issued to eight firms. Five proposals were received. Staff reviewed the proposals interviewed the two top rated firms and selected Raftelis Financial Consultants as the most responsive to the City's Request For Proposals. Raftelis has extensive experience providing rate review and recommendations for water utilities in Southern California. Given the importance of rate setting to water conservation, this local expertise is important. Additionally, Raftelis will develop a comprehensive financial model that the City will be able to use for financial planning of the water and wastewater utilities going forward.

**BUDGET/FINANCIAL INFORMATION:**

Funding for this study was included in the Fiscal Year 2012 budget.

**SUSTAINABILITY IMPACT:**

Properly designed rates and revenue plans are critical to developing the funds necessary to continue to adequately treat and deliver water and wastewater and maintain critical infrastructure that protects human health and the environment.

**PREPARED BY:** Rebecca Bjork, Water Resources Manager/mh

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



Agenda Item No. \_\_\_\_\_

File Code No. 540.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012

**TO:** Mayor and Councilmembers

**FROM:** Water Resources Division, Public Works Department

**SUBJECT:** Ratification Of The Cachuma Conservation Release Board Fiscal Year 2013 Budget

### **RECOMMENDATION:**

That Council ratify the Fiscal Year 2013 Cachuma Conservation Release Board budget in the amount of \$643,511, with an estimated City share of \$263,043.

### **DISCUSSION:**

The Cachuma Conservation Release Board (CCRB) represents the Cachuma Project water rights of three of the four South Coast members: the City of Santa Barbara, the Goleta Water District, and the Montecito Water District. The fourth South Coast member, Carpinteria Valley Water District, withdrew from CCRB in 2010. Councilmember Dale Francisco is the City's appointed board member for CCRB.

The two main responsibilities of CCRB include representing its members in the ongoing State Water Resources Control Board proceedings regarding Cachuma Project water rights, and preparing for a re-consultation on the National Marine Fisheries Service Biological Opinion related to steelhead trout in the Lower Santa Ynez River. The budget includes funding for legal, biological, and technical consultation related to these two efforts, as well as administrative expenses and salary for the CCRB General Manager.

The CCRB shares some project costs with Improvement District No. 1 of the Santa Ynez River Water Conservation District, as indicated by the 11.58 percent cost share shown on the attached budget itemization. On April 23, 2012, the CCRB approved a budget in the amount of \$643,511 with a City share of \$263,043 for Fiscal Year 2013. Under the CCRB Joint Powers Agreement, the Budget requires ratification by CCRB members.

**BUDGET/FINANCIAL INFORMATION:**

Funds are included in the recommended Fiscal Year 2013 Water Fund operating budget to pay the City's share of the CCRB budget. At their regular meeting of May 14, 2012, the Board of Water Commissioners voted (4/0/0) to recommend ratification of the CCRB budget.

**ATTACHMENT(S):** Cachuma Conservation Release Board Approved Fiscal Year 2013 Budget

**PREPARED BY:** Rebecca Bjork, Water Resources Manager/RB/mh

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

## Cachuma Conservation Release Board

**Final Budget**

FY 2012 - 2013

Final 4/23/12

Account Number	Account Name	Final FY 12-13 Budget	Final FY 11-12 Budget	Projected Expenditures a/o 6/30/12
<b>GENERAL &amp; ADMINISTRATIVE</b>		<b>100.00%</b>		
5050	Office Lease	10,815	12,000	10,500
5100	Audit	8,000	3,000	3,000
5200	Liability Insurance	3,622	5,000	3,500
5201	Workers Comp. Insurance	815	550	815
5260	FICA/Medicare	4,590	4,590	4,590
5301	General Manager Salary	60,000	60,000	60,000
5304	Administrative Support	4,300	3,000	3,500
5312	Misc. Admin. Exp.	5,000	3,000	5,000
5313	Communications/Computer	6,500	6,000	7,500
5316	Admin Fixed Assets	1,000	10,000	600
5330	Admin. Travel	3,500	5,000	5,000
5331	Travel Exp. Federal & State Meetings	20,000	0	0
5332	Transportation	500	500	500
7000	Legal	125,000	160,000	160,000
<b>TOTAL GENERAL &amp; ADMINISTRATIVE</b>		<b>253,642</b>	<b>272,640</b>	<b>264,505</b>

**CONSULTANT ACTIVITIES**

		100.00%	11.58%	88.42%	FY 11-12	a/o 6/30/12
6001	BO Reconsultation Activities	382,000	44,236	337,764	118,251	118,251
7200	SWRCB Proceedings Support	25,000	2,895	22,105	325,415	189,000
				<b>100.00%</b>		
7500	Hydrologic Technical Support	30,000	0	30,000	0	0
<b>TOTAL CONSULTANT ACITIVITIES</b>		<b>437,000</b>	<b>47,131</b>	<b>389,869</b>	<b>443,666</b>	<b>307,251</b>

<b>TOTAL</b>	<b>690,642</b>	<b>47,131</b>	<b>643,511</b>	<b>716,306</b>	<b>571,756</b>
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**CCRB COST ALLOCATION**

MEMBER UNIT	PERCENT %	Annual
Goleta Water District	46.03%	296,220
City of Santa Barbara	40.88%	263,043
Montecito Water District	13.09%	84,236
<b>TOTAL</b>	<b>100.00%</b>	<b>643,511</b>

Special Assessments Accts 5331 and 7500 (as needed)	PERCENT %	Quarterly
Goleta Water District	46.03%	23,017
City of Santa Barbara	40.88%	20,438
Montecito Water District	13.09%	6,545
<b>TOTAL</b>	<b>100.00%</b>	<b>50,000</b>

Quarterly Assessments	PERCENT %	Quarterly
Goleta Water District	46.03%	68,301
City of Santa Barbara	40.88%	60,651
Montecito Water District	13.09%	19,423
<b>TOTAL</b>	<b>100.00%</b>	<b>148,375</b>

**Notes:**

- This budget is solely reflective of CCRB's (GWD, City of SB and MWD) participation in the projected activities to support the Cachuma water rights hearing proceedings and BO reconsultation. It is anticipated that ID1 will pay 11.58% of the consultants costs for Cardno Entrix, HDR, Stetson and Hanson. CCRB will contract with Cardno Entrix and HDR. ID#1 will contract with Stetson Engineers and Hanson Environmental.
- CCRB will pay 100% of the hydrologic consultant costs for technical support.
- The legal and consultants' budgets do not include projected costs associated with a potential lawsuit involving the SWRCB EIR or water rights decision, or a potential lawsuit associated with the NMFS Biological Opinion.
- Acct 5331 for \$20,000 and Acct 7500 for \$30,000 will not be included in the quarterly assessments. They will be assessed separately as needed



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Appropriation Of Highway Bridge Program Funding For The Right Of Way Phase Of The Chapala Street Bridge Replacement Project

**RECOMMENDATION:** That Council:

- A. Accept Federal Highway Administration Highway Bridge Program Grant funding in the total amount of \$291,450 for the Right of Way Phase of the Chapala Street Bridge Replacement Project; and
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2012 Streets Grants Capital Fund by \$291,450 for the Chapala Street Bridge Replacement Project.

### **DISCUSSION:**

#### **BACKGROUND**

On April 10, 2012, Council authorized a contract with Drake Haglan and Associates (DHA) for final design services for the Chapala Street Bridge Replacement Project (Project). On April 12, 2012, the City received authorization to begin the right of way phase of the Project in the amount of \$291,450. However, before work can proceed on the ROW phase of the Project, the Council must accept the grant and appropriate the \$291,450 into the Streets Grants Capital Fund budget. The replacement of this structurally deficient bridge is primarily funded by the Federal Highway Bridge Program (HBP), as described in the Funding section.

The existing Chapala Street Bridge (Bridge) is a simple-span timber beam bridge. The Bridge was built in 1920 and rests on sandstone abutments. Sometime after 1973, the Bridge was closed to traffic until it was completely reconstructed in early 1976, leaving the original structural system trusses and abutments as the only components from the original Bridge. After reconstruction, Caltrans found the trusses to be substandard, and they were modified in mid-1976 to increase their stability. However, after Chapala Street was closed to through traffic due to construction of the cross-town freeway, Caltrans was again concerned about the stability of the trusses. Subsequently, Caltrans

## Council Agenda Report

### Appropriation Of Highway Bridge Program Funding For The Right Of Way Phase Of The Chapala Street Bridge Replacement Project

June 12, 2012

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performed another structural analysis resulting in the addition of sidewalks to keep traffic in the center of the street and away from the edge of the Bridge near the trusses. In 2006, Caltrans officially posted the Bridge for a maximum of 15-tons gross vehicle load.

#### PROJECT DESCRIPTION

The Project involves demolishing the existing 4,655-square foot bridge deck and replacing it with a 2,740 square foot bridge deck. The south side of the new Bridge deck would be supported on piles and a foundation behind the existing sandstone abutment. The north side of the new Bridge would be supported by a new abutment located in the same location as the existing sandstone wall. In consensus with Creeks and Transportation staff recommendations, and as approved by the Planning Commission, the new Bridge will be reduced in width but still able to provide one vehicular lane in each direction and a five-foot sidewalk on each side.

The right of way phase of the project will involve acquisition of five temporary construction easements and one small permanent easement for construction of this Project.

#### COMMUNITY OUTREACH

The Project went before the Historic Landmarks Commission (HLC) for two concept reviews and for the acceptance of the Cultural Resource Reports. It also went before the Planning Commission on two occasions for the environmental scoping hearing, adoption of the Mitigated Negative Declaration, and approval of the Coastal Development Permit. The Project is required to return to the Historic Landmarks Commission for Design Approval and to the Parks Commission for removal of a tree in the public right of way. All of the hearings were or will be publicly noticed.

When the construction contract is awarded, notifications by mail, including fact sheets in both English and Spanish, will be sent out to residents and adjacent property owners providing basic Project related information, including the dedicated Project phone number and website address. Pre-construction public meetings will be held to inform residents of the construction timeline and review Project details. Planned outreach methods during construction include Project road signs, City TV updates, local media press releases, and a ribbon-cutting ceremony for the completed Bridge.

#### FUNDING

The following summarizes estimated total Project costs with the City's share at 11.47 percent for the design phase only plus minor non-reimbursable staff costs prior to grant fund authorization. The Federal HBP share will pay for 88.53 percent of the design, right of way, and construction costs. Federally obligated toll credits will provide the local match of 11.47 percent for the right of way and construction phases of the Project.

The following summarizes all estimated total Project costs:

**ESTIMATED TOTAL PROJECT COST**

<b>Design</b>	<b>Federal Share</b>	<b>Toll Credit* Share</b>	<b>City Share</b>	<b>Total Cost</b>
<b><i>Design Phase</i></b>				
Preliminary Design (by contract with DHA)	\$153,852	\$0	\$19,933	\$173,785
Final Design (this contract with DHA)	\$375,705	\$0	\$48,677	\$424,382
Environmental Review and Permits	\$111,359	\$0	\$14,428	\$125,787
Survey	\$13,260	\$0	\$1,718	\$14,978
City Staff Project Management & Review	\$182,652	\$0	\$42,348	\$225,000
<b><i>Subtotal (Design)</i></b>	<b>\$836,828</b>	<b>\$0</b>	<b>\$127,104</b>	<b>\$963,932</b>
<b><i>Right of Way Phase</i></b>				
Temporary Construction Easements	\$258,021	\$33,429	\$0	\$291,450
<b><i>Subtotal (Right of Way )</i></b>	<b>\$258,021</b>	<b>\$33,429</b>	<b>\$0</b>	<b>\$291,450</b>
<b><i>Construction Phase</i></b>				
Construction	\$1,133,184	\$146,816	\$0	\$1,280,000
Construction Engineering	\$169,978	\$22,022	\$0	\$192,000
Contingency	\$113,318	\$14,682	\$0	\$128,000
<b><i>Subtotal (Construction)</i></b>	<b>\$1,416,480</b>	<b>\$183,520</b>	<b>\$0</b>	<b>\$1,600,000</b>
<b>TOTAL PROJECT COST</b>	<b>\$2,511,329</b>	<b>\$216,949</b>	<b>\$127,104</b>	<b>\$2,855,382</b>

\*Toll Credit Funds

There are sufficient appropriations in the Streets Fund to cover the City share for the Project.

**PREPARED BY:** John Ewasiuk, Principal Engineer/JC/sk

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA ADOPTING THE 2012-2013 SUPERVISORS MOU; ADOPTING THE 2012-2013 MANAGEMENT SALARY PLANS FOR UNREPRESENTED NON-SAFETY MANAGERS, INCLUDING THE CITY ADMINISTRATOR AND THE CITY ATTORNEY, AND FOR CERTAIN UNREPRESENTED SAFETY MANAGERS; AND CANCELLING THREE PAY PERIODS OF FISCAL YEAR 2012 FURLOUGH DEDUCTIONS FOR THESE SUPERVISORS AND MANAGERS, AND FOR CONFIDENTIAL EMPLOYEES

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

SECTION 1. The 2012-2013 Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Supervisory Employees Bargaining Unit (hereinafter the "Supervisors MOU"), effective July 1, 2012 and attached hereto and incorporated herein by reference as "Exhibit A", is hereby adopted.

SECTION 2. The City Administrator is authorized to apply the changes to salaries and benefits contained in the Supervisors MOU to the City's confidential supervisors.

SECTION 3. The 2012-2013 Salary Plan Applicable to Unrepresented Managers and Professional Attorneys, effective July 1, 2012, and attached hereto and incorporated herein by reference as Exhibit "B", (hereinafter the "Management Salary Plan 1") is hereby approved.

SECTION 4. The 2012-2013 Salary Plan Applicable to Certain Unrepresented Safety Managers, effective July 1, 2012, and attached hereto and incorporated herein by reference as Exhibit "C" (hereinafter the "Management Salary Plan 2") is hereby approved.

SECTION 5. The City Administrator is authorized to cancel or refund the last three (3) of twenty six (26) total payroll deductions for the Fiscal Year 2012 unpaid furlough, instituted pursuant to Resolution No. 11-053, for unrepresented managers and confidential employees that are active employees on the date of adoption of this Agreement, or to refund such amount if already deducted, without a corresponding reversal of furlough time taken, or accrued but not yet taken. However, an employee who failed to use furlough hours before the deadline and is entitled to repayment of deductions for the furlough hours not taken shall not be entitled to this payment in addition to repayment of the deductions for the furlough hours not taken.

SECTION 6. The City Administrator is hereby authorized to implement the agreements and actions outlined herein without further action by the City Council, unless such Council action is required by state or federal law.

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CITY OF SANTA BARBARA  
AND  
SANTA BARBARA CITY SUPERVISORY EMPLOYEES'  
BARGAINING UNIT**

THIS AGREEMENT IS ENTERED INTO AS OF \_\_\_\_\_, BETWEEN THE CITY OF SANTA BARBARA, HEREINAFTER REFERRED TO AS THE "CITY", AND THE SANTA BARBARA CITY SUPERVISORY EMPLOYEES' BARGAINING UNIT, HEREINAFTER REFERRED TO AS "UNIT".

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 Unit, 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 UNIT:

\_\_\_\_\_  
Kristine E. Schmidt  
Employee Relations Manager

\_\_\_\_\_  
Victor Garza, Parking/TMP Superintendent  
Unit President

\_\_\_\_\_  
Michael Pease  
Budget Manager

\_\_\_\_\_  
Lisa Arroyo  
Supervising Engineer

\_\_\_\_\_  
Mike Cano  
Utility Services Supervisor

\_\_\_\_\_  
Judd Conley  
Waterfront Maintenance Superintendent

\_\_\_\_\_  
Jaime Limon  
Senior Planner II

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- APPENDIX F: HOLIDAY CLOSURE PLAN

## **1. BENEFITS-PERMANENT PART-TIME EMPLOYEES**

a. Employees filling positions authorized by City Council in the City's official list of authorized positions at 20 hours or more per week on a less than full time basis shall receive benefits as follows:

i. Cafeteria plan contribution, medical contribution, dental contribution, vision contribution, and holiday equal to the percent of time regularly scheduled versus a regular work week rounded up to the nearest ten percent (10%).

ii. Vacation and sick leave equal to the percent of time worked versus a regular work week rounded up to the nearest ten percent (10%).

b. Employees who were already filling positions authorized by City Council in the official 2004-2005 Position and Salary Control Resolution at 20 hours or more per week on a less-than-full-time basis as of May 1, 2005 will continue to receive full-time health benefits (cafeteria plan contribution, medical contribution, dental contribution, vision contribution).

## **2. BEREAVEMENT LEAVE**

The City's current bereavement leave policy shall be up to five (5) days leave with pay and shall include the following immediate family members: mother, father, brother, sister, spouse, child, grandparents by blood or marriage, grandchildren by blood or marriage, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, person standing in loco parentis, and step family members. In addition to the immediate family members listed herein, an employee shall be eligible for up to five (5) days bereavement leave with pay for his/her domestic partner and the domestic partner's immediate family, as defined above. In order to receive this benefit, domestic partners must be registered with the City Clerk's office or the Secretary of State.

The parties agree that co-worker funeral attendance will be acceptable to the City upon Department Head approval consistent with maintenance of operations.

Though bereavement leave pay is not applicable, the City shall encourage departments to make reasonable efforts to allow employees to use accrued vacation, compensatory time, or personal leave to attend the funeral of an aunt, uncle, or cousin.

## **3. BILINGUAL SKILLS**

The City and the Unit agree to encourage employees to voluntarily develop bilingual skills in instances where the public contact nature of their jobs would make such skills valuable. Bilingual skills for purposes of this article may include both verbal interpretation and routine written translation skills. Complex written translations and complex verbal transactions during large group meetings may be performed if the employee possesses these skills.

Any employee who is requested by the City and agrees to bilingual designation and whose duty assignments require frequent and regular use of bilingual language skills in Spanish and in English with members of the public shall be designated by the Department Head in writing and said designation shall be approved by the Human Resources Manager, who shall test and certify the employees for verbal language proficiency and/or written translation skills as necessary.

As used in this section, the phrase "regular and frequent" means at least several times in each working day. Designation of the bilingual language skill is restricted to the actual needs of the position. An employee's ability to read, write or speak Spanish occasionally or, incidental use of language skills in Spanish, or the use of bilingual skills other than for the purpose of meeting the requirements of the job shall not warrant a bilingual designation.

All employees certified for use of bilingual skills shall receive compensation, per payperiod, in the amount of \$64.00

#### **4. CAFETERIA PLAN**

The City will provide a flexible benefit plan known as the "Supervisors' 125 Cafeteria Plan" within the meaning of Section 125(d) of the Internal Revenue Code. The City shall contribute the following per employee, per month to the plan:

<u>Time Period Covered</u>	<u>Amount Per Month</u>
January 1, 2012- June 30, 2012	\$895
July 1, 2012- December 31, 2013	\$1011

The employee will distribute this money among the various cafeteria plan options.

#### **5. CATASTROPHIC LEAVE**

Permanent full-time and permanent part-time employees who are incapacitated due to a catastrophic off-duty illness or injury and anticipate exhausting all leave balances may request assistance under the City's Catastrophic Leave Policy. (See Appendix D.)

#### **6. CHILD CARE**

The City and the Unit agree to abide by all provisions of the City Child Care Policy (Appendix E).

- a. The City will provide a pre-tax salary reduction plan for dependent care needs in accordance with Section 129 of the Internal Revenue Code.
- b. One member of the Supervisory Employees' Unit shall be appointed to a Child Care Center Advisory Committee, if established
- c. All City child care subsidy amounts will apply across the board to all child care slots if a child care center is established.
- d. The City will explore establishing priority for a percentage of slots for City employee access to child care services provided in leased City facilities.

#### **7. DEFERRED COMPENSATION**

The City and the Unit agree that employees shall have the option of selecting deferred compensation as a benefit program.

#### **8. DISABILITY RETIREMENT**

- a. An employee found physically or mentally incompetent to perform his/her regular duties shall be terminated pursuant to Charter Section 1007 or retired, if eligible, pursuant to State law and City regulations. An employee eligible to retire for non-industrial disability shall be entitled to use sick leave benefits to extend the date the employee is first eligible to receive retirement benefits for up to a maximum of ninety (90) days.
- b. An employee later found not to be disabled shall be reinstated with back pay and benefits to the date such pay and benefits ceased.
- c. In no case shall an industrially injured employee be entitled to use sick leave benefits to postpone the effective date of retirement.

## **9. DISCIPLINARY ACTION**

a. Any proposed suspension, demotion, or termination of a supervisor, whether classified or unclassified, will be reviewed by Human Resources.

b. The City at its option shall have the right to amend Charter Section 1007 to eliminate procedural redundancies with current "Skelly" procedures required by State law and City regulations for classified employees.

c. If either federal or State law is adopted requiring binding arbitration of disciplinary disputes, the City, at its option, shall have the right to repeal the disciplinary appeal rights provided by Charter Section 1007.

d.. The City, at its option, may require an employee to forfeit vacation or holiday time in lieu of taking other disciplinary action pursuant to Charter Section 1007 and enabling ordinances.

## **10. DOMESTIC PARTNERSHIP BENEFITS**

The City shall allow domestic partners dependent coverage under the medical, dental, and vision plans. In order to receive this benefit, domestic partners must be registered with the City Clerk's office or the Secretary of State. The affected employee(s) shall be responsible for all tax consequences of this benefit.

## **11. DRESS CODE**

It is agreed that employees recognize and will comply with standards of dress consistent with the positive representation of the City government through its employees and consistent with uniform requirements and safety policies established by the City. Failure to do so will result in an employee being directed to conform to the appropriate dress standard. No dress codes other than the above standard are to be established in the various departments.

## **12. DRUG AND ALCOHOL TESTING**

Employees with commercial driver's licenses in "safety sensitive" positions are subject to the City of Santa Barbara Drug and Alcohol Testing Policy Pursuant to Department of Transportation Regulations.

Employees not subject to the City Of Santa Barbara Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations are subject to pre-employment drug testing and post-accident drug and alcohol testing pursuant to the City of Santa Barbara Drug and Alcohol Testing Policy, attached hereto as Appendix A.

## **13. EQUAL EMPLOYMENT OPPORTUNITY**

a. The City and the Unit agree that the provisions of this Agreement shall be applied equally to all employees covered herein without favor or discrimination because of race, creed, color, sex/gender, age, national origin, political or religious affiliations, Unit membership, sexual orientation, marital status, disability, or pregnancy.

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

## **14. FURLOUGH- CANCELLATION OF DEDUCTIONS**

The City shall cancel the last three (3) of 26 total payroll deductions for the Fiscal Year 2012 unpaid furlough under the "City Of Santa Barbara Fiscal Year 2012 Mandatory Unpaid Furlough Plan-Supervisors" for employees that are active employees on the date of adoption of this Agreement, or

refund such amount if already deducted. This is a cancellation of the deduction only, without a corresponding reversal of the furlough time off taken, or awarded but not yet taken. An employee who failed to use furlough hours before the deadline and is entitled to repayment of deductions for the furlough hours not taken, shall not be entitled to this payment in addition to repayment of the deductions for the furlough hours not taken.

## **15. HEALTH AND SAFETY**

a. The City and the Unit 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 Unit 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 cannot 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 Unit representatives. Compliance with basic safety requirements will be part of each employee's performance evaluation 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 Unit 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 Unit 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 representatives 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.

## **16. HOLIDAYS**

a. The City and the Unit agree that the following days shall be observed as legal holidays by all employees in the Unit:

January 1st	(New Year's Day)
3rd Monday in January	(Martin Luther King, Jr.'s Birthday)
March 31 <sup>st</sup>	(Cesar Chavez Day)
3rd Monday in February	(Washington's Birthday)
Last Monday in May	(Memorial Day)
July 4th	(Independence Day)
1st Monday in September	(Labor Day)
4th Thursday in November	(Thanksgiving)
The Friday immediately following Thanksgiving Day	
December 25th	(Christmas Day)

b. When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

c. Whenever a holiday occurs on an employee's regularly scheduled day off, the employee is entitled to an additional day off. Such day off shall be taken within sixty (60) calendar days, or shall be compensated at straight pay.

d. Whenever an employee is specifically required to work on a day which is being observed as a holiday, the employee shall receive an additional day off at straight time compensation and be compensated at the rate of time and one-half for the hours worked. The employee must take the additional day off within sixty (60) calendar days or shall be paid for that day on a straight time basis. Time and one half shall not be paid for hours that the employee voluntarily chooses to work, but is not required to work.

e. Nothing in this Agreement shall preclude the City from declaring a holiday when a legal holiday has been declared by the President of the United States or the Governor of the State of California.

f. If the City chooses to close some or all offices to the public during the 2012 holiday period, employees will either work, use their own paid leave banks, or take unpaid leave in accordance with the 2012 Holiday Closure Plan contained in Appendix F,

## **17. IMPLEMENTATION OF MOU**

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

## **18. INSURANCE**

The City and the Unit agree that for the period of, the City shall provide a Medical/Dental/Vision insurance program through December 31, 2013.

The City retains full and complete control over the selection, approval, and administration of the City's employee medical/dental/vision insurance programs to include selection of the carrier, insurance contract renewal, and changes in program specifications. However, medical/dental/vision insurance benefits effective during the course of this Agreement shall remain at least equivalent to those in effect at the commencement of this Agreement and shall include a medical plan option.

The City shall notify the Unit within two weeks of receipt by the City of any notification received regarding major changes in benefits or cancellation of contracts from insurance companies providing insurance coverage identified in this section. Upon such notification, a meeting will be scheduled with the Unit to allow information to be exchanged and afford the Unit the opportunity to consult with the City on the matter.

## 19. LAYOFF POLICY

a. The City and the Unit agree that any employee whose position is abolished, pursuant to Section 1008 of the City Charter, shall receive a minimum of thirty (30) days written notice prior to the effective date of abolition. The affected employee shall be given every opportunity through promotional examinations, transfers, and voluntary demotion to fill existing vacant positions. In the event that an employee scheduled to be laid off does not possess minimum qualifications for vacant positions, opportunity for trainee-level appointment to a vacancy in the bargaining unit will be considered. In no case shall open competitive recruitment be used to fill a vacancy until it is determined that no person holding a position to be eliminated meets the qualifications for the vacancy and that no person holding such a position has the potential and willingness to meet those qualifications pursuant to the trainee-level position ordinance (Municipal Code Section 3.04.055).

Notwithstanding the above, a Department Head shall have the sole right not to employ, accept transfer of, or demote any employee laid off who in the Department Head's sole opinion is not qualified for a position with due regard for the provisions of this Agreement, City policy, and State and federal law. A Department Head, however, may not reject an employee who has "bump rights" to a position as provided herein.

### b. Order of Layoff

1. Under the City's policy on the abolition of positions and reduction of personnel by layoff, employees will be laid off by classification, department and division in the following order:

- a) Probationary employees (if any);
- b) Regular employees who received an overall performance evaluation score of less than 70% (under the former evaluation form), or an overall score of "needs improvement" (under the new 2008-2009 evaluation form) on the last two consecutive annual performance evaluations.
- c) By inverse order of seniority. Seniority is determined by continuous service in the classification.
- d) If employees have the same seniority within the classification, selection shall be made at random.

2. Employees affected by layoff shall have the right to return to the last position they previously held in the City service so long as they meet the position's current minimum qualifications and are physically able to perform and that position continues to exist. If an employee bumps down into the last position held, the employee will bump another employee within that classification, department and division as provided in subsection "2", above.

3. The City shall determine and implement the order of layoff after consultation with the Unit."

c. Whenever the City Administrator submits a budget to the City Council requiring layoff of general employees or supervisory employees as outlined in Paragraph b, the City Administrator shall, at the time of budget submission, provide the Unit with a list of prospective layoffees and a seniority list from which eligibility for layoffs was determined.

d. The City may offer a separation enhancement plan to avoid layoffs.

## **20. LEAVE OF ABSENCE**

a. It is agreed that supervisory employees shall have the right to request an extended leave of absence without pay for a period of up to one year for personal reasons or for additional schooling. If the leave is approved, the employee will have right of return but such leave shall be considered a break in service with no accrual of benefits. Leave approval will be at the discretion of the City Administrator.

b. Employees may be entitled to up to 12 weeks of leave, with benefit continuation and reinstatement rights, under the City's FMLA/CFRA Family Care and Medical Leave Policy for the birth of a child or to care for a newborn, for the placement of a child with an employee in connection with adoption or foster care, to care for a child, parent, spouse, domestic partner or child of a domestic partner who has a serious health condition, or for the employee's own serious health condition. For combined pregnancy and child bonding leave, the amount of leave available under this policy may be longer.

c. Extended Medical leaves of absence may be granted by the City Administrator for a period of up to a total of one year (including any period of FMLA/CFRA Family Care and Medical Leave) on request of the employee due to the employee's illness. The City shall continue to pay its contribution to insurance (medical, dental, vision, psychological, life, and long-term disability) for the longer of the first ninety (90) days of such medical leaves of absence, or any period of leave continuation provided under the FMLA/CFRA Family Care and Medical Leave Policy.

d. The following criteria will be used in determining the granting of personal or extended medical leaves of absence:

1. Employee's seniority in City service.
2. Employee's job performance record.
3. Employee's disciplinary action record.
4. Needs of the City service.

e. No sick leave, vacation or holidays shall accrue to any employee during any full biweekly pay period in which the employee is on authorized leave without pay. Employee on leave without pay (other than medical) shall also be responsible for full payment (employer and employee portion) of insurance premiums.

f. No sick leave, vacation, or holiday shall accrue or be paid to employees during any period of authorized leave without pay or suspension.

g. "Continuous service" means employment with the City without break or interruption; in computing continuous service for the purposes of this chapter, neither military leaves nor leaves of absence on account of illness, whether with or without pay, shall be construed as a break in employment or service. Other absences aggregating in excess of ninety (90) days in any period of twelve (12) months, including layoffs on account of lack of work, lack of funds, or abolishment of positions shall be construed as breaking "continuous service".

## **21. LIFE INSURANCE**

The City will provide a term life insurance policy covering the employee in the amount of one (1) year's annual salary (effective 1<sup>st</sup> of January of each year) or \$60,000, whichever is greater, with an equal accidental death and dismemberment provision.

## **22. LONG-TERM DISABILITY INSURANCE**

The City will provide a long-term disability insurance plan by enrolling Unit members in the City of Santa Barbara Long-Term Disability Plan.

## **23. MAINTENANCE OF BENEFITS**

The City and the Unit agree that all benefits, other than 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 or resolution, or by City Charter, as may be amended, shall also continue for the duration of this Agreement.

The City and the Unit 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.

## **24. MANAGEMENT RIGHTS**

The City and the Unit agree that the City has an exclusive right to manage and direct the performance of services and the work force performing such services unless the City has specifically delegated, abridged, or modified any such rights in this Agreement. Such rights shall include but not be limited to the sole right to determine the organization structure of the City, establish levels and types of services to be provided, determine the methods, means, and number of personnel by which operations are to be conducted, including sole authority to contract or subcontract for municipal services, and to exercise complete control and discretion over the technology of performing the City's work. The City retains complete authority over the policies and direction and administration of all City departments including but not limited to standards and methods of selection for employment; promotion and performance evaluation; disciplinary action; relief of employees from duty because of lack of work or other legitimate reasons; maintenance of the efficiency of government operations; establishment of the work week and work schedules; and determination of the content of job classifications consistent with applicable laws and with due regard for provisions of this Agreement.

## **25. MEETING AND CONFERRING**

The City and the Unit agree to meet and confer regarding renewal of the Memorandum of Understanding by using the concept of Mutual Gain Bargaining. Mutual Gain Bargaining principles to be observed include important assumptions such as focusing on issues not personalities, interests not positions, and satisfying mutual interests. The Unit and the City recognize that bargaining enhances the ongoing relationship between both parties that both parties can win in bargaining and can help each other do so, and that open and honest discussion expands the area of mutual interests therefore expanding the options available to the parties to arrive at successful solutions.

## **26. MUNICIPAL CODE CHANGES**

During the term of the Agreement the City and the Unit shall meet and confer with regard to any further City proposed changes to Santa Barbara Municipal Code Title 3 which are within the scope of representation

## **27. OVERTIME**

a. The City and the Unit agree that overtime work will be assigned to the employees on a rotation basis whenever possible.

b. Overtime compensation shall accrue in fifteen minute minimum blocks of time for work performed fifteen minutes or more beyond a regularly scheduled work day or work week.

c. If an employee is called back to duty on an overtime basis, such employee shall be compensated for no less than two (2) hours overtime. If an employee is called back to work on an emergency basis, if conditions permit, City shall provide said employee with nourishment and/or a rest period of appropriate

duration.

d. The parties agree that employees have the right to request cash payment or compensatory time off (CTO), but that approval of one or the other benefit remains the right of the City consistent with the needs of the City.

Overtime worked shall be compensated at the rate of one hour of CTO for one hour of overtime worked or one and one-half hour cash out for one hour of overtime worked.

Overtime not cashed out shall be maintained in a CTO "Bank". An employee may accrue up to 100 CTO hours in his/her bank. The employee may maintain this bank unless the employee terminates or agrees to cash out a portion of all the hours in the bank. Management will make every effort to provide employees with opportunities to take compensatory time off to avoid exceeding the bank limit. The City retains the right to cash out CTO hours other than the 100 hour bank described above at the overtime rate.

