

**CITY OF SANTA BARBARA
CITY COUNCIL**

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



James L. Armstrong
City Administrator

Stephen P. Wiley
City Attorney

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

**MARCH 19, 2013
AGENDA**

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

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

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

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

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

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

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

ORDER OF BUSINESS

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

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

Subject: Housing Authority Of The City Of Santa Barbara's Request For Subordination, Modification, And Release Of City Deeds Of Trust on 418 Santa Fe Place And 521 N. La Cumbre Road (120.03)

Recommendation: That the Finance Committee recommend to City Council approval of the following:

- A. Subordination of the loan made by the former Redevelopment Agency to the Housing Authority of the City of Santa Barbara (HACSB) to assist in the acquisition by the HACSB of the property located at 521 N. La Cumbre Road (Villa La Cumbre) to a new Department of Housing and Urban Development (HUD) insured mortgage and to a new HACSB loan, and amendment of the maturity date of the City loan to coincide with the maturity date of the HUD-insured mortgage;
- B. Subject to disclosure to the HUD, an agreement between the City and HACSB providing for annual repayment to the City of the City loan in the amount of \$60,000 for the remaining extended term of the loan;
- C. HUD Rider to Affordability Control Covenant Imposed on Real Property;
- D. Release and reconveyance of existing City Grant Agreements and Deeds of Trust on Villa La Cumbre;
- E. Release and reconveyance of existing City Grant Agreements and Deeds of Trust on SHIFCO; and
- F. Authorize the Community Development Director to execute, subject to approval as to form by the City Attorney, such agreements and related City and HUD documents as required to facilitate the recapitalization of 418 Santa Fe Place (SHIFCO) and 521 N. La Cumbre Road (Villa La Cumbre).

**REGULAR CITY COUNCIL MEETING – 2:00 P.M.
AFTERNOON SESSION**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of March 5 and 12, 2013.

2. Subject: Adoption Of Ordinance For Lease Agreement With U.S. Department Of Transportation, Federal Aviation Administration (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Twenty-Year Lease Agreement with the U.S. Department of Transportation, Federal Aviation Administration, with No Monetary Consideration, for Approximately 2.5 Acres of Land at 10 Edward Burns Place, at the Santa Barbara Municipal Airport, Effective October 1, 2013.

3. Subject: Records Destruction For Administrative Services 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 Administrative Services Department in the City Clerk's Office, Human Resources Division, and Information Systems Division.

CONSENT CALENDAR (CONT'D)

4. Subject: Records Destruction For Public Works 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 Public Works Department in the Engineering and Water Resources Divisions.

5. Subject: Acquisition Of Temporary Easements And Extra Design Services For The Punta Gorda Street Bridge Replacement Project (330.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Acquire and Accept Temporary Construction Easements Located at 1130 and 1133 Punta Gorda Street, and Authorize the Public Works Director, Subject to Review and Approval as to Form by the City Attorney, to Execute Said Agreements and Related Acquisition Documents that May be Required for the Punta Gorda Street Bridge Replacement Project, and Consent to the Recordation of the Related Deeds in the Official Records, County of Santa Barbara; and
- B. Authorize an increase in the extra services amount with Drake Haglan and Associates for final design services for the Punta Gorda Street Bridge Replacement Project, Contract No. 23,959, in the amount of \$34,000, for a total project expenditure authority of \$166,000.

6. Subject: Lease Agreement With Special Olympics of Southern California, Inc., At Westside Neighborhood Center (330.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute a lease agreement with Special Olympics of Southern California, Inc., for 922 square feet of space at the Westside Neighborhood Center at \$1.17 per square foot.

7. Subject: Contract For Construction Of Low Impact Development Demonstration Permeable Paver Parking Lots Project (570.05)

Recommendation: That Council:

- A. Accept a Proposition 84 Storm Water Grant funds for an amount not to exceed \$1,889,299 for the Low Impact Development Demonstration Permeable Paver Parking Lots Project;
- B. Approve a transfer of reserves in the amount of \$259,890 from the Creeks Operating Fund to the Creeks Capital Fund;

(Cont'd)

CONSENT CALENDAR (CONT'D)

7. (Cont'd)

- C. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2013 Creeks Capital Fund by \$2,149,189, for the Low Impact Development Demonstration Permeable Paver Parking Lots Project funded from the \$1,889,299 grant and \$259,890 transfer of reserves from the Creeks Operating Fund;
- D. Reject the apparent low bid from Moalej Builders, Inc., of \$1,681,373 for the Low Impact Development Demonstration Permeable Paver Parking Lots Project, Bid No. 3677, as nonresponsive due to their failure to submit a complete bid;
- E. Award a contract with G. Sosa Construction, Inc., waiving minor irregularities, in their low bid amount of \$1,716,930 for construction of the Low Impact Development Demonstration Permeable Paver Parking Lots Project, Bid No. 3677; and
- F. Authorize the Public Works Director to execute the contract and approve expenditures up to \$171,700 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

8. **Subject: Approval Of Emergency Repair Of The Rattlesnake Creek Sewer Pipe Bridge Creek Crossing (540.13)**

Recommendation: That Council:

- A. Approve an emergency Purchase Order for Specialty Construction, Inc., in the amount of \$74,867.11 for repair of the Rattlesnake Creek Sewer Pipe Bridge Creek Crossing; and
- B. Approve an emergency increase in a professional services contract with Fillippin Engineering in the amount of \$66,216.38 for construction management, inspection and environmental monitoring.

9. **Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board Of Review Approval For 2700 Miradero Drive (640.07)**

Recommendation: That Council:

- A. Set the date of April 16, 2013, at 2:00 p.m. for hearing the appeal filed by Anne Senuta of the Architectural Board of Review approval of an application for property owned by the Villa Miradero North Homeowners Association and located at 2700 Miradero Drive, Assessor's Area Parcel No. 051-520-CA1 for common parcel, R-2 Two-Family Residence Zone, General Plan Designation: Medium Density Residential. The project proposes to remove existing attached gable pergolas at 40 residential condominium units; and
- B. Set the date of April 15, 2013, at 1:30 p.m. for a site visit to the property located at 2700 Miradero Drive.

CONSENT CALENDAR (CONT'D)

NOTICES

10. The City Clerk has on Thursday, March 14, 2013, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

11. **Subject: Purchase Of Real Property At The City's Hydroelectric Plant (330.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City's Public Works Director to Act in the Negotiations on Behalf of the City of Santa Barbara for the Purchase of the Fee Simple Interest in the Real Property Known as the Santa Barbara Hydroelectric Power Plant Land at Lauro Dam, and Verifying that Funds Have Been Budgeted for the Purchase at Fair Market Value as Determined by Appraisal.