It is agreed that the City has the right to require employees to take compensatory time off but shall provide a minimum of seven (7) calendar days advance notice in such cases.

e. Prior management approval is required for the use of CTO, however employees may use CTO hours from their overtime bank without prior notice for time off due to illness or injury of their spouse or children. Such emergency leave shall not be unreasonably withheld by the City. Emergency leave shall be deducted from the employee's CTO bank. No emergency leave payment shall be made except after satisfactory evidence of dependent illness or injury has been accepted and approved by the Department Head.

f. The City and the Unit agree that overtime work accrued during a declared disaster as determined by the President of the United States, the Governor of the State, the Mayor of the City, City Council, or the City Administrator shall be compensated at the rate of time and one-half providing that the City is reimbursed at the rate of time and one-half wages in Federal or State Disaster Relief Funds.

## **28. PAYROLL**

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

b. All employees shall participate in the City's payroll direct deposit program.

1. Each employee shall execute a payroll authorization form and submit a voided check or savings deposit slip to the Payroll Office. It shall be the employee's choice as to which bank he or she designates as the institution receiving payroll funds.

2. When the authorization form is properly executed and filed with the Payroll Office, the City will begin automatically depositing the net amount of pay on or before each designated biweekly payday in the employee's designated bank account.

3. Exceptions: An exception to this policy may be granted by the Finance Director to an employee upon a showing of good cause for such exception (e.g., that he/she is unable to establish and/or maintain a personal banking/financial account for direct deposit, or that other personal circumstances necessitate a temporary or permanent exception). The Finance Director may require the employee to renew this exception periodically. Exceptions will not be unreasonably denied.

4. Employees participating in direct deposit will be provided with a payroll detail report each pay period. Alternatively, employees may voluntarily opt out of a paper detail and access this information electronically via the City's computer system.

## **29. PERSONAL LEAVE**

- a. Employees shall be entitled to the same number of personal leave days as the General Employees' Bargaining Unit agrees to.
- b. Personal leave days must be taken by the end of each fiscal year or lost. An exception to this general rule is that the use of personal leave days awarded in July 2011, the deadline for the use of which was previously extended to June 30, 2013, will be further extended to December 30, 2013. Personal leave shall be scheduled on the same basis as vacation. In no case shall employees be entitled to cash payment for personal leave days not taken.
- c. City shall maintain minimal staffing on workday afternoon prior to New Years and Christmas holidays so that as many employees as possible may enjoy personal leave, vacation, or CTO at those times.

## **30. PROBATIONARY PERIOD**

The probationary period required by Charter Section 1004 may be extended beyond one (1) year by signed mutual agreement of City and employee.

## **31. PROCESSING OF GRIEVANCES/DISPUTES**

- a. Grievances shall be defined as an alleged violation of this Agreement or dispute regarding interpretations, application, or enforcement of this Agreement or the City Charter, City ordinances, resolutions, and written policies related to personnel policies and working conditions. Grievances shall not include disagreements, disputes, or activities regarding or pertaining to examinations for employment or promotion, disciplinary action, performance evaluations, probationary terminations and items subject to meet and confer.

No act or activity which may be grievable may be considered for resolution unless a grievance is filed in accordance with the procedure contained herein within thirty (30) calendar days of the date the grievable activity occurred or the date the employee could reasonably have known such activity occurred.

- b. The Unit agrees that whenever investigation or processing of 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. At the City's discretion, time spent by City employees on the investigation and processing of grievances will be recorded on a form provided by management.

Representatives will be permitted reasonable time off with pay for the investigation and processing of grievances after first obtaining permission from his/her Department Head. Such permission will be granted promptly unless such absence would cause an undue interruption of work.

Upon entering a work location, the representative shall inform the appropriate Department Head and supervisor of the nature of his/her business. An employee pursuing a grievance shall be granted permission to leave the job unless such absence would cause an undue interruption of work. If the employee cannot be made available, the representative will be immediately informed when the employee will be made available.

- c. The City and the Unit agree that all grievances will be processed in accordance with the following procedure.

Any employee who has a grievance shall first try to get it settled through discussion with his/her immediate supervisor without undue delay. Every effort shall be made to find an acceptable solution at the lowest possible level of supervision. If after such discussion the employee does not believe the grievance has been satisfactorily resolved, he/she may file a formal appeal in writing to his/her Department Head within ten (10) calendar days after receiving the informal decision of his/her immediate supervisor.

The Department Head receiving the formal appeal shall render his/her written decision and comment to the employee within ten calendar days after receiving the appeal.

If after receipt of the written decision of the Department Head the employee is still dissatisfied, he/she may appeal the decision of the Department Head to the City Administrator. Such appeal shall be made by filing a written appeal to the City Administrator within five (5) working days after receipt of the written decision of the Department Head. The City Administrator shall review the decision of the Department Head, and his/her decision, which shall be rendered within twenty-five (25) working days after the appeal is made, shall be final. The City Administrator may request the advice of the Board of Civil Service Commissioners in any grievance proceeding, but he/she shall not be bound to follow any recommendation of the Board.

The time limitations for filing and responding to grievances may be waived or extended by mutual agreement of the parties. If either party to the grievance so requests, an informal hearing shall be conducted at the Department Head or City Administrator appeal levels. Employees may be represented by counsel or other person at any stage in the grievance process.

d. Grievances which are general in character and which involve interpretation or application of this MOU or City policies 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) calendar days.

An employee may appeal the response of the Assistant City Administrator. The employee's appeal and City Administrator's response shall be handled in accordance with the procedures in section "c" above.

e. Disputes or complaints regarding open competitive or promotional examinations for employment shall be processed in accordance with the policy adopted by the City Administrator. The City shall consult with the Unit prior to adopting or amending such policy.

f. Disputes or complaints regarding performance appraisals shall first be discussed with the individual who made the appraisal. An employee dissatisfied with the appraiser's response may discuss his/her complaint with the individual at the next higher level of supervision whose decision shall be final. An employee may be represented by counsel or other individual during these discussions.

## **32. PROFESSIONAL REGISTRATION PAY**

It is agreed that when the Department Head assigns any Supervising Engineer to maintain the ability to assume responsible charge for sealing City design projects by using his/her California professional registration, that employee shall receive an additional 5.0% of his/her biweekly salary.

## **33. PURPOSE**

It is the purpose of this Memorandum of Understanding to promote and provide for harmonious relations, cooperation, and understanding between management and the employees covered by this memorandum; to provide an orderly and equitable means of resolving any misunderstanding or differences which may arise under this Memorandum of Understanding; and to set forth the full and entire understanding of the parties reached as a result of good faith meeting and conferring regarding the wages, hours, and other terms and conditions of employment covered by the memorandum.

#### **34. RECOGNITION**

a. Pursuant to the provisions of Section 3.12 of the Municipal Code of the City and applicable State law, the Unit is recognized as the majority representative of the City supervisory employees and as the exclusive bargaining agent for the employees in said Unit.

b. The terms "supervisory employee(s)" or "employee(s)" as used herein shall refer only to full-time or permanent part-time employees serving in classifications who occupy positions designated as supervisory and authorized by the City Council in the City's official list of authorized positions

Classifications may be added to or deleted from the supervisory employees bargaining unit in accordance with the provisions of this Agreement and the City's Employer/Employee Relations Ordinance.

#### **35. RECRUITMENT**

The names of nine (9) more eligibles (including tie scores) than the number of vacancies shall be certified to the appointing authority in alphabetical order for classified positions.

#### **36. RENEWAL**

The City and the Unit 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 Unit 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.

#### **37. REPRESENTATION - UNIT OFFICERS AND REPRESENTATIVES**

a. The City and the Unit agree that Unit officers and representatives will be allowed to meet with City management during normal work hours on City time for the purpose of meeting and conferring in good faith and without loss of pay or any benefits.

b. The Unit agrees to provide the City with a list of Unit officers and employee representatives, with their job classifications, who are authorized to meet and confer in good faith. Unit shall keep the list up to date.

c. The City agrees that authorized Unit representatives shall be given access to work locations during working hours to conduct Unit grievance investigations and/or observe working conditions. Such visits are to be made with the prior knowledge and approval of the Department Head and a management representative may accompany the Unit staff member on the visit.

d. The Unit shall provide the City with a list of representatives and shall update said list as appropriate.

#### **38. RETIREE DENTAL INSURANCE**

a. The City will provide information on available individual dental plans to any Unit employee who retires. The premiums for any such dental plans shall be paid by the retiree.

c. At such time in the future that the General Employees' Unit bargains for and receives a dental insurance option for retirees, the City and the Unit agree to meet and confer regarding a dental insurance option for Unit Retirees.

### **39. RETIREE MEDICAL**

a. This provision is applicable to employees who retire from City service on or after January 1, 2005 and

1. Have 15 or more years of classified or unclassified service; or
2. Retire from the City with an industrial disability.

b. For employees who retire on or after January 1, 2010, the City shall contribute \$9.65 per month, per year of service up to a maximum of 35 years (i.e., \$337.75/month) towards the purchase of medical insurance for the retiree and his/her spouse or domestic partner registered with the City Clerk or the Secretary of State, if applicable.

c. The retiree is not limited to the purchase of a City sponsored plan, provided however, that if the retiree purchases another insurance plan, the retiree must supply the City with adequate proof of insurance coverage prior to any contribution from the City. Proof of such coverage shall be provided to the City on a periodic basis, as reasonably determined by the City.

d. The City shall continue to make its contribution until the retiree reaches age 65 or dies, whichever occurs first, provided however, that if the retiree dies before reaching the age of 65 and there is a surviving spouse or registered domestic partner, the City's contribution shall cease when the retiree would have reached 65. Thereafter, the spouse or domestic partner may remain on the insurance plan, at his/her cost, subject to the conditions set forth by the insurance company.

e. If any Court decision with binding effect on the City of Santa Barbara rules that a retiree medical provision like the provision contained herein violates the State or Federal law against age discrimination, the parties agree that within 30 days they will reopen negotiations on said provision to convert to a retiree medical policy with equivalent cost that does not violate age discrimination law. The parties agree that whatever policy is agreed upon will not reduce or increase the City's contribution toward retiree medical insurance.

f. Before September 30, 2012, the City will hold an information meeting to explain the options for a Retiree Health Savings Trust (i.e., IRS Section 115 Trust) with a Health Reimbursement arrangement to employees. Thereafter, upon notification to the City that the Association agrees to employee funding of such a plan in a manner consistent with IRS and other plan rules, the City will implement the plan as soon as practicable to allow employees to contribute.

### **40. RETIREMENT**

a. Miscellaneous Employees:

1. The City will provide miscellaneous employees the two percent (2.7%) at age fifty-five (55) benefit formula under the Public Employees' Retirement System (PERS), pursuant to Government Code 21354.5.
2. The City will contribute toward the PERS normal employee's contribution as detailed in section "3", below, and these contributions, if any, shall be credited to the member's account. The City shall report the value of any Employer Paid Member Contributions (EPMC) to PERS as compensation earnable through enabling City resolution, pursuant to Government Code Section 20636(c)(4).
3. Employees will continue to pay the full cost of the benefit enhancement to 2.7% at 55, including the effects of market volatility, according to the following formula:
  - i. 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. This will be deducted on a pre-tax basis and credited to the employee's PERS member account. The City will pay the difference of .838%, which shall be reported to PERS as compensation earnable, and credited to the employee's member account.

- ii. 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 will apply the credit by paying an additional portion of the required 8% employee contribution, up until the point where the City again pays a full 7% of the 8% required employee contribution. This additional City-paid employee contribution (EPMC) shall be reported to PERS as compensation earnable, and credited to the employee's member account.

[For example: If the employer rate is only 18.164% of PERS-able compensation, the City will pay an additional 0.61% (2.0% times 30.559%) of the 8% employee contribution, for a total of 1.448%];

- iii. 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:

- A. 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% (2.0% times 30.559%) of the 8% employee contribution, for a total of 7.772%];

- B. 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 vacation 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% (5.0% 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. The following contract provisions shall apply to the PERS miscellaneous plan
  - i. The City will provide One-Year Final Compensation for Miscellaneous employees under PERS, pursuant to Government Code 20042.
  - ii. The PERS Miscellaneous contract shall provide for Military Service Credit as Public Service under Government Code Section 21024 and for Public Service Credit for Excluded or Limited Prior Service under Government Code Section 21031.
  - iii. The PERS Miscellaneous contract shall provide for Public Service Credit for Peace

Corps or Americorps: Volunteers in Service to America (VISTA) pursuant to Government Code Section 21023.5,

iv. The City will provide the Fourth (4<sup>th</sup>) Level of 1959 Survivor Benefits for Miscellaneous employees, pursuant to Government Code Section 21574.

b. Harbor Patrol Safety Employees:

1. The PERS contract shall provide local safety member status under the 3% at 50 benefit formula to employees regularly assigned as Harbor Patrol Officers pursuant to Government Code 20423.
2. The City will provide to Harbor Patrol Officers the additional PERS benefits of One-Year Highest Compensation, Increased Level of 1959 Survivor Benefits (Level Two), Post Retirement Survivor Benefits and Post Retirement Survivor Allowance to Continue After Remarriage, Military Service Credit as Public Service under Government Code Section 21024 and Public Service Credit for Excluded or Limited Prior Service under Government Code Section 21031.
3. Harbor Patrol Safety employees will continue to contribute toward their enhanced retirement benefits by paying 3% of PERS-reportable earnings to the City through post-tax payroll deductions in the manner contemplated by Govt Code § 20516(f). Such payments will not be credited under the retirement system.
4. The City will continue to pay the entire 9% PERS normal employee's contribution for Harbor Patrol Officers during the term of the agreement, which shall be credited to the member's account. City shall report the value of Employer Paid Member Contributions (EPMC) to PERS as compensation earnable through enabling City resolution, pursuant to Government Code Section 20636(c)(4).

c. The City is authorized to amend its contract with PERS immediately, in order to be able to implement the incentives listed below:

Upon declaration of the Council of the City of Santa Barbara that the State of California's budgetary or fiscal impacts on the City's budget have caused grave fiscal conditions to exist that require prompt and immediate attention, the City may offer the following early retirement incentives to applicable employees:

1. Two years additional service credit in accordance with Government Code Section 20903; and/or
2. City payment of Military Service Credit as Public Service in accordance with Government Code Section 21024.

#### **41. RETIREMENT REFORM**

Upon 30 days written notice from the City to the Association, but not sooner than January 2, 2013, the parties will formally reopen meet and confer negotiations regarding applying a second tier of retirement plan to newly hired employees, and regarding the compensation and non-pension benefits provided to those newly hired employees that are subject to such alternate retirement benefits.

#### **42. RETROACTIVITY**

An employee will be eligible for the 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.

#### **43. SAFETY EQUIPMENT**

The City and the Unit 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.

City shall provide prescription safety glasses to those employees who wear prescription glasses and perform duties that require the use of safety glasses. Such employees shall provide the City with the lens specifications prescribed by the employee's doctor. The City will provide the initial pair of safety glasses based upon this prescription and shall replace same only upon a subsequent substantial change of prescription or evidence acceptable to the City that said prescription safety glasses are rendered unusable by accidental damage suffered while performing assigned duties.

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 amounts not to exceed the amounts established for general employees.

#### **44. SAFETY RETIREMENT FOR AIRPORT PATROL- REOPENER**

During the term of the agreement, either party may notify the other in writing to request that the parties meet and confer to consider (1) whether PERS safety retirement status can and should be granted to Airport Patrol Officers and (2) any cost offsets related to such a change. Cost offsets will require mutual agreement. All other provisions of this Agreement will remain in full force and effect.

#### **45. SALARIES**

a. There will be no salary increase during the term of this agreement, However, if City agrees to increase total compensation to General bargaining unit by an amount equivalent of 0.5% or more of base salary on an ongoing basis effective in the July 2012 to June 2013 Fiscal Year, Supervisors will get a 0.5% salary increase for each 0.5% increase in ongoing total compensation that the General Unit receives on the same effective date(s). An increase to total ongoing compensation shall not include one-time payments or reallocation of the cost of an eliminated benefit, such as vacation cash out, to another form of compensation.

c. Effective at the beginning of the first full pay period after September 15, all supervisory employees eligible for a merit increase shall receive a merit increase as outlined in Appendix C.

d. Employees shall receive at least a five percent (5%) salary increase upon promotion provided, however, that the City shall not be required to pay a salary in excess of the salary range authorized for the appropriate classification by the City Council in the official Position and Salary Control Resolution.

e. The City shall make every effort to maintain Supervisory classes fifteen (15) to twenty (20) percent above the highest paid subordinate depending on the difference in responsibilities and the programmatic/section responsibilities of the class; if multiple supervisory or subordinate class levels exist, this differential may be set at ten (10) percent.

f. The salaries of employees who are reclassified shall be set at a level determined by the City subject to the following: (1) in no case shall the salary of an employee who receives an upward reclassification be less than the employee's salary at the time of reclassification, and (2) in no case shall the salary of an employee reclassified downward be set below the level the employee was previously receiving in the higher classification.

g. Anniversary dates for newly hired employees shall be the first of the month if the employee was

hired on or before the fifteenth of that month and the first day of the following month for those hired after the fifteenth. The probationary period shall begin on the first day of employment.

#### **46. SALARY SURVEY**

The City and the Association agree to meet on a monthly basis during the term of this agreement, beginning in July 2012, to update the 2005-2006 total compensation survey for reference during negotiations for a successor agreement. The City and the Association agree to make every effort to have the results finalized prior to March 1, 2013. This may be waived by agreement between the parties.

#### **47. SERVICE CREDIT FOR SICK LEAVE UPON RETIREMENT**

At the time of retirement, the City purchases an annuity for the retiring supervisor that pays a monthly benefit similar to the PERS amendment that provides service credit for sick leave under Government Code 20965.

The following conditions apply to this benefit:

- a. In order to qualify for service credit for sick leave upon retirement, the retiring supervisor must have at least 500 sick leave hours;
- b. The conversion rate of 0.004 years (which equals one day) of service credit for each 8 hours of sick leave is utilized;

Example:

A Miscellaneous employee retires at age 55 (2.7% benefit factor under the 2.7% at 55 formula) with an average monthly salary in the highest year of \$4,000. If the employee has 600 hours of sick leave:

600 hours of sick leave ÷ 8-hour day  
= 75 days of sick leave x .004 years conversion rate  
= 0.3 years of service credit.

0.3 years service credit x 0.02 (2.7% benefit factor) x \$4,000 average monthly salary  
= \$32.40 per month annuity

- c. The retiring supervisor may take the cash purchase value of the annuity in lieu of the monthly annuity;
- d. Safety group members who obtain 90% of final compensation upon retirement are not eligible for this benefit. (All safety group PERS contracts limit a safety member's maximum annual pension to no more than 90% of final compensation regardless of the length of service and this benefit carries the same restriction); and
- e. If the City amends its PERS Miscellaneous or Police Safety contract to include service credit for sick leave upon retirement, miscellaneous or safety members, respectively, will be included in that PERS contract amendment and the annuity program will be discontinued for that group.

#### **48. 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 consult over the invalidated provision.

#### **49. SICK LEAVE**

a. The City and the Unit agree that the City's sick leave policy shall be that employees shall accrue sick leave at the rate of 3.7 hours for each full pay period of service with unlimited accumulation. Said sick leave accrual shall commence at the beginning of the employee's employment with the City.

b. The programs referred to as "Non-Replenishable" and "City Administrators" sick leave authorized by Municipal Code Sections 3.08.150(b) and 3.08.210, respectively, are eliminated.

c. If, during the term of this Agreement, City General employees are granted a sick leave buy back or conversion option, then the Unit will have the opportunity to accept or reject a similar option.

d. An employee may use sick leave for a medical appointment when it is not possible to arrange such appointment during non-work time subject to the following conditions: (1) reasonable advance notice which in no event shall be less than 24 hours; and (2) subject to supervisory approval based on operational needs.

e. An employee may use up to six days (48 hours) of available accrued sick leave per calendar year to attend to an illness of a child, parent, or spouse of the employee as provided under State law. Part-time employees may use the equivalent of six (6) months of sick leave accrual at their prorated accrual rate for such purposes. All rules for use of sick leave will apply, including those regarding physician statement requirements and use of sick leave for medical appointments.

#### **50. STANDBY PAY**

The City and the Unit agree that effective during this Agreement, when an employee is officially designated by management to remain available to return to work at any time during specific hours outside of normal working hours, the employee shall receive two hours of straight-time pay or compensatory time off for each eight hours on standby or fraction thereof. To the extent feasible, the parties agree that standby shall be assigned on an equitable basis to all eligible employees.

The City and the Unit agree that all employees will be on automatic standby duty during a state of emergency or civil defense disaster as declared by the President of the United States, the Governor of the State, the Mayor of the City, the City Council, or the City Administrator. Such automatic emergency standby shall be without compensation unless the City is reimbursed by the State or federal government for such an expenditure.

#### **51. TERM OF AGREEMENT**

The City and the Unit agree that the term of this Agreement shall be twelve (12) months, commencing July 1, 2012 and ending June 30, 2013.

#### **52. TRAINING**

a. The parties recognize that training programs and the advancement of employees to positions of higher skill are matters of great importance and interest to the City, the Unit, and the employees covered by this Agreement. However, the City shall retain the right to determine what training is required for the employee to improve his/her performance on the job and to make such training a condition of employment. Such training may include requests by Department Heads for additional training of current employees, subject to the approval of the City Administrator. The parties agree that employees will be trained in the use of fire prevention equipment and that a fire evacuation plan will be developed by each department for each major City facility and posted.

b. The City and the Unit agree that all direct costs for all training or instruction required by the City shall be paid for by the City provided, however, that no overtime shall accrue to employees for travel time to or from any training program conducted on a non-City site.

c. Employees will be eligible to participate in the City-wide Educational Reimbursement Program. Effective July 1, 2010, employees will be eligible to apply for reimbursement under the "Master's Degree Reimbursement Program for Management Employees", subject to the same terms and limitations as management employees.

d. The Unit shall appoint three members to serve on the Supervisory Training Advisory Committee. This Committee shall meet when necessary to recommend course content changes for supervisory training, or when management proposes substantial changes to course content. Management shall inform the Unit of any proposed changes.

### **53. UNIFORM MAINTENANCE ALLOWANCE**

a. The City and the Unit agree that employees required by the City to wear field uniforms shall have the full cost of the uniform maintenance paid for by the City. The City retains full and complete control over the administration of the uniform maintenance program. However, City shall provide field personnel with a minimum of seven (7) and a maximum of eleven (11) uniform changes based on the employee's request and the operational needs of the department.

b. Police, Airport and Harbor Patrol supervisory personnel shall receive an annual cash uniform purchase and replacement allowance equal to the amount received by those supervised.

Employees shall be required to purchase and maintain the uniform in accordance with department standards.

### **54. UNIT CONVENTION ATTENDANCE**

It is agreed that not more than four (4) Unit officers or delegates will be permitted to attend Unit national or State conventions or Unit-related training and skill development meetings once a year with up to three (3) days per year with pay. Attendance will be subject to approval of Department Head.

### **55. VACATION POLICY**

a. It is agreed that vacation time earned may be taken as accrued subject to approval by the City and in accordance with the following schedule:

<u>Length of Continuous Service</u>	<u>Vacation Entitlement</u>
0 - 2 years	12 days (96 hours) per year
3 - 5 years	15 days (120 hours) per year
6 - 10 years	22 days (176 hours) per year
11 - 15 years	25 days (200 hours) per year
16 & over years	28 days (224 hours) per year

Vacation periods shall be scheduled by management to provide adequate staffing. Such scheduling shall be subject to the needs of the City but shall take into account employee seniority and choice. No employee may accrue a vacation balance in excess of three hundred and twenty (320) hours unless approved for excess accrual based upon City need or personal emergency.

The employee will submit an excess vacation accrual request and meet with his/her supervisor as soon as possible to schedule the use of the excess accrual. The proposed request shall be forwarded by the supervisor to the Department Head for review. If endorsed by the Department Head, the request shall be forwarded to the City Administrator for consideration of approval.

b. On a one-time basis, employees who had more than 200 hours of accrued vacation balance as of May 18, 2012 may receive cash in lieu of up to forty (40) hours of accrued vacation time. To be eligible to receive the cash out, employees must request the cash-out on the biweekly time sheet for the pay period ending on June 30, 2012. Following the cash out, an amount equivalent to \$83,500 less the actual City cost

of the cash out will be will be distributed per capita among all employees in the unit, either as a one-time payment on or before August 30, 2012, or in such alternative manner as City and the Association may mutually agree.

#### **56. VACATION/SICK LEAVE ADVANCED CREDIT UPON HIRE**

An employee who is appointed from outside City of Santa Barbara government service within one (1) year of leaving employment with either the City of Santa Barbara or another city, county, state agency, federal agency or special district and who, in the opinion of the Human Resources Manager, possesses government experience directly related to the position to which he or she has been appointed, may be offered credit for years of prior service with the City of Santa Barbara and/or his or her immediate previous government employer in the following ways:

- i. Vacation Accrual: At the discretion of the Human Resources Manager, the employee may be offered credit for up to the total number of prior full years of service at the City of Santa Barbara and/or his or her immediate previous government employer toward the initial vacation accrual rate. The employee will not be eligible to progress to a higher accrual rate until employee has the normal required minimum amount of City of Santa Barbara service for that accrual rate.
- ii. Sick bank: At the discretion of the Human Resources Manager, the employee may be credited with up to 96 hours of sick leave. Thereafter, employee will accrue sick leave at the normal rate.

A former City of Santa Barbara employee reemployed within one year under Santa Barbara Municipal Code Section 3.16.320 will automatically qualify for the full vacation accrual credit under (i), above, for his or her prior City of Santa Barbara service. However, under no circumstance will prior accrued vacation balances cashed out to the employee upon termination be reinstated.

#### **57. WORK SCHEDULE**

- a. The normal work week shall average forty (40) hours. There shall be at least two (2) consecutive days of rest observed after each work week subject to City needs for stand by, call back, and overtime. The Department Head shall establish a "regular" schedule for each employee with a start and quit time. Such schedule shall not be changed without forty-eight (48) hours advance notice except in emergencies. City shall provide employees with reasonable "clean-up" time and employees shall be ready to begin work at start time. City agrees that work outside the regularly scheduled work day or work week shall be compensated in accordance with the overtime policy contained herein.
- b. In no case shall an employee's work schedule be altered to avoid the payment of overtime earned as a result of call back after the employee's regular shift, work day, or work week ends.

#### **58. WORKERS' COMPENSATION**

- a. The City and the Unit agree that Municipal Code Section 3.08.220 shall be amended to provide that supervisory employees who sustain illness or injury arising out of and in the course of their City employment shall receive benefits equal to those mandated by the State of California plus the difference between State mandated benefits and the equivalent of eighty-five percent (85%) of the individual's gross (excluding O.T.) salary, if any, paid by the City for a maximum of ninety (90) working days.
- b. This section shall apply to any absence due to "industrial" injury or illness which begins on or after July 1, 1979.
- c. This section shall not be construed to grant employees the use of sick leave benefits in lieu of or to supplement workers compensation benefits provided herein or by State law , except as follows:

An employee who returns from an accepted work-related injury or illness to regular duty or modified duty may attend follow-up medical appointments during work hours when it is not possible to arrange such appointments on non-work time. Reasonable advance notice must be given to the supervisor, which in no event shall be less than 24 hours. Release time is subject to supervisory approval based on operational needs.

Under these conditions, to account for the lost work time to attend physician, physical therapy, chiropractic, counseling and other physical and mental care appointments, the employee may:

1. Use accrued paid leave time (sick leave, vacation time, compensatory time, or personal leave); or
2. Use "industrial leave without pay" if employee has no accrued paid leave time, or
3. If the employee has not reached a permanent and stationary status, the employee may elect to use "industrial leave without pay" if employee does not choose to use accrued paid leave (sick leave, vacation time, compensatory time, or personal leave). However, employees who have reached permanent and stationary status must exhaust available leave balances before being placed on leave without pay.

An employee who has not reached a permanent and stationary status and uses industrial leave without pay may be entitled to "wage loss" under workers' compensation system depending on eligibility.

The City may make changes to its Personnel Policies including, but not limited to, the Santa Barbara Municipal Code to reflect the substance of this Agreement.

## **59. WORKING OUT OF CLASSIFICATION**

### **a. Out of Classification Work**

The City and the Unit agree that it is the intent of departmental management, whenever possible, to avoid working an employee out of classification for a prolonged period of time.

It is further agreed that working an employee out of classification will occur only to meet the work requirements within the City and that such out of classification work will terminate after twenty-five (25) work days in any one calendar year, or if extended beyond twenty-five (25) work days, the employee shall be compensated at the rate of the higher classification while the out of classification work continues subject to the right of employee to waive this provision based upon personal career development.

For purposes of this article, an out of classification assignment is defined as the full-time performance of the significant duties of an authorized, funded, permanent, full-time position in one classification by an employee in a position in another classification. "Significant duties" shall be as defined on the appropriate class specification.

When an employee works out of classification continuously for fifteen (15) working days or more, the City shall place a letter in the employee's personnel file acknowledging the out of classification work.

### **b. Reclassification Requests**

If an employee believes he/she is working out of classification on a regular on-going basis, the employee may:

- a. Request a reclassification from his/her manager in writing. The manager shall respond in writing within ten (10) working days of receipt of the request. The manager may recommend that a classification review be conducted by submitting a written request, approved by the Department Head, to Human Resources.
- b. If the employee is not satisfied with the manager's response, he/she may submit a written

reclassification request to his/her Department Head or designee within ten (10) working days of receiving his/her manager's written response. Within twenty (20) working days of receipt of the employee's written request, the Department Head or designee shall meet with the employee and issue a written response to the employee and the Human Resources Office.

c. If the Department Head's response so requests that a classification review be conducted, Human Resources shall conduct said classification review and shall issue its decision to the employee and the Department Head within forty-five (45) working days of receipt of the request. The decision to request, or not request, a classification review shall be at the Department Head's sole discretion, however the decision will not be arbitrary or capricious."

**CITY OF SANTA BARBARA  
DRUG AND ALCOHOL TESTING POLICY**

## **CITY OF SANTA BARBARA DRUG AND ALCOHOL TESTING POLICY**

This policy sets forth the rights and obligations of the covered employees. You should familiarize yourself with the provisions of this policy **BECAUSE COMPLIANCE WITH THIS POLICY IS A CONDITION OF YOUR EMPLOYMENT.**

If you are an employee covered by this policy, you should be aware that you are still required to comply with the provisions of the City's Drug and Alcohol Free Workplace Policy (ATTACHMENT A) that was adopted by the City Council on August 21, 1990. The obligations and requirements set forth below are in addition to existing obligations and requirements set forth in the Drug and Alcohol Free Workplace Policy.

### **A. EMPLOYEE QUESTIONS**

Employees shall refer any questions regarding rights and obligations under this policy to Human Resources or to the Unit.

### **B. COVERED EMPLOYEES**

Employees in the supervisory job classifications that are not covered under the CITY OF SANTA BARBARA DRUG AND ALCOHOL TESTING POLICY PURSUANT TO DEPARTMENT OF TRANSPORTATION REGULATIONS

### **C. PROHIBITIONS**

The following conduct is prohibited and may result in discipline, up to and including termination:

1. The use, possession, manufacture, dispensation or distribution of drugs and alcohol is prohibited:
  - a. in the workplace;
  - b. while on City time;
  - c. in City vehicles or facilities except as defined in City's facilities use policies;
  - d. prior to coming to work, so that the employee's performance is impaired.
2. Reporting for duty or remaining on duty while having an alcohol blood concentration level of 0.08 or greater.
3. Being on duty or operating a vehicle on duty while possessing alcohol.
4. Using alcohol while on duty.
5. Reporting for duty or remaining on duty when the employee used any controlled substances, except if the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform their job.
6. Reporting for duty or remaining on duty if the employee tests positive for controlled substances.

7. Refusing to submit to any alcohol or controlled substances test required by this Policy. A covered employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who tested 0.08 or greater on an alcohol test or tested positively on a controlled substances test.

A refusal to submit to an alcohol or controlled substances test required by this Policy includes, but is not limited to:

- a. A refusal to provide a urine sample for a drug test;
- b. An inability to provide a urine sample without a valid medical explanation;
- c. A refusal to complete and sign the breath alcohol testing form, or otherwise to cooperate with the testing process in a way that prevents the completion of the test;
- d. An inability to provide breath or to provide an adequate amount of breath without a valid medical explanation;
- e. Tampering with or attempting to adulterate the urine specimen or collection procedure;
- f. Not reporting to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested (the time allotted shall be reasonable. In most cases the City will provide transportation to and from the collection site.);
- g. Leaving the scene of an accident without a valid reason as to why authorization from a supervisor or manager who shall determine whether to send the employee for a post-accident controlled substances and/or alcohol test was not obtained.

**D. CIRCUMSTANCES UNDER WHICH DRUG AND ALCOHOL TESTING WILL BE IMPOSED ON COVERED EMPLOYEES.**

**1. Pre-Employment Testing**

All applicants for City employment may be required to submit to pre-employment/pre-duty drug testing. This applies to initial appointment as a classified employee only, and not to promotion within the service.

Note: there is no pre-employment alcohol test.

**2. Post-Accident Testing**

Post-accident drug and alcohol testing will be conducted on employees following an accident.

Alcohol: Post-accident alcohol tests shall be administered within two hours following an accident and no test may be administered after eight hours.

Drug: A post-accident drug test shall be conducted within eight (8) hours following the accident

An accident occurs when as a result of an incident involving a vehicle operated by a covered employee:

- (1) any individual(s) receives an injury(s) requiring immediate hospital treatment ,or
- (2) there is a recommendation by an on scene paramedic or medical professional that individual(s) involved in the accident should see a physician for injury(s) arising out of the accident.

**3. Return To Duty / Follow-up Testing:**

A covered employee who has violated any of the prohibitions of this policy (See Section C) may be required to submit to a return to duty test before he/she may be returned to his/her position. The test result must indicate an alcohol concentration of less than 0.08 or a verified negative result on a controlled substances test.

**E. EMPLOYEE RESPONSIBILITIES**

An employee must notify his/her department head of all alcohol or criminal drug statute convictions no later than 5 days after such conviction.

An employees must notify his/her supervisor, before beginning work, when drugs (prescription or non-prescription) may interfere with the safe and effective performance of duties or operation of City equipment (See Attachment A, Article III, Section 3).

Any employee who thinks he/she may have an alcohol or drug use problem is urged to voluntarily seek free confidential assistance from the City's Employee Assistance Program (EAP) counselor. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to job related performance problems.

**F. MANAGERS' AND SUPERVISORS' RESPONSIBILITIES**

1. Managers and supervisors are responsible for enforcement of this policy and will inform the Department Head and the Human Resources Manager of any violations.
2. Employees who may have a suspected alcohol or drug use problem should be encouraged to voluntarily seek confidential assistance from the City's Employee Assistance Program (EAP).
3. When an employee is involved in an accident, managers and supervisors shall prevent the employee from engaging in further work, remove the employee from the workplace, and then send the employee for a drug and/or alcohol tests within the timelines outlined in Section D. 2 above.
4. When it is suspected that an employee may have illegal drugs or is under the influence of illegal drugs, managers and supervisors may notify the appropriate law enforcement agency.

**G. PROCEDURES TO BE USED FOR DETECTION OF DRUGS AND ALCOHOL**

**1. Alcohol Testing:**

Alcohol testing will be conducted by using an evidential breath device (EBT) approved by the National Highway Traffic Safety Administration. (Non-EBT devices may be used for initial screening tests.)

A screening test will be conducted first. If the result is an alcohol concentration level of less than 0.02, the test is considered a negative test. If the alcohol concentration level is 0.02 or more, a second confirmation test will be conducted. A positive test for alcohol means a confirmed alcohol concentration of 0.08 or more.

The procedures that will be utilized by the collection and testing of the specimen shall be the same as those required under the City Of Santa Barbara Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations (49 CFR 40).

## **2. Drug Testing:**

Drug testing will be conducted pursuant to the same requirements as those required by the City Of Santa Barbara Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations (49 CFR Part 40).

- a. The urine specimen will be split into two (2) bottles labeled as: primary" and "split" specimen. Both bottles will be sent to the lab;
- b. A positive test means a test that is positive for controlled substances under the Federal D.O.T. Urine Specimen Testing Levels (Current levels ATTACHMENT B). If the urinalysis of the primary specimen tests positive for the presence of controlled substances, the employee has seventy-two (72) hours to request that the split specimen be analyzed by a different certified lab at the employee's cost.
- c. The urine sample will be tested for the following: marijuana, cocaine, opiates, amphetamines, and phencyclidine;
- d. If the test is positive for one or more of the drugs, a confirmation test will be performed using gas chromatography/mass spectrometry analysis;
- e. All drug results will be reviewed and interpreted by a physician before they are reported to the employee and then to the City;
- f. With all positive drug tests, the physician (a.k.a. Medical Review Officer) will first contact the employee to determine if there is an alternative medical explanation for the positive test result. If documentation is provided and the MRO determines that there was a legitimate medical use for the prohibited drug, the test result may be reported to the City as "negative."

## **3. Confidentiality:**

The confidentiality of records shall be maintained in the same manner as set forth in the City Of Santa Barbara Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations.

## **H. CONSEQUENCES OF FAILING/REFUSING AN ALCOHOL AND/OR DRUG TEST:**

FAILING A PRE-EMPLOYMENT DRUG TEST WILL BE GROUNDS FOR REJECTION FROM EMPLOYMENT.

UPON FAILING A POST-ACCIDENT ALCOHOL AND/OR DRUG TEST THE EMPLOYEE:

1. Will be removed from driving or operating any heavy or dangerous equipment;
2. May be disciplined up to termination. Failing/refusal to take a controlled substances/alcohol test may result in disciplinary action, up to and including termination.
3. May be allowed to sign a last chance agreement as an alternative to discipline which could require the employee to undergo treatment to cure his/her alcohol or drug abuse and be tested periodically. Generally, an employee who tests positive and has not been found to be using alcohol or drugs on-duty will be offered a last chance agreement. The City does not pay for this examination or any treatment. However, if the exam and/or treatment is

covered by the employee's insurance policy, the employee may use the insurance policy to (help) pay for the covered expenses.

4. The employee may use accumulated vacation, personal leave, overtime or leave without pay while undergoing treatment/rehabilitation
5. The employee may use sick leave only when participating in a medically supervised/approved residential rehabilitation program or during the first ninety (90) days of a medically supervised/approved outpatient rehabilitation program.
6. May not be returned to his/her position until the employee submits to a return-to-duty controlled substances and/or alcohol test (depending on which test the employee failed) which indicates an alcohol concentration level of less than 0.08 or a negative result on a controlled substances test;
7. May be required to submit to unannounced follow-up testing after he/she has been returned to his/her safety-sensitive position.

#### **J. EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The City has established an Employee Assistance Program to help employees who need assistance with alcohol and controlled substance abuse. Employees are encouraged to contact the City's Benefits Office for the number of the current EAP provider.

RESOLUTION NO. 90-141

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA, ADOPTING A DRUG AND ALCOHOL FREE WORKPLACE POLICY.

WHEREAS, The Federal Drug Free Workplace Act of 1988 requires the adoption of a drug free workplace policy, and

WHEREAS, the presence of drugs and alcohol on the job, and the influence of these substances on employees during working hours jeopardizes the safety of employees, the public, and the efficiency of City operations; and

WHEREAS, the City wants to establish a drug and alcohol free workplace;

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

That the attached Drug and Alcohol Free Workplace Policy be adopted.

Adopted August 21, 1990

CITY OF SANTA BARBARA  
DRUG AND ALCOHOL FREE WORKPLACE POLICY

I. PURPOSE

The City of Santa Barbara, in its efforts to provide a drug and alcohol free environment, has adopted this Drug and Alcohol Free Workplace Policy. It is the purpose of this policy to eliminate alcohol and drug abuse by City Employees and its effects in the workplace. The presence of drugs and alcohol on the job and the influence of these substances on employees during working hours jeopardizes the safety of employees, the public, and the efficiency of City operations. It is the intent of the City, in adopting this policy, to meet the requirements of the Drug Free Workplace Act of 1988 (41 U.S.C. Section 701-707).

II. POLICY

In recognition of the duties entrusted to the employees of the City of Santa Barbara and with knowledge that drugs and alcohol hinder a person's ability to perform job related duties safely and effectively, the City of Santa Barbara adopts the following policy:

1. The use, possession, manufacture, dispensation or distribution of drugs and alcohol is prohibited:
  - a. in the workplace;
  - b. while on City time;
  - c. in City vehicles or facilities except as defined in City's facilities use policies;
  - d. prior to coming to work, so that the employee's performance is impaired.
2. The City is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as handicapped, under federal law.
3. The City has established a voluntary Employee Assistance Program (EAP) to assist those employees who voluntarily seek help for alcohol or drug problems (as well as for a variety of other personal problems). Employees may seek confidential assistance from the EAP counselor.

III. APPLICATION

1. This policy applies to all full time, part time and temporary employees, and to all applicants for positions with the City. This policy applies to alcohol and all substances, drugs or medications, legal or illegal, which impairs an employee's ability to effectively and safely perform his/her job duties.
2. A copy of this policy will be provided to all City employees.
3. A drug-free awareness program will be established to inform employees of the dangers and penalties of drug use in the workplace and of available counseling, rehabilitation and employee assistance programs.

4. Violations of the policy may result in disciplinary action being taken, up to and including termination, in addition to possible criminal penalties or refusal to hire an applicant.

#### IV.EMPLOYEES RESPONSIBILITIES

An employee:

1. Must not report to work, or be subject to scheduled duty while his/her ability to perform job duties is impaired due to on or off duty alcohol or drug use.
2. Must not use, possess, manufacture, dispense or distribute drugs or alcohol
  - a. in the workplace;
  - b. on City time;
  - c. in City vehicles or facilities except as defined in City's facilities use policies;
  - d. prior to coming to work, so that the employee's performance is impaired.
3. Must notify his/her supervisor, before beginning work, when drugs (prescription or non-prescription) may interfere with the safe and effective performance of duties or operation of City equipment. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using prescribed drug, authorization from a qualified physician may be required.
4. Must notify his/her department head of any criminal drug or alcohol statute conviction, for a violation occurring in the workplace, no later than five (5) days after such conviction.
5. A safety employee must notify his/her department head of all alcohol or criminal drug statute convictions, no later than five (5) days after such conviction.
6. Who thinks he/she may have an alcohol or drug use problem is urged to voluntarily seek free confidential assistance from the City's Employee Assistance Program (EAP) counselor. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to job related performance problems.

#### V. MANAGERS AND SUPERVISORS RESPONSIBILITIES AND GUIDELINES

1. Managers and supervisors are responsible for enforcement of this policy and will inform the Department Head and the Human Resources Manager of any violations.
2. Employees who may have a suspected alcohol or drug use problem should be encouraged to voluntarily seek confidential assistance from the City's Employee Assistance Program (EAP).
3. When it is suspected that an employee is under the influence of drugs or alcohol at the workplace, managers and supervisors shall prevent the employee from engaging in further work, remove the employee from the work place, consult with another manager or supervisor to confirm their suspicions, and then, take appropriate action. The employee shall be informed that a Unit representative or shop steward could be notified, at the employee's request. Managers and supervisors may notify the appropriate law enforcement agency.
4. When it is suspected that an employee may have illegal drugs or is under the influence of illegal drugs, managers and supervisors shall notify the appropriate law enforcement agency.

5. For employees working on programs receiving federal grant money, the City shall:
  - a. notify the Federal contracting agency within ten (10) days after receiving notice of an employee's criminal drug statute conviction occurring in the workplace. (41 U.S.C. Section 701-717)
  - b. impose a sanction, or require the satisfactory participation in a drug abuse assistance or rehabilitation program for any employee who is convicted of a criminal drug statute violation occurring in the workplace. (41 U.S.C. Section 701-707)

Federal D.O.T. Urine Specimen Testing Levels  
**From 49 CFR Part 40 Subpart F**

All cutoff concentrations are expressed in nanograms per milliliter (ng/mL). The table follows:

<b>Type of Drug or Metabolite</b>	<b>Initial Test</b>	<b>Confirmation Test</b>
(1) Marijuana metabolites	50	
(i) Delta-9-tetrahydrocannabinol-9-carboxylic acid (THC)		15
(2) Cocaine metabolites (Benzoylecgonine)	300	150
(3) Phencyclidine (PCP)	25	25
(4) Amphetamines	1000	
(i) Amphetamine		500
(ii) Methamphetamine		500 (Specimen must also contain amphetamine at a concentration of greater than or equal to 200 ng/mL.)
(5) Opiate metabolites	2000	
(i) Codeine		2000
(ii) Morphine		2000
(iii) 6acetylmorphine		10 Test for 6-AM in the specimen. Conduct this test only when specimen contains morphine at a concentration greater than or equal to 2000 ng/mL.

	<b>CITY OF SANTA BARBARA ADMINISTRATIVE POLICIES:</b>		Policy No. TBA
	<b>9/80 WORK SCHEDULE POLICY</b>		
	Issued by: Barbara Barker, Human Resources Manager		Adopted: 5/8/2007 Updated

### **PURPOSE:**

To set forth the City of Santa Barbara's policy and procedures governing the establishment and administration of an alternate work schedule commonly referred to as "9/80's".

This policy is intended to complement the provisions of the City of Santa Barbara's "FlexWork Policy" and "Child Care Personnel Policies". However, in the event of a conflict between those provisions and this policy, this policy shall control for all purposes.

### **POLICY:**

The 9/80 alternate work schedule may be the standard assigned schedule for a position or work unit, or may be granted, at the employee's request, as an alternative work schedule under the City's FlexWork Program or Childcare Personnel Policies (also called "Family Friendly Policies"). The guidelines set forth in this policy will apply to any employee working a 9/80 schedule.

### **DEFINITIONS:**

#### 1. 9/80 Alternate Work Schedule

The 9/80 alternate work schedule shall consist of eight (8) work days of nine (9) hours and one work day of eight (8) hours for a total of eighty (80) hours during two (2) consecutive work weeks. For non-management employees, the eight (8) hour work day must be on the same day of the week as the employee's regular Flex Day Off (FDO). Under the 9/80 schedule, one calendar (e.g, Saturday-Friday) week shall consist of 44 work hours (four 9-hour days and one 8-hour day) and the alternating calendar week will consist of 36 work hours (four 9-hour days and one day off).

#### 2. Flex Day Off

The Flex Day Off (FDO) shall be an eight (8) hour day and may occur on any day of the week. For non-management employees, the FDO must be the same day of the week as the employee's 8-hour work day that occurs in the preceding and subsequent work weeks (e.g. if the employee's regularly scheduled Flex Day Off is each alternate Friday, then the employee shall be scheduled to work eight hours the preceding and subsequent Fridays).

#### 3. 9/80 FLSA Workweek

Under the Fair Labor Standards Act, the workweek is defined as "a fixed and regularly



**9/80 WORK SCHEDULE POLICY**

Issued by: Barbara Barker, Human Resources Manager

Adopted: 5/8/2007  
Updated

recurring period of seven consecutive 24-hour periods (168 hours).” When an employee is assigned to a 9/80 schedule, the 9/80 work week begins on the employee’s 8 hour day, at exactly four (4) hours after the scheduled start time and ends 168 hours later, at the same time on the same day during the following week. This results in 40 straight time hours per FLSA workweek, and 80 straight time hours per pay period.

**4. City Pay Period**

The City’s pay period begins at 12:00 a.m. (midnight) on Saturday, and ends immediately before the same time on Friday two weeks later. This is different than the FLSA work period for an employee on a 9/80 schedule, whose FLSA workweek may span 2 pay periods.

**5. Fair Labor Standards Act (FLSA)**

The Fair Labor Standards Act is a Federal law that sets minimum wage, overtime pay, equal pay, recordkeeping, and child labor standards for employees that it covers.

**6. Non-Exempt Employee**

A non-exempt employee is an employee who, because of the type of duties performed, the usual level of decision making authority, and the method of compensation, is subject to the provisions of the Fair Labor Standards Act. Nonexempt employees are generally required to account for all hours worked and must be compensated at not less than time-and-one half at the regular rate for all hours worked over 40 in one FLSA workweek.

**APPROVAL:**

Scheduling of a 9/80 Work Schedule including the selection of the work days, work times, and the FDO, shall be done by management based on business needs, subject to the requirements of the applicable M.O.U. and/or sideletter governing the 9/80 Work Schedule.

The City and the Unit agree that under certain circumstances, alternative work schedules (9/80, 4/10, and/or modified starting or ending times) may be beneficial to both employees and the City. Employees may request , upon their own initiative, consideration of an alternate schedule and/or FDO based on childcare, alternative commute, school, or other personal issues through the FlexWork Policy or Childcare Personnel Policies.



**9/80 WORK SCHEDULE POLICY**

Issued by: Barbara Barker, Human Resources Manager

Adopted: 5/8/2007  
Updated

**CHANGES TO SCHEDULE LIMITED:**

1. Changing the Flex Day Off

Once the FDO is designated, working on the FDO may incur overtime in one or more FLSA workweeks, therefore working on the FDO or making changes to the FDO requires management approval.

Temporary changes to the FLSA workweek and/or the FDO to avoid overtime are not permitted.

2. Working on the 8 Hour Day

Once the 9/80 schedule begins, working an alternate schedule on the 8 hour work day may incur overtime liability\* in one or more FLSA workweeks. Therefore, altering an employee's schedule on the 8 hour day requires management approval. (\*e.g., if an employee scheduled to work from 8-5 comes in 7-4 instead, one work week will incur 1 hour of overtime, and the employee will be short an hour in the next work week and need to use leave balances.)

**HOLIDAYS, PERSONAL TIME OFF AND JURY DUTY:**

1. Holidays

Employees on a 9/80 work schedule who are eligible for holiday pay will be entitled to the same Holiday pay as employees on a 10/80 (40 hour) work schedule. Holiday pay shall remain at eight (8) hours. When a holiday falls on a regular nine (9) hour workday, the employee shall use one (1) hour of personal accrued leave time (vacation, personal leave, or comp time) to make up the ninth hour.

When the holiday is observed on the employee's FDO, the employee will accrue an additional 8-hour holiday day off. If required under the applicable M.O.U., such day off shall be taken within thirty (30) calendar days or shall be compensated at straight pay after the 30th day.

2. Personal Leave and Bereavement Leave

Employees on a 9/80 work schedule who are eligible for personal and/or bereavement leave will be entitled to the same Personal Leave and/or Bereavement pay as employees on a 10/80 (40 hour) work schedule. Personal Leave and Bereavement pay are granted to full-time employees in amounts equivalent to 8 hour days (e.g., the employee will be eligible for a total of up to 32 hours of personal leave and up to 40 total hours of bereavement leave). Personal Leave and Bereavement pay are charged at nine (9) hours for time taken on a scheduled nine hour day and (8) hours for time taken



**9/80 WORK SCHEDULE POLICY**

Issued by: Barbara Barker, Human Resources Manager

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on a scheduled eight hour day.

3. Vacation, Sick, Compensatory Time, PTO, etc.

Time off from work using accrued vacation, sick, PTO, or other paid leave banks will be charged at nine (9) hours for time taken on a scheduled nine hour day. Time off from work on the eight (8) hour work day will be charged at eight (8) hours.

4. Jury Duty

An employee shall not be entitled to jury duty pay, or to overtime pay or compensatory time off for jury duty on the FDO. However, an employee on an absence exceeding one week for jury duty, military duty, etc. may request to temporarily switch back to a regular 10/80 schedule. The transition guidelines below will apply to approval of such request to transition to the 40-hour schedule (Section F2, below) or back from the 40-hour schedule (Section F1, below).

**OVERTIME:**

1. Overtime Earned

When an overtime-eligible employee is on a 9/80 work schedule, overtime for hours exceeding 40 in a workweek, both under the FLSA and as provided under any applicable M.O.U., will be based on the FLSA workweek. In other words, employees who are eligible for overtime shall receive overtime pay or compensatory time off for hours worked in excess of 36 or 44 hours in their respective scheduled (e.g., Sunday-Friday) calendar workweek.

Employees may also be eligible for overtime or compensatory time for other hours in excess of the regular 9/80 work schedule, as provided under the applicable M.O.U.

2. Overtime Paid

The 9/80 FLSA workweeks will not generally correspond with the City's pay periods. Therefore, where adjustments to overtime compensation cannot be calculated until the completion of the employee's workweek (e.g., when they occur in the last half of the 8 hour day), a one pay period's delay in the employee receiving the additional compensation may occur.



**9/80 WORK SCHEDULE POLICY**

Issued by: Barbara Barker, Human Resources Manager

Adopted: 5/8/2007  
Updated

**TRANSITIONING TO OR FROM A 9/80 WORK SCHEDULE**

When an employee transitions from a 10/80, 4/10, or other 40-hour per week work schedule to a 9/80 work schedule, there will be a change to the beginning of the FLSA workweek. This results in a situation in which 4 hours fall in both the old workweek and the new workweek. The following procedures are designed to avoid an overtime obligation during this change. Any deviation from these procedures must be approved in advance by management.

1. Transitioning to a 9/80 Work Schedule

For a non-management employee, the transition to a 9/80 work schedule will be set to begin during a 36-hour calendar workweek, when an FDO occurs. Four hours in the new FLSA workweek will overlap with the prior 40 hour calendar work week, but because the following calendar week will contain 36 hours, this will result in 40 hours of straight time in the first new FLSA work week.

2. Transitioning to a normal 40 hour Work Schedule

For a non-management employee, the transition back to a normal 40-hour work week (e.g. "10/80" or "4/10") from a 9/80 work schedule will be set to begin the week following a 36-hour calendar work week. This will result in 40 hours of straight time in both the prior FLSA 9/80 work week and the new regular FLSA calendar work week.

While this change will not lead to overtime, this will result in the employee working only 72 hours in the pay period in which the change occurs. Employees must use 4 hours from their available leave banks to make up this time not worked. [To avoid this result, management would need to approve the employee to work an additional 4 hours during that pay period, recognizing that those hours will be paid at the overtime rate.]

## **APPENDIX B : SUPERVISORY PERFORMANCE EVALUATION**

1. Performance Evaluation Form: Beginning with the September 2009 evaluation process, supervisors will be evaluated using the Supervisory Evaluation Form, attached hereto as "**Attachment A**".
2. Timing of Performance Evaluations:

Performance evaluation is an on-going process throughout the year. However, there are some specific time frames for formal evaluation:

  - A. All employees in the Supervisory Bargaining Unit are to have a formal performance evaluation completed by September 15 each year.
  - B. For new or newly promoted supervisors:
    - i. Within first three months on the job, employee shall receive and discuss a formal list of duties.
    - ii. At six months the first formal evaluation shall take place.
    - iii. At nine months any areas that need improvement shall be evaluated again. If no improvement has been made, serious consideration should be given at this time to the termination or demotion of the employee, if warranted.
3. Work Performance Objectives: Work Performance Objectives and Training and Employee Development Objectives shall be drafted cooperatively between the employee and his/her supervisor with the goals of personal growth and strengthening the supervisory skills of the employee, and increasing the productivity and effectiveness of the work unit.
4. Qualification for Merit Increase:
  - A. Upon the recommendation of the department head, an employee who is not already at the top of the salary range for the employee's classification may qualify for a merit increase of 5%, not to exceed the maximum of the salary range for the employee's classification. Merit increases will be effective on the first day of the pay period following September 15<sup>th</sup>.
  - B. In order to qualify for a merit increase of up to 5%, the employee must receive an overall rating of "Successful" or "Exceptional" on the annual performance evaluation.
  - C. An employee receiving an overall rating of "Needs Improvement" will not be eligible for a merit increase.
  - D. New or Newly Promoted Supervisors may qualify for a prorated merit increase.
    - i. Employees in a position for six (6) months or more, but less than 12 months, as of September 15th will receive a prorated merit increase if they meet the qualifications for a merit increase. [Example: 9 months/12 months x 5% = 3.75% merit increase for 9 months service.]
    - ii. Employees in a position less than six (6) months as of September 15th will receive a formal evaluation and may qualify for a merit increase at the subsequent September 15th review date. [Example: 15 months/12 months x 5% = 6.25% merit increase for 15 months service.]
    - iii. An exception to the method outlined in B(ii) of this section will be made where an employee is appointed or promoted directly to the "D" (4th) salary step for the new classification. In this case, the supervisor in the new position less than six (6) months as of September 15th will receive an evaluation and be eligible for a merit increase (if the supervisor meets the qualification for merit increase

standards) at the conclusion of one year in that position. That individual will not have to wait until the following September.

5. Exemplary Pay Plan

For the term of the Agreement the incentive program based on performance, attached hereto as "**Attachment B**", is suspended. This program provided lump sum bonus payments based upon the employee's total performance score. The Unit reserves the right, however, to raise the issue of an Exemplary Pay Plan or other merit-based pay programs as part of future regular labor negotiations.





# SUPERVISORY PERFORMANCE EVALUATION

Employee Name: EMPLOYEE NAME Page 4 of 60  
Evaluator's Name: Evaluator's Name  
Current Eval Date: **00/00/2009** Prior Eval Date: *00/00/2008*

Employee Classification: **Employee Classification**  
Department: **Department**  
Division: **Division**  
Supervisor's Classification: **Supervisor's Classification**

### RATING SCALE

The evaluator should assign each duty or responsibility a rating based on the following scale

- **Exceptional:** *Used sparingly* for special recognition of a breakthrough to a new higher level of accomplishment and/or unexpectedly superior performance on a special or emergency project or assignment.
- **Successful:** Employee *meets and/or exceeds* expectations and performance standards.
- **Needs Improvement:** Performance has been *below the expected level* and employee must correct identified deficiencies.
- **Unacceptable:** Employee has clearly demonstrated that the employee is *unable or unwilling* to perform successfully.

## SECTION 1: SUPERVISION AND LEADERSHIP DUTIES

### 1. Selection of Employees

*Regularly update job descriptions; cooperate in H.R. recruitment and examination processes; effectively interview candidates; make good hiring decisions; follow equal employment opportunity guidelines; ensure effective orientation of new hires.*

**Evaluator's Comments:**

n/a

Exceptional Work     Successful     Needs Improvement     Unacceptable     N/A or Not Observed

### 2. Employee Performance Management

*Observe and document performance; provide frequent and candid coaching and counseling; write and deliver timely and meaningful performance evaluations; initiate appropriate disciplinary action.*

**Evaluator's Comments:**

n/a

Exceptional Work     Successful     Needs Improvement     Unacceptable     N/A or Not Observed

### 3. Planning and Distribution of Work

*Analyze work load of the unit; organize and delegate work to obtain maximum efficiency; establish and maintain effective administrative procedures and records.*

**Evaluator's Comments:**

n/a

Exceptional Work     Successful     Needs Improvement     Unacceptable     N/A or Not Observed



# SUPERVISORY PERFORMANCE EVALUATION

Employee Name: EMPLOYEE NAME Page 5 of 60

Evaluator's Name: Evaluator's Name

Current Eval Date: 00/00/2009

Prior Eval Date: 00/00/2008

## 4. Work Unit Performance

*Set, communicate, track, and ensure the achievement of work group goals, including measures for productivity, quality, timeliness, accuracy, and customer service; support the City's P3 Performance Measurement Program.*

### Evaluator's Comments:

n/a

Exceptional Work     Successful     Needs Improvement     Unacceptable     N/A or Not Observed

## 5. Leadership

*Unify staff to pursue department and organizational goals; provide support and guidance to staff; resolve problems that arise in the course of the unit's work; encourage creativity and innovation; model appropriate behavior; accept accountability for work unit outcomes.*

### Evaluator's Comments:

n/a

Exceptional Work     Successful     Needs Improvement     Unacceptable     N/A or Not Observed

## 6. Staff Development

*Inform staff about changes in professional field; analyze staff training needs; provide opportunities for staff to attend required and optional training; identify and support the achievement of employees' long-term career goals.*

### Evaluator's Comments:

n/a

Exceptional Work     Successful     Needs Improvement     Unacceptable     N/A or Not Observed

## SECTION 2: OTHER DUTIES / WORK OBJECTIVES

### 1. n/a

*Type description here.*

### Evaluator's Comments:

n/a

Exceptional Work     Successful     Needs Improvement     Unacceptable     N/A or Not Observed



# SUPERVISORY PERFORMANCE EVALUATION

Employee Name: EMPLOYEE NAME Page 6 of 60

Evaluator's Name: Evaluator's Name

Current Eval Date: **00/00/2009**

Prior Eval Date: 00/00/2008

**SECTION 3 : PROFESSIONALISM**

Note: Check the appropriate rating in each of the categories for this evaluation period. "Evaluator Comments" are required for an evaluation rating of other than "Successful."

	Exceptional Work	Successful	Needs Improvement	Unacceptable	N/A or Not Observed	Evaluator's Comments
<b>Section 3: Professionalism</b>						
<b><u>Interaction with Co-Workers</u></b> <i>Demonstrates appropriate &amp; professional behavior toward coworkers, even when there is a difference of opinion.</i>						
<b><u>Teamwork</u></b> <i>Demonstrates support of group objectives. Able to subordinate individual interests for the benefit of department and work group objectives.</i>						
<b><u>Responsiveness to Management</u></b> <i>Appropriately communicates ideas &amp; important information to management, follows instructions, accepts constructive criticism, respects management's decision-making role.</i>						
<b><u>Timeliness/ Thoroughness</u></b> <i>Completes assigned work in a timely manner and pays attention to detail.</i>						
<b><u>Judgment &amp; Decision-Making</u></b> <i>Can be relied upon to make rational, ethical, sensible decisions. Demonstrates honesty, integrity, &amp; personal accountability.</i>						
<b><u>Communication</u></b> <i>Communicates effectively verbally &amp; in writing within scope of responsibility.</i>						
<b><u>Flexibility / Adaptability</u></b> <i>Adjusts effectively to changes in priorities, circumstances, directions, and personalities.</i>						
<b><u>Initiative</u></b> <i>Initiates action and implements solutions within area of responsibility without direction from management.</i>						



# SUPERVISORY PERFORMANCE EVALUATION

Employee Name: EMPLOYEE NAME Page 7 of 60  
 Evaluator's Name: Evaluator's Name  
 Current Eval Date: **00/00/2009** Prior Eval Date: 00/00/2008

**SECTION 4 : COMPLIANCE**

Note: Check the appropriate rating in each of the categories for this evaluation period. "Evaluator Comments" are required for an evaluation rating of other than "Successful."

	Exceptional Work	Successful	Needs Improvement	Unacceptable	N/A or Not Observed	Evaluator's Comments
<b>Section 4: Compliance</b>						
<b><u>Organizational Values</u></b> <i>Demonstrates knowledge of and compliance with the City's organizational values. (See Employee Handbook)</i>						
<b><u>Customer Service</u></b> <i>Demonstrates knowledge of and compliance with the Customer Service Code of Conduct. (See Employee Handbook)</i>						
<b><u>Training &amp; Development</u></b> <i>Attends required minimum LEAP training; demonstrates commitment toward personal &amp; professional development</i>						Enter Hours of Training Attended >>> <b>0</b>
<b><u>Attendance &amp; Punctuality</u></b> <i>Is available to work as scheduled; keeps unplanned absences and tardiness to a minimum (Evaluator: do not include protected absences).</i>						
<b><u>Job Safety</u></b> <i>Promotes safety awareness and compliance with workplace safety rules; ensures employee attendance at required safety training; thoroughly documents accidents and injuries; supports the department's efforts minimize accidents and injuries.</i>						
<b><u>Workplace Policies</u></b> <i>Complies with departmental and Citywide workplace policies including, but not limited to, the Non-discrimination and Harassment Policy, the Drug and Alcohol Free Workplace Policy, and Computer Use Policies.</i>						

**SECTION 5 : OTHER PERFORMANCE CONSIDERATIONS**



# SUPERVISORY PERFORMANCE EVALUATION

Employee Name: EMPLOYEE NAME Page 8 of 60

Evaluator's Name: Evaluator's Name

Current Eval Date: 00/00/2009

Prior Eval Date: 00/00/2008

Significant accomplishments, commendations received, barriers faced to meeting objectives, disciplinary action, and other considerations going into this evaluation.

**Evaluator's Comments:**

n/a

## SECTION 6 : GOALS FOR NEXT YEAR

### A. Work Performance Objectives

**Evaluator's Comments:**

n/a

### B. Training and Employee Development Objectives

**Evaluator's Comments:**

n/a

### C. Schedule 6 month Check-in? (Optional)

No  Yes Date: 00/00/00



# SUPERVISORY PERFORMANCE EVALUATION

Employee Name: EMPLOYEE NAME Page 9 of 60  
 Evaluator's Name: Evaluator's Name  
 Current Eval Date: **00/00/2009** Prior Eval Date: *00/00/2008*

## SECTION 7 : OVERALL PERFORMANCE RATING

In developing the overall rating for the past year, the Evaluator may consider factors such as the relative importance of each job responsibility to success, the amount of time the employee has been in the job, the amount of training he/she has had, the type and complexity of duties he/she has been assigned, and the pace and complexity of the work environment.

**Exceptional**

*Used sparingly*, this overall rating is for special recognition of a breakthrough to a new higher level of accomplishment and/or unexpectedly superior performance on a special or emergency project or assignment.

**Successful**

*The employee's overall performance, during this review period meets and/or exceeds expectations and performance standards. Performance is within the expected scope and is indicative of a competent employee in this classification. It is expected that employees who are performing both at and above expectations will receive this rating.*

**Needs Improvement**

*The employee's overall performance, during this review period, has been below the expected level. The employee must take steps to correct identified deficiencies. For an overall rating of "Needs Improvement" or below, supervisor and employee should develop a Performance Improvement Plan ("PIP") or other corrective plan.*

**Unacceptable**

*On an overall basis the employee has, during this review period, performed in a manner significantly below the level to be expected considering the employee's previous experience, time in the classification and the employee's assigned duties and responsibilities. It appears to be reasonably certain that the employee is unable (or unwilling) to perform successfully.*

### Evaluator's Comments about Overall Rating

n/a

**Recommend STEP Increase?**  Yes  No  Not Applicable (top of salary range)  
 (Overall Rating must meet Successful or Exceptional Work rating)

### Employee's Comments about Overall Rating

n/a

### Signatures

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

Evaluator: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewer\*: \_\_\_\_\_

Department Head: \_\_\_\_\_ Date: \_\_\_\_\_

\*Note: It is highly suggested that the Evaluator provide the evaluation to a Reviewer (e.g. the Evaluator's manager, Assistant Department Head, or Department Head) for feedback/review **prior** to the evaluation being provided to the employee.

**Supervisory Performance Evaluation**

**EXEMPLARY PERFORMANCE PAY**

**(PROGRAM CURRENTLY SUSPENDED- SEE ARTICLE 11)**

**Qualifications**

Exemplary performance pay is available to supervisory employees who complete their annual work objectives during the evaluation period. To qualify for Exemplary Performance Pay a supervisor must:

- Have ten (10) points assigned in Section IV., Annual Work Objectives and complete to the satisfaction of the evaluator all Annual Work Objectives.
- Receive an overall score of eighty-five (85) points on the Supervisory Performance Evaluation.
- Employee must be in current supervisory classification position one full year, i.e., from the beginning of the pay period following September 15 of evaluation year and continuing through the full pay period following the next September 15.