POLICE DEPARTMENT

12. **Subject: Police Department Update (520.04)**

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

13. 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 Fire Management Association and the Police Officers' Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

PUBLIC HEARINGS

14. Subject: Appeal Of Architectural Board Of Review Approval Of 1911 Chino Street (640.07)

Recommendation: That Council deny the appeal of Evelyn Lee, et al., of the application of Gil Barry, architect, agent for Alamar II LLC, and uphold the Architectural Board of Review's Project Design Approval for the proposed second single-family dwelling and garage on a lot with an existing single-family dwelling.

ADJOURNMENT

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: March 19, 2013

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: Housing Authority Of The City Of Santa Barbara's Request For Subordination, Modification, And Release Of City Deeds Of Trust on 418 Santa Fe Place And 521 N. La Cumbre Road

Recommendation: That the Finance Committee recommend to City Council approval of the following:

- A. Subordination of the loan made by the former Redevelopment Agency to the Housing Authority of the City of Santa Barbara (HACSB) to assist in the acquisition by the HACSB of the property located at 521 N. La Cumbre Road (Villa La Cumbre) to a new Department of Housing and Urban Development (HUD) insured mortgage and to a new HACSB loan, and amendment of the maturity date of the City loan to coincide with the maturity date of the HUD-insured mortgage;
- B. Subject to disclosure to the HUD, an agreement between the City and HACSB providing for annual repayment to the City of the City loan in the amount of \$60,000 for the remaining extended term of the loan;
- C. HUD Rider to Affordability Control Covenant Imposed on Real Property;
- D. Release and reconveyance of existing City Grant Agreements and Deeds of Trust on Villa La Cumbre;
- E. Release and reconveyance of existing City Grant Agreements and Deeds of Trust on SHIFCO; and
- F. Authorize the Community Development Director to execute, subject to approval as to form by the City Attorney, such agreements and related City and HUD documents as required to facilitate the recapitalization of 418 Santa Fe Place (SHIFCO) and 521 N. La Cumbre Road (Villa La Cumbre).



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Finance Committee

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

SUBJECT: Housing Authority of the City of Santa Barbara's Request For Subordination, Modification, And Release Of City Deeds Of Trust on 418 Santa Fe Place And 521 N. La Cumbre Road

RECOMMENDATION: That the Finance Committee recommend to City Council approval of the following:

- A. Subordination of the loan made by the former Redevelopment Agency to the Housing Authority of the City of Santa Barbara (HACSB) to assist in the acquisition by the HACSB of the property located at 521 N. La Cumbre Road (Villa La Cumbre) to a new Department of Housing and Urban Development (HUD) insured mortgage and to a new HACSB loan, and amendment of the maturity date of the City loan to coincide with the maturity date of the HUD-insured mortgage;
- B. Subject to disclosure to the HUD, an agreement between the City and HACSB providing for annual repayment to the City of the City loan in the amount of \$60,000 for the remaining extended term of the loan;
- C. HUD Rider to Affordability Control Covenant Imposed on Real Property;
- D. Release and reconveyance of existing City Grant Agreements and Deeds of Trust on Villa La Cumbre;
- E. Release and reconveyance of existing City Grant Agreements and Deeds of Trust on SHIFCO; and
- F. Authorize the Community Development Director to execute, subject to approval as to form by the City Attorney, such agreements and related City and HUD documents as required to facilitate the recapitalization of 418 Santa Fe Place (SHIFCO) and 521 N. La Cumbre Road (Villa La Cumbre).

EXECUTIVE SUMMARY:

The Housing Authority is seeking City support through modification of an existing City (formerly Redevelopment Agency) loan and covenant to use equity funding to rehabilitate two existing senior rental properties to "like new" condition and to provide additional funds to meet the current and future needs of the Housing Authority.

DISCUSSION:

Financing Plan "Villa Santa Fe"

The HACSB is working to recapitalize two of its low rent senior housing developments—SHIFCO, located at 418 Santa Fe Place, which comprises 107 units; and Villa La Cumbre, located at 521 N. La Cumbre Road, which comprises 60 units. This recapitalization transaction includes the purchase of the existing improvement on both the Villa La Cumbre and SHIFCO properties by a limited partnership, Villa Santa Fe Apartments, a California Limited Partnership ("LP") and the continued ownership of the real property by HACSB and, through a lease-back and property management agreement, the continued management of both facilities by HACSB.

The financing plan uses: 4% Low-Income Housing Tax Credits; tax-exempt bonds; a new low-interest, fixed rate HUD-insured mortgage with a 35-year term that will replace the bonds 18 months following their issuance; and, to the extent other project sources cannot pay the sales price, rehabilitation costs and other projects costs in full, HACSB financing.

HACSB has secured a reservation of tax credits for the combined project from the California Tax Credit Allocation Committee and a forward commitment for the bond allocation from the California Debt Limit Allocation Committee. HACSB expects a firm commitment of the Federal Housing Administration (FHA)/HUD-insured mortgage from HUD within the month.

During the initial 15-year tax credit compliance period, HACSB will maintain operational control of the properties by master leasing the improvements from the LP. This model, using the wrap around master lease, has been a successful arrangement on other HACSB rental housing developments such as El Carrillo, Artisan Court and Bradley Studios. The primary difference is the use of HUD insured mortgage financing for this project.

HACSB is requesting specific approvals from the City with regard to the previous financing provided by the City (and the former Redevelopment Agency) on Villa La Cumbre and SHIFCO.

Villa La Cumbre – Loan and Affordability Covenant

In April 2000, the former RDA provided HACSB with an acquisition loan in the amount of \$886,700 bearing 3 percent interest with a 30-year term and a maturity date of June 1, 2030. Payments are due on the loan on a "residual receipts" basis. No payments are due until the net income of the project, after payment of necessary operating expenses, is sufficient to support such payments. Any unpaid balance remaining at the end of the term is due and payable in full. These terms are typical of RDA affordable housing loans. In Villa La Cumbre's 2011 program year, the City received approximately \$5,000 per month in residual receipt payments. As of January 31, 2013, the outstanding balance (principal plus accrued interest) is \$1,167,224 ("City Loan").

The Affordability Control Covenant Imposed on Real Property recorded on this property requires that the property remain affordable to low-income seniors until 2060 (Covenant").