**Amount**

Awards will be a percentage of the supervisor's current annual salary as defined in the chart listed below. Exemplary pay will be awarded in a lump sum payment to qualified individuals by October 22 each year.

85	Points	2.0%
86	Points	2.2%
87	Points	2.4%
88	Points	2.6%
89	Points	2.8%
90	Points	3.0%
91	Points	3.2%
92	Points	3.4%
93	Points	3.6%
94	Points	3.8%
95 - 100	Points	4.0% Maximum

**APPEALS**

**Process**

The following is recommended as the process for reviewing complaints regarding performance evaluations:

Complaints regarding a performance evaluation may be discussed with the next highest level of supervisor above the individual initiating the evaluation and taken to Department Head for final review.

## **APPENDIX D : CATASTROPHIC LEAVE POLICY (SUPERVISORS)**

- I. **PURPOSE:** To establish a program whereby City employees can donate vacation and/or compensatory time to:
  - A. The sick leave banks of permanent full-time and permanent part-time employees who are incapacitated due to a catastrophic off-duty illness or injury; or
  - B. The vacation leave banks of permanent full-time and permanent part-time employees who are caring for a spouse, child or registered domestic partner who has a catastrophic illness or injury.
- II. **DEFINITION:** A catastrophic illness or injury is a severe illness or injury which is unusual, unexpected, or immediate in nature; and which is expected to preclude an employee from returning to work for an extended period of time, during which the employee will exhaust all of his/her applicable accumulated leave balances.
- III. **POLICY:** City employees may donate vacation and/or compensatory time to a permanent full-time or permanent part-time employee if:
  - A. An employee experiences a catastrophic illness or injury or must care for a spouse, child or registered domestic partner who has a catastrophic illness or injury which requires the employee to be absent from work for an extended period of time;
  - B. The employee has nearly exhausted all applicable leave balances (sick, vacation, personal leave, and compensatory time in the case of the employee's off-duty catastrophic illness or injury; vacation, personal leave and compensatory time due to caring for a spouse, child or registered domestic partner who has experienced a catastrophic illness or injury); and
  - C. The employee or if incapacitated, the legally recognized representative has agreed to accept the donation if approved by the Department Head and the City Administrator.
  - D. The Department Head will take action to help ensure that each employee's decision to donate or not donate to a Personal Catastrophic Leave Account is kept confidential and that the donor and recipient employees are not pressured to participate.
  - E. State and federal income tax on the value of vacation and/or compensatory time donated shall be deducted from the recipient employee's pay at the time the hours are used.
- IV. **PROCEDURES:**
  - A. A request is made by the recipient employee or if incapacitated, the legally recognized representative to the Department Head for the establishment of a Personal Catastrophic Leave Account. This request may be made prior to the employee exhausting all of his/her applicable paid leave balances so that time donated may be utilized immediately upon exhaustion of the employee's leave balances, but not before.
  - B. Upon approval of the Department Head and the City Administrator, and upon agreement of the recipient employee, a Personal Catastrophic Leave Account will be established. The employee or if incapacitated, the legally recognized representative will sign the "Request to Receive Donation(s)" form allowing publication and distribution of information regarding his/her situation.
  - C. The employee or if incapacitated, the legally recognized representative will be required to provide verification of the catastrophic illness or injury from an attending physician before and while using time donated under this program. All information provided by the attending

physician will remain confidential.

- D. The request for donations shall occur in three month intervals and may be extended up to a maximum of twelve (12) continuous months for any one catastrophic illness/injury, based upon approval of the Department Head and City Administrator.
- E. Donated vacation and/or compensatory time shall be converted and credited to the recipient's applicable leave bank in equivalent hours based upon the recipient's base hourly rate. (e.g., employee A makes \$20/hour and donates 1 hour of vacation time to employee B who earns \$10/hour. B's applicable leave bank is increased by 2 hours for each hour donated by A.)
- F. Employees will use the "Donation of Vacation and/or Compensatory Time" form to submit donations of vacation and/or compensatory time directly to Human Resources. All donations will be reviewed for compliance with this policy. After review, the form will be forwarded to Payroll for action and adjustment to the donor's and recipient's paid leave balances.
- G. All donations of vacation and/or compensatory time shall be in increments of 4 hours or more (e.g. 4, 8, 12 hours) and shall be made in three month increments. An employee may not donate vacation or compensatory time which would reduce his or her total accrued combined balance of vacation, compensatory time, personal leave and sick leave to less than 120 hours after the donation.
- H. The donation of vacation and/or compensatory time is irreversible. Should the recipient employee not use all the donated time for the catastrophic illness or injury, any balance will revert to a City-wide "Catastrophic Leave Bank" for future use by employees with need for that donated time pursuant to the provisions of this Catastrophic Leave Policy.
- I. The donation of vacation and/or compensatory time must be made to a specific approved catastrophic leave recipient with the following exception: an employee who is within 50 hours of the maximum vacation accrual may request to donate up to a maximum of 50 hours directly to City-wide "Catastrophic Leave Bank" to avoid cessation of accruals. Such donation directly to the City-wide "Catastrophic Leave Bank" may not be made more than one time in any 12 month period."
- J. A report on the usage of Personal Catastrophic Leave Accounts and status of the City-wide "Catastrophic Leave Bank" will be available to recognized labor organizations and others with a need to know. The report will include the identity of the recipient(s), hours donated, hours used and the remaining balance(s).

# APPENDIX E : CHILD CARE PERSONNEL POLICIES

CITY OF SANTA BARBARA

## CHILD CARE PERSONNEL POLICIES

February 20, 1990

**Note: A leave or reduced schedule approved under one of these policies runs concurrently with any applicable leave entitlements under the FMLA/CFRA Family and Medical Leave Policy.**

### CONTENTS

1. **Maternity Leave Policy**
2. **Parental Leave Policy**
3. **Flexible Leave Policy**
4. **Alternative Work Schedules**
5. **Job Sharing**
6. **Part-time Work**
7. **At-home Work**

**1. MATERNITY LEAVE** (medical leave)

The City of Santa Barbara is committed to providing time off from work, so far as possible, to employees during pregnancy and following childbirth.

Maternity leave requests, including both medical and non-medical components (see section on Parental leave for information regarding non-medical leave), must be submitted to the City Administrator via the Department Head at least 30 days in advance. The requirement for 30 days advance notice may be waived when warranted by unexpected medical circumstances. Pursuant to state law, maternity leaves for medical reasons will be granted for up to four (4) months and may be extended up to a maximum of one (1) year subject to the operational needs of the department as determined by the Department Head. All medical leaves must be verified by a doctor's certificate of disability.

When an employee is physically disabled from work due to pregnancy or following childbirth, the employee will obtain a doctor's certificate of disability indicating the dates when the employee will be physically unable to work. When physically disabled, the employee may use sick leave or other paid leave. An employee disabled due to pregnancy or childbirth may request an unpaid leave of absence for medical reasons once her sick leave and other paid leave balances total less than forty (40) hours. A doctor's note listing the dates of the disability must be submitted with the medical leave request. Any leave of absence greater than 7 days must be approved in advance by the City Administrator.

The City will coordinate an employee's use of State Disability Insurance (SDI) with City paid leave which allows employees on maternity leave and covered by SDI to extend the use of their paid leave time.

When an employee is on medical leave of absence due to pregnancy, the City will continue to pay the employer portion of the insurance for the first ninety (90) days of the medical leave of absence. Thereafter, an employee will have to pay both the employer and the employee portions of her insurance.

**2. PARENTAL LEAVE** (all employees, non-medical leave)

The City recognizes that after the birth or adoption of a child, it is important for a parent to be with his or her child. As a result, the City encourages Department Heads to accommodate requests for parental leaves to care for a newborn or newly adopted child.

Parental leaves shall be with pay if the employee has leave balances of vacation, personal leave, or compensatory time. An employee may request a parental leave of absence without pay when the employee's paid leave balances total less than forty (40) hours (see section on Maternity Leave for information regarding medical leave related to pregnancy and childbirth).

Parental leave requests must be submitted to the City Administrator via the Department Head at least 30 days in advance. When requested, parental leaves will be approved for a length of time sufficient to provide the employee a minimum of one (1) month absence from work. Any medical leave related to pregnancy and child birth (maternity leave) will not be counted in the minimum one (1) month. The scheduling of parental leave is subject to the approval of both the City Administrator and Department Head based on the operational needs of the department. Extension of the parental leave of absence may be granted, subject to the approval of the City Administrator, via the Department Head. The total duration of the combined medical and parental leaves of absence cannot exceed one year.

Employees are encouraged to discuss their time off needs with their supervisors as early as possible. Employees are also encouraged to save their vacation, personal leave, and compensatory time for use during a parental leave. Temporary waivers of the minimum annual vacation use and maximum vacation accrual will be considered to assist prospective parents in building their leave banks.

While on parental leave of absence without pay, an employee will have to pay both the employer and

employee portions of his or her insurance.

### 3. **FLEXIBLE LEAVE POLICY** (All Employees)

Employees may use accrued personal leave, vacation, comp time, to respond to emergency needs for spouse or dependent\*, such as illness, child care or elder care. The employee shall notify his/her supervisor immediately of the nature of the emergency. Approval for leaves under this policy shall not be unreasonably withheld. Advance approval for spouse or dependent illness is not required.

\* For purposes of this policy, a dependent is one who is a dependent pursuant to IRS regulations.

### 4. **ALTERNATIVE WORK SCHEDULES** (All employees)

The City believes that alternative work schedules are viable options to meet personal needs in areas such as child care and transportation where such schedules continue to meet the operational needs of the department.

Individual employees may request alternative work schedules which meet their personal needs and the operational requirements of the department. Alternative schedules may be different daily work hours or a different work week. Approval for reasonable alternative work schedules is subject to the operational needs of the department as determined by the Department Head. The continuation of such schedules shall be subject to Department Head review with reasonable input from affected employees.

### 5. **JOB SHARING** (All Employees)

The City recognizes that job-sharing may facilitate the balancing of employees' personal needs with their job responsibilities. As a result, the City encourages Department Heads to attempt to accommodate requests for job-sharing subject to the operational needs of the department as determined by the Department Head.

An employee may request that his/her full-time position be redefined as a job-sharing position to be filled by two permanent part-time employees. Requests for job sharing positions shall be submitted to the Department Head and require final approval by the City Administrator and City Council.

Job sharing positions may be discontinued at the discretion of the Department Head, with 30 days notice to affected employees.

### 6. **PART-TIME WORK** (All employees)

An employee may request to work on a part-time basis. A request to work part-time for a limited duration is subject to the operational needs of the department as determined by the Department Head. The Department Head may grant part-time assignments of limited duration. Extensions of part-time assignments will be considered upon employee request.

All part-time assignments may be periodically reconsidered by the Department Head. If the Department Head determines additional hours are required in the position, the employee will be given thirty days notice of the requirement to work increased hours.

Part-time assignments must be a minimum of 20 hours per week. Part-time regular employees receive fully paid insurance benefits and paid leave benefits prorated based on the number of hours worked.

To change an employee from full-time to part-time status requires a Personnel Action Form (PAF) and notification to the Personnel Office.

**7. AT-HOME WORK** (All employees)

With prior approval of the Department Head and review by Risk Management, an employee may request to work at home on a limited-term basis. All requests will be subject to the operational needs of the department as determined by the Department Head. Increased City liability including safety and workers' compensation issues will be closely reviewed prior to granting at-home work requests.

Requests for work schedules which include working at home for part of the regular work week may be submitted to the Department Head. Authorization for such schedules for either a predetermined or indefinite length of time will be made based on the following criteria:

- a) the operational needs of the department work site must be met adequately;
- b) the job duties must be such that work can be accomplished at home;
- c) proper equipment and supplies necessary to the job assignment can be provided at reasonable cost;
- d) sufficient measures of productivity can be determined;
- e) efficient and effective methods can be established for supervisory review of work assignments;
- f) the employee can be contacted at home during predetermined work hours.

Plans for meeting each of these criteria should be submitted in writing to the Department Head for evaluation. Once approved, at-home work schedules are subject to periodic review and may be discontinued at the discretion of the Department Head, with fourteen (14) days notice to the employee.

**APPENDIX F  
2012 HOLIDAY CLOSURE PLAN  
SUPERVISORS**

**STATEMENT OF PURPOSE:**

Demand for City services traditionally drops dramatically during the week between the Christmas Holiday and the New Year's Day Holiday. As a productivity and cost-saving measure, the City of Santa Barbara may elect to close non-essential offices to the public during the period between the two holidays.

The first Holiday Closure is tentatively planned from Monday December 24, 2012 through Tuesday, January 1, 2013. This period will include 2 normal legal holidays (Christmas Day and New Year's Day).

The City reserves the right to cancel the Holiday Closure, and/or to call some or all available employees back to work in the event of a crisis or emergency.

**EFFECT ON EMPLOYEES:**

Employees in operations that close for the holiday closure period will have several options for their normal workdays. They may:

- 1) **Take accrued paid leave.** Employees may use accrued leave from their vacation, personal leave, or compensatory time balances.
- 2) **Take voluntary leave without pay.** Employees prefer leave without pay for all or part of the time may have the portion of time they were on unpaid leave spread over the remaining pay periods paid in the fiscal year, beginning the first pay period in which the unpaid leave is taken. As with all unpaid leaves of absence, some benefits (such as paid time off and retirement contributions) will not accrue during the unpaid leave. However, the Holiday Closure will not affect monthly health, life or disability insurance premium contributions.

Employees who opt to spread leave without pay over the remaining pay periods in the fiscal year, will be required to reimburse the City upon termination of employment if the full value of the time off has not been recouped.

- 3) **Work.** Employees are encouraged to take the time off. However, employees may choose to work one or more days during the Holiday Closure.

Work assignments during the Holiday Closure period may or may not fall within the employee's normal job duties, hours, or location. If an employee does not intend to work all scheduled days during the Holiday Closure, the Department Head may choose which days the employee will work. Employees who wish to work during the Holiday Closure must advise their Manager no later than November 15, 2012.

In order to ensure adequate supervision of non-supervisory employees who choose to work, some supervisors may be required to work during the closure. However, management will make reasonable efforts to allow those supervisors who wish to take time off to be able to do so.



**2012-2013 Management Salary Plan**  
**Applicable to Unrepresented Non-safety Managers and Professional Attorneys, including the City Administrator and the City Attorney**  
(Management Salary Plan 1)

1. This Management Salary Plan sets forth a plan for salary and benefit adjustments for certain unrepresented management employees for the period of July 1, 2012 through June 30, 2013.
2. This Salary Plan will apply to all non-safety management employees and professional attorneys not represented by a recognized employee organization, including the City Administrator and the City Attorney.
3. Vacation Cash Out: The management Vacation Cash-out provision contained in the Management Performance and Compensation Plan will be discontinued indefinitely, subject to the following:
  - A. On or before July 30, 2012, employees will be given a one-time final opportunity to cash out up to 40 vacation hours;
  - B. After the cash out, the City Administrator may distribute total savings from any vacation amounts that eligible safety and non-safety managers elected not to cash out to all unrepresented managers eligible for the cash out (including those who exercise the cash out option) on an equal per capita basis as a lump sum payment; and
  - C. The vacation accrual maximum will be increased to 392 hours effective July 1, 2012.
4. Cafeteria Plan: Effective January 1, 2013, the City's monthly contribution to the cafeteria plan for the purchase of health and welfare benefits will be increased by \$116 per month for both Group 1 and Group 2 managers.
5. The Management Performance and Compensation Plan and the Professional Attorneys Compensation Plan, will be amended, as necessary, to include these changes to compensation and benefits.

**2012-2013 Management Salary Plan**  
**Applicable to Certain Unrepresented Safety Managers**  
(“Management Salary Plan 2”)

1. This Management Salary Plan sets forth a plan for salary and benefit adjustments for unrepresented management employees for the period of July 1, 2012 through June 30, 2013
2. This salary plan will apply only to the following unrepresented safety management employees: Fire Division Chief-Operations, the Fire Chief, the Deputy Police Chief, and the Police Chief. This salary plan shall not apply to police management employees represented by the Police Management Association, nor to the Fire Division Chief-Prevention or the Fire Battalion Chiefs.
3. PERS Cost-Sharing
  - A. Managers that are part of the PERS Fire Safety Plan will continue to participate in retirement cost-sharing under the PERS retirement plan in the same amount and through the same method as members of the Santa Barbara City Firefighters Association.
  - B. Managers that are part of the PERS Police Safety Plan will continue to participate in retirement cost-sharing by paying 3.0% of earnings to the City through post-tax payroll deductions in the manner contemplated by Govt Code § 20516(f). Such payments will not be credited under the retirement system. Such payments will not affect the City’s payment of the 9% EPMC.
4. Vacation Cash Out: The management Vacation Cash-out provision contained in the Management Performance and Compensation Plan will be discontinued indefinitely, subject to the following:
  - A. On or before July 30, 2012, all managers will be given a one-time final opportunity to cash out up to 40 vacation hours;
  - B. After the cash out, the City Administrator may distribute total savings from any vacation amounts that eligible safety and non-safety managers elected not to cash out to all unrepresented managers eligible for the cash out (including those who exercise the cash out option) on an equal per capita basis as a lump sum payment; and
  - C. The vacation accrual maximum will be increased to 392 hours effective July 1, 2012.
5. Cafeteria Plan: Effective January 1, 2013, the City’s monthly contribution to the cafeteria plan for the purchase of health and welfare benefits will be increased by \$116 per month for both Group 1 and Group 2 managers.

6. The Management Performance and Compensation Plan will be amended, as necessary, to include these changes to compensation and benefits.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012

**TO:** Mayor and Councilmembers

**FROM:** Accounting Division, Finance Department

**SUBJECT:** Fiscal Year 2012 Interim Financial Statements For The Ten Months Ended April 30, 2012

### RECOMMENDATION:

That Council accept the Fiscal Year 2012 Interim Financial Statements for the Ten Months Ended April 30, 2012.

### DISCUSSION:

The interim financial statements for the ten months ended April 30, 2012 (83.3% of the fiscal year) are attached. The interim financial statements include budgetary activity in comparison to actual activity for the General Fund, Enterprise Funds, Internal Service Funds, and select Special Revenue Funds.

**ATTACHMENT:** Interim Financial Statements for the Ten Months Ended April 30, 2012

**PREPARED BY:** Ruby Carrillo, Accounting Manager

**SUBMITTED BY:** Robert Samario, Finance Director

**APPROVED BY:** City Administrator's Office

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenditures**  
**Summary by Fund**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
<b>GENERAL FUND</b>					
Revenue	103,068,721	82,683,674	-	20,385,047	80.2%
Expenditures	103,615,386	83,822,653	1,112,498	18,680,235	82.0%
<i>Addition to / (use of) reserves</i>	<u>(546,665)</u>	<u>(1,138,979)</u>	<u>(1,112,498)</u>		
<b>WATER OPERATING FUND</b>					
Revenue	38,167,816	31,680,114	-	6,487,702	83.0%
Expenditures	43,447,024	31,060,759	1,905,115	10,481,150	75.9%
<i>Addition to / (use of) reserves</i>	<u>(5,279,208)</u>	<u>619,355</u>	<u>(1,905,115)</u>		
<b>WASTEWATER OPERATING FUND</b>					
Revenue	16,395,810	13,724,633	-	2,671,177	83.7%
Expenditures	17,667,788	12,963,224	1,123,008	3,581,556	79.7%
<i>Addition to / (use of) reserves</i>	<u>(1,271,978)</u>	<u>761,409</u>	<u>(1,123,008)</u>		
<b>DOWNTOWN PARKING</b>					
Revenue	7,036,049	6,295,843	-	740,206	89.5%
Expenditures	7,582,431	6,035,862	187,519	1,359,051	82.1%
<i>Addition to / (use of) reserves</i>	<u>(546,382)</u>	<u>259,981</u>	<u>(187,519)</u>		
<b>AIRPORT OPERATING FUND</b>					
Revenue	15,030,488	11,904,159	-	3,126,329	79.2%
Expenditures	17,910,688	13,492,346	456,988	3,961,355	77.9%
<i>Addition to / (use of) reserves</i>	<u>(2,880,200)</u>	<u>(1,588,187)</u>	<u>(456,988)</u>		
<b>GOLF COURSE FUND</b>					
Revenue	2,060,146	1,521,865	-	538,281	73.9%
Expenditures	2,065,870	1,563,501	96,606	405,763	80.4%
<i>Addition to / (use of) reserves</i>	<u>(5,724)</u>	<u>(41,635)</u>	<u>(96,606)</u>		
<b>INTRA-CITY SERVICE FUND</b>					
Revenue	6,480,947	5,237,410	-	1,243,537	80.8%
Expenditures	6,683,711	5,051,372	577,470	1,054,869	84.2%
<i>Addition to / (use of) reserves</i>	<u>(202,764)</u>	<u>186,038</u>	<u>(577,470)</u>		

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenditures**  
**Summary by Fund**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget
<b>FLEET REPLACEMENT FUND</b>					
Revenue	2,230,083	1,871,942	-	358,141	83.9%
Expenditures	1,502,646	398,554	215,636	888,456	40.9%
<i>Addition to / (use of) reserves</i>	727,437	1,473,388	(215,636)		
<b>FLEET MAINTENANCE FUND</b>					
Revenue	2,530,723	2,087,637	-	443,086	82.5%
Expenditures	2,482,012	1,809,291	177,969	494,753	80.1%
<i>Addition to / (use of) reserves</i>	48,711	278,347	(177,969)		
<b>SELF INSURANCE TRUST FUND</b>					
Revenue	5,391,678	4,328,564	-	1,063,114	80.3%
Expenditures	9,055,327	7,477,537	145,986	1,431,804	84.2%
<i>Addition to / (use of) reserves</i>	(3,663,649)	(3,148,973)	(145,986)		
<b>INFORMATION SYSTEMS ICS FUND</b>					
Revenue	2,306,135	1,922,987	-	383,148	83.4%
Expenditures	2,347,350	1,874,318	82,034	390,998	83.3%
<i>Addition to / (use of) reserves</i>	(41,215)	48,668	(82,034)		
<b>WATERFRONT FUND</b>					
Revenue	12,203,518	10,386,498	-	1,817,020	85.1%
Expenditures	11,981,963	9,576,147	591,073	1,814,743	84.9%
<i>Addition to / (use of) reserves</i>	221,555	810,350	(591,073)		
<b>TOTAL FOR ALL FUNDS</b>					
Revenue	212,902,114	173,645,326	-	39,256,788	81.6%
Expenditures	226,342,199	175,125,564	6,671,902	44,544,733	80.3%
<i>Addition to / (use of) reserves</i>	(13,440,085)	(1,480,238)	(6,671,902)		

**\*\* It is City policy to adopt a balanced budget. In most cases, encumbrance balances exist at year-end. These encumbrance balances are obligations of each fund and must be reported at the beginning of each fiscal year. In addition, a corresponding appropriations entry must be made in order to accommodate the 'carried-over' encumbrance amount. Most differences between budgeted annual revenues and expenses are due to these encumbrance carryovers.**

**CITY OF SANTA BARBARA**  
**General Fund**  
**Interim Statement of Budgeted and Actual Revenues**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

	Annual Budget	YTD Actual	Remaining Balance	Percent Received	Previous YTD
<b>TAXES</b>					
Sales and Use	17,949,013	13,968,135	3,980,878	77.8%	13,062,429
Property Taxes	23,063,000	18,549,145	4,513,855	80.4%	18,391,295
Utility Users Tax	7,144,500	5,944,864	1,199,636	83.2%	5,828,879
Transient Occupancy Tax	13,018,252	11,219,058	1,799,194	86.2%	10,173,150
Business License	2,229,800	1,887,981	341,819	84.7%	1,889,891
Real Property Transfer Tax	410,000	328,813	81,187	80.2%	321,907
<i>Total</i>	<u>63,814,565</u>	<u>51,897,997</u>	<u>11,916,568</u>	81.3%	<u>49,667,551</u>
<b>LICENSES &amp; PERMITS</b>					
Licenses & Permits	182,900	181,316	1,584	99.1%	153,611
<i>Total</i>	<u>182,900</u>	<u>181,316</u>	<u>1,584</u>	99.1%	<u>153,611</u>
<b>FINES &amp; FORFEITURES</b>					
Parking Violations	2,403,500	1,980,635	422,865	82.4%	2,045,650
Library Fines	133,516	90,825	42,691	68.0%	92,870
Municipal Court Fines	180,000	91,932	88,068	51.1%	131,227
Other Fines & Forfeitures	210,000	181,837	28,163	86.6%	196,401
<i>Total</i>	<u>2,927,016</u>	<u>2,345,229</u>	<u>581,787</u>	80.1%	<u>2,466,148</u>
<b>USE OF MONEY &amp; PROPERTY</b>					
Investment Income	740,827	615,026	125,801	83.0%	617,741
Rents & Concessions	397,952	317,160	80,792	79.7%	367,374
<i>Total</i>	<u>1,138,779</u>	<u>932,185</u>	<u>206,594</u>	81.9%	<u>985,115</u>
<b>INTERGOVERNMENTAL</b>					
Grants	488,610	232,335	256,275	47.6%	459,213
Vehicle License Fees	-	-	-	0.0%	231,433
Reimbursements	14,040	1,323	12,717	9.4%	10,311
<i>Total</i>	<u>502,650</u>	<u>233,658</u>	<u>268,992</u>	46.5%	<u>700,958</u>
<b>FEES &amp; SERVICE CHARGES</b>					
Finance	860,000	703,281	156,719	81.8%	704,557
Community Development	4,525,570	3,365,545	1,160,025	74.4%	3,961,844
Recreation	2,274,257	1,931,030	343,227	84.9%	1,718,577
Public Safety	499,673	496,083	3,590	99.3%	410,837
Public Works	5,286,083	4,251,949	1,034,134	80.4%	4,071,946
Library	675,575	653,195	22,380	96.7%	734,928
Reimbursements	6,227,567	4,851,383	1,376,184	77.9%	4,601,484
<i>Total</i>	<u>20,348,725</u>	<u>16,252,466</u>	<u>4,096,259</u>	79.9%	<u>16,204,172</u>
<b>OTHER REVENUES</b>					
Miscellaneous	1,398,491	1,593,063	(194,572)	113.9%	1,478,225
Franchise Fees	3,593,200	2,649,031	944,169	73.7%	2,813,595
Indirect Allocations	6,111,818	5,093,182	1,018,636	83.3%	5,433,758
Operating Transfers-In	3,050,577	1,505,548	1,545,029	49.4%	922,418
<i>Total</i>	<u>14,154,086</u>	<u>10,840,823</u>	<u>3,313,263</u>	76.6%	<u>10,647,997</u>
<b>TOTAL REVENUES</b>	<u>103,068,721</u>	<u>82,683,674</u>	<u>20,385,047</u>	80.2%	<u>80,825,552</u>

**CITY OF SANTA BARBARA**  
**General Fund**  
**Interim Statement of Appropriations, Expenditures and Encumbrances**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
<b>GENERAL GOVERNMENT</b>						
<u>Mayor &amp; City Council</u>						
MAYOR	725,196	591,987	327	132,882	81.7%	
<i>Total</i>	725,196	591,987	327	132,882	81.7%	575,082
<u>City Attorney</u>						
CITY ATTORNEY	1,950,640	1,620,661	8,325	321,654	83.5%	
<i>Total</i>	1,950,640	1,620,661	8,325	321,654	83.5%	1,643,334
<u>Administration</u>						
CITY ADMINISTRATOR	1,468,399	1,290,452	327	177,620	87.9%	
CITY TV	455,110	331,658	25,323	98,129	78.4%	
<i>Total</i>	1,923,509	1,622,110	25,650	275,749	85.7%	1,460,857
<u>Administrative Services</u>						
CITY CLERK	435,245	353,948	7,874	73,423	83.1%	
ADMIN SVCS-ELECTIONS	300,000	201,100	88,244	10,655	96.4%	
HUMAN RESOURCES	1,197,982	948,358	15,582	234,041	80.5%	
ADMIN SVCS-EMPLOYEE DEVELOPMENT	14,447	3,735	-	10,712	25.9%	
<i>Total</i>	1,947,674	1,507,142	111,701	328,831	83.1%	1,294,315
<u>Finance</u>						
ADMINISTRATION	219,098	190,529	4,571	23,998	89.0%	
TREASURY	481,463	357,874	-	123,589	74.3%	
CASHIERING & COLLECTION	417,180	351,331	-	65,849	84.2%	
LICENSES & PERMITS	417,558	328,159	-	89,399	78.6%	
BUDGET MANAGEMENT	396,344	326,904	-	69,440	82.5%	
ACCOUNTING	476,344	395,348	59,160	21,836	95.4%	
PAYROLL	273,474	218,206	3,778	51,490	81.2%	
ACCOUNTS PAYABLE	207,832	172,829	-	35,003	83.2%	
CITY BILLING & CUSTOMER SERVICE	581,802	466,955	1,831	113,016	80.6%	
PURCHASING	659,344	555,350	783	103,210	84.3%	
CENTRAL STORES	160,010	132,212	307	27,492	82.8%	
MAIL SERVICES	102,301	84,858	307	17,136	83.2%	
<i>Total</i>	4,392,750	3,580,554	70,737	741,459	83.1%	3,461,605
<b>TOTAL GENERAL GOVERNMENT</b>	<b>10,939,769</b>	<b>8,922,454</b>	<b>216,740</b>	<b>1,800,576</b>	<b>83.5%</b>	<b>8,435,192</b>
<b>PUBLIC SAFETY</b>						
<u>Police</u>						
CHIEF'S STAFF	979,104	846,911	316	131,877	86.5%	
SUPPORT SERVICES	574,199	443,782	358	130,060	77.3%	
RECORDS	1,172,517	921,530	3,545	247,442	78.9%	
COMMUNITY SVCS	729,721	578,982	1,063	149,676	79.5%	
PROPERTY ROOM	165,159	109,908	-	55,251	66.5%	
TRNG/RECRUITMENT	405,269	434,260	7,382	(36,373)	109.0%	

**CITY OF SANTA BARBARA**  
**General Fund**  
**Interim Statement of Appropriations, Expenditures and Encumbrances**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
<b>PUBLIC SAFETY</b>						
<u>Police</u>						
RANGE	1,184,348	981,269	10,054	193,025	83.7%	
BEAT COORDINATORS	784,859	560,243	-	224,616	71.4%	
INFORMATION TECHNOLOGY	1,275,768	983,198	13,950	278,621	78.2%	
INVESTIGATIVE DIVISION	4,582,903	3,706,439	3,908	872,557	81.0%	
CRIME LAB	130,163	113,221	-	16,942	87.0%	
PATROL DIVISION	14,663,551	12,494,709	39,253	2,129,589	85.5%	
TRAFFIC	1,288,412	1,114,839	1,100	172,473	86.6%	
SPECIAL EVENTS	772,599	870,492	-	(97,893)	112.7%	
TACTICAL PATROL FORCE	1,324,561	1,009,556	-	315,005	76.2%	
STREET SWEEPING ENFORCEMENT	294,783	233,941	-	60,842	79.4%	
NIGHT LIFE ENFORCEMENT	297,965	222,247	-	75,718	74.6%	
PARKING ENFORCEMENT	931,552	723,537	16,495	191,519	79.4%	
CCC	2,361,140	1,831,504	605	529,031	77.6%	
ANIMAL CONTROL	613,570	442,782	-	170,788	72.2%	
<i>Total</i>	<u>34,532,143</u>	<u>28,625,393</u>	<u>98,029</u>	<u>5,808,722</u>	83.2%	<u>27,702,047</u>
<u>Fire</u>						
ADMINISTRATION	740,779	643,903	2,150	94,727	87.2%	
EMERGENCY SERVICES AND PUBLIC ED	246,838	199,566	-	47,272	80.8%	
PREVENTION	1,109,296	859,746	-	249,550	77.5%	
WILDLAND FIRE MITIGATION PROGRAM	172,505	139,840	14,166	18,499	89.3%	
OPERATIONS	17,119,140	14,037,638	57,280	3,024,222	82.3%	
ARFF	1,698,433	1,367,733	-	330,700	80.5%	
<i>Total</i>	<u>21,086,991</u>	<u>17,248,525</u>	<u>73,596</u>	<u>3,764,871</u>	82.1%	<u>17,875,278</u>
<b>TOTAL PUBLIC SAFETY</b>	<u>55,619,134</u>	<u>45,873,917</u>	<u>171,624</u>	<u>9,573,592</u>	82.8%	<u>45,577,325</u>
<b>PUBLIC WORKS</b>						
<u>Public Works</u>						
ADMINISTRATION	868,519	683,113	9,796	175,610	79.8%	
ENGINEERING SVCS	4,357,704	3,532,769	17,356	807,580	81.5%	
PUBLIC RT OF WAY MGMT	1,176,628	941,341	973	234,314	80.1%	
ENVIRONMENTAL PROGRAMS	421,105	232,463	131,931	56,711	86.5%	
<i>Total</i>	<u>6,823,956</u>	<u>5,389,686</u>	<u>160,055</u>	<u>1,274,215</u>	81.3%	<u>5,264,878</u>
<b>TOTAL PUBLIC WORKS</b>	<u>6,823,956</u>	<u>5,389,686</u>	<u>160,055</u>	<u>1,274,215</u>	81.3%	<u>5,264,878</u>
<b>COMMUNITY SERVICES</b>						
<u>Parks &amp; Recreation</u>						
PRGM MGMT & BUS SVCS	370,912	313,048	7	57,857	84.4%	
FACILITIES	731,720	584,091	14,494	133,135	81.8%	
YOUTH ACTIVITIES	743,003	601,537	3,381	138,085	81.4%	
SR CITIZENS	717,260	611,836	278	105,146	85.3%	

**CITY OF SANTA BARBARA**  
**General Fund**  
**Interim Statement of Appropriations, Expenditures and Encumbrances**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>** Remaining Balance</u>	<u>YTD Expended and Encumbered</u>	<u>Previous YTD</u>
<b>COMMUNITY SERVICES</b>						
<u>Parks &amp; Recreation</u>						
AQUATICS	1,040,683	880,232	31,213	129,238	87.6%	
SPORTS	423,214	364,656	9,718	48,840	88.5%	
TENNIS	224,714	173,467	-	51,247	77.2%	
NEIGHBORHOOD & OUTREACH SERV	980,833	805,580	5,785	169,469	82.7%	
ADMINISTRATION	522,889	444,568	986	77,335	85.2%	
PROJECT MANAGEMENT TEAM	222,476	201,410	-	21,066	90.5%	
BUSINESS SERVICES	299,201	196,808	7,401	94,993	68.3%	
FACILITY & PROJECT MGT	992,450	825,866	171	166,412	83.2%	
GROUNDS MANAGEMENT	4,119,025	3,203,881	129,304	785,840	80.9%	
FORESTRY	1,160,228	936,492	40,727	183,009	84.2%	
BEACH MAINTENANCE	146,160	104,768	13,397	27,995	80.8%	
<i>Total</i>	<u>12,694,768</u>	<u>10,248,239</u>	<u>256,860</u>	<u>2,189,668</u>	82.8%	<u>10,030,195</u>
<u>Library</u>						
ADMINISTRATION	420,294	342,273	-	78,021	81.4%	
PUBLIC SERVICES	1,828,065	1,542,433	700	284,932	84.4%	
SUPPORT SERVICES	1,784,128	1,253,386	93,143	437,599	75.5%	
<i>Total</i>	<u>4,032,487</u>	<u>3,138,093</u>	<u>93,843</u>	<u>800,551</u>	80.1%	<u>3,052,700</u>
<b>TOTAL COMMUNITY SERVICES</b>	<u>16,727,255</u>	<u>13,386,332</u>	<u>350,704</u>	<u>2,990,220</u>	82.1%	<u>13,082,895</u>
<b>COMMUNITY DEVELOPMENT</b>						
<u>Community Development</u>						
ADMINISTRATION	456,182	358,698	480	97,005	78.7%	
ECON DEV	52,667	37,165	-	15,502	70.6%	
CITY ARTS ADVISORY PROGRAM	427,260	427,260	-	-	100.0%	
HUMAN SVCS	855,862	648,358	176,321	31,182	96.4%	
RDA	715,653	518,664	-	196,989	72.5%	
RDA HSG DEV	611,074	437,793	-	173,281	71.6%	
LR PLANNING/STUDIES	826,558	596,098	266	230,194	72.2%	
DEV & DESIGN REVIEW	1,075,206	826,061	14,327	234,818	78.2%	
ZONING	1,245,146	928,438	2,448	314,260	74.8%	
DESIGN REV & HIST PRESERVATN	975,603	762,971	5,684	206,948	78.8%	
BLDG PERMITS	1,048,775	839,417	5,111	204,247	80.5%	
RECORDS & ARCHIVES	529,868	387,075	8,460	134,332	74.6%	
PLAN CK & COUNTER SRV	1,271,905	935,839	278	335,789	73.6%	
<i>Total</i>	<u>10,091,759</u>	<u>7,703,845</u>	<u>213,375</u>	<u>2,174,538</u>	78.5%	<u>7,869,091</u>
<b>TOTAL COMMUNITY DEVELOPMENT</b>	<u>10,091,759</u>	<u>7,703,845</u>	<u>213,375</u>	<u>2,174,538</u>	78.5%	<u>7,869,091</u>
<b>NON-DEPARTMENTAL</b>						
<u>Non-Departmental</u>						
DUES, MEMBERSHIPS, & LICENSES	22,272	21,933	-	339	98.5%	

**CITY OF SANTA BARBARA**  
**General Fund**  
**Interim Statement of Appropriations, Expenditures and Encumbrances**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>** Remaining Balance</u>	<u>YTD Expended and Encumbered</u>	<u>Previous YTD</u>
<b>NON-DEPARTMENTAL</b>						
<u>Non-Departmental</u>						
COMMUNITY PROMOTIONS	1,536,799	1,253,335	-	283,464	81.6%	
SPECIAL PROJECTS	381,073	317,351	-	63,722	83.3%	
TRANSFERS OUT	43,500	36,250	-	7,250	83.3%	
DEBT SERVICE TRANSFERS	349,983	338,594	-	11,389	96.7%	
CAPITAL OUTLAY TRANSFER	665,457	578,956	-	86,501	87.0%	
APPROP. RESERVE	414,429	-	-	414,429	0.0%	
<i>Total</i>	<u>3,413,513</u>	<u>2,546,419</u>	<u>-</u>	<u>867,094</u>	<u>74.6%</u>	<u>2,681,913</u>
<b>TOTAL NON-DEPARTMENTAL</b>	<u>3,413,513</u>	<u>2,546,419</u>	<u>-</u>	<u>867,094</u>	<u>74.6%</u>	<u>2,681,913</u>
<b>TOTAL EXPENDITURES</b>	<u>103,615,386</u>	<u>83,822,653</u>	<u>1,112,498</u>	<u>18,680,235</u>	<u>82.0%</u>	<u>82,911,294</u>

*\*\* The legal level of budgetary control is at the department level for the General Fund. Therefore, as long as the department as a whole is within budget, budgetary compliance has been achieved. The City actively monitors the budget status of each department and takes measures to address potential over budget situations before they occur.*

*For Enterprise and Internal Service Funds, the legal level of budgetary control is at the fund level. The City also monitors and addresses these fund types for potential over budget situations.*

**CITY OF SANTA BARBARA**  
**Special Revenue Funds**  
**Interim Statement of Revenues and Expenditures**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
<b>TRAFFIC SAFETY FUND</b>					
Revenue	515,000	388,600	-	126,400	75.5%
Expenditures	515,000	388,600	-	126,400	75.5%
<i>Revenue Less Expenditures</i>	-	-	-	-	
<b>CREEK RESTORATION/WATER QUALITY IMPRVMT</b>					
Revenue	2,800,800	2,377,656	-	423,144	84.9%
Expenditures	3,545,725	2,336,011	391,920	817,794	76.9%
<i>Revenue Less Expenditures</i>	(744,925)	41,644	(391,920)	(394,649)	
<b>SOLID WASTE PROGRAM</b>					
Revenue	18,331,232	15,550,936	-	2,780,296	84.8%
Expenditures	19,129,869	15,280,120	283,115	3,566,635	81.4%
<i>Revenue Less Expenditures</i>	(798,637)	270,816	(283,115)	(786,339)	
<b>COMM.DEVELOPMENT BLOCK GRANT</b>					
Revenue	2,730,423	849,010	-	1,881,414	31.1%
Expenditures	2,730,423	1,267,627	345,225	1,117,571	59.1%
<i>Revenue Less Expenditures</i>	-	(418,617)	(345,225)	763,842	
<b>COUNTY LIBRARY</b>					
Revenue	1,944,769	1,258,748	-	686,021	64.7%
Expenditures	2,058,536	1,528,495	87,129	442,912	78.5%
<i>Revenue Less Expenditures</i>	(113,767)	(269,747)	(87,129)	243,109	
<b>STREETS FUND</b>					
Revenue	10,598,577	8,806,023	-	1,792,554	83.1%
Expenditures	14,646,871	8,968,541	1,169,472	4,508,858	69.2%
<i>Revenue Less Expenditures</i>	(4,048,294)	(162,518)	(1,169,472)	(2,716,304)	
<b>MEASURE A</b>					
Revenue	2,774,034	2,337,769	-	436,265	84.3%
Expenditures	3,335,145	2,189,158	731,613	414,374	87.6%
<i>Revenue Less Expenditures</i>	(561,111)	148,610	(731,613)	21,892	

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

**WATER OPERATING FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Water Sales - Metered	30,700,000	24,950,381	-	5,749,619	81.3%	22,918,592
Service Charges	450,192	677,230	-	(227,038)	150.4%	702,907
Cater JPA Treatment Charges	2,619,000	2,260,529	-	358,471	86.3%	2,326,679
Investment Income	791,800	582,349	-	209,451	73.5%	810,594
Miscellaneous	604,691	291,743	-	312,948	48.2%	507,832
Operating Transfers-In	3,002,133	2,917,883	-	84,250	97.2%	-
<b>TOTAL REVENUES</b>	<u>38,167,816</u>	<u>31,680,114</u>	<u>-</u>	<u>6,487,702</u>	<u>83.0%</u>	<u>27,266,604</u>
<b>EXPENSES</b>						
Salaries & Benefits	7,649,148	6,027,065	-	1,622,083	78.8%	6,002,179
Materials, Supplies & Services	9,996,116	5,508,351	1,572,206	2,915,559	70.8%	5,918,528
Special Projects	1,438,061	326,929	96,152	1,014,980	29.4%	179,088
Water Purchases	7,723,468	6,065,797	208,885	1,448,786	81.2%	5,637,060
Debt Service	4,831,189	3,563,159	-	1,268,030	73.8%	3,643,762
Capital Outlay Transfers	11,284,416	9,403,680	-	1,880,736	83.3%	2,791,418
Equipment	195,427	61,564	25,094	108,769	44.3%	72,270
Capitalized Fixed Assets	124,200	77,000	2,777	44,422	64.2%	86,750
Other	55,000	27,215	-	27,785	49.5%	26,843
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
<b>TOTAL EXPENSES</b>	<u>43,447,024</u>	<u>31,060,759</u>	<u>1,905,115</u>	<u>10,481,150</u>	<u>75.9%</u>	<u>24,357,898</u>

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

**WASTEWATER OPERATING FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Service Charges	14,926,192	12,298,523	-	2,627,669	82.4%	11,565,333
Fees	493,222	617,912	-	(124,690)	125.3%	714,924
Investment Income	267,300	188,229	-	79,071	70.4%	244,249
Public Works	10,000	33,331	-	(23,331)	333.3%	33,572
Miscellaneous	25,000	24,891	-	109	99.6%	77,419
Operating Transfers-In	674,096	561,747	-	112,349	83.3%	-
<b>TOTAL REVENUES</b>	<u>16,395,810</u>	<u>13,724,633</u>	<u>-</u>	<u>2,671,177</u>	<u>83.7%</u>	<u>12,635,497</u>
<b>EXPENSES</b>						
Salaries & Benefits	5,148,257	4,129,522	-	1,018,735	80.2%	4,092,307
Materials, Supplies & Services	6,195,715	4,633,362	1,120,187	442,166	92.9%	4,331,953
Special Projects	100,000	2,104	-	97,896	2.1%	151,671
Debt Service	1,352,213	324,512	-	1,027,701	24.0%	334,388
Capital Outlay Transfers	4,592,559	3,827,133	-	765,427	83.3%	5,246,250
Equipment	98,044	32,674	44	65,326	33.4%	29,036
Capitalized Fixed Assets	26,000	12,917	2,777	10,306	60.4%	58,050
Other	5,000	1,000	-	4,000	20.0%	1,000
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
<b>TOTAL EXPENSES</b>	<u>17,667,788</u>	<u>12,963,224</u>	<u>1,123,008</u>	<u>3,581,556</u>	<u>79.7%</u>	<u>14,244,654</u>

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**  
**DOWNTOWN PARKING**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Improvement Tax	840,000	785,168	-	54,832	93.5%	769,242
Parking Fees	5,662,166	5,076,469	-	585,697	89.7%	4,680,945
Investment Income	137,600	99,163	-	38,437	72.1%	125,549
Rents & Concessions	40,925	40,925	-	-	100.0%	23,740
Reimbursements	-	-	-	-	100.0%	4,598
Miscellaneous	1,500	(764)	-	2,264	-50.9%	12,184
Operating Transfers-In	353,858	294,882	-	58,976	83.3%	36,250
<b>TOTAL REVENUES</b>	<u>7,036,049</u>	<u>6,295,843</u>	<u>-</u>	<u>740,206</u>	<u>89.5%</u>	<u>5,652,509</u>
<b>EXPENSES</b>						
Salaries & Benefits	3,799,707	3,120,945	-	678,762	82.1%	3,051,945
Materials, Supplies & Services	1,842,052	1,355,611	130,711	355,730	80.7%	1,242,005
Special Projects	574,522	438,876	50,828	84,817	85.2%	106,890
Transfers-Out	297,121	247,601	-	49,520	83.3%	260,518
Capital Outlay Transfers	1,043,270	869,392	-	173,878	83.3%	550,000
Equipment	25,760	3,437	5,980	16,343	36.6%	12,687
<b>TOTAL EXPENSES</b>	<u>7,582,431</u>	<u>6,035,862</u>	<u>187,519</u>	<u>1,359,051</u>	<u>82.1%</u>	<u>5,224,045</u>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**  
**AIRPORT OPERATING FUND**

	<b>Annual Budget</b>	<b>YTD Actual</b>	<b>Encum- brances</b>	<b>Remaining Balance</b>	<b>Percent of Budget</b>	<b>Previous YTD</b>
<b>REVENUES</b>						
Leases - Commercial / Industrial	4,171,000	3,621,710	-	549,290	86.8%	3,576,840
Leases - Terminal	5,183,033	3,846,457	-	1,336,576	74.2%	4,001,094
Leases - Non-Commerical Aviation	1,361,600	1,245,896	-	115,704	91.5%	1,245,576
Leases - Commerical Aviation	3,465,000	2,556,741	-	908,259	73.8%	1,921,022
Investment Income	214,300	147,405	-	66,895	68.8%	195,305
Miscellaneous	185,052	235,812	-	(50,760)	127.4%	102,069
Operating Transfers-In	450,503	250,138	-	200,365	55.5%	-
<b>TOTAL REVENUES</b>	<b>15,030,488</b>	<b>11,904,159</b>	<b>-</b>	<b>3,126,329</b>	<b>79.2%</b>	<b>11,041,906</b>
<b>EXPENSES</b>						
Salaries & Benefits	5,001,631	4,103,868	-	897,763	82.1%	3,929,368
Materials, Supplies & Services	6,646,161	5,036,375	456,988	1,152,798	82.7%	4,906,539
Special Projects	941,298	628,309	-	312,989	66.7%	532,579
Transfers-Out	44,212	36,843	-	7,369	83.3%	25,874
Debt Service	1,113,099	-	-	1,113,099	0.0%	-
Capital Outlay Transfers	3,853,399	3,628,868	-	224,531	94.2%	1,955,701
Equipment	129,276	58,083	-	71,193	44.9%	25,973
Appropriated Reserve	181,613	-	-	181,613	0.0%	-
<b>TOTAL EXPENSES</b>	<b>17,910,688</b>	<b>13,492,346</b>	<b>456,988</b>	<b>3,961,355</b>	<b>77.9%</b>	<b>11,376,035</b>

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

**GOLF COURSE FUND**

	<b>Annual Budget</b>	<b>YTD Actual</b>	<b>Encum- brances</b>	<b>Remaining Balance</b>	<b>Percent of Budget</b>	<b>Previous YTD</b>
<b>REVENUES</b>						
Fees & Card Sales	1,640,801	1,203,559	-	437,242	73.4%	1,230,852
Investment Income	9,900	8,537	-	1,363	86.2%	10,638
Rents & Concessions	302,322	223,014	-	79,308	73.8%	248,130
Miscellaneous	3,500	403	-	3,097	11.5%	56,464
Operating Transfers-In	103,623	86,353	-	17,271	83.3%	-
<b>TOTAL REVENUES</b>	<b>2,060,146</b>	<b>1,521,865</b>	<b>-</b>	<b>538,281</b>	<b>73.9%</b>	<b>1,546,084</b>
<b>EXPENSES</b>						
Salaries & Benefits	1,111,449	912,017	-	199,432	82.1%	922,563
Materials, Supplies & Services	547,478	392,633	92,082	62,763	88.5%	429,051
Special Projects	10,724	-	4,524	6,200	42.2%	2,490
Debt Service	230,294	180,294	-	50,000	78.3%	180,532
Capital Outlay Transfers	92,036	76,697	-	15,339	83.3%	58,333
Equipment	27,500	1,013	-	26,487	3.7%	3,897
Other	1,014	847	-	167	83.5%	847
Appropriated Reserve	45,375	-	-	45,375	0.0%	-
<b>TOTAL EXPENSES</b>	<b>2,065,870</b>	<b>1,563,501</b>	<b>96,606</b>	<b>405,763</b>	<b>80.4%</b>	<b>1,597,713</b>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

**INTRA-CITY SERVICE FUND**

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
<b>REVENUES</b>						
Service charges	99,584	82,987	-	16,597	83.3%	-
Work Orders - Bldg Maint.	3,035,446	2,630,966	-	404,480	86.7%	2,667,078
Grants	617,472	542,409	-	75,063	87.8%	125,499
Service Charges	2,033,543	1,694,783	-	338,760	83.3%	1,443,804
Reimbursements	-	792	-	(792)	100.0%	-
Miscellaneous	360,000	6,388	-	353,612	1.8%	283
Operating Transfers-In	334,902	279,085	-	55,817	83.3%	-
<b>TOTAL REVENUES</b>	<u>6,480,947</u>	<u>5,237,410</u>	<u>-</u>	<u>1,243,537</u>	<u>80.8%</u>	<u>4,236,664</u>
<b>EXPENSES</b>						
Salaries & Benefits	3,107,626	2,493,219	-	614,407	80.2%	2,321,524
Materials, Supplies & Services	1,105,502	899,459	91,902	114,141	89.7%	805,644
Special Projects	1,680,989	1,184,227	272,800	223,962	86.7%	706,135
Equipment	15,000	2,661	345	11,994	20.0%	13,540
Capitalized Fixed Assets	774,595	471,806	212,423	90,366	88.3%	183,073
<b>TOTAL EXPENSES</b>	<u>6,683,711</u>	<u>5,051,372</u>	<u>577,470</u>	<u>1,054,869</u>	<u>84.2%</u>	<u>4,029,916</u>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

**FLEET REPLACEMENT FUND**

	<b>Annual Budget</b>	<b>YTD Actual</b>	<b>Encum- brances</b>	<b>Remaining Balance</b>	<b>Percent of Budget</b>	<b>Previous YTD</b>
<b>REVENUES</b>						
Vehicle Rental Charges	1,805,982	1,500,995	-	304,987	83.1%	1,492,856
Investment Income	149,700	115,103	-	34,597	76.9%	135,264
Rents & Concessions	224,401	187,001	-	37,400	83.3%	193,618
Miscellaneous	50,000	68,843	-	(18,843)	137.7%	46,289
<b>TOTAL REVENUES</b>	<b>2,230,083</b>	<b>1,871,942</b>	<b>-</b>	<b>358,141</b>	<b>83.9%</b>	<b>1,868,026</b>
<b>EXPENSES</b>						
Salaries & Benefits	158,537	134,989	-	23,548	85.1%	127,116
Materials, Supplies & Services	2,452	1,593	-	859	65.0%	1,503
Special Projects	300,000	-	-	300,000	0.0%	-
Capitalized Fixed Assets	1,041,657	261,971	215,636	564,050	45.9%	1,747,672
<b>TOTAL EXPENSES</b>	<b>1,502,646</b>	<b>398,554</b>	<b>215,636</b>	<b>888,456</b>	<b>40.9%</b>	<b>1,876,290</b>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

**FLEET MAINTENANCE FUND**

	<b>Annual Budget</b>	<b>YTD Actual</b>	<b>Encum- brances</b>	<b>Remaining Balance</b>	<b>Percent of Budget</b>	<b>Previous YTD</b>
<b>REVENUES</b>						
Vehicle Maintenance Charges	2,371,918	1,976,598	-	395,320	83.3%	1,974,515
Miscellaneous	60,000	28,702	-	31,298	47.8%	7,520
Operating Transfers-In	98,805	82,338	-	16,468	83.3%	-
<b>TOTAL REVENUES</b>	<b>2,530,723</b>	<b>2,087,637</b>	<b>-</b>	<b>443,086</b>	<b>82.5%</b>	<b>1,982,035</b>
<b>EXPENSES</b>						
Salaries & Benefits	1,147,349	963,235	-	184,114	84.0%	952,382
Materials, Supplies & Services	1,269,663	822,771	151,339	295,553	76.7%	900,137
Special Projects	60,000	22,475	26,129	11,396	81.0%	35,199
Equipment	5,000	810	-	4,190	16.2%	1,653
Capitalized Fixed Assets	-	-	500	(500)	100.0%	-
<b>TOTAL EXPENSES</b>	<b>2,482,012</b>	<b>1,809,291</b>	<b>177,969</b>	<b>494,753</b>	<b>80.1%</b>	<b>1,889,371</b>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

**SELF INSURANCE TRUST FUND**

	<b>** Annual Budget</b>	<b>YTD Actual</b>	<b>Encum- brances</b>	<b>Remaining Balance</b>	<b>Percent of Budget</b>	<b>Previous YTD</b>
<b>REVENUES</b>						
Insurance Premiums	2,547,084	2,122,570	-	424,514	83.3%	2,153,984
Workers' Compensation Premiums	2,500,000	2,083,333	-	416,667	83.3%	2,202,984
OSH Charges	182,894	-	-	182,894	0.0%	-
Investment Income	161,700	97,440	-	64,260	60.3%	149,672
Reimbursements	-	967	-	(967)	100.0%	316
Miscellaneous	-	24,255	-	(24,255)	100.0%	47,414
<b>TOTAL REVENUES</b>	<b>5,391,678</b>	<b>4,328,564</b>	<b>-</b>	<b>1,063,114</b>	<b>80.3%</b>	<b>4,554,370</b>
<b>EXPENSES</b>						
Salaries & Benefits	500,761	365,951	-	134,810	73.1%	328,366
Materials, Supplies & Services	4,860,238	4,033,294	145,986	680,958	86.0%	3,958,461
Special Projects	-	-	-	-	100.0%	100
Transfers-Out	3,694,328	3,078,292	-	616,036	83.3%	717,988
Equipment	-	-	-	-	100.0%	650
<b>TOTAL EXPENSES</b>	<b>9,055,327</b>	<b>7,477,537</b>	<b>145,986</b>	<b>1,431,804</b>	<b>84.2%</b>	<b>5,005,566</b>

*\*\* The Self Insurance Trust Fund is an internal service fund of the City, which accounts for the cost of providing workers' compensation, property and liability insurance as well as unemployment insurance and certain self-insured employee benefits on a city-wide basis. Internal Service Funds charge other funds for the cost of providing their specific services.*

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

**INFORMATION SYSTEMS ICS FUND**

	<b>Annual Budget</b>	<b>YTD Actual</b>	<b>Encum- brances</b>	<b>Remaining Balance</b>	<b>Percent of Budget</b>	<b>Previous YTD</b>
<b>REVENUES</b>						
Service charges	2,286,395	1,905,328	-	381,067	83.3%	1,909,653
Miscellaneous	-	1,209	-	(1,209)	100.0%	-
Operating Transfers-In	19,740	16,450	-	3,290	83.3%	37,200
<b>TOTAL REVENUES</b>	<b>2,306,135</b>	<b>1,922,987</b>	<b>-</b>	<b>383,148</b>	<b>83.4%</b>	<b>1,946,853</b>
<b>EXPENSES</b>						
Salaries & Benefits	1,502,407	1,253,638	-	248,769	83.4%	1,252,837
Materials, Supplies & Services	553,174	491,097	57,845	4,231	99.2%	441,500
Special Projects	3,700	5,346	2,122	(3,767)	201.8%	4,053
Equipment	276,637	124,238	22,067	130,333	52.9%	147,184
Appropriated Reserve	11,432	-	-	11,432	0.0%	-
<b>TOTAL EXPENSES</b>	<b>2,347,350</b>	<b>1,874,318</b>	<b>82,034</b>	<b>390,998</b>	<b>83.3%</b>	<b>1,845,574</b>

**CITY OF SANTA BARBARA**  
**Interim Statement of Revenues and Expenses**  
**For the Ten Months Ended April 30, 2012 (83.3% of Fiscal Year)**

**WATERFRONT FUND**

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
<b>REVENUES</b>						
Leases - Commercial	1,332,869	1,203,021	-	129,848	90.3%	1,117,146
Leases - Food Service	2,352,254	2,048,615	-	303,639	87.1%	1,926,977
Slip Rental Fees	3,998,521	3,308,423	-	690,098	82.7%	3,210,049
Visitors Fees	463,000	329,850	-	133,150	71.2%	349,068
Slip Transfer Fees	425,000	471,100	-	(46,100)	110.8%	363,525
Parking Revenue	1,911,450	1,589,232	-	322,218	83.1%	1,454,789
Wharf Parking	244,000	200,516	-	43,484	82.2%	180,935
Other Fees & Charges	380,911	294,353	-	86,558	77.3%	313,406
Investment Income	185,859	148,349	-	37,510	79.8%	174,628
Rents & Concessions	301,173	265,573	-	35,600	88.2%	278,658
Grants	-	-	-	-	100.0%	4,256
Miscellaneous	155,000	149,564	-	5,436	96.5%	113,108
Operating Transfers-In	453,481	377,901	-	75,580	83.3%	-
<b>TOTAL REVENUES</b>	<b>12,203,518</b>	<b>10,386,498</b>	<b>-</b>	<b>1,817,020</b>	<b>85.1%</b>	<b>9,486,545</b>
<b>EXPENSES</b>						
Salaries & Benefits	5,461,051	4,568,897	-	892,154	83.7%	4,567,918
Materials, Supplies & Services	3,455,120	2,646,366	542,178	266,577	92.3%	2,558,783
Special Projects	137,020	104,469	-	32,551	76.2%	86,363
Debt Service	1,776,789	1,412,756	-	364,033	79.5%	1,415,238
Capital Outlay Transfers	934,483	778,736	-	155,747	83.3%	807,801
Equipment	117,500	62,383	6,550	48,567	58.7%	27,307
Capitalized Fixed Assets	50,000	-	42,345	7,655	84.7%	-
Other	-	2,540	-	(2,540)	100.0%	2,540
Appropriated Reserve	50,000	-	-	50,000	0.0%	-
<b>TOTAL EXPENSES</b>	<b>11,981,963</b>	<b>9,576,147</b>	<b>591,073</b>	<b>1,814,743</b>	<b>84.9%</b>	<b>9,465,949</b>

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012

**TO:** Mayor and Councilmembers

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

**SUBJECT:** TEFRA Hearing For Housing Authority Bond Issuance

**RECOMMENDATION:** That Council:

- A. Hold a public hearing with respect to the proposed issuance by the Housing Authority of the City of Santa Barbara ("Housing Authority") of debt obligations in an amount of approximately \$23,000,000 ("Bonds"); and
- B. Adopt, by reading of title only, A Resolution of The Council of the City of Santa Barbara Approving the Incurring of Tax Exempt Obligations by the Housing Authority of the City of Santa Barbara for the Purpose of Providing Financing for the Acquisition and Rehabilitation of SHIFCO and Villa La Cumbre Senior Rental Housing Facilities.

### **DISCUSSION:**

#### Project

The Housing Authority owns the following affordable residential rental facilities located in the City of Santa Barbara (Project):

1. A 107-unit senior apartment complex located at 401-419 Santa Fe Place, 1433-1443 La Vista Del Oceano, and 1420, 1422, 1424, 1426, 1428 and 1430 Cliff Drive commonly known as SHIFCO, and
2. A 60-unit senior apartment complex located at 521 North La Cumbre Road commonly known as Villa La Cumbre.

The Project is and will continue to be rented to persons and families of low or very low income as required by the Health and Safety Code as it pertains to the operations of housing authorities and the Internal Revenue Code of 1986, as amended.

Proposed Use of Tax Exempt Revenue Bonds

The proceeds of the Bonds will be used to develop new affordable rental housing and/or rehabilitate other affordable rental housing projects it owns. A portion of the Bonds will also pay for certain expenses incurred in connection with the issuance of the Bonds

The Redevelopment Agency provided a loan of \$886,700 in Redevelopment Agency Housing Set Aside funds to the Villa La Cumbre project in April 2000. At this time, there has been no request that this loan be subordinated to the new financing.

TEFRA Hearing

The City is not liable for the bond issue and the City is not in any way put at risk. Because the Project is located in the City of Santa Barbara, the City is considered the host jurisdiction and the Tax and Equity Fiscal Responsibility Act of 1982 (TEFRA) mandates that the applicable elected representative body (City Council) approve the bond issue after holding a public hearing on the subject. Through the public hearing process, the public is afforded the opportunity to be heard on all matters relative to the location, operation, and financing of the Project. After consideration of the comments, staff recommends that Council adopt a resolution authorizing the bond issue.

**ATTACHMENT(S):** 1. TEFRA Hearing Public Notice  
2. Housing Authority Resolution

**PREPARED BY:** Sue Gray, Administrative Services Manager/SK

**SUBMITTED BY:** Paul Casey, Assistant City Administrator

**APPROVED BY:** City Administrator's Office

**SANTA BARBARA NEWS PRESS**  
**Proof of Publication**  
**(2015.5C.C.P)**

**Superior Court of  
the State of California  
In and for The County of Santa Barbara**

**Envelope No. 44111**

**In the Matter of: Notice of Public Hearing**

The undersigned, being the principal clerk of the printer of the Santa Barbara News Press, a newspaper of general circulation, printed and published daily in the City of Santa Barbara, County of Santa Barbara, California and which newspaper has been adjudged a newspaper of general circulation by the Superior Court in the County of Santa Barbara, State of California, Adjudication Number 47171; and that affiant is the principal clerk of said Santa Barbara News Press. That the printed notice hereto annexed was published in the SANTA BARBARA NEWS-PRESS, in the issues of the following named dates

MAY 24 / 2012

all in the year 2012 I hereby certify (or declare) under penalty of perjury that that foregoing is true and correct.

Executed on this 24<sup>th</sup> of MAY 2012 at Santa Barbara, CA.



Signature

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on June 12, 2012, a public hearing as required by Section 147(f) of the Internal Revenue Code of 1986 will be held by the City Council of the City of Santa Barbara (the "City") with respect to the proposed issuance by the Housing Authority of the City of Santa Barbara (the "Authority") of debt obligations (which may be in the form of a loan evidenced by a note or tax-exempt revenue bonds, and referred to in this Notice as the "Bonds") in one or more series in an aggregate amount of approximately \$23,000,000. The proceeds of the Bonds will be used to: (1) finance the acquisition and rehabilitation of a 107 unit senior rental housing facility located at 401-419 Sante Fe Place, 1433-1443 La Vista Del Oceano and 1420, 1422, 1424, 1426, 1428 and 1430 Cliff Drive, all in the City and commonly known collectively as SHIFCO; (2) finance the acquisition and rehabilitation of a 60 unit senior rental housing facility located at 521 N. La Cumbre Road in the City and commonly known as Villa La Cumbre; and (3) pay certain expenses incurred in connection with the issuance of the Bonds. The facilities to be financed are to be owned by a California limited partnership (the "Borrower") to be formed by the Authority, and the facilities will be operated initially by the Authority or another entity selected by the Borrower. All or a portion of the rental units in the facilities will be rented to persons and families of low or very low income.

The Bonds and the obligation to pay principal of and interest thereon and any redemption premium with respect thereto will not constitute an indebtedness or an obligation of the Authority, the City of Santa Barbara, the State of California or any political subdivision thereof within the meaning of any constitutional or statutory debt limitation, or a charge against the general credit or taxing powers of any of them, but will be payable solely from certain revenues duly pledged therefor and generally representing amounts paid by the Borrower.

The hearing will commence at 2:00 p.m. or as soon thereafter as the matter can be heard, and will be held in the City Council Chambers, located at 735 Anacapa Street, Santa Barbara, California. Interested persons wishing to express their views on the issuance of the Bonds or on the nature and location of the facilities proposed to be financed may attend the public hearing or, prior to the time of the hearing, submit written comments.

Additional information concerning the facilities to be financed may be obtained from Bob Peirson, Director of Finance of the Authority, telephone number (805) 897-1058; and any written comments should be sent prior to the public hearing to the City Clerk of the City of Santa Barbara, at 735 Anacapa Street, Santa Barbara, California 93101.