HACSB requests the following:

1. That the City, as successor agency, subordinate the City Loan to the new HUD-insured mortgage and to a new \$317,616 second trust deed loan made by HACSB to Villa Santa Fe Apartments, a California Limited Partnership. The City's loan committee approved subordination of the City Loan in October 2012, before the additional HUD requirements were fully understood. Under the HUD required form subordination, residual receipts payment on the City Loan is only permitted after payment of all operating costs, senior debt and reserves. Under these terms, it is unlikely that the City would continue to receive the residual receipts payments it is currently receiving. As a means to provide for the continued payment on the City Loan, HACSB has agreed to enter into a separate agreement with the City as described below (See item 4).
2. That the City amend the term of the City Loan, as required by HUD, to add eighteen (18) years to the term to coincide with the maturity of the new HUD-insured mortgage (2048 instead of 2030).
3. That the City amend the Covenant to incorporate the terms of a HUD Rider. The Rider essentially results in the subordination of the Covenant to the HUD-insured loan. The affordability requirements contained in Covenant will also be required through a regulatory agreement which is a component of the tax credit financing. Both the City's Covenant and the tax credit regulatory agreement will be subordinate to the HUD Regulatory Agreement.
4. In order to provide continuing payments to the City, the City and HACSB will enter a new agreement which will create an unsecured obligation by HACSB to make monthly payments of \$5,000 per month to the City out of non-project generated income.

The terms of this agreement between HACSB and the City would be fully disclosed to HUD and, in the event HUD does not approve the payment arrangement, HACSB will pay the City Loan in full.

Villa La Cumbre – Release of Grant Agreements

In March 2010 and July 2011, the City provided HACSB Community Development Block Grant (CDBG) funds in the amounts of \$90,000 and \$100,000 respectively for rehabilitation of the buildings. To secure performance under the terms of these grant agreements, the City recorded Deeds of Trusts. Since these were grants rather than loans, with no requirement for their repayment, and since these funds have been expended in full compliance with the grant agreements, HACSB requests the following:

1. Consent to release and reconvey the 2010 Deed of Trust and Grant Agreement in the amount of \$90,000.
2. Consent to release and reconvey the 2011 Deed of Trust and Grant Agreement in the amount of \$100,000.

SHIFCO

The City has provided HACSB three grants for rehabilitation of SHIFCO: April 2007 in the amount of \$400,000; April 2009 in the amount of \$200,000; and July 2011, in the amount of \$580,000. To secure performance under the terms of these grant agreements, the City recorded Deeds of Trusts. Since these were grants rather than loans, with no requirement for their repayment, and since these funds have been expended in full compliance with the grant agreements, the HACSB requests the following:

1. Consent to release and reconvey the 2007 Deed of Trust and Grant Agreement in the amount of \$400,000;
2. Consent to release and reconvey the 2009 Additional Advance in the amount of \$200,000; and
3. Consent to release and reconvey the 2011 Deed of Trust and Grant Agreement in the amount of \$580,000.

Long Term Affordability – Villa La Cumbre & SHIFCO

Both Villa La Cumbre and SHIFCO under the new Villa Santa Fe project will continue to provide low rent units for seniors. The City does not currently have a recorded affordable covenant on SHIFCO. As mentioned above, the Covenant on Villa La Cumbre expires in May 2060 and, subject to the HUD Rider, will remain on the title. The affect of the Rider will be to subordinate the Covenant to the HUD Regulatory Agreement. Affordability will be retained and required on both Villa La Cumbre and SHIFCO through the tax credit affordability requirements that expire in 2068 and the HUD's Regulatory Agreement. In the unlikely event of HACSB's default, the City may not have the same ability to enforce the long-term affordability.

Conclusion

The new Villa Santa Fe financing structure enables HACSB to continue to provide quality affordable housing to current and future seniors for the next several decades by extending the useful life of Villa La Cumbre and SHIFCO and extending the affordability term to 2068. Through the agreement between the City and HACSB, the City will continue to receive monthly loan payments. Staff recommends that the Finance Committee recommend that City Council approve HACSB's requests as outlined in this report.

BUDGET/FINANCIAL INFORMATION:

The City will incur no costs in connection with this transaction and, subject to HUD's approval of the payment agreement, will continue to receive payments on the Villa La Cumbre loan. Should HUD disapprove, the City will receive payment in full of the Villa La Cumbre loan on or before the finalization of the recapitalization transaction.

ATTACHMENT(S): 1. Villa Santa Fe Project Summary
2. Letter from HACSB dated February 18, 2013
3. Letter from HACSB dated August 20, 2012

PREPARED BY: Sue Gray, Community Development Business Manager/DR/DR

SUBMITTED BY: Paul Casey, Assistant City Administrator, Community
Development Director

APPROVED BY: City Administrator's Office

Villa Santa Fe Apartments

Santa Barbara, CA

Tax-Exempt Bond and 4% LIHTC Project

Property and Project Background:

Villa Santa Fe Apartments consists of 167 senior apartments located in two locations in Santa Barbara: 521 N. La Cumbre Road (currently known as Villa La Cumbre) and 418 Santa Fe Place (currently known as SHIFCO).

Villa La Cumbre, built in 1987, was purchased by the Housing Authority of The City of Santa Barbara ("HASCBS") from the original developers in April 2000. The property is situated on 4 acres of mature landscaped grounds and includes 60 one-bedroom units, 558 sq. ft. in size, with full kitchens, bathrooms, washer/dryer hook-ups, and private patios or balconies. The total rentable space is 35,280 sq. ft. Amenities include laundry facilities, carports with storage, on-site resident manager, community garden space and a newly refurbished recreation room. Although this property has been well maintained, it is nearing 30 years of age and all units are in need of rehabilitation.

SHIFCO was originally developed in 1975 by the Senior Housing Inter-Faith Corporation (aka SHIFCO). Shortly after being placed in service, the ownership was transferred to HASCBS. The property is situated on 8.21 acres on the Mesa of Santa Barbara and overlooks the Pacific Ocean. The development consists of 106 – one-bedroom rental units, 1 – two-bedroom manager's unit, a community room and manager's office. HASCBS has paid off the existing HUD 223(d)(3) loan and, in return, received project based voucher assistance from HUD for all 106 rental units. Although the Community Room and Manager's office have undergone complete rehabilitation, the individual units are in great need of rehabilitation and updating as it is nearing 40 years of age.