MAY 24 / 12 -- 44111

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA SETTING FORTH THE AUTHORITY'S OFFICIAL INTENT TO INCUR A TAX-EXEMPT OBLIGATION IN ORDER TO FINANCE THE ACQUISITION AND REHABILITATION OF SHIFCO AND VILLA LA CUMBRE, AND AUTHORIZING RELATED ACTIONS**

WHEREAS, the Housing Authority of the City of Santa Barbara (the "Authority") is authorized by Chapter 1 (commencing with Section 34200) of Part 2 of Division 24 of the Health and Safety Code of the State of California, as amended (the "Act") to incur indebtedness and to make loans for the purpose of financing the acquisition and rehabilitation of multifamily rental housing facilities located within the area of operation of the Authority; and

WHEREAS, the Authority is the fee title owner of a 107 unit senior apartment complex located at 401-419 Santa Fe Place, 1433-1443 La Vista Del Oceano and 1420, 1422, 1424, 1426, 1428 and 1430 Cliff Drive, all in the City of Santa Barbara (the "City") commonly known collectively as SHIFCO, and a 60 unit senior apartment complex located at 521 No. La Cumbre Road in the City commonly known as Villa La Cumbre (collectively, the "Projects"); and

WHEREAS, on April 4, 2012, the Members of the Authority adopted Resolution No. 2482, pursuant to which the Authority expressed its intent to enter into agreements necessary to sell, for the purpose of recapitalizing and rehabilitating the Projects multifamily housing revenue bonds or otherwise incur indebtedness (referred to in this Resolution as the "Bonds") and to lend the proceeds of the Bonds to a limited partnership to be established by the Authority (the "Borrower") that will acquire and rehabilitate the Projects; and

WHEREAS, the Authority, in the course of assisting the Borrower in financing the Projects, expects that the Borrower, once it is formed, may pay certain expenditures (the "Reimbursement Expenditures") in connection with the Projects prior to the date of issuance of the Bonds; and

WHEREAS, Section 1.150-2 of the United States Treasury Regulations (the "Treasury Regulations") requires that the Authority declare its official intent to reimburse the Reimbursement Expenditures for the Projects with proceeds of a subsequent tax-exempt borrowing if the proceeds of the borrowing are to be used to finance the Reimbursement Expenditures; and

WHEREAS, the Authority wishes to declare its intention to authorize the issuance of the Bonds for the purpose of financing costs of the acquisition and rehabilitation by the Borrower of the Projects (including reimbursement of the Reimbursement Expenditures) upon such terms and conditions as may then be agreed upon by the Authority, the Borrower and the purchaser of the Bonds, in an aggregate principal amount not to exceed \$23,000,000; and

WHEREAS, Section 146 of the Internal Revenue Code of 1986 limits the amount of multifamily housing bonds that may be issued in any calendar year by entities within a state (the "state ceiling") and authorizes the governor or the legislature of a state to provide the method of allocation within the state; and

WHEREAS, Chapter 11.8 of Division 1 of Title 2 of the California Government Code governs the allocation of the state ceiling among governmental units in the State of California having the authority to issue private activity bonds; and

WHEREAS, Section 8869.85(b) of the California Government Code requires a local agency desiring an allocation of the state ceiling for a particular financing to file an application with the California Debt Limit Allocation Committee (“CDLAC”) for such an allocation, and CDLAC has certain policies that are to be satisfied in connection with any such allocation; and

WHEREAS, it is in the public interest, for the public benefit and in furtherance of the public purposes of the Authority that the Authority declares its official intent to issue the Bonds to finance the Projects and to authorize the Executive Director to take all actions necessary to apply to CDLAC for an allocation of tax-exempt bond authority for the Projects.

NOW, THEREFORE, BE IT RESOLVED by the Housing Authority of the City of Santa Barbara, as follows:

1. The Authority hereby finds and determines that it is necessary and desirable to provide financing for the acquisition and rehabilitation by the Borrower of the Projects (including reimbursement of the Reimbursement Expenditures) by the issuance and sale of the Bonds pursuant to the Act in the aggregate principal amount not to exceed \$23,000,000.

2. This Resolution is being adopted by the Authority for the purpose of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. In that regard, the Authority declares its official intent that the Authority use proceeds of the Bonds to reimburse the Reimbursement Expenditures. This action is taken expressly for the purpose of inducing the Borrower to undertake the Projects.

3. The Executive Director of the Authority is hereby authorized and directed to apply to CDLAC for an allocation of the state ceiling of private activity bonds for the Bonds to be issued by the Authority for the Projects in an amount not to exceed \$23,000,000, and to take any and all other actions as may be necessary or appropriate in connection with such application, including but not limited to the payment of fees, the posting of a performance deposit and the provision of certificates.

4. The law firm of Quint & Thimmig LLP is hereby designated as bond counsel to the Authority for the Bonds. The Executive Director is hereby authorized to execute an agreement with such firm for its services related to the Bonds in a form acceptable to the Executive Director; provided that any and all compensation to such firm is contingent upon the successful issuance of the Bonds.

5. Notwithstanding the foregoing, the issuance of the Bonds shall only occur on terms that are satisfactory to the Authority, and subject to the adoption by the Authority of a resolution approving the documents providing for the terms of the Bonds.

This Resolution shall take effect immediately upon its adoption.

THE FOREGOING RESOLUTION is approved and adopted by the Housing Authority of the City of Santa Barbara this \_\_\_\_ day of May, 2012.

---

MARY JOHNSTON, Chair  
Housing Authority of the  
City of Santa Barbara

ATTEST:

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ROBERT G. PEARSON, Secretary  
Housing Authority of the  
City of Santa Barbara

STATE OF CALIFORNIA  
COUNTY OF SANTA BARBARA  
CITY OF SANTA BARBARA

I, Robert G. Pearson, Secretary of the Housing Authority of the City of Santa Barbara, do hereby certify that the foregoing Resolution No. \_\_\_\_ was passed and adopted at a regular meeting of the Housing Authority of the City of Santa Barbara held on the \_\_\_\_ day of May, 2012, by the following vote of the members thereof:

AYES: Authority Members:

NAYS: Authority Members:

ABSENT: Authority Members:

AND I FURTHER CERTIFY that the Chair of the Housing Authority of the City of Santa Barbara signed said Resolution on the \_\_\_\_ day of May, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal this \_\_\_\_ day of May, 2012.

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SECRETARY OF THE HOUSING AUTHORITY  
OF THE CITY OF SANTA BARBARA

19007.20:J11699  
4/24/12

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING THE INCURRING OF TAX EXEMPT OBLIGATIONS BY THE HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA FOR THE PURPOSE OF PROVIDING FINANCING FOR THE ACQUISITION AND REHABILITATION OF SHIFCO AND VILLA LA CUMBRE SENIOR RENTAL HOUSING FACILITIES

WHEREAS, the Housing Authority of the City of Santa Barbara (the "Authority") is authorized by Chapter 1 of Part 2 of Division 24 of the Health and Safety Code of the State of California, as amended (the "Act"), to incur indebtedness and to make loans for housing purposes specified in the Act;

WHEREAS, the Authority currently owns a 107 unit senior apartment complex located at 401-419 Santa Fe Place, 1433-1443 La Vista Del Oceano and 1420, 1422, 1424, 1426, 1428 and 1430 Cliff Drive, all in the City of Santa Barbara (the "City") and commonly known collectively as SHIFCO, and a 60 unit senior apartment complex located at 521 N. La Cumbre Road in the City commonly known as Villa La Cumbre (collectively, the "Projects"), and the Authority has indicated that it intends to establish a California limited partnership (the "Borrower") and to sell the facilities constituting the Projects to the Borrower;

WHEREAS, in order to assist the Borrower in acquiring and rehabilitating the Projects, the Authority has indicated that it intends to issue debt obligations (which may be in the form of a loan evidenced by a note or tax-exempt revenue bonds, and referred to in this Resolution as the "Bonds") in the approximate amount of \$23,000,000, and to loan the proceeds of the Bonds to the Borrower;

WHEREAS, a portion of the housing units in the Projects will be rented to persons and families of low or very low income as required by the Act and the Internal Revenue Code of 1986, as amended (the "Code");

WHEREAS, the Bonds will be considered to be a "qualified exempt facility bonds" under Section 142(a) of the Code;

WHEREAS, Section 147(f) of the Code requires that the "applicable elected representative" with respect to the Authority approve the issuance by the Authority of the Bonds following the holding of a public hearing with respect thereto;

WHEREAS, the Authority has determined that the City Council of the City is the "applicable elected representative" to approve the issuance by the Authority of the Bonds;

WHEREAS, notice of a public hearing by the City Council regarding the financing of the Projects has been duly given as required by the Code;

WHEREAS, the City Council has held the public hearing at which all interested persons were given an opportunity to be heard on all matters relative to the location, operation and financing of the Projects, including the Authority's issuance of the Bonds and subsequent lending of the proceeds thereof to the Borrower; and

WHEREAS, it is in the public interest, for the public benefit and in furtherance of the public purpose of the City that the City Council approve the issuance by the Authority of the Bonds for the aforesaid purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA BARBARA THAT the issuance of the Bonds by the Authority for the purpose of providing funds to make a loan to the Borrower to enable the Borrower to finance the acquisition and rehabilitation of the Projects is hereby approved.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Amendment To Housing Authority Loan For Bradley Studios Project

### **RECOMMENDATION:**

That Council authorize the Assistant City Administrator to negotiate and, subject to approval by the City Attorney, to execute an amendment to a loan agreement entered in June 2008 between the Redevelopment Agency (Agency) and the City of Santa Barbara Housing Authority (Housing Authority).

### **DISCUSSION:**

The Housing Authority requests that the City amend a property acquisition loan made by the former Agency in June 2008. The proceeds of the loan were used by the Housing Authority to finance the acquisition of the property at 512-518 Bath Street that is currently under construction with the Bradley Studios project, a new 53-unit affordable housing project for low income downtown workers and homeless persons. A subsequent amendment to the loan terms was anticipated and described in reports to the Finance Committee and the Agency Board. Staff recommends that the amendment now proceed.

In June 2008 the Housing Authority received a no interest loan of \$4,800,000 from Redevelopment Agency Housing Set-aside Funds for acquisition of the property. This loan enabled the Housing Authority to land bank the site for future development of a new affordable housing project. At the time the property was acquired, staff did not know when the Housing Authority would proceed with a project. Loan repayment was structured as a fully amortized ten-year note starting July 2011 as a precaution in the event progress was not made in developing a project.

The loan included a provision that allowed the Agency, in its discretion, to amend the loan to conform to standard loan terms for affordable rental housing development, which is an action staff typically recommends when sufficient progress is made in developing a project. Using City standard loan term parameters, the amended loan would have a 55-year term and include three percent simple interest. Payments on the loan would be

deferred until January 2015. Payments would then be made on a residual receipts basis, which means monthly payments would be due only to the extent the project generates positive cash flow. A final balloon payment would be due at the end of the loan's 55-year term. The \$4,800,000 principal amount of the loan would remain the same. The terms of the Housing Authority loan amendment described above were outlined in the April 15, 2008 Finance Committee staff report and the April 22, 2008 Redevelopment Agency staff report.

As of June 30, 2011, (the loan amortization date) the Housing Authority had made sufficient progress to warrant amending the terms of the land acquisition loan. At that point, the Bradley Studios project had secured their development entitlements, had been awarded additional Redevelopment Agency Housing Set-aside funds through a loan agreement executed on June 21, 2011, and had submitted their successful application for tax credits. Today, the project is well under construction, with completion expected before the end of 2012 and full occupancy expected in 2013.

The City, as the successor housing entity to the former Redevelopment Agency, assumed the housing assets and functions of the Agency and is therefore the appropriate body to consider the request to amend the loan. Staff supports amending the loan terms, and the City's Finance Committee approved the proposed loan amendment at its June 5, 2012, meeting.

**ATTACHMENT:** Letter from the Housing Authority dated December 12, 2011

**PREPARED BY:** Sue Gray, Administrative Services Manager/SK

**SUBMITTED BY:** Paul Casey, Assistant City Administrator

**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

December 12, 2011

**VIA EMAIL**

Mr. Brian Bosse, Housing & Redevelopment Manager  
Community Development Department  
City of Santa Barbara  
630 Garden St.  
Santa Barbara, CA 93101

RE: REQUEST FOR CONVERSION TO RESIDUAL RECEIPTS LOAN—LOAN AGREEMENT 510  
BETWEEN RDA AND HACSB FOR LAND ACQUISITION FOR 512 BATH/BRADLEY STUDIOS

Dear Brian:

Pursuant to our telephone conversation today, it is appropriate for the Housing Authority and Redevelopment Agency to move forward on formal action to recast the RDA land acquisition loan they provided us for 512 Bath St. to a residual receipts loan with a 55 year term. We discussed this need earlier this year but agreed it was best to wait for the results of the 2011 Round II California Tax Credit Allocation Committee's to determine if Bradley Studios at 512 Bath St. was indeed going to move forward.

We now know Bradley Studios' positive result. The project's groundbreaking is set for next month—January 12, 2012 to be exact. Thus, we now need to return to the RDA Board to formally convert the original three year \$4.8 million dollar land loan that was due on June 30, 2011, to a 55 year residual receipts loan. This conversion was always envisioned if a successful housing project for the site could be brought to fruition. A copy of Agreement 510 is enclosed.

Should you or your staff require any additional information to modify or recast the subject loan as requested, please let me know.

Sincerely,

HOUSING AUTHORITY OF THE  
CITY OF SANTA BARBARA

ROBERT G. PEARSON  
Executive Director/CEO

cc: R. Fredericks, Deputy Executive Director  
B. Peirson, Finance Director



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012

**TO:** Mayor and Councilmembers

**FROM:** Water Resources Division, Public Works Department  
Administration Division, Finance Department

**SUBJECT:** Public Hearing Regarding Proposed City Utility Rate Increases

**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 2013; and
- B. Provide direction to staff regarding any changes to the proposed Fiscal Year 2013 utility rates.

### **DISCUSSION:**

As presented to Council during the development of the Fiscal Year 2013 recommended budget, staff is recommending increases in water, wastewater and solid waste collection fees for Fiscal Year 2013. Proposition 218, approved by California voters in 1996, requires that property owners be notified of planned rate increases and that a Public Hearing be held prior to the adoption of rate increases. Rate increases can be adopted unless a majority of property owners submit a written protest. Accordingly, the attached Notice of a Public Hearing was included with utility bills sent to City utility customers during March and April 2012. In addition, the notice about the proposed rate increases has been posted on the City's website. As of May 16, 2012, sixteen written protests had been received.

### Water and Wastewater Rates

For water service, staff recommends an across-the-board increase of 3.5 percent for all monthly service charges and metered water usage. The increase will help support major Water Fund capital projects, including the rehabilitation of ongoing water main replacement, rehabilitation of the recycled water filtration system, and capital maintenance work on the treatment and distribution facilities. With the recommended rates, the average single-family residential water customer, using 12 hundred cubic feet (HCF) of water per month, would see an increase of \$2.29 per month, from \$65.42 to \$67.71 per month.

For wastewater service, an across-the-board increase of 10 percent is proposed for monthly base charges and unit rates. Due to the April 2011 Santa Barbara Channelkeeper lawsuit, the City is proposing a 6 percent rate increase to pay for an accelerated schedule of sewer line rehabilitations and replacements as part of the negotiated settlement. This is in addition to the previously planned rate increase of 4 percent that is needed to continue the ongoing capital program to improve the wastewater system. The increase for the maximum bill to a single-family residential customer would be up to \$3.60 per month, from \$35.61 to \$39.21.

The proposed rate increases for water and wastewater service are consistent with the Water Resources Division's 10-year financial plan, developed to support the ongoing operation, maintenance, rehabilitation, and improvement of the water and wastewater systems. A principal goal of the plan is to perform required maintenance and replacement of capital facilities, as needed, to avoid the higher costs and other impacts associated with deferred maintenance, such as damage to other infrastructure from pipe ruptures and extended customer outages.

Water and Wastewater fees for services such as the installation of new connections have been carefully reviewed and are proposed to be adjusted to capture the cost of the service for which the charge is being issued.

#### Solid Waste Collection Fees

Staff has proposed a rate increase of 2.69 percent for all customer classes, including single-family residential, multi-unit residential units, and businesses. Of the total adjustment, 1.31 percent accounts for an increase in the solid waste "tipping fee" charged at the Tajiguas Landfill. The additional 1.38 percent represents an increase in the amounts paid to the City's contracted hauler, tied to the increase in the Consumer Price Index (CPI). The City is contractually obligated to compensate its franchised waste hauler for these increases. The City is currently engaged in negotiations with its franchised waste hauler on a new contract for the collection of trash and recyclables. If an agreement on a new contract can be reached, the hauler has agreed to forego the 1.38 percent CPI increase for Fiscal Year 2013.

#### Water Commission Review

The Water Commission discussed proposed changes to the Water and Sewer Fee Resolutions at its meeting of February 13, 2012. On April 9, 2012, the Commission discussed the proposed water and wastewater budgets for Fiscal Year 2013 as presented by staff, including proposed rate increases of the 3.5 percent for water and 10 percent for wastewater.

Finance Committee Review

On May 8, 2012, the Finance Committee received presentations from staff on proposed utility rate increases in water, wastewater and solid waste. The Committee made no recommendations. Rate and fee changes will be adopted by Resolution with the City's 2013 Budget.

**ATTACHMENT(S):** Notice of Public Hearing – Proposed Increase To Utility Rates

**PREPARED BY:** Rebecca Bjork, Water Resources Manager TL/mh

**SUBMITTED BY:** Christine F. Andersen, Public Works Director  
Robert Samario, Finance Director

**APPROVED BY:** City Administrator's Office

## NOTICE OF PUBLIC HEARING Proposed Increase to Utility Rates



**Date:** June 12, 2012  
**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 a recommendation to adopt a resolution, at the above-indicated time and place, to increase water, wastewater (sewer), and solid waste collection rates charged by the City. Increases would be effective on utility bills dated July 1, 2012 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 (Applicable only to customers billed by the City for water service)**

The proposed water rate change is a 3.5% increase to usage charges and monthly service charges for all customer classes. The monthly bill for the average in-City single family residential customer (12 hundred cubic feet of water) would increase by \$2.29. The proposed increase will fund operating costs and projects to replace and repair water mains, pumping stations, storage reservoirs, and the water treatment plant. These projects are needed to meet regulatory requirements and to keep the City's infrastructure in good shape to provide reliable water service for household use and fire protection.

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

In the past two years, the City has been successful in reducing the number of sewage spills and in 2011 there were no spills to local creeks or beaches. In April 2011 Santa Barbara ChannelKeeper sued the City over sewer spills. The City and ChannelKeeper have negotiated a settlement which requires the City to accelerate its program of rehabilitation and replacement of sewer pipelines. To fund this extra work, the City is proposing a 6% rate increase. This is in addition to the previously planned rate increase of 4% needed to continue the on-going capital program to improve the wastewater system. The combined 10% increase to wastewater rates will add up to \$3.60 per month for single family residential customers. For more information please go to [www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov).

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

The proposed rate increase is 2.69% of the City's current charges for all customer classes, including single family residential, multi-unit residential, and business. Of the total adjustment, 1.31% accounts for an increase in the solid waste "tipping fee" charged at the Tajiguas Landfill. The additional 1.38% represents an increase in the amounts paid to the City's contracted hauler tied to the increase in the Consumer Price Index (CPI). The City is contractually obligated to compensate its franchised waste hauler for these increases. The City is currently engaged in negotiations with its franchised waste hauler on a new contract for the collection of trash and recyclables. If agreement on a new contract can be reached, the hauler has agreed to forego the 1.38% CPI increase for Fiscal Year 2013.

***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](http://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 14, 2011. (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 Water and Wastewater Billing Comparisons – Current vs. Proposed Rates**

Customer Class	Example	Assumed Monthly Usage (hcf/mth)	Total Monthly Water & Wastewater Charges*		
			Current Rates	Proposed Rates	Combined Increase for Water & Sewer
Single Family Residential	Low User 5/8" meter	6	\$61.57	\$65.45	\$3.88
	Average User 5/8" meter	12	\$101.03	\$106.88	\$5.85
	Above Average User 1" meter	40	\$267.53	\$279.21	\$11.68
Multi-Family Residential Building	12 dwelling units 2" meter	60	\$600.01	\$639.97	\$39.96
Commercial	75% at Block 1 rate 25% at Block 2 rate 2" meter	60	\$563.86	\$593.58	\$29.72
Industrial/ High Strength Commercial	75% at Block 1 rate 25% at Block 2 rate 2" meter	100	\$925.76	\$978.31	\$52.55
Irrigation-Commercial	75% at Block 1 rate 25% at Block 2 rate 2" meter – no sewer	60	\$410.26	\$424.62	\$14.36
Recycled Water	2" meter – no sewer	250	\$579.51	\$599.79	\$20.28
Irrigation-Residential	1 acre of irrigated area 75% at Block 1 rate 25% at Block 2 rate 1" meter – no sewer Allotments are annualized – monthly average shown at right	40	\$237.38	\$245.69	\$8.31
Irrigation-Recreation		120	\$399.08	\$413.05	\$13.97
Irrigation-Agriculture		72	\$201.44	\$208.49	\$7.05
Out-of-City Customers	Currently charged at 130% of rates for corresponding in-City classes; no change is proposed in this percentage.				

\* Not including 6% utility tax on water, as applicable

**Typical Trash, Recycling, & Greenwaste Billing Comparisons  
Current vs. Proposed Rates  
(All collection frequencies 1 time per week)**

Service Level	Current Rates*	Proposed Rates*	\$ Change
<b>Basic Residential Service</b> (32-gal trash, 32-gal greenwaste, up to 96-gal recycle)	\$27.79	\$28.54	\$0.75
<b>Minimum Multi-Unit Residential (3 cans or less)</b> (3-32 gal trash/ + up to 96-gal greenwaste, up to 96-gal recycle)	\$35.52	\$36.48	\$0.96
<b>Multi-Unit Residential (4 cans)</b> (4-32 gal trash/week+ up to 96-gal greenwaste, up to 96-gal recycle)	\$38.68	\$39.72	\$1.04
<b>Sample Small Business Cart/Can Service</b> (96-gal trash/week, up to 96-gal greenwaste, up to 96- gal recycle)	\$60.89	\$62.53	\$1.64
<b>Sample Business Dumpster Service</b> (4yd trash/week, 4yd recycle/week)	\$387.79	\$398.22	\$10.43

\* 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](http://www.SantaBarbaraCA.gov/UtilityBilling)** or (805) 564-5460

RECEIVED

2012 APR -9 PM 2:57

CITY OF SANTA BARBARA  
CITY CLERK'S OFFICE

April 6, 2012

City of Santa Barbara

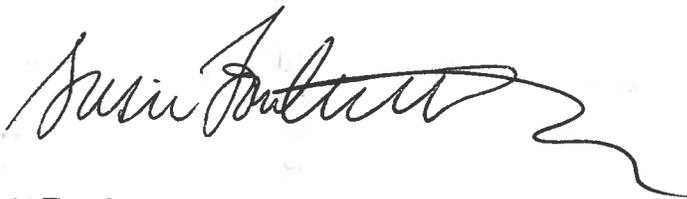
Re: Utility Rate Increase

I am opposed to the rate increase detailed in my recent water, sewer and trash bill. Last July 2011 you raised rates and now you are raising rates again. Each year once or twice a year you raise rates. Most of the money as we all know goes to wages and benefits. This year your rate hike will be \$3.04 PER MONTH!! For someone who is on a fixed income this is too much.

It is time for all to tighten their belts and this includes employees not getting a raise and taking less for benefits and paying more for some of those benefits. I never worked in all my life where I got benefits such as: pension, sick, holidays and I don't think that I should have to subsidize those that do. We all have to do our part to keep costs down and provide for ourselves now and for the future.

I write this letter to sway your vote, but it seems like those that protest (and many don't write) will not be heard and you will go ahead and raise our rates. By the way, if most of our water is used for landscaping as you state in your insert with our bills, then why are we paying equally for sewer as we do for water when this landscape water does not go down the sewer?

I strongly urge you NOT to increase rates, or are you just like the rest of "them" that are in it for all you can get? The time is now to restructure and decrease wages and especially benefits which are draining our reserves in all forms of government whether it be city or big government. I hope other citizens stand up and speak.



Susie Tomlinson

1829 Mountain Ave

Santa Barbara, CA 93101

CITY OF SANTA BARBARA  
CITY CLERK  
CITY COUNCIL  
735 ANACAPA ST  
SANTA BARBARA CA 93101

RECEIVED

APR 17 2012

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

4-17-12

I OPPOSE ALL PROPOSED  
RATE INCREASES FOR WATER,  
SEWER, TRASH. JUST SAY NO

THESE YEARLY INCREASES JUST CREATE  
A SLUSH FUND FOR INEPT CITY  
WORKERS. NO ACCOUNTABILITY TO  
RESIDENTS. NOT "FAIR" TO RAISE  
RATES ON THOSE WITH FIXED INCOMES,  
LOWER INCOMES OR NO INCOME. IN  
THIS ECONOMY SHOULD BE NO RATE  
INCREASES. YOU ARE COUNTING ON  
UNEDUCATED, NOW INFORMED TO  
SLIP THOSE YEARLY INCREASES THINKING  
WE WON'T MIND ANOTHER \$10 A MONTH  
WITH NOTHING IN RETURN

ALSO OPPOSE  
MONOPOLY OF  
COX COMMUN.  
GIVE US A  
CHOICE WITH  
ATT & VERIZON

LIZ YOUNG  
3706 MIDONA WAY  
SANTA BARBARA CA 93105  
015655 750675

4-15-12

TO WHOM IT MAY CONCERN:

I BRET SEAN BRETZ who is on S.S.I. w/  
Disability, Total Income \$854.40 monthly, Am Proposed  
to any Increase in your proposed WATER/sewage  
Billing. I Am Barely Surviving now. I Live off  
of Sec 8/Housing and I pay everything, Electric,  
Gas, Water/sewage, phone, Rent, Housing deposit (now among  
many other Bills That ARE ALL NECESSARY for me to  
live. If not for Catholic charities and other food  
programs, mostly churches, I wouldn't have enough food  
to eat for the month. Every Dollar is very, very  
Important to me. I even recycle to help ends meet.  
I Am Against any Increases or Taxes on any of  
my Bills cause I'm Barely Surviving how it is. I have  
Applied for every Assistance program and I'm still  
working financially. Thank You for your time &  
consideration.

Bret Sean Bretz

329 EAST CARILLO ST. #A

SANTA BARBARA, CA. 93101

(805) 845-8372 <sup>Home</sup> (805) 886-2147 <sup>cell</sup>

April 15, 2012

RECEIVED

APR 18 2012

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

**RALPH V. MODUGNO, INC.**  
**D.B.A. SANTA CRUZ MARKET**  
324 W. Montecito Street  
Santa Barbara, CA 93101  
(805) 966-2121

April 10, 2012

City Clerk of the City of Santa Barbara  
735 Anacapa Street  
Santa Barbara, CA 93101

Re: Santa Cruz Market  
324 W. Montecito Street

To Whom it Concerns,

I am definitely not in favor of the City of Santa Barbara raising the rates for water, sewage and solid waste collection. As a small business, the battle to stay in business is never ending, and to have the City of Santa Barbara constantly raising their rates makes things even more difficult. As a lifelong Santa Barbara resident and business owner, I ask that you please keep our rates where they are, at least until our economy recovers.

Sincerely,



Thomas Modugno  
President & CEO  
Ralph V. Modugno, Inc.

**JOHN M. MARALDO**  
ATTORNEY AT LAW  
1003 FREEDOM BOULEVARD  
WATSONVILLE CA 95076-3201  
(831) 728-8611

RECEIVED

APR 19 2012

CITY CLERK'S OFFICE  
SANTA BARBARA CA

FAX: (831) 722-4969

April 16, 2012

City Clerk of the City of Santa Barbara  
735 Anacapa Street  
Santa Barbara CA 93101

Re: Protest of Proposed Increase to Utility Rates  
Name: John Maraldo  
Service Address: 516 East Arrellaga Sreet, Santa Barbara, California

Dear Sirs:

I protest the proposed water, wastewater and solid waste collection rate increases announced in your Notice of Public Hearing dated June 12, 2012.

I protest any and all increases to our utility rates. I deem the rates already excessive.

Very Truly,

  
John M. Maraldo

April 19, 2012

City Clerk  
City of Santa Barbara  
735 Anacapa St  
Santa Barbara CA 93101

RECEIVED

2012 APR 20 PM 3:40

CITY OF SANTA BARBARA  
CITY CLERK'S OFFICE

TO: ALL MEMBERS OF CITY COUNCIL:

I do object to proposed increases to water, wastewater, and trash and recycling.

I have not been able to increase rents for the last four years and have had more vacancies than in memory.

Surely there must be other ways to increase revenue to the City, on luxury items, on cultural items, but PLEASE, not on basics of life like water and sanitation.

Also, as a homeowner, I do everything possible to keep water rate down. I no longer have a lawn; I no longer have any hedges; I have planted succulents instead of roses; I have paved much of the rear property. Any more water increases will turn all the landscape into a barren desert.

PLEASE, no increase in water, sewer, or sanitation.

Frances L. Green  
Green Properties  
406 Tallant Road  
Santa Barbara CA 93105  
(805) 687-2257

*Frances Green*

4-18-12

City Clerk of Sta Barbara  
735 Anacapa St.  
Sta. Barbara, Ca. 93101

I protest all of the in-  
creases you have outlined  
in my last billing pertaining  
to water use - sewer etc &  
trash & recycle pickups.

You are "nickle & dining" all  
of us users of necessary  
utilities to death. There  
seems to be no end to this  
constant gouging of our  
small social security month-  
ly allotments on which we  
manage to live frugally but  
well & content. However, when  
does the increases stop?

At 86 I use the least amount  
of your services possible & can  
not do w/ less. Sincerely,

Anna Matan  
318 Oceano Ave

93109-2291

## NOTICE OF PUBLIC HEARING Proposed Increase to Utility Rates



**Date:** June 12, 2012  
**Time:** 2:00 p.m.  
**Place:** City Council Chambers, City Hall  
 735 Anacapa Street, Santa Barbara

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**Water Rates (Applicable only to customers billed by the City for water service)**

The proposed water rate change is a 3.5% increase to usage charges and monthly service charges for all customer classes. The monthly bill for the average in-City single family residential customer (12 hundred cubic feet of water) would increase by \$2.29. The proposed increase will fund operating costs and projects to replace and repair water mains, pumping stations, storage reservoirs, and the water treatment plant. These projects are needed to meet regulatory requirements and to keep the City's infrastructure in good shape to provide reliable water service for household use and fire protection.

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

The proposed rate increase is 2.69% of the City's current charges for all customer classes, including single family residential, multi-unit residential, and business. Of the total adjustment, 1.31% accounts for an increase in the solid waste "tipping fee" charged at the Tajiguas Landfill. The additional 1.38% represents an increase in the amounts paid to the City's contracted hauler tied to the increase in the Consumer Price Index (CPI). The City is contractually obligated to compensate its franchised waste hauler for these increases. The City is currently engaged in negotiations with its franchised waste hauler on a new contract for the collection of trash and recyclables. If agreement on a new contract can be reached, the hauler has agreed to forego the 1.38% CPI increase for Fiscal Year 2013.

***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](http://www.SantaBarbaraCA.gov/UtilityBilling) or call (805) 564-5460.***

*(Yes, I oppose)*  
 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 12, 2012. (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 Water and Wastewater Billing Comparisons – Current vs. Proposed Rates

Customer Class	Example	Assumed Monthly Usage (hcf/mth)	Total Monthly Water & Wastewater Charges*		
			Current Rates	Proposed Rates	Combined Increase for Water & Sewer
Single Family Residential	Low User 5/8" meter	6	\$61.57	\$65.45	\$3.88
	Average User 5/8" meter	12	\$101.03	\$106.88	\$5.85
	Above Average User 1" meter	40	\$267.53	\$279.21	\$11.68
Multi-Family Residential Building	12 dwelling units 2" meter	60	\$600.01	\$639.97	\$39.96
Commercial	75% at Block 1 rate 25% at Block 2 rate 2" meter	60	\$563.86	\$593.58	\$29.72
Industrial/ High Strength Commercial	75% at Block 1 rate 25% at Block 2 rate 2" meter	100	\$925.76	\$978.31	\$52.55
Irrigation-Commercial	75% at Block 1 rate 25% at Block 2 rate 2" meter – no sewer	60	\$410.26	\$424.62	\$14.36
Recycled Water	2" meter – no sewer	250	\$579.51	\$599.79	\$20.28
Irrigation-Residential	1 acre of irrigated area 75% at Block 1 rate 25% at Block 2 rate 1" meter – no sewer Allotments are annualized – monthly average shown at right	40	\$237.38	\$245.69	\$8.31
Irrigation-Recreation		120	\$399.08	\$413.05	\$13.97
Irrigation-Agriculture		72	\$201.44	\$208.49	\$7.05
Out-of-City Customers	Currently charged at 130% of rates for corresponding in-City classes; no change is proposed in this percentage.				

\* Not including 6% utility tax on water, as applicable

## Typical Trash, Recycling, & Greenwaste Billing Comparisons Current vs. Proposed Rates (All collection frequencies 1 time per week)

Service Level	Current Rates*	Proposed Rates*	\$ Change
<b>Basic Residential Service</b> (32-gal trash, 32-gal greenwaste, up to 96-gal recycle)	\$27.79	\$28.54	\$0.75
<b>Minimum Multi-Unit Residential (3 cans or less)</b> (3-32 gal trash/ + up to 96-gal greenwaste, up to 96-gal recycle)	\$35.52	\$36.48	\$0.96
<b>Multi-Unit Residential (4 cans)</b> (4-32 gal trash/week+ up to 96-gal greenwaste, up to 96-gal recycle)	\$38.68	\$39.72	\$1.04
<b>Sample Small Business Cart/Can Service</b> (96-gal trash/week, up to 96-gal greenwaste, up to 96- gal recycle)	\$60.89	\$62.53	\$1.64
<b>Sample Business Dumpster Service</b> (4yd trash/week, 4yd recycle/week)	\$387.79	\$398.22	\$10.43

\* 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](http://www.SantaBarbaraCA.gov/UtilityBilling) or (805) 564-5460

RECEIVED

2012 APR 20 PM 4:00

CITY OF SANTA BARBARA  
CITY CLERK'S OFFICE

*[Faint, illegible handwritten text, possibly bleed-through from the reverse side of the page]*

**JOHN M. MARALDO**  
ATTORNEY AT LAW  
1003 FREEDOM BOULEVARD  
WATSONVILLE CA 95076-3201  
(831) 728-8611

RECEIVED

APR 23 2012

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

FAX: (831) 722-4969

April 18, 2012

City Clerk of the City of Santa Barbara  
735 Anacapa Street  
Santa Barbara CA 93101

Re: Protest of Proposed Increase to Utility Rates  
Name: John Maraldo  
Service Address: 518 East Arrellaga Sreet, Santa Barbara, California

Dear Sirs:

I protest the proposed water, wastewater and solid waste collection rate increases announced in your Notice of Public Hearing dated June 12, 2012.