HASCBS will convey the improvements of both properties to a new single purpose entity ("Villa Santa Fe Apartments, LP") at fair market value, \$28,600,000. HASCBS will take a soft second to the extent the other project sources cannot pay the sales price, rehabilitation costs and other project costs in full. HASCBS, manage the properties under a property management agreement with the Limited Partnership to retain operational control throughout the compliance period. At the end of the initial 15-year compliance period, HASCBS plans to exercise its option to repurchase the improvements at the lower of taxes due on the investor's capital account or fair market value less debt and collapse the partnership.

As the property manager, most of the project compliance obligations are shifted from the partnership to the Housing Authority thereby limiting the exposure of the limited partners. The Housing Authority will also enter into certain guarantee agreements with the Limited Partnership to ensure completion of the rehabilitation and placing the two projects into service.

As stated previously, the structure of this project, as outlined in the attached Exhibit A – Project Organizational Chart, is very similar to successful past Low-Income Housing Tax Credit Projects which includes the following:

- El Carrillo – 62 studio units
- Artisan Court - 56 studio units
- Bradley Studios – 54 studio units (anticipated completion – November 1, 2012)

Those projects were all 9% tax credit projects where there is no permanent hard debt encumbering the developments. This project, as a 4% tax credit project, will utilize tax exempt bonds and permanent hard debt. The hard debt on the project will be in the form of an FHA insured loan that is serviceable through the projects' operations with adequate capacity for replacement reserves and a debt coverage ratio 1.27.

Project Timeline:

September 18, 2012	Award of forward Commitment of Tax Exempt Bonds from CDLAC
October 5, 2012	Submit Loan Application to HUD
October 10, 2012	Award of 4% Tax Credits
January 7, 2013	Begin Property Rehabilitation – through HACSB
March 27 - -April 11, 2013	Loan and tax credit equity investor closing
December 2013	Buildings “Placed-In-Service”
March 2014	“Completion” and cost certification
September 2014	Forms 8609 issues and “Stabilization”

Villa Santa Fe Apartments – Tax Exempt Bond and 4% LIHTC Project – Summary

February 19,2012

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Project Team:

Limited Partnership/Mortgager	Villa Santa Fe Apartments LP, whose co-managing partners are Villa Santa Fe Apartments MGP LLC (Garden Court, Inc. – sole member) and 2 nd Story SB Development 1 LLC (2 nd Story Associates – sole member), both California 501c3 Corporations
Equity Investor	Alliant Capital
FHA Lender	Bellwether Enterprise
Bond Issuer	HACSB
Bond Purchaser	Citi Community Capital
Bond Counsel	Paul Thimmig of Quint & Thimmig
Property Manager/Master Lessee	HACSB
Guarantor/Sponsor	HACSB
Developer	HACSB
Construction Manager	HACSB
Financial Consultants	Adam Diskin and Russell Hirsch of DH&G
Borrower Counsel	Mark Kantor and Watt Taylor – Kantor, Taylor, Nelson, Boyd & Evatt

Villa Santa Fe Apartments, LP

**A. Building **

Housing Authority of the City of Santa Barbara

- Continues as Property Manager
- Operates the Project
- Meets All Tax Credit Compliance Requirements
- Meets All City Land Use Requirements

B. Contracted Developer

Housing Authority of the City of Santa Barbara

- Executes a Developer Agreement with Limited Partnership
- Completes Development, Financing, Construction Oversight, Permits, Operation Oversight
- Role ends upon successful lease-up and Three Year stable operations

C. Limited Partnership

Villa Santa Fe Apartments, LP

- Lease with fee owner of project
- Executes Developer Agreement with Developer to build new structures
- Executes Consulting Agreement with Financial Consultant – DH&G LLC/Papallani LLC
- Leases Project to Housing Authority for operations

General Partners:

Managing General Partner:

*Villa Santa Fe Apartments MGP, LLC
(Garden Court Inc.)*

Co-Managing General Partner:

*2nd Story SB Development 1, LLC
(2nd Story Associates)*

(together GPs hold 1/10 of 1% interest in Buildings)

Limited Partner:

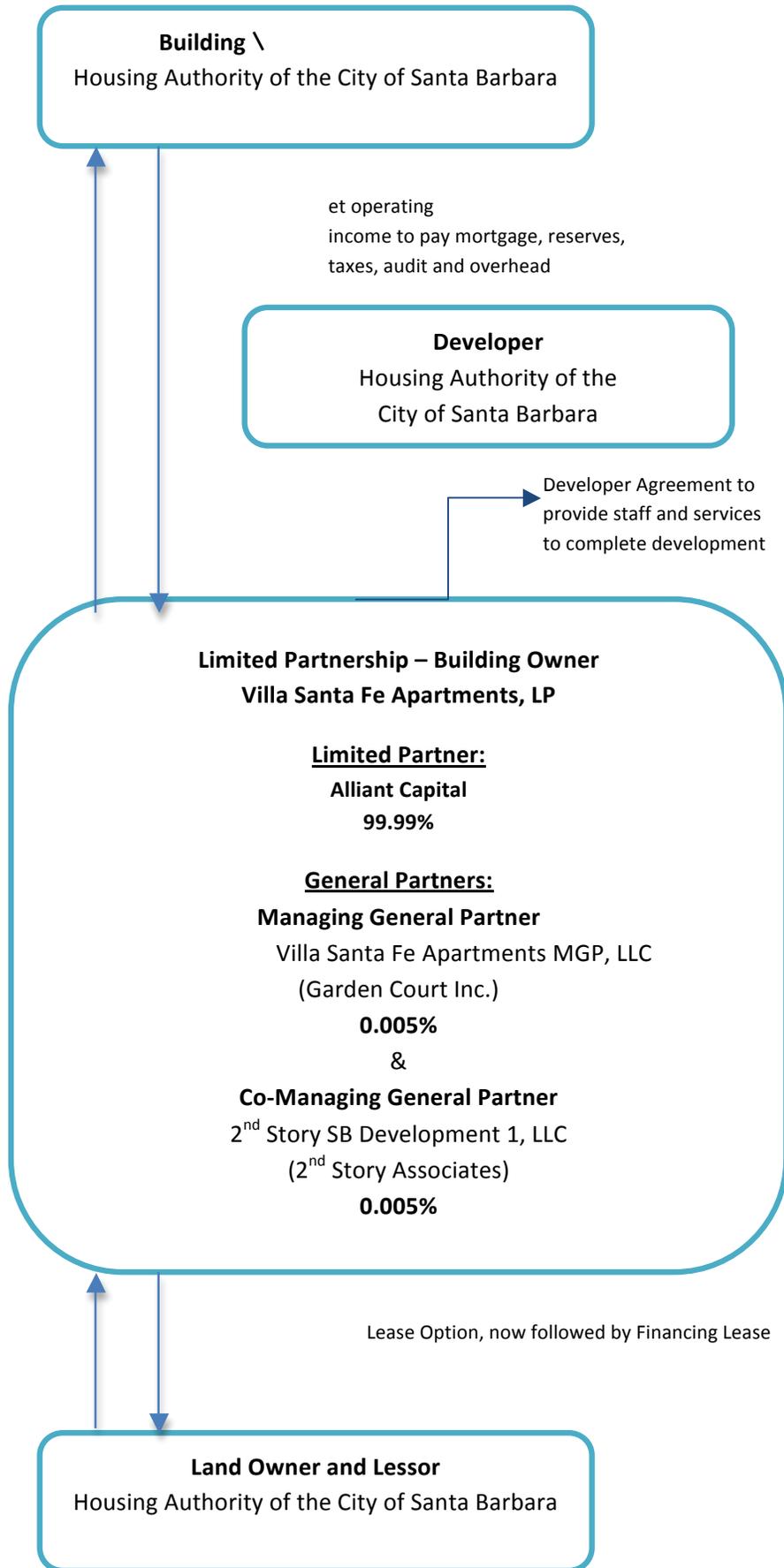
Alliant Capital

Tax Credit Investment Fund as Limited Partner
(holds a 99.9% interest in buildings)

D. Land Owner and Lessor

Housing Authority of the City of Santa Barbara

- Owns Land for the Project
- Grants Lease Option to Limited Partnership
- Leases to new Limited Partnership



Organizational Chart – Villa Santa Fe Apartments, LP



HOUSING

AUTHORITY OF THE
CITY OF SANTA BARBARA808 Laguna Street / Santa Barbara
California / 93101Tel (805) 965-1071
Fax (805) 564-7041
TTY (866) 660-4288 (En)
TTY (866) 288-1311 (Sp)

February 18, 2013

Hand Delivered

Sue Gray, Administrative Services Manager
Community Development Department
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

RE: REQUEST FOR:

1. **SUBORDINATION AND AMENDMENT OF TERM FOR EXISTING RESIDUAL RECEIPTS LOAN ON 521 N. LA CUMBRE ROAD; AND**
2. **RECONVAYANCE OF DEEDS OF TRUST SECURING PERFORMANCE OF GRANT FUNDS ON 418 SANTA FE PLACE (SHIFCO) AND 521 N. LA CUMBRE ROAD (VILLA LA CUMBRE)**

Dear Ms. Gray,

As you are aware, the Housing Authority has been working diligently to recapitalize two of its low rent senior housing developments—SHIFCO , located at 418 Santa Fe Place, comprised of 107 units; and Villa La Cumbre, located at 521 N. La Cumbre Road, consisting of 60 units. The financing plan includes utilizing 4% Low-Income Housing Tax Credits, tax-exempt bonds and a new low-interest, fixed rate HUD-insured mortgage with a 35 year term that will take out the bonds 18 months following their issuance. The reservation of tax credits has been secured for this project from California Tax Credit Allocation Committee and a forward commitment for the bond allocation has been received from California Debt Limit Allocation Committee—both of which were subsequent to the City Council's June 12, 2012 TEFRA hearing approving our issuance of the bonds. We expect to receive a firm commitment of the FHA/HUD-insured mortgage from the Department of Housing and Urban Development within the next month whereupon all of the financing will be ready for closing.

In order to move this important recapitalization effort forward, we need specific approvals from the City. First, we would like to receive approval and agreement to have the City's existing residual receipts loan on the Villa La Cumbre property subordinated to the new HUD-insured mortgage and Housing Authority loans and to amend the maturity date of the loan to coincide with the maturity date of the new HUD-insured mortgage. Secondly, there are several deeds of trust recorded by the City encumbering both SHIFCO and Villa La Cumbre as security for performance of past grant funds given to the Housing Authority for capital improvements. As full performance on these past grants has been

Letter Request – Subordination of Residual Receipts Loan for Villa La Cumbre and Reconveyance of Deeds of Trust
February 18, 2012
Page 2 of 3

achieved, we would like to have these deeds re-conveyed. Included is a project summary to more fully inform you and your team of the recapitalization plan details (see attached **Exhibit A**).

Subordination and amending of maturity date of existing Residual Receipts loan on 521 N. La Cumbre Road

Villa La Cumbre has an existing City of Santa Barbara (Housing Successor Agency to the former Redevelopment Agency) residual receipts loan with an outstanding balance of \$1,167,224.61 (principal plus accrued interest through January 31, 2013) with a maturity date of June 1, 2030. From the inception of this recapitalization need and effort, the Housing Authority has contemplated leaving this loan in place and having the City subordinate the loan to the new HUD-insured mortgage. The Housing Authority sought formal approval for the subordination in August, 2012 (**see attached Exhibit B**), and received approval from the City's loan Committee. After recent discussions with our legal counsel and the City Attorney's Office, it has been determined that HUD will not only require subordination of the City's loan to their insured loan but may also require a modification of the maturity date to coincide with the maturity date of their loan. Should this modification be required, the loan would need to be extended an additional 18 years, to April 2048. We recognize this type of modification would require City Council approval. Thus, we are seeking written affirmation of the City Council's approval of the subordination request and a firm indication of City staff's support (to be followed by City Council approval) of this request to modify and extend the maturity date of the loan to coincide with the maturity date of the HUD insured loan, if so required.

As was detailed in our original subordination request in August of 2012 (**Exhibit B**), the residual receipts loan is an obligation of the Housing Authority and although use of the properties require conveyance to a limited partnership via a financing lease to effectuate the recapitalization, the Authority will ensure minimum payment of \$60,000 per year on the loan via a separate agreement between the Authority and the City. This is the same amount that Housing Authority has paid in its most recent program year and is an amount that fully amortizes the loan over the existing loan term. In other words, at the \$60,000 agreed upon minimum annual payment the loan will be paid in full in 2042, which would be in advance of the requested extended term of 2048. In the event that the Department of Housing and Urban Development (HUD) does not approve the proposed payment arrangement, the Housing Authority will pay the residual receipts loan on or before the close of the recapitalization transaction.

Requests for Reconveyance of Deeds of Trusts for Grant Agreements encumbering both SHIFCO and Villa La Cumbre

Over the last several years, the City of Santa Barbara has granted funds to the Housing Authority for the purpose of capital improvements to both properties. The most recent grants were for re-roofing projects at both properties. To secure performance of these grants, the City had Deeds of Trusts recorded encumbering both properties. Since these funds have been expended per the grant agreements, the Housing Authority would like to clean up title to both properties by having the Deeds of Trusts reconveyed. The Housing Authority will ensure that all new use agreements and affordability

Letter Request – Subordination of Residual Receipts Loan for Villa La Cumbre and Reconveyance of Deeds of Trust
February 18, 2012
Page 3 of 3

covenants that result from this recapitalization effort meet or exceed the City covenants put into place with the aforementioned grant agreements.

Approving the subordination and loan modification (should the latter be required by HUD) on the 521 N. La Cumbre residual receipts loan and reconveying the deeds of trust on the grant agreements as outlined above, will assist the Housing Authority in effectuating this very needed recapitalization effort. While this is a very complicated financing structure, it is essentially a refinance in conjunction with the injection of new tax credit capital to rehabilitate the two properties. At completion, all 167 units that make-up the two properties will be brought to “like new” condition such that they can effectively serve current and future low-income Santa Barbara seniors for another 40 years. The refinancing will also enable the Housing Authority to draw on equity to help address the rehabilitation needs of other properties in its current inventory. Allowing the City’s loan to remain on the project and not require repayment at closing as vetted with City staff in the past will enable the Housing Authority to also utilize equity funding to better address the community’s identified affordable housing needs. This is all the more important now that affordable housing funding via redevelopment agencies no longer exists in California.

We appreciate the work the City has put into the review of this project to date. Please review and forward this request to the City Council for their consideration as soon as is feasible as we are attempting to finalize the agreements and close on all financing between March 20th and March 31st.

If you should require any additional information, please feel free to contact me at 805-897-1025 or via email at rpearson@hacsb.org or Rob Fredericks at 897-1051 or email at rfredericks@hacsb.org.

Sincerely,

HOUSING AUTHORITY OF THE
CITY OF SANTA BARBARA



ROBERT G. PEARSON
Executive Director/CEO

cc: Rob Fredericks, Deputy Executive Director/CAO
Bob Peirson, Director of Finance



HOUSING

AUTHORITY OF THE
CITY OF SANTA BARBARA808 Laguna Street / Santa Barbara
California / 93101Tel (805) 965-1071
Fax (805) 564-7041
TTY (866) 660-4288 (En)
TTY (866) 288-1311 (Sp)

August 20, 2012

Hand Delivered

Sue Gray, Administrative Services Manager
Community Development Department
City of Santa Barbara
630 Garden Street
Santa Barbara CA 93101

RE: 521 N. LA CUMBRE LANE (VILLA LA CUMBRE) REQUEST FOR SUBORDINATION OF EXISTING RESIDUAL RECEIPTS LOAN

Dear Ms. Gray,

The Housing Authority of the City of Santa Barbara is planning to recapitalize Villa La Cumbre, a 60 unit affordable senior housing development located at 521 N. La Cumbre Road, Santa Barbara, CA. This complex was originally developed in 1986 and was purchased by the Housing Authority on April 28, 2000 using, in part, a \$886,700 low interest, residual receipts loan from the Redevelopment Agency of the City of Santa Barbara. As the property is now 26 years old, many building materials and systems are in need of repair and/or replacement. Accessing the Federal Low-Income Housing Tax Credit Program (LIHTC) and a tax-exempt bond issuance, the Housing Authority is planning to perform the necessary rehabilitation of this property along with another Authority owned affordable senior housing development, SHIFCO, located on the Mesa.

To facilitate this transaction and to ensure the long term stability of Villa La Cumbre, the Housing Authority is making this formal request to your office (the Housing Successor Agency (HSA) of the Redevelopment Agency) to subordinate the above referenced loan on the property to the new financing that will ultimately take the form of an FHA/HUD-insured mortgage. The outstanding balance of the HSA loan as of July 31, 2012 is \$1,178,559.11 (principal and accrued interest).

As explained in our past meetings and reports made as part of the TEFRA hearing held by the City Council on June 13, 2012 for the project, the Housing Authority has formed a California limited partnership that will purchase the improvements existing on both Villa La Cumbre and SHIFCO. The Housing Authority will retain fee title ownership of the land and will master lease the improvements back from the partnership in order to maintain operational control of the properties during the initial 15 year tax credit compliance period. After this initial period, the Housing Authority will repurchase the improvements under an option, returning them to its non-HUD portfolio under favorable terms. This model, utilizing the wrap around master lease of the improvements back to the Housing Authority, is tried and proven with several of our other "non-HUD" (LIHTC) rental housing developments.

Letter Request – Subordination of Residual Receipts Loan for Villa La Cumbre

August 19, 2012

Page 2 of 2

The planned rehabilitation of Villa La Cumbre is budgeted at \$1,533,806 (\$25,563.43 per unit) and will include the following:

- Replacement of hydronic heating units and water heaters with energy efficient models
- New kitchen counters, cabinets and energy efficient appliances
- New flooring throughout
- New windows
- New entry doors
- Replacement of plumbing fixtures
- New perimeter fencing
- Upgrade of electrical fixtures

This rehabilitation project will enable the Housing Authority to continue providing quality affordable housing for the current and future residents of Villa La Cumbre for the next several decades by extending its useful life.

To be clear, the existing residual receipts loan will remain an obligation of the Housing Authority of the City of Santa Barbara, but will be, subject to the City's approval, subordinate to the new permanent HUD-insured financing with the Limited Partnership. As discussed previously with City staff, to preserve the City's position on residual receipts payments on the loan, the Housing Authority is open to negotiating mutually agreeable repayment terms, such as maintaining residual receipts payments at the greater of the actual residual receipts for each program year or \$60,000 per year, which was the amount paid in 2012 based on our 2011 results of operations.

We are expecting to have our tax credit application and bond allocation approval from the State in mid-September and are looking to close the new financing, with concurrent subordination of the City's residual receipts loan, between November 15th and December 15th, 2012. We appreciate your review and forwarding of this request to the City Council (the Housing Successor Agency) for their consideration prior to the stated closing time frame.