I protest any and all increases to our utility rates. I deem the rates already excessive.

Very Truly,

  
John M. Maraldo



N & R Jaffe  
823 Roberto Avenue  
Santa Barbara, CA 93109  
805-962-9282-U.S.A.

RECEIVED

APR 23 2012

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

4/21/12

WE OPPOSE RECYCLING AND  
TRASH 2.09% INCREASE  
IT IS HIGH ENOUGH WE LIVE AS  
SENIORS ON FIXED INCOME  
AND CANNOT AFFORD IT. INFLATION  
WILL KILL US FINANCIALLY!!  
Norman Jaffe / Rose Jaffe

RECEIVED

APR 25 2012

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

City Clerk of the City of Santa Barbara,

I strongly oppose the proposed rate increases that are being address at the public hearing on June 12, 2012. In fact, I've often hoped that you would be able to offer assistance similar to the C.A.R.E. program that Edison offers.

As a single mother of four, I am barely staying afloat financially. Our water/sewer/trash is already one of the most difficult bills to keep up with. We are extremely conservative for a family of our size and it is still a struggle.

Thank you for your consideration.

Respectfully,



Rebecca Buel  
620 N. La Cumbre Rd  
Santa Barbara, CA 93110  
(805) 298-3400

RECEIVED

APR 26 2012

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

Re: proposed increases

To Whom It May Concern,

I am writing on behalf of Valiant Group. We are opposed to the proposed increase in water, wastewater, trash & recycling rates.

Please deliver our protest to the public hearing on June 12,2012

Respectfully,



Rebecca Buel  
Valiant Group

**VALIANTGROUP+**  
REAL ESTATE SOLUTIONS

**Ken Sterling**

ken@valiantgroup.com  
fax: 805.456.3800

805.962.8000  
233 East Carrillo Street  
Santa Barbara, CA 93101

**VALIANTGROUP+**  
REAL ESTATE SOLUTIONS

**Jane Sterling**

jane@valiantgroup.com  
fax: 805.456.3800

805.962.8000  
233 East Carrillo Street  
Santa Barbara, CA 93101

Bills are under our owner's names:  
Ken & Jane Sterling

RECEIVED

APR 30 2012

*Robert Allbright*  
735 Palermo Drive  
Santa Barbara, CA 93105

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

April 25, 2012

City Clerk City of Santa Barbara  
735 Anacapa Street  
Santa Barbara, California 93101

Dear Mayor and City Council:

I am writing you to **nullify all increases** in any Public Utilities. You all have abused our city funds with your blue lines and bulb outs. Bulb outs are illegal according to the state law of California as a safety danger to the public. You have also violated the law with your utility taxes. Since you will owe we city taxpayers money because of your deceitful errors, why don't you use the utility tax money you have been collecting to pay for your utility increase needs. You will eventually be getting more lawsuits regarding the bulb outs and their danger to the public safety plus other infractions you have caused to our city. How many more lawsuits will the city be able to withstand before there is no money and all operations of our city will come to a halt? You have also been seeing the decrease in business all over Santa Barbara, not only on State Street, but now we have a major food market closing within a few weeks. You all can thank yourselves for your greed. What is your reasoning? Are you attempting to create Santa Barbara as a future ghost town? I believe the time has come to recall the entire city council members and the major and restore people in office who are capable of running our city by running it right with improved productivity in all aspects.

Yours truly,

*Robert Allbright*

City Clerk  
City of Santa Barbara  
735 Anacapa Street  
Santa Barbara, CA 93101

RECEIVED

APR 30 2012

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

**Re: Oppose the increases in utility rates proposed by City of Santa Barbara**

To the City Clerk,

I oppose any of the utility rates proposed by the City of Santa Barbara for Water Rates, Wastewater Rates, and Trash & Recycling. I have read local articles on this subject and have learned that a big part of the rate increase is due to the lawsuit filed against the City of Santa Barbara for water contamination. This new rate increase is for 10 %, this is outrageous considering that we have been having rate increases every year despite the suffering economy, and for many local residences, no pay raises.

Thank you,

Douglas Furse  
3914 Maricopa Dr.  
Santa Barbara, CA 93110

**P.S. I am a local bill paying resident of Santa Barbara.**

4/17/12

Dear City Clerk,

I am writing to oppose the increase in trash/recycling and wastewater rates.

I already pay over \$200/mo for utilities and cannot foot the increase. I oppose all rates increasing.

Sincerely,

Yolanda Yunque  
2131 Modoc  
S<sup>th</sup> Barb, CA 93101

RECEIVED

APR 30 2012

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

1269 Ferrelo Rd.  
Santa Barbara, CA 93103  
May 6, 2012

Santa Barbara City Council  
c/o City Clerk  
735 Anacapa St.  
Santa Barbara, CA, 93101

RECEIVED

MAY - 8 2012

CITY CLERK'S OFFICE  
SANTA BARBARA

Objection to increases in:  
    Water Rates  
    Wastewater Rates  
    Trash/Recycling rates

Dear Council:

This constitutes our objection to the proposed rate increases indicated in the NOTICE OF PUBLIC HEARING dated June 12, 2012.

We believe that whoever made this recommendation should have been initially tasked to work in the interest of maintaining existing rate levels, or possibly reducing them, but this does not appear to have happened. In our view the City Council owes this to its constituents.

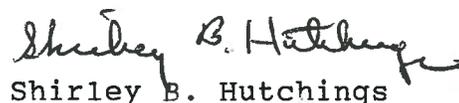
Natural gas costs are currently plummeting due to massive new discoveries and production in other parts of our country. The price of gas affects not only electric power costs, but in some cases transport fuel. We note that Marborg is currently touting its use of compressed natural gas in some of its haul trucks. The City of Santa Barbara should be able to participate in any resulting cost savings available to its service providers.

The relatively high unemployment rate in Santa Barbara County affords the city a unique opportunity to establish a two tier compensation structure for its employees, together with a commensurate change in pension arrangements. Other public entities are doing this successfully as well as are some major manufacturers like Caterpillar and GE. The relatively high desirability of living in Santa Barbara would give us a distinct advantage in such a program.

Finally, we believe the City Council should immediately consider the establishment of an independent committee to study and recommend changes and improvements to the work rules for city employees. Recent revelations have indicated that significant cost savings are available in this area.

Thank you for your consideration

  
John A. Hutchings

  
Shirley B. Hutchings

RECEIVED

MAY - 9 2012

CITY CLERK'S OFFICE  
SANTA BARBARA, CA

I BREI SEAW BREIT SS# [REDACTED] who Rent's & Residence Alone AT MY ADDRESS 329 EAST CARRILLO ST. #A SANTA BARBARA, CA, 93101 hereby protest upmosty to ANY INCREASE TOWARDS WATER/SEWAGE. REASON WHY I AM ON SOCIAL SECURITY WITH A DISABILITY WHO JUST RECENTLY IN THE LAST YEAR WAS APPROVED FOR S.S.I. AND ALSO SEC. 8, (HOUSING); I LIVE IN A STUDIO APARTMENT THAT REGULARLY RUNS \$1,250.00 MONTH ALONG WITH A \$1,250.00 DEPOSIT WHERE I ALSO HAVE TO PAY ELECTRIC, GAS, WATER/SEWAGE ON TOP OF MY RENT & DEPOSIT LOAN PAYBACK. RIGHT NOW MY MOST EXPENSIVE BILL IS WATER. I DON'T EVEN USE THAT MUCH BUT MY BILLS ARE WHAT IT SAYS THEY ARE. I ALWAYS PAY. ANY INCREASE, EVEN A DIME A MONTH WOULD BE A FINANCIAL HANDSHIP. I CAN BARELY AFFORD WHAT IT IS AS OF NOW. I WAITED 8 YEARS FOR S.S.I. & ANOTHER 4 1/2 YEARS ON THE WAITING LIST FOR SEC. 8/HOUSING I NOW FINALLY GOT IT AND I GET A LETTER SAYING WATER/SEWAGE IS GOING UP A FEW DOLLARS. I AM IN THE CATEGORY OF "EXTREMELY" LOW INCOME, BELOW THE POVERTY LEVEL I HAVE ALL PAPERWORK TO PROVE IT. ANY RAISE IN WATER/SEWAGE, EVEN A COUPLE DOLLARS WOULD BE WITHOUT A DOUBT A VERY SINCERE HANDSHIP FOR MY LIVING & EXPENSES. ANY HIGHER

RECEIVED

MAY 3 2012

CITY CLERK'S OFFICE

PAYMENT THEN WHAT IT IS IS NOW WOULD BE VERY, VERY, DEEMENT  
 TO MY WELL BEING FINANCIALLY. I FULLY OPPOSE ANY INCREASE  
 TOWARDS MY PRESENT STANDING AS WHAT MY MONTHLY BILL'S  
 ARE AS IS. IT WOULD CAUSE AN EXTREMELY FINANCIAL BURDEN,  
 A COUPLE OF DOLLARS EVEN AT THAT. I WILL SEND YOU  
 ANY COPY YOU MAY NEED OF ANYTHING, ANY PROOF OR  
 ANYTHING AT ALL WHAT YOU MAY NEED. I AM WILLING  
 TO WORK WITH YOU. ANY QUESTIONS, PLEASE  
 CONTACT ME: BRETT SEAN BRETT [REDACTED], 329  
 EAST CARRILLO ST. # A, SANTA BARBARA, CA 93101,  
 PHONE# (805) 886-2147 (cell).

THANK YOU.

Sincerely,

Brett Sean Brett

MAY 8<sup>TH</sup>, 2012

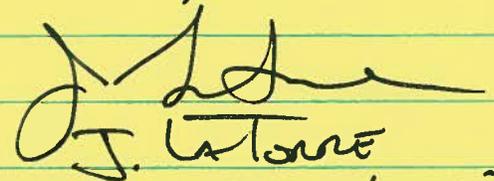
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MAY - 9 2012

CITY CLERK'S OFFICE  
SANTA BARBARA CA

4-28-12

I adamantly OPPOSE To This  
AND ANY HIKEs ON ANY OF OUR  
UTILITY RATES. This WEALTHY City  
CAN AFFORD NOT TO INCREASE THE RATES  
TO ALL CITIZENS OF SANTA BARBARA ON ANY  
OF OUR UTILITIES. TO INCREASE OUR  
RATES SHOULD \* MUST REQUIRE A  
CITY WIDE VOTE BY THE CITIZENS AND NOT  
BY THE ~~GO~~ CITY COUNCIL OR CITY MANAGER.  
DONOT INCREASE OUR UTILITY RATES!

  
J. Latorre

SERVICE ADDRESS → 750 Calle De Los Amigos  
SB CA 93105

May 9, 2012

City Clerk

RECEIVED

City Council Chamber

MAY 14 AM 9:54

735 Anacapa St.  
Santa Barbara, CA 93101

CITY OF SANTA BARBARA  
OFFICE

Sirs:

I wish to protest an increase  
water rates and wastewater  
rates and for Trash & Recycling.

As a senior citizen these  
increases would be horrendous.  
When will you start cutting  
back and stop these  
constant increases.

Biane Grant  
715 Woodland Dr  
Santa Barbara  
CA 93108

RECEIVED

2012 MAY 21 AM 11:51

May 20, 2012  
CITY OF SANTA BARBARA  
CITY CLERK'S OFFICE

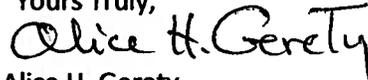
City Clerk of City of Santa Barbara:

I'm writing to protest the proposed increases to utility rates.

We are homeowners, retired teachers on a fixed income, and do not want our taxes increased.

The proposed 3.5% increase in water rates, 10% increase in wastewater rates, and 2.69% increase in trash and recycling can be absorbed by more efficient handling of our city's monies. There is too much waste in the bureaucracy of our city government. I firmly believe that money can be found elsewhere for the purposes as described in the recent notice included in our utility bill.

Yours Truly,



Alice H. Gerety

826 Willowglen Rd.

Santa Barbara, 93105

May 24, 2012

RECEIVED

2012 JUN -1 PM 3:08

City Clerk/City of Santa Barbara  
735 Anacapa Street  
Santa Barbara, CA 93101

CITY OF SANTA BARBARA  
CITY CLERK'S OFFICE

Re: proposed increase to utility rates

To the Mayor and Council Members:

It is preposterous that you are proposing these rate increases at a time when so many of us have houses whose values are under water, carry high mortgages, own businesses that are struggling and day in and day out to attract clients while our downtown environment is crawling with filthy, dirty, drugged-out obnoxious beggars and mentally ill people who drive customers away.

We citizens can't afford these additional increases for services right now and it is irresponsible for you to ask it of us, who are already reeling trying to survive this long term bad economy caused by profligate governmental spending at all levels. As with the federal government, you have, for decades now, been spending taxpayer money not for the actual priorities of government, such as on-going maintenance of infrastructure, but on nonsense I can only call "fluff for friends". Having wasted so much tax money on "fluff", you don't now have money set aside for those things that should always be a city's priorities, infrastructure and maintenance of same.

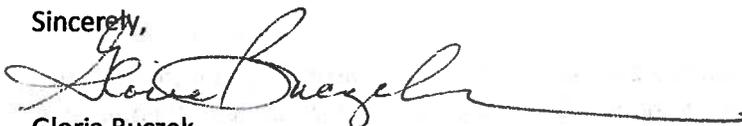
Those of us who pay for health insurance for our employees and for ourselves have seen those costs rise substantially at a time when income is falling and our investments are down. Our state income taxes have sky-rocketed because of foolish priorities and bad management theory. Food prices are inflating rapidly. Gas prices are taking more out of our family budgets. Educational costs are climbing.

In my opinion, a 10% increase in wastewater rates is simply highway robbery of us citizens who have no other option for wastewater treatment.

I've lived here for 36 years and don't like what has happened to my city. Santa Barbara has become a dirty city full of tee-shirts, unsightly graffiti, low level jobs, cheap goods, hoodlums and dependent people. What kind of management is that?

If we want to build a healthy city economy, we have to change direction so that we attract good businesses who will pay good salaries and provide opportunities for upward mobility for our children and grandchildren who want to remain in their community. We are losing our best and brightest to other states.

Sincerely,



Gloria Buczek  
1560 La Vista del Oceano  
Santa Barbara, Ca 93109

6-4-12

Dear City Council Members:

Here we go Again! Every year  
the City utility hikes are above  
the CPI.

In fact, the proposed rate  
hikes are almost always greater,  
than the ~~CPI's~~ COLA's we get  
from our employment.

I would understand a 1 or 1 1/2%  
annual increase in the city utility  
rates, but 3.5%, 6%, + 2.69%  
increases as proposed is too much. That  
totals 12.19% proposed increase! I am  
completely against the proposed rates.

I AM ON A FIXED INCOME OTHER  
→

than a 2% or 2.5% COLA every  
2 or 3 years. Gasoline, groceries, +  
taxes (proposed increase by city +  
gouverner) have gone up or will continue  
to go up.

I have a large yard, but I  
water sparingly by hand. I will not  
have a green yard, because the  
water rates are high.

RECEIVED

JUN - 5 2012

Thank you.

CITY CLERK'S OFFICE  
SANTA BARBARA, CA  
Michael R. Thompson  
320 CANON DRIVE  
Santa Barbara, CA. 93105

P.S.: Every year there is an excuse by the  
city for proposed high utility increases.  
Better planning may mitigate this —



Agenda Item No. \_\_\_\_\_

File Code No. 530.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Lower Mission Creek Flood Control Project Update

### **RECOMMENDATION:**

That Council receive a status update on the Lower Mission Creek Flood Control Project.

### **EXECUTIVE SUMMARY**

In 2001, Council approved the Lower Mission Creek Flood Control Project (Project) Environmental Impact Statement/Environmental Impact Report (EIS/EIR), prepared by the United States Corps of Engineers (Corps). Since then, the Corps was able to finish permitting at the California Coastal Commission (CCC) and was able to fund its design to an estimated 60% level. However, they were not able to get construction funding. With anticipated federal funding indefinitely delayed, the City and the County Flood Control District (District) obtained the appropriate local agency permits and initiated construction on portions of the Project in an effort to reduce construction cost inflation. This report is intended to show how the Project is now being built in increments over several years, with significant construction having been recently completed, and more being scheduled in the next few years.

### **DISCUSSION:**

### **BACKGROUND**

Mission Creek extends through the City and unincorporated areas in the County of Santa Barbara (County), with the lower portions of the Creek flowing through the urbanized area of downtown Santa Barbara (see Attachment 1). The Project has been a long-term joint effort between the Corps, the District, and the City since the 1960s and addresses the last 1.3 miles of Lower Mission Creek, from just downstream of Canon Perdido Street to the Cabrillo Boulevard Bridge, just before the creek enters the Pacific Ocean (see Attachment 2).

Currently, Mission Creek is estimated to be able to accommodate an eight-year storm event, or approximately 1,500 cubic feet per second (cfs), without overflowing the channel banks. The Project improvements are expected to increase the channel capacity to carry 3,400 cfs, which equals an estimated 20-year plus storm event. In addition to improving water conveyance, the final channel improvements will enhance aquatic and riparian habitats.

The Project improvements include:

- Widening the existing natural stream bottom;
- Installing a new culvert bypassing the Oxbow Railroad Historic Channel (Oxbow) below Highway 101, with the Oxbow being left in place as a low-flow channel;
- Replacing four bridges along the Project reach (Mason Street Bridge, Haley Street Bridge, Cota Street Bridge, and Ortega Street Bridge);
- Planting of native riparian species along structurally stabilized banks and the creation of additional riparian habitat areas;
- Reconstruction of creek banks using either a vertical wall or a combination of a vertical wall and a structurally stabilized bank;
- Reverting the concrete lined stream bottom section to natural conditions (except through the historic sandstone wall channel at the Railroad Depot Oxbow);
- Installing fish habitat improvements.

On May 17, 2012, the Planning Commission received a status report on the Project from the Community Development Planning Division (Attachment 3). The report described in detail the changes that have been made to the Project. Originally the Project was planned to be built by the Corps in about two years; now it is planned to be built in increments over several years. There have been some changes to the width of the channel, while still meeting the planned 3400 cfs capacity, and some features have been added to the Project as part of project permitting to better accommodate fish passage. Some changes are proposed for the creek banks to enhance landscaping and riparian habitat features, while anticipated to save costs.

## **PROJECT STATUS**

The Project's EIS/EIR was completed by the Corps in 2000, and Alternative 12, the environmentally preferred alternative, was certified by the Planning Commission and approved by Council in 2001. As a Corps federal project, the Corps initially received from the CCC a conditional Coastal Consistency Determination (CCD) in 2001 and then the final in 2006, after added studies were completed. Due to the inability of the Corps to obtain federal funding to begin construction, the City and District acquired a new Coastal Development Permit (CDP) in 2008, which allows the City and District to move

forward with the Project using local funds in increments as grants and other funding becomes available. Since approval of this CDP, the City and District have worked together to construct various increments of the Project. In addition, the Corps was able to get funding to develop the design to an estimated 60% level and prepare three report updates related to the Project's National Environmental Policy Act documentation concerning biological resources, air quality, and cultural resources.

## **CHANNEL**

The first increment of the Project construction was completed in late January 2009 when the District arranged for the Union Pacific Railroad (UPRR) to construct the Project's bypass culvert under their railroad tracks at the Railroad Depot. Using State Proposition 50 and District funding, the District recently constructed approximately 230 feet of channel just north of State Street, (Reach 1A – Phase 1). The remaining channel up to Mason Street (Reaches 1A – Phase 2) is planned to be constructed as part of the planned Mason Street bridge construction (summer 2014). Just recently, the construction contract for a section of the bypass culvert through the Railroad Depot was awarded by the District to be built this summer. In addition, the District is planning to move forward with the remaining channel construction south of the Freeway within the next two years. The final design and construction to complete the culvert bypass and the rest of the channel north of the freeway is on hold until additional funding is identified. The District, with support and in coordination with the City, is seeking grant funds for this work.

## **BRIDGES**

The Haley/De la Vina Bridge and the Ortega Bridge have recently been constructed by the City using federal bridge grants. The two remaining bridge replacements at Mason and Cota Streets are currently in Preliminary Design. Mason Bridge is being reviewed by the Historic Landmarks Commission and is scheduled to move forward with Final Design this summer. The Cota Bridge was initially reviewed by the Architectural Board of Review this spring and is also scheduled to move forward with Final Design this summer.

Through the Federal Highway Bridge Program, the City has been successful in obtaining funding to replace four other structurally deficient bridges along Lower Mission Creek (Cabrillo Bridge, Chapala/Yanonali Bridge, Gutierrez Bridge, and De la Guerra Bridge - see Attachment 4, "Highway Bridge Program Quarterly Update" memo, which summarizes the City's bridge grant funding.) Since Cabrillo Bridge was not planned to be replaced as part of the original Project in the EIS/EIR, a Mitigated Negative Declaration (MND) was prepared and adopted by the Planning Commission. The plans are almost complete. The CCC also issued a CDP on April 9, 2008. Scheduling the start of construction is pending the completion of the right of way process and continued negotiations with an adjacent property owner. Construction of Cabrillo Bridge is targeted to begin in spring 2013.

Similarly, since the Chapala/Yanonali Bridge was not planned to be replaced as part of the original Project in the EIS/EIR, staff took the bridge to the City's Planning Commission in February 2012, where the CDP was approved and the MND was adopted.

Gutierrez Bridge and De La Guerra Bridge are within the original Project limits; however, they were not planned to be replaced as part of the original Project. Therefore, these bridges will require separate environmental documentation and approvals. Currently, these bridges are just beginning the initial design review process, which includes Caltrans detailing what environmental reports are necessary. They are scheduled for contract award of their initial design this summer/fall.

## **FUNDING**

The District is now taking the lead for finishing the design and construction of the channel elements of the Project. The City will be building the remaining two Project bridges, Mason Street and Cota Street, using grant funding. Where possible, the City and District will coordinate construction of the channel and bridge elements of the Project.

## **NEXT STEPS**

Staff will be returning to Council with another update in approximately one year to report what construction has been completed, what has started, and also provide current schedules for future construction.

**ATTACHMENTS:**

1. Site Map - Lower Mission Creek Flood Control Project-Update
2. Chronology - Lower Mission Creek Flood Control Project
3. Planning Commission Staff Report without attachments - Lower Mission Creek Flood Control District (May 10, 2012)
4. Highway Bridge Program Quarterly Update memo (April 5, 2012)

**PREPARED BY:** Pat Kelly, Assistant Public Works Director/City Engineer/sk

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office

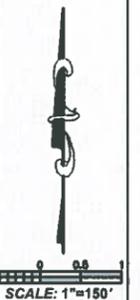
# CITY OF SANTA BARBARA LOWER MISSION CREEK FLOOD CONTROL PROJECT - STATUS



**TOTAL CONSTRUCTION COST:  
\$124,260,644**

- LEGEND:**
- PROJECT CHANNEL REACH
  - EXISTING OPEN CHANNEL
  - CITY BRIDGE PROJECT
  - COMPLETED CONSTRUCTION

	LOCATION	BRIDGES		CHANNEL REACHES	
		COST	STATUS & COMMENTS	COST	STATUS & COMMENTS
<b>BELOW GUTIERREZ STREET</b>	CABRILLO BRIDGE	\$16,510,000	Scheduled for construction from Spring 2012 to Summer 2014.	-	Estimated \$500,000 for project channel upstream of Cabrillo Bridge. Phase 1 (the section from State to the Harbor View pedestrian bridge) has been completed. Phase 2 (the remaining reach up to Mason Street) will be constructed along with the Mason Street Bridge Project, currently scheduled for Summer 2013. Construction scheduled for Summer 2013. Construction anticipated to be coordinated with construction of the Chapala/Yanonali Bridge. The culvert beneath the railroad tracks was constructed in Winter 2009.
	REACH 1A	-	-	\$10,126,000	
	MASON STREET BRIDGE	\$4,900,000	Scheduled for construction from Spring 2013 to Summer 2014.	-	
	REACH 1B	-	-	\$8,824,000	
	REACH 2A	-	-	\$1,876,000	
	REACH 2B	-	-	\$13,012,000	
	REACH 3	-	-	\$4,721,000	
SUBTOTAL	\$21,410,000	-	\$38,559,000		
<b>ABOVE GUTIERREZ STREET</b>	GUTIERREZ STREET BRIDGE	\$4,515,750	Scheduled for construction in 2015; not included in the 2000 EIR/EIS for the Lower Mission Creek Flood Control Project.	-	-
	REACH 4	-	-	\$9,721,000	-
	HALEY/DE LA VINA BRIDGE	\$8,179,115	Construction has been completed.	-	-
	REACH 5	-	-	\$10,604,000	-
	COTA STREET BRIDGE	\$2,800,000	Scheduled for construction from Spring 2013 to Summer 2014.	-	-
	REACH 6	-	-	\$8,163,000	-
	ORTEGA STREET BRIDGE	\$3,985,779	Currently in construction, scheduled to be completed by the end of 2011.	-	-
	REACH 7	-	-	\$12,138,000	-
DE LA GUERRA BRIDGE	\$4,185,000	Scheduled for construction in 2014; not included in the 2000 EIR/EIS for the Lower Mission Creek Flood Control Project.	-	-	
SUBTOTAL	\$23,865,644	-	\$40,626,000	-	-
GRAND TOTAL	\$45,075,644	-	\$79,185,000	-	-



## **Chronology Lower Mission Creek Flood Control Project (LMCFCP)**

Starting in 1986, City of Santa Barbara Council (Council) with the USACE consider proposal for lower mile of Mission Creek concrete channel.

1993 – USACE informs Council they will stop all work on a concrete channel project EIS/EIR. The concrete channel was infeasible to construct due to debris control issues at the ocean.

1994 – The Lower Mission Creek Consensus Group was formed to come up with recommended channel design alternatives. These alternatives were presented to Council and County Supervisors. In 1995 the ACOE completed the Reconnaissance Flood Control Study which recommended pursuing an optimum sized flood control project.

2000 - The ACOE LMCFCP Feasibility Study and Final EIR/EIS.

August 2, 2000 – US National Marine Fisheries Service provides Biological Opinion on Steelhead (Permit Number F-LB-00-23:KAJ)

September 2000 – USACE Feasibility Study and EIS/EIR completed.

June 1, 2001 – US Fish and Wildlife Service provides Biological Opinion on Tidewater Goby. (Permit Number 1-8-00-F-74).

June 28, 2001 – SB Planning Commission (PC) certifies LMCFCP EIS/EIR.

October 2001 – SB City Council approves LMCFCP (Resolution # 01-137).

October 9, (November 7 Addendum), 2001 – California Coastal Commission (CCC) approves conditional compliance with USACE Federal Coastal Consistency Determination (CCD) provided that the USACE develops and submits:

- A Management Plan for Tidewater Gobies in the Mission Creek Estuary that includes studies of goby genetics, allowing Laguna Channel and Mission Creek lagoons to merge under natural conditions (or as recommended by the team of biologists). The USACE to implement recommendations from the Management Plan in the Mission Creek Estuary,
- An adaptive management maintenance plan (included in Channel Design Recommendations),
- Final plans for the low flow or pilot channel, and
- Final landscape plans for planting native riparian species inland of the vertical walls.

May 2002 – USACE issues Record of Decision providing USACE approval of the LMCFCP Alternative #12.

April 2005, Tidewater Goby Management Plan completed that is a component of the Lagoon Management Plan.

June 2005 - Channel Design Recommendation report for LMCCP completed, and includes adaptive channel maintenance plan.

October 15, 2006 – CCC conditionally concurs under a phased approach (used where insufficient information is provided for an approval) with USACE Coastal Act Federal Consistency Determination (CCD) and noted that the following documents were submitted by the USACE (that satisfy the first phase in the process):

- Tidewater Goby Management Plan (April 2005) (The genetics study of gobies was included)
- Channel Design Recommendations (June 2005)
- Adaptive Channel Maintenance Plan
- Landscape Plan (2006)
- SB County Streams Hydraulic Technical Appendix, Sedimentation Engineering(November 1999)

The CCC CCD included conditions that required UAACE commitments to:

- Implement those portions of the “Lagoon Management Plan” provided in the Tidewater Goby Management plan
- Prohibits lagoon breaching
- Provision of a lagoon buffer
- Monitoring success of native riparian landscaping, and
- Water quality and habitat monitoring plans

2007 – City of SB PC approves (within the City’s appealable Coastal jurisdiction) and recommends approval (within the CCC Permit Jurisdiction) of a CDP for the Cabrillo Bridge project that includes the channel from Cabrillo Boulevard to State Street that was a part of the LMCFCP to the CCC. This project also provided for the widening of the lagoon near the bridge, portions of a lagoon buffer, and restoration of the lagoon banks adjacent to the bridge.

February 2008 - PC approves CDP for construction of portion of bypass culvert under railroad line within prior Chapala Street alignment. This was constructed.

September 18, 2008 – City of SB PC recommends approval (Resolution 036-08) to CCC of CDP for LMCFCP that includes the area from Cabrillo Boulevard to Highway 101.

September 4, 2008 – CCC approves CDP for Cabrillo Bridge that includes channel wall between State Street and Cabrillo Boulevard that is part of the

LMCFCP and is the last bridge before Mission Creek discharges onto the beach and ocean beyond.

2009 – CCC issues City and SB County Flood Control Coastal Development Permit (4-08-096) and certifies LMCFCP consistency with Coastal Act (CC-012-09) with 7 conditions that requires:

- Commitments in the Tidewater Goby Management plan to be binding,
- A prohibition of lagoon breaching,
- Provision of a lagoon buffer,
- Monitoring success of native riparian landscaping,
- Water quality and habitat monitoring plans,
- Incorporation of conditions from other permits, and
- City and County assume the risk.

August 12, 2009 – City/County submit a Section 401 Application to the Regional Water Quality Control Board. 401 Permit Certification was issued on January 26, 2010 (Permit 3409WQ22) and amended on September 20, 2010 to correct the project description and a mitigation requirement. Permit covers entire Project.

December 16, 2009 – City/County submit Streambed Alteration Agreement Application to the California Department of Fish and Game (CDFG). The Agreement expires on December 13, 2013. The Agreement Notification is #1600-2009-0370-R5 and covers entire Project.

2010- - CALTRANS completes NEPA environmental review for Haley/De la Vina Street Bridge. Haley/De la Vina Street Bridge EIS/EIR Addendum prepared (March 10, 2008) by the City with mitigation measures applied to bridge replacement and bridge is constructed. The City obtained permits from USACE, RWQCB, and CA Dept, F&G for the construction of this bridge.

April 28, 2010 – City submits the following to the CCC for condition compliance: 1) Form stating that the City and County agree to the terms of the conditions applied by the Coastal Commission to the Project. 2) Landscape Plan Adjacent to Mission Creek; 3.) Landscape Plan for Private Property; and 4.) Habitat Restoration, Enhancement, Monitoring, and Management Program Applicable to the Areas Adjacent to the Creek Banks. Items 2-4 satisfied Coastal Commission Special Condition #4.

July 29, 2010 – City/County submit a 404 Nationwide Permit Application to the Army Corps of Engineers for Lower Reach 1A. Permit issued on May 26, 2011. There has been no umbrella permit granted for entire Project.

January 2011 – City submitted the Lagoon Management and Lagoon Buffer Plans (Special Conditions No. 1 Lagoon Management Plan and No. 3-Lagoon Buffer) to the CCC to complete the condition compliance required prior to construction of the channel. Note that the Lagoon Management Plan was revised

by consultant to include both lagoon restorations by the LMCFCP and Cabrillo Bridge Projects since the lagoon restorations would be constructed at the same time and made sense to work off of one document.

2011 – CCC amends CDP for LMCFCP to allow piles to be driven between June 1 and December 1 provided piles for channel walls are cast in place and not driven.

March 8, 2011 – CCC grants LMCFCP a time extension of CC-012-09/CDP 4-08-096.

2011 – Reach 1A of LMCFCP channel from State Street to pedestrian bridge approximately 150 feet upstream is constructed using vertical walls.

2011 - CALTRANS completes NEPA environmental review for Ortega Street Bridge. Ortega Street Bridge EIS/EIR Addendum prepared (March 10, 2008) by City with Mitigation Measures applied to bridge replacement and bridge is constructed. The City obtained permits from USACE, RWQCB, and CA Dept, F&G for the construction of this bridge.