If you should require any additional information, please feel free to contact me at 805-897-1051 or via email rfredericks@hacsb.org

Sincerely,

HOUSING AUTHORITY OF THE
CITY OF SANTA BARBARA



ROB FREDERICKS
Deputy Executive Director/CAO

cc: Robert G. Pearson, Executive Director
Bob Peirson, Director of Finance



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 5, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:02 p.m. (The Finance Committee met at 12:00 p.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: Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

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

CEREMONIAL ITEMS

1. **Subject: Employee Recognition - Service Award Pins (410.01)**

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through March 31, 2013.

Documents:

March 5, 2013, report from the Assistant City Administrator.

Speakers:

Staff: City Administrator James Armstrong.

By consensus, the Council approved the recommendation, and the following employees were recognized:

(Cont'd)

1. (Cont'd)

5-Year Pin

Jessica Grant, Project Planner, Public Works Department

10-Year Pin

Thomas Doolittle, Information Systems Manager, Information Systems Department

John Nielsen, Laboratory Analyst II, Public Works Department

15-Year Pin

N. Scott Vincent, Assistant City Attorney III, City Attorney's Office

Barbara Sansone, Executive Assistant, Police Department

Eric Beecher, Police Sergeant, Police Department

Frank Dealy, Reservoir & Dam Care / Distribution Operator, Public Works Department

Dale Escobar, Wastewater Collection System Operator - Technician I, Public Works Department

Milislav Pavlovic, Senior Control Systems Operations Specialist, Public Works Department

25 Year Pin

Carol Schmitter, Administrative Specialist, Police Department

Eric Johnson, Water Distribution Operator / Emergency Services, Public Works Department

Andrea Crippa, Senior Airport Maintenance Worker, Airport Department

35 Year Pin

William Veazey, Fire Engineer, Fire Department

PUBLIC COMMENT

Speakers: Ben Shalout, D. Rowbottom.

ITEMS REMOVED FROM CONSENT CALENDAR

6. **Subject: Purchase Of Two "Trikes" - Tactical Patrol/ Beat Coordinator Units (520.04)**

Recommendation: That Council:

- A. Accept a donation in the amount of \$8,000 from the Santa Barbara Police Foundation; and
- B. Approve an increase in appropriations and estimated revenues in the amount of \$8,000 in Fiscal Year 2013 to the General Fund, Police Department, budget for the purchase of two "Trikes".

Documents:

March 5, 2013, report from the Chief of Police.

Speakers:

Members of the Public: Craig Case, Santa Barbara Police Foundation; Bill Collyer, Santa Barbara Downtown Organization.

(Cont'd)

6. (Cont'd)

Motion:

Councilmembers Rowse/House to approve the recommendations.

Vote:

Unanimous voice vote.

3. Subject: Contract For Construction For De La Vina At Figueroa Intersection Improvements Project (530.04)

Recommendation: That Council:

- A. Accept a Federal Highway Safety Improvement Program grant in the total amount of \$326,300;
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2013 Streets Fund by \$326,300 for the De La Vina at Figueroa Intersection Improvements Project;
- C. Award a contract with Lash Construction, Inc., in their low bid amount of \$271,443.75 for construction of the De La Vina at Figueroa Intersection Improvements Project, Bid No. 3667; and
- D. Authorize the Public Works Director to execute the contract and approve expenditures up to \$27,144 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

Documents:

March 5, 2013, report from the Public Works Director.

Speakers:

Staff: Supervising Transportation Engineer Derrick Bailey.

Motion:

Councilmembers House/Murillo to approve the recommendations; Agreement No. 24,379.

Vote:

Majority voice vote (Noes: Councilmembers Francisco, Hotchkiss, Rowse).

CONSENT CALENDAR (Item Nos. 2, 4, 5, 7-10)

The titles of the resolutions related to Item No. 8 were read.

Motion:

Councilmembers House/Francisco 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 regular meeting of February 19, 2013 (cancelled).

Action: Approved the recommendation.

4. Subject: Professional Services Contract With Goodwin Simon Strategic Research For Water Quality Public Opinion Research (540.11)

Recommendation: That Council authorize the Parks and Recreation Director to execute a professional services contract with Goodwin Simon Strategic Research in the amount of \$40,200 to conduct public opinion research related to creek restoration, water quality, and sources of creek and ocean water pollution.

Action: Approved the recommendation; Agreement No. 24,380. (March 5, 2013, report from the Parks and Recreation Director).

5. Subject: Appropriation Of K-9 Funds And K-9 Purchase (800.01)

Recommendation: That Council:

- A. Appropriate \$24,700 from the Police K-9 Unit Trust Fund, from available reserves, to the Police K-9 Account for the purchase of a Police canine and related equipment, training, and program costs; and
- B. Find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code §4.52.080 (k) and approve the purchase of a new canine, equipment, and related training from Mission Canines.

Action: Approved the recommendations (March 5, 2013, report from the Chief of Police).

7. Subject: Contract For Construction For The Mission Creek Fish Passage Phase 2 (Final Phase) Project (540.14)

Recommendation: That Council:

- A. Accept \$775,000 in grant funds from the California Wildlife Conservation Board for the construction of the Mission Creek Fish Passage Phase 2 Project;
- B. Accept \$300,000 in grant funds from the State Coastal Conservancy for the construction of the Mission Creek Fish Passage Phase 2 Project;
- C. Accept \$75,000 in grant funds from the Parks and Recreation Community Foundation (from the Santa Barbara Foundation) for construction of the Mission Creek Fish Passage Phase 2 Project;
- D. Increase appropriations and estimated revenue in the Creeks Capital Fund by \$1,150,000 for the Mission Creek Fish Passage Phase 2 Project;
- E. Transfer \$78,859 from the Creeks Fund's reserves to the Creeks Capital Fund and appropriate the funds to the Mission Creek Fish Passage Phase 2 Project;

(Cont'd)

7. (Cont'd)

- F. Note that the apparent low bid submitted by Shaw Contracting, Inc., in the amount of \$2,248,290 for the Mission Creek Fish Passage Phase 2 Project, Bid No. 3620, contained mathematical errors and they have formally withdrawn their bid;
- G. Award a contract with Schock Contracting Corporation in their low bid amount of \$2,824,000 for construction of the Mission Creek Fish Passage Phase 2 Project, Bid No.3620;
- H. Authorize the Public Works Director to execute the contract and approve expenditures up to \$282,400 to cover any construction cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment;
- I. Authorize the Public Works Director to execute a contract with HDR Engineering, Inc., in the amount of \$59,750 for construction support services, and approve expenditures of up to \$5,975 for extra services of HDR Engineering, Inc., that may result from necessary changes in the scope of work; and
- J. Authorize the Public Works Director to execute a contract with BTC Labs - Vertical Five in the amount of \$44,834 for construction support services, and approve expenditures of up to \$4,483 for extra services of BTC Labs - Vertical Five, that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement Nos. 24,381, 24,382, and 24,383 (March 5, 2013, report from the Public Works and Parks and Recreation Directors).