\\chgarden\ComDev\Group Folders\PLAN\MEBL\MCFC Project CDP\Implementation\Chronology LMCFCP Pat -Jessica.docx



# City of Santa Barbara California

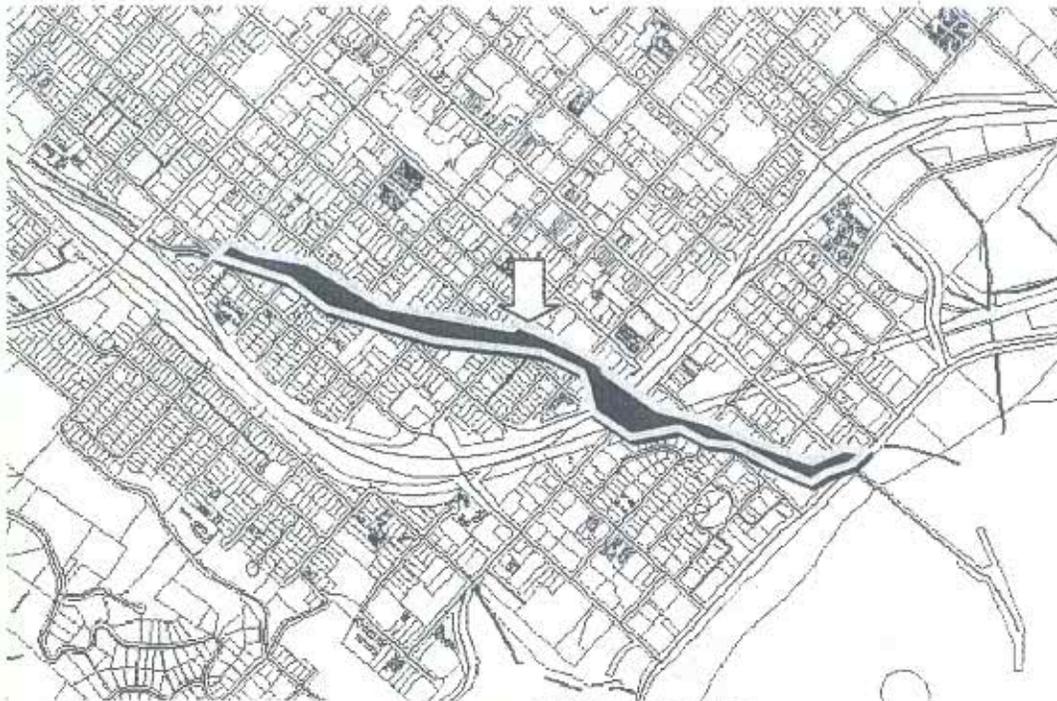
III.

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** May 10, 2012  
**AGENDA DATE:** May 17, 2012  
**PROJECT ADDRESS:** Mission Creek between Cabrillo Boulevard and Cannon Perdido (MST2008-00360/CDP2008-00012)  
 Lower Mission Creek Flood Control Project  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DK*  
 Michael Berman, Project Planner/Environmental Analyst *MB*

### I. PROJECT DESCRIPTION

The purpose of this discussion meeting is to provide the Planning Commission (PC) with an update on the status of the previously approved Lower Mission Creek Flood Control Project (LMCFCP). The update comes from Engineering Division of Public Works for the project which is currently under construction. The project consists of widening of the Mission Creek channel, construction of a bypass culvert in the vicinity of the Railroad Depot, and the replacement of five bridges with new, wider bridges to increase hydraulic capacity on Mission Creek from Canon Perdido to Cabrillo Boulevard.



VICINITY MAP

## **II. BACKGROUND**

City Council approved construction of the entire LMCFCP from Canon Perdido to State Street on December 5, 2001. The US Army Corps of Engineers (Corps) obtained a Federal Coastal Consistency Determination (Federal CCD) from the California Coastal Commission (Coastal Commission) that would have allowed them, as a Federal Agency, to construct the project. However, Corps funding never materialized so the Corps did not proceed with construction. The Federal CCD included conditions of approval that required studies that resulted in changes to or augmentation of the original project design.

The City and County decided to jointly implement the project (with Corps technical support). Because the City and County are subject to the California Coastal Act, unlike the federal government, the City and County were required to obtain a Coastal Development Permit (CDP) for the portion of the project that is south of Highway 101. Coastal jurisdiction of Mission Creek is split between the City (everything north of the estuary) and the Coastal Commission (the estuary); therefore, approvals by both the City and the Coastal Commission were required. As part of the Cabrillo Bridge replacement project, the PC recommended approval to the Coastal Commission for the segment of the creek between State Street and Cabrillo Boulevard on July 12, 2007. The Coastal Commission approved the CDP on April 9, 2009. The Planning Commission approved the portions of the Mission Creek project in the appealable jurisdiction on September 18, 2008. On April 9, 2009 the Coastal Commission approved a CDP for the creek channel segment from Highway 101 to State Street.

The LMCFCP was approved at the concept project level, as it is large and complex, and all of the project details were not yet finalized. As can be expected with any complex project, the project has been evolving as more information is available and more design details are developed. Changes have been made to the original project in response to agency approval (particularly the Coastal Commission), permit requirements from various State and Federal Agencies, and engineering cost analyses. Funding sources originally contemplated have not materialized, and alternative funding strategies have been developed that have required portions of the project to be pursued as funding becomes available, and out of the sequence originally contemplated when the project was approved.

Engineering staff in the Public Works Department has been working to describe the resulting changes in the project to City decision makers. Engineering staff has submitted a memorandum that describes the changes that have occurred in the project. The memorandum is attached to this staff report.

## **III. PROJECT CHANGES**

### **a. Sequence of Construction**

The original Corps funded project was to begin at the ocean and work upstream. Since the Corps funding never materialized, the City and County in partnership, using alternative funding sources, have constructed the channel segment between State Street and the pedestrian bridge at the Harbor View Inn, bypass culvert segment beneath the railroad tracks, Haley/De la Vina bridge and Ortega Street bridge. These project elements were constructed as funding became available from County Flood Control (for the channel) and CALTRANS (for the bridges). Since

the replacement bridges and new channel were wider than the adjacent channel a transition between these elements is necessary. Where bridge replacement occurs the creek bottom elevation sometimes could not be changed to the planned elevation, for hydrological reasons, until the adjacent channel improvements are constructed. Temporary adjustment in the creek width and creek bottom configuration and transitions to the existing creek banks were therefore required.

b. Distance Between Creek Banks

The Corps determined, based on modeling at the time the Final EIS/EIR was prepared, that the channel widths then proposed could accommodate flows of 3,400 cubic feet per second (cfs). Subsequently, a more recent hydrology study determined that the 3,400 cfs could be accommodated in a narrower channel. Since the narrower channel would be less expensive to construct, reaches of the creek were reduced in width when compared to the creek width described in the LMCFCP Final EIS/EIR.

c. Fish Facilities/Creek Bottom Configuration

A Coastal Commission condition of approval required convening a group of experts to review the proposed channel design north of Highway 101 and make recommendations about features of the project designed to accommodate fish. These recommendations were incorporated into the project. Instead of grading the creek bottom to have a low flow channel as originally proposed, rock weirs would be constructed periodically on the creek bottom. These weirs would control erosion, create fish pools, and allow the creek to make its own low flow path naturally.

The Tidewater Goby Management Plan was also required by the Coastal Commission. That plan provided that the fish features (fish ledges, fish refuges, and fish baffles) proposed in the Final EIS/EIR for the Mission Creek estuary to be installed. Cobble on the creek bottom would be replaced with sand that is suitable for goby reproduction. Dewatering and fish rescue plans were refined. These recommendations were also incorporated into the project.

The Coastal Commission also required a restoration plan for the lagoon south of Cabrillo Boulevard and landscape plans for private land located adjacent to Mission Creek. These plans were prepared and reviewed by the Coastal Commission and included in the project.

Other recommendations incorporated into the project include:

- Relocating fish baffles toward the center of the creek instead of on the edge, using boulder clusters between fish pools.
- Not using the fish ledges north of Highway 101.
- Reducing the area of rock energy dissipaters at De La Guerra and Gutierrez Bridges.
- Implementing an adaptive management plan for proposed creek improvements.

d. Creek Bank Configuration North of Highway 101

The original project had proposed a vertical wall at the base of the creek bank with a vegetated rock protected slope above, in the area north of Highway 101. The project now includes construction of creek banks that have a vertical wall at the top of the creek bank with a rock protected vegetated slope below at the edge of the creek bottom.

e. West Downtown Historic Study

The Final EIS/EIR included a mitigation measure that required a study of a portion of the West Downtown area to see if the area qualifies as a potential historic district. The study identified two potential historic districts. The study has been prepared and is being incorporated into the city historic resources data base and is in the process of being evaluated. Due to workload issues the evaluation of these historic districts will take some time.

**IV. Conclusion**

As this project progresses through the design review and construction process staff will continue to monitor it for consistency with the CDP and EIR/EIS. A comprehensive Mitigation Monitoring Program has also been developed that should be used to coordinate responsibilities of the various agencies under taking the project. Staff will continue to keep the Planning Commission informed of the progress of this important community project with periodic status reports.

Exhibit A: Public Works Memorandum, dated May 2, 2012

(Memorandum attachments can be viewed online in the electronic version of this Staff Report at [www.SantaBarbaraCA.gov/PC](http://www.SantaBarbaraCA.gov/PC). Printed copies are available upon request.



City of Santa Barbara  
Public Works Department

## Interoffice Memorandum

**DATE:** April 5, 2012  
**TO:** Pat Kelly, Assistant Public Works Director/City Engineer  
**VIA:** John Ewasiuk, Principal Civil Engineer  
**FROM:** Brian D'Amour, Supervising Civil Engineer  
**SUBJECT:** Highway Bridge Program Quarterly Update (Fiscal Year 2012, 3<sup>rd</sup> Quarter)

This memo summarizes the current status of the City's Highway Bridge Program, including specific highlights since the end of the last quarter.

There are currently nine active projects, of which eight are bridge replacements projects receiving Federal Highway Administration (FHWA) funding, administered through Caltrans' Highway Bridge Program (HBP). Additionally, three more bridge replacement projects listed in the Federal Transportation Improvement Program (FTIP) have not yet been authorized, as funds are programmed in future years.

Specific key highlights from the past quarter include:

- Ribbon cutting and notice of completion for the Ortega Street Bridge Replacement;
- Authorization to proceed with right of way phase for Mason Street Bridge Replacement;
- Authorization to proceed with right of way phase for Cota Street Bridge Replacement;
- Authorization to proceed with Preliminary Engineering phase for Gutierrez Street Bridge Replacement (New project); and
- Authorization to proceed with Preliminary Engineering phase for De la Guerra Street Bridge Replacement (New project).

An updated schedule for each of the active projects is included as Attachment 1, and a cost summary for the entire program is included as Attachment 2.

The current status for each of these projects is provided below.

### Active Projects

#### Haley Street at De la Vina Street Bridge Replacement

Total Project Cost: \$9,950,000

Notice of Completion for construction is scheduled by May 2012, pending property owner's final approval for required parking lot pavement repairs. Project close out documentation and final invoicing with Caltrans is scheduled in the next quarter. Also ongoing is the sale of a temporary property acquisition (136 W Haley), with proceeds allocated toward City matching funds of future bridge projects.

Ortega Street Bridge Replacement

Total Project Cost: \$7,050,700

A ribbon cutting for the bridge opening was held on January 11, 2012. Notice of completion was filed on February 23, 2012. Project close out documentation and final invoicing with Caltrans is scheduled in the next quarter. Also ongoing are the sales of temporary property acquisitions (306 West Oretga & 309 West Oretga), with proceeds allocated toward City matching funds of future bridge projects.

Cabrillo Boulevard Bridge Replacement

Total Project Cost: \$23,719,500

Currently finalizing value engineering proposed changes with Bengal Engineering. Pedestrian bridge options were presented at the Planning Commission and the Historic Landmarks Commission in March 2012. The right of way phase is awaiting appraisal approval by Caltrans before the City can proceed to finalize the property acquisition Settlement Agreement. Construction funding is currently programmed by FHWA to be available on October 1, 2012, with construction scheduled to begin in May 2013. It is anticipated the Project will take two years for completion.

Mason Street Bridge Replacement

Total Project Cost: \$11,161,515

On February 15, 2012, the FHWA authorized the City to proceed with reimbursable right of way phase costs. A request for additional design phase funding was submitted to Caltrans and was approved by FHWA on April 2, 2012. Final design with Bengal Engineering is scheduled to be awarded in May 2012. Prior to going to Council for final design, the preliminary design is scheduled for consideration by the TCC. The federal share of participating costs for this project is 88.53% for the design phase and 100% for the right of way and construction phases. The additional 11.47% match for right of way and construction comes from toll credit funds.

Cota Street Bridge Replacement

Total Project Cost: \$8,125,546

A request for right of way authorization and an increase in design funding was submitted to Caltrans and authorized by FHWA on April 4, 2012. Review of preliminary design plans will begin in the next quarter. Following approval, the City will be able to begin the right of way phase and enter into a final design contract.

Chapala Street at Yanonali Street Bridge Replacement

Total Project Cost: \$4,258,420

On March 16, 2012, FHWA authorized additional funding for the design phase. This increase is sufficient to encumber the final design contract with Drake Haglan and Associates. Award of final design is scheduled for April 10, 2012. A request for authorization to proceed with the right of way phase is pending Caltrans' approval. The federal share of participating costs for this project is 88.53% for the design phase and 100% for the right of way and construction phases. The additional 11.47% match for right of way and construction will now come from toll credits rather than Prop 1B seismic retrofit funds.

Gutierrez Street Bridge Replacement

Total Project Cost: \$6,365,750

On March 8, 2012, FHWA authorized the City to proceed with reimbursable design phase costs. Requests for proposals will be sent out to qualified consultants and evaluated for selection in the next quarter. The federal share of participating costs for this project is 88.53%.

De la Guerra Street Bridge Replacement

Total Project Cost: \$5,935,000

On March 8, 2012, FHWA authorized the City to proceed with reimbursable design phase costs. Requests for proposals will be sent out to qualified consultants and evaluated for selection in the next quarter. The federal share of participating costs for this project is 88.53%.

Bridge Preventive Maintenance Program

Total Project Cost: \$500,000

A project kick-off meeting was held on March 7, 2012, with the design consultant, Wallace Group. Design is scheduled to be completed in June 2012. Construction is anticipated to begin with a maintenance/repair contract in fall of 2012. The federal share of participating design and construction costs for this project is 88.53%.

**Projects Programmed, but not yet Authorized by FHWA**

Anapamu Street Bridge Replacement

Total Project Cost: \$6,255,000

This bridge is eligible for replacement through the Highway Bridge Program. This project is programmed in the FTIP, with Preliminary Engineering (PE) funding available for Federal Fiscal Year 2012/2013. The federal share of participating costs for this project is 100%, since this is an off-federal-aid system bridge project funded by the Highway Bridge Program.

De la Vina Street Bridge Replacement

Total Project Cost: \$9,850,000

This bridge is eligible for replacement through the Highway Bridge Program. This project is programmed in the FTIP, with PE funding available for Federal Fiscal Year 2013/2014. The federal share of participating costs for this project is 88.53%.

Mission Canyon Road Bridge Replacement

Total Project Cost: \$10,470,000

This bridge is eligible for replacement through the Highway Bridge Program. This project is programmed in the FTIP, with PE funding available for Federal Fiscal Year 2013/2014. The federal share of participating costs for this project is 88.53%.

Attachment: 1) Fiscal Year 2012 - 3rd Quarter Active Projects Schedule  
2) Fiscal Year 2012 - 3rd Quarter – Costs Summary

cc: Joshua Haggmark, Principal Civil Engineer  
Barbara A.B. Salvini, Principal Civil Engineer  
Adam Hendel, Supervising Engineer  
Jim Colton, Project Manager  
John Ilasin, Project Engineer



City of Santa Barbara  
Highway Bridge Program  
Funding Summary  
4/5/2012

ATTACHMENT 2

	PE Phase		ROW Phase		COM Phase		Total Project		Totals
	City Funds	Grant Amount	City Funds	Grant Amount	City Funds	Grant Amount	City Funds	Grant Amount	
Programmed (10/20/11 HRP)	\$885,300	\$708,000	\$229,400	\$2,000,000	\$774,225	\$6,750,000	\$9,950,000	\$7,008,000	\$10,288,000
Authorized by F-761	\$885,300	\$708,000	\$229,400	\$2,000,000	\$774,225	\$6,750,000	\$9,950,000	\$7,008,000	\$10,288,000
Not Yet Authorized	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Additional HRP Funds Required	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$885,300	\$708,000	\$229,400	\$2,000,000	\$774,225	\$6,750,000	\$9,950,000	\$7,008,000	\$10,288,000
Amount Budgeted by City	\$114,700	\$177,000	\$0	\$0	\$0	\$0	\$114,700	\$177,000	\$291,700
Additional Match Funds Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total PE Phase	\$1,000,000	\$885,000	\$229,400	\$2,000,000	\$774,225	\$6,750,000	\$10,064,200	\$8,184,000	\$10,579,700
Programmed (10/20/11 HRP)	\$1,270,000	\$1,903,395	\$2,000,000	\$3,538,544	\$1,676,303	\$4,900,000	\$5,806,603	\$11,177,000	\$16,614,449
Authorized by F-761	\$1,270,000	\$1,903,395	\$2,000,000	\$3,538,544	\$1,676,303	\$4,900,000	\$5,806,603	\$11,177,000	\$16,614,449
Not Yet Authorized	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Additional HRP Funds Required	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$1,270,000	\$1,903,395	\$2,000,000	\$3,538,544	\$1,676,303	\$4,900,000	\$5,806,603	\$11,177,000	\$16,614,449
Amount Budgeted by City	\$1,770,000	\$1,903,395	\$229,400	\$3,538,544	\$1,676,303	\$4,900,000	\$2,575,247	\$3,538,544	\$6,113,791
Additional Match Funds Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total ROW Phase	\$1,770,000	\$1,903,395	\$229,400	\$3,538,544	\$1,676,303	\$4,900,000	\$2,575,247	\$3,538,544	\$6,113,791
Programmed (10/20/11 HRP)	\$2,000,000	\$1,350,000	\$2,000,000	\$3,975,000	\$1,676,303	\$4,900,000	\$5,806,603	\$11,177,000	\$16,614,449
Authorized by F-761	\$2,000,000	\$1,350,000	\$2,000,000	\$3,975,000	\$1,676,303	\$4,900,000	\$5,806,603	\$11,177,000	\$16,614,449
Not Yet Authorized	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Additional HRP Funds Required	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$2,000,000	\$1,350,000	\$2,000,000	\$3,975,000	\$1,676,303	\$4,900,000	\$5,806,603	\$11,177,000	\$16,614,449
Amount Budgeted by City	\$774,225	\$449,131	\$0	\$485,653	\$0	\$0	\$774,225	\$449,131	\$1,223,356
Additional Match Funds Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total COM Phase	\$774,225	\$449,131	\$0	\$485,653	\$0	\$0	\$774,225	\$449,131	\$1,223,356
Programmed (10/20/11 HRP)	\$6,750,000	\$3,915,200	\$1,676,303	\$4,900,000	\$4,286,744	\$2,879,210	\$5,806,603	\$11,177,000	\$16,614,449
Authorized by F-761	\$6,750,000	\$3,915,200	\$1,676,303	\$4,900,000	\$4,286,744	\$2,879,210	\$5,806,603	\$11,177,000	\$16,614,449
Not Yet Authorized	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Additional HRP Funds Required	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$6,750,000	\$3,915,200	\$1,676,303	\$4,900,000	\$4,286,744	\$2,879,210	\$5,806,603	\$11,177,000	\$16,614,449
Amount Budgeted by City	\$6,031,675	\$6,077,984	\$700,000	\$700,000	\$0	\$0	\$6,731,675	\$6,777,984	\$13,509,659
Additional Match Funds Needed	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$6,031,675	\$6,077,984	\$700,000	\$700,000	\$0	\$0	\$6,731,675	\$6,777,984	\$13,509,659
Non-Participating Costs	\$700,000	\$100,000	\$0	\$0	\$0	\$0	\$700,000	\$100,000	\$800,000
Total	\$1,318,325	\$877,236	\$0	\$0	\$0	\$0	\$1,318,325	\$877,236	\$2,195,561
Total Project	\$9,950,000	\$7,008,000	\$2,575,247	\$11,177,000	\$1,676,303	\$4,900,000	\$13,177,000	\$9,819,536	\$16,614,449

- Notes Regarding Funding
- A 100% funded in ROW and COM
  - B Additional PE Amount Received from programming increase
  - C 100% funded in ROW and COM
  - D 100% funded in ROW and COM
  - E 100% funded in ROW and COM
  - F 100% funded in ROW and COM

Address	Amount	Notes
136 W. Hwy	\$425,000	Per 2/27/12 Staff Estimate
306 W. Ortega	\$275,000	Per 2/27/12 Staff Estimate
507 W. Ortega	\$575,000	Per 2/27/12 Staff Estimate
21 E. Cabrillo	100	
20 W. Mason	100	
221 W. Gale	100	
240 W. Gale	100	
5 W. Barn	100	
<b>Total</b>	<b>\$1,275,000</b>	



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 22, 2012  
**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 5, and June 12, 2012.

### **DISCUSSION:**

Interviews of applicants for various positions on City Advisory Groups are to be held on May 22, 2012, at 6:00 p.m. Applicants will also have the option to be interviewed on June 5, and June 12, 2012, at an estimated time of 4:00 p.m.

For the current vacancies, 45 individuals submitted 51 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 requested 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 newly established 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 14, 2012, at 5:00 p.m. at the Louise Lowry Davis Recreation Center, or Monday, May 21, 2012, at 5:30 p.m. in the Council Chamber.

Appointments are scheduled to take place on June 26, 2012.

**ATTACHMENT:** List of Applicants

**PREPARED BY:** Brenda Alcazar, CMC, Deputy City Clerk

**SUBMITTED BY:** Marcelo A. López, Assistant City Administrator/Administrative Services Director

**APPROVED BY:** City Administrator's Office

**ACCESS ADVISORY COMMITTEE**

- Two vacancies.
- Terms expire 12/31/2014.
- Residents of the City or a full-time employees of an entity doing business within the City who demonstrate an interest, experience, and commitment to issues pertaining to disability and access and who represent the public at large:
  - Two representatives from the Architectural/Engineering/Building Community.
- Appointees may not hold any full-time paid office or employment in City government.

<b>CATEGORY (Number of Vacancies)</b>	<b>APPLICANT</b>	<b>Incumbent Appt. Dates (Years Served)</b>	<b>Applicant's Preference (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>)</b>	<b>Notes</b>
<b><i>Architectural/ Engineering/Building Community (2)</i></b>	Brian Barnwell	12/16/08 (3 years, 6 months)		

## 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 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Resident of the City or unincorporated area of Santa Barbara County (2)</i>	None			

**CENTRAL COAST COMMISSION FOR SENIOR CITIZENS**

- One vacancy.
- Term expires 6/30/2013.
- Resident of the City.
- Appointee may not hold any full-time paid office or employment in City government.

<b>CATEGORY (Number of Vacancies)</b>	<b>APPLICANT</b>	<b>Incumbent Appt. Dates (Years Served)</b>	<b>Applicant's Preference (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>)</b>	<b>Notes</b>
<i><b>Resident of the City (1)</b></i>	Brenda Collins Powell			Current Community Development & Human Services Committee Member; term expires 12/31/13.

## COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE

- Three vacancies.
- One term expires 12/31/2013; one term expires 12/31/2014; and one term expires 12/31/2015
- Residents or employees within the City but need not be qualified electors of the City.
- One representative from each:
  - Housing Interests
  - Human Services Agencies
  - Senior 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 (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Housing Interests (1)</i></b>	Jacqueline Duran		1) Community Development & Human Services; 2) Rental Housing Mediation Task Force	
	Dale Fathe-Aazam			
	Steven B. Faulstich			
<b><i>Human Services Agencies (1)</i></b>	Alejandra Gutierrez			
<b><i>Senior Community (1)</i></b>	Bonnie Raisin			Also eligible for the Human Services Agencies category.

## COMMUNITY EVENTS & FESTIVALS COMMITTEE

- Four vacancies.
- One term expires 12/31/2014; and three terms expire 12/31/2015.
  - Three representatives of the Business/Lodging/Retail Industry; and
  - One resident of the City who represents the public at large (one of whom shall not represent any specific group).
- 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 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Business/Lodging/ Retail Industry (3)</i></b>	Laura McIver			
<b><i>Public at Large (1)</i></b>	Rebekah Altman	12/19/06 (5 years, 6 months)		
	Robert W. Burnham		1) Transportation and Circulation Committee; 2) Community Events & Festivals	Current Access Advisory Committee Member; term expires 12/31/14
	Charles Huff		1) Community Events & Festivals; 2) Parks and Recreation Commission; 3) Neighborhood Advisory Committee	

## FIRE AND POLICE PENSION COMMISSION

- Three vacancies.
- One term expires 12/31/2012; one term expires 12/31/2013; and one term expires 12/31/2014.
- One active retired police officer who need not be a resident or qualified elector of the City; and
- Two qualified electors of the City who are not active firefighters or police officers for the City of Santa Barbara.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Active/Retired Police Officer (1)</i></b>	None			
<b><i>Qualified Electors (2)</i></b>	Luis Esparza		1) Water Commission; 2) Measure P Committee; 3) Fire & Police Pension Commission	Current Measure P Committee Member; continuing to serve until a successor is appointed.

## HOUSING AUTHORITY COMMISSION

- Two vacancies.
- One term expires 6/30/2014 (appointment effective on 7/1/2012); and one term expires September 14, 2016 (appointment effective September 15, 2012).
- One appointee may be a non-City resident:
  - One representative of the public at large; and
  - One tenant who is receiving housing assistance from the Housing Authority of the City 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 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b>Public at Large (1)</b>	Sarah Maria Anthony			City
	Robert Burke			City Also eligible for the Tenant category. Current Rental Housing Mediation Task Force Member; term expires 12/31/14.
	Geoff Green	7/1/08 (4 years)		County
<b>Tenant (1)</b>	Mary Johnston	6/28/05, 7/11/06, 7/1/08, 6/29/10 (7 years)		City

## LIBRARY BOARD

- Two vacancies.
- Terms expire 12/31/2015.
- Qualified electors 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 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Electors (2)</i></b>	Jonathan R. Glasoe			
	Lucille Teresa Boss Ramirez			
	Christine Roberts	12/16/08 (3 years, 6 months)		
	Patricia E. Ruth			

## LIVING WAGE ADVISORY COMMITTEE

- Three vacancies.
- One term expires 6/30/2015; and two terms expire 6/30/2016
- One representative from each:
  - Employee of a local Santa Barbara area nonprofit entity;
  - Owner/Manager of a service contractor subject to the City's Living Wage Ordinance;
  - Santa Barbara Downtown Organization or Santa Barbara Chamber of Commerce Nominee
- 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 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i><b>Nonprofit Entity (1)</b></i>	None			
<i><b>Owner/Manager of a service contractor subject to the City's Living Wage Ordinance (1)</b></i>	None			
<i><b>Santa Barbara Downtown Organization <u>or</u> Santa Barbara Chamber of Commerce Nominee (1)</b></i>	None			

## MEASURE P COMMITTEE

- Six vacancies.
- Two terms expire 12/31/2012; One term expires 12/31/2013; two terms expire 12/31/2014; and one term expires 12/31/2015
- Two residents of the City; and one representative from each:
  - Civil Liberties Advocate
  - Drug abuse, treatment & prevention counselor
  - Criminal Defense Attorney
  - Medical Professional
- 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 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Civil Liberties Advocate (1)</i>	Luis Esparza	3/6/07 (5 years, 3 months)	1) Water Commission; 2) Measure P Committee; 3) Fire & Police Pension Commission	
<i>Criminal Defense Attorney (1)</i>	None			
<i>Drug abuse, treatment &amp; prevention counselor (1)</i>	None			
<i>Medical Professional (1)</i>	None			
<i>Residents of the City (2)</i>	None			

**MOSQUITO AND VECTOR MANAGEMENT DISTRICT BOARD**

- One vacancy.
- Term expires 1/7/2013.
- 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.

<b>CATEGORY (Number of Vacancies)</b>	<b>APPLICANT</b>	<b>Incumbent Appt. Dates (Years Served)</b>	<b>Applicant's Preference (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>)</b>	<b>Notes</b>
<i>Registered Voter of the City of Santa Barbara or a member of the City Council (1)</i>	None			

## NEIGHBORHOOD ADVISORY COUNCIL

- Two vacancies.
- One term expires 12/31/2014; and one term expires 12/31/2015
- Residents of the City who need not be qualified electors of the City:
- One resident of the City who represents the public at large; and
- One representative from any of the following neighborhoods:
  - West Downtown
  - Eastside
  - Lower Eastside
  - Laguna
  - Westside
  - Lower Westside
- Appointees may not hold any full-time paid office or employment in City government.

**NOTE:** Applicants under the Neighborhood Representative category are also eligible for appointment to the Public at Large category.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Neighborhood Representative (1)</i></b>	Roane Akchurin			Westside Neighborhood
	Ed Cavazos			Westside Neighborhood
	Ed King			Eastside Neighborhood
	Joseph A. Rution			Laguna Neighborhood

(Cont'd)

**NEIGHBORHOOD ADVISORY COUNCIL (CONT'D)**

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Public at Large (1)</i>	Jacques Habra			
	Charles Huff		1) Community Events & Festivals; 2) Parks and Recreation Commission; 3) Neighborhood Advisory Committee	
	Mari G. Mender			

## PARKS AND RECREATION COMMISSION

- Two vacancies.
- Terms expire 12/31/2012.
- Qualified electors of the City.  
**Note:** Council may appoint a youth member that is age 16 or 17 years, is a resident of the City and a citizen of the United States.
- 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 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b>Qualified Electors of the City (2)</b>	Megan Luciana Diaz			Qualified Elector
	Christina Nicole Gonzalez			Qualified Elector
	Charles Huff		1) Community Events & Festivals; 2) Parks and Recreation Commission; 3) Neighborhood Advisory Committee	Qualified Elector
	Charmaine Curtis Jacobs			Qualified Elector

## RENTAL HOUSING MEDIATION TASK FORCE

- Three vacancies.
- One term expires 12/31/2012; and two terms expire 12/31/2015.
- Residents of the City or the County of Santa Barbara:
  - One homeowner
  - Two landlords

**Note:** Non-resident members must be owners of residential rental property within the City limits or affiliated with organizations concerned with landlord-tenant issues within the City limits.
- 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 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Homeowner (1)</i>	None			
<i>Landlords (2)</i>	Silvio DiLoreto	6/28/05 & 12/18/07 (7 years)		County
	Jacqueline Duran		1) Community Development & Human Services; 2) Rental Housing Mediation Task Force	County
	Charles V. Eckert, III			County
	Martin B. Manzo			City

**SANTA BARBARA YOUTH COUNCIL**

- Three vacancies.
- Terms expire 6/30/2014.
- Members must be between the ages of 13 – 19 years. Members may be students attending any public, private, alternative or continuation high school, or independent studies.
- Appointees may not hold any full-time paid office or employment in City government.

<b>CATEGORY (Number of Vacancies)</b>	<b>APPLICANT</b>	<b>Incumbent Appt. Dates (Years Served)</b>	<b>Applicant's Preference (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>)</b>	<b>Notes</b>
<b><i>Student Members (3)</i></b>	Rocio Pacheco Garcia			San Marcos High School
	Amber Rowley			San Marcos High School
	Sami Soto			Bishop Diego High School
	Anna Rose Welsh			Alta Vista Middle College
	Naomi Zamudio			Santa Barbara High School

## SINGLE FAMILY DESIGN BOARD

- Two vacancies.
- One term expires 6/30/2015; and one term expires 6/30/2016
- Residents of the County of Santa Barbara:
  - One licensed landscape architect;
  - One person who possesses professional qualifications in fields related to architecture, including but not limited to, building design, structural design, structural engineering, industrial design, or landscape contracting.
- 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 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Licensed Landscape Architect (1)</i></b>	Lisa James			City
	Jaime Pierce			County
<b><i>Professional Qualifications (1)</i></b>	Travis B. Colburn			City

## TRANSPORTATION AND CIRCULATION COMMITTEE

- One vacancy.
- Term expires 12/31/2014.
- Qualified elector of the City or the County of Santa Barbara.
- 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 (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Elector (1)</i></b>	Robert Burnham		1) Transportation and Circulation Committee; 2) Community Events & Festivals	Current Access Advisory Committee Member; term expires 12/31/14.
	Daniel Ramirez			Current Community Development & Human Services Committee Member; term expires 12/31/15.
	Kathleen Rodriguez			
	Jonathan H. Ziegler			

## WATER COMMISSION

- One vacancy.
- Term expires 12/31/2015.
- Qualified elector of the City.
- 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 (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Elector (1)</i></b>	Megan Birney			
	Gabe Dominocielo			Current Civil Service Commissioner; term expires 12/31/14.
	Luis Esparza		1) Water Commission; 2) Measure P Committee; 3) Fire & Police Pension Commission	Current Measure P Committee Member; continuing to serve until a successor is appointed.



Agenda Item No. \_\_\_\_\_

File Code No. 160.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012  
**TO:** Mayor and Councilmembers  
**FROM:** Risk Management Division, Finance Department  
**SUBJECT:** Conference With Legal Counsel – Pending Litigation

**RECOMMENDATION:**

That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is a workers' compensation claim: *Russell Alfino v. City of Santa Barbara*, WCAB case number ADJ8059798.

Scheduling: Duration, 10 minutes; anytime  
Report: None anticipated

**PREPARED BY:** Mark W. Howard, Risk Manager  
**SUBMITTED BY:** Robert Samario, Finance Director  
**APPROVED BY:** City Administrator's Office



Agenda Item No. \_\_\_\_\_

File Code No. 440.05

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** June 12, 2012

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Conference With Labor Negotiator

**RECOMMENDATION:**

That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the City's General bargaining unit, the Police Management Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

**SCHEDULING:** Duration, 45 minutes; anytime

**REPORT:** None anticipated

**PREPARED BY:** Kristy Schmidt, Employee Relations Manager

**SUBMITTED BY:** Marcelo López, Assistant City Administrator

**APPROVED BY:** City Administrator's Office