8. Subject: Authorization To Apply For A State Revolving Fund Loan For Wastewater Capital Projects of Approximately \$20 Million (540.13)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City Administrator to Execute and Deliver an Application to the State Water Resources Control Board for a Clean Water State Revolving Fund Financing Agreement; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Stating the City's Intent to Reimburse Expenditures Paid Prior to Either the Issuance of Obligations or the Approval by the State Water Resources Control Board of the Project Funds for the Secondary Treatment Process Improvements Project at the El Estero Wastewater Treatment Plant.

Action: Approved the recommendations; Resolution Nos. 13-008 and 13-009 (March 5, 2013, report from the Public Works Director; proposed resolutions).

9. Subject: Set A Date For Public Hearing Regarding Architectural Board Of Review's Approval For 1911 Chino Street.

Recommendation: That Council:

- A. Set the date of March 19, 2013, at 6:00 p.m. for hearing the appeal filed by Evelyn Lee et al. of the Architectural Board of Review approval of an application for property owned by Alamar II, LLC and located at 1911 Chino Street, Assessor's Parcel No. 043-121-013, R-2 Residential Zone, General Plan Designation: Medium Density Residential. The project proposes to demolish an existing detached 600 square foot two-car garage and construct a new 1,320 square foot two-story single-family residence and attached 407 square foot two-car garage. The project is located at the rear of the 7,500 square foot lot behind the existing 990 square foot one-story single-family residence. A new driveway and two uncovered parking spaces are also proposed; and
- B. Set the date of March 18, 2013, at 1:30 p.m. for a site visit to the property located at 1911 Chino Street.

Action: Approved the recommendations (February 4, 2013, letter of appeal).

NOTICES

- 10. The City Clerk has on Thursday, February 28, 2013, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to hear a report from staff regarding the potential sale of Water Fund certificates of participation ("COPs") and refinancing existing debt. He stated the committee will recommend to Council approval of professional services agreements with Orrick, Herrington & Sutcliff, LLP, for bond and disclosure counsel services and KNN Public Finance for financial advisory services. The Committee also received a report on the Capital improvement Program for Fiscal Years 2014 through 2019, which will be presented to Council as Agenda Item No. 12.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

11. **Subject: Municipal Code Amendments for Implementation of the Nonresidential Growth Management Program (610.04)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara adding Chapter 28.85 to the Santa Barbara Municipal Code, deleting Sections 28.87.300 and 28.87.350, and amending Sections 28.95.010 through 28.95.070 to implement the City's 2011 General Plan Nonresidential Growth Management Program; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara adopting Amended Administrative Procedures for the implementation of the General Plan Growth Management Program and the adoption of the City Traffic Management Strategy and rescinding Resolution No. 12-075.

Documents:

- March 5, 2013, report from the Assistant City Administrator/Community Development Director.
- Proposed Ordinance and Resolution.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: City Planner Bettie Weiss, Project Planner Beatriz Gularte, Principal Transportation Planner Rob Dayton, City Attorney Stephen Wiley.
- Members of the Public: Ralph Horowitz; Trish Allen, Suzanne Elledge Planning & Permitting Services, Inc.

Motion:

Councilmembers House/Francisco to approve the recommendations; Resolution No. 13-010.

Vote:

Unanimous roll call vote.

RECESS

4:09 p.m. - 4:17 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT

12. Subject: Six-Year Capital Improvement Program - Fiscal Year 2014 Through 2019 (230.01)

Recommendation: That Council receive a report on the Six-Year Capital Improvement Program for Fiscal Year 2014 through 2019.

Documents:

- March 5, 2013, report from the Public Works Director.
- 2012-2017 Capital Improvement Program, dated January 2011.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Public Works Director Christine Andersen, City Administrator James Armstrong, Assistant City Administrator/Community Development Director Paul Casey.
- Parks and Recreation Commission: Commissioner Beebe Longstreet, Chair Lesley Wiscomb.
- Neighborhood Advisory Council: City Senior Neighborhood and Outreach Services Supervisor Mark Alvarado.

By consensus, the Council received the report and their questions were answered.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember White reported on the February 28th meeting of the Fire and Police Commission. He reported that Whiskey Richards received a three-month suspension of its dance permit for various infractions, and Cutty's Restaurant recently received a dance permit. At the meeting, the Fire Captain reported that there are two new positions for Captain currently advertised and eight lateral positions being offered. The Police Chief reported that all car videos have been installed and they will go live soon; he also noted there are seven new recruits in the police academy.
- Councilmember Rowse reported that he attended the opening days for both the Santa Barbara Sailing Club and the Santa Barbara Yacht Club where Mayor Schneider welcomed the first female Commodore in over 140 years of the yacht club's history.

(Cont'd)

Information (Cont'd)

- Councilmember Hotchkiss reported on his participation in Read Across America Week where he had the opportunity to read to local students one of the Dr. Seuss books. He also had the opportunity to tour Waterfront Parking facilities with staff where they looked at current challenges which will be addressed in the near future.
- Mayor Schneider commended the Santa Barbara - Kotor Sister Cities Committee which hosted Ratimir Martinovic, classical pianist, for his second recital at Hahn Hall at the Music Academy of the West campus in Santa Barbara.

RECESS

Mayor Schneider recessed the meeting at 5:35 p.m. in order for the Council to reconvene in closed session for Item No. 13, and she stated that no reportable action is anticipated.

CLOSED SESSIONS

13. **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 Fire Management Association and the Police Officers' Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

March 5, 2013, report from the Assistant City Administrator.

Time:

5:35 p.m. - 6:10 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:10 p.m. in memory of Bob Kallman, former Santa Barbara County Supervisor from 1975-1985. Mr. Kallman served as Old Spanish Days Fiesta El Presidente and was a Navy Veteran who served in World War II and the Korean War.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST: _____

HELENE SCHNEIDER
MAYOR

DEBORAH L. APPLGATE
DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING MARCH 12, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Pro Tempore Randy Rowse called the meeting to order at 2:00 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this date.)

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Rowse.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Cathy Murillo, Bendy White, Mayor Pro Tempore Rowse.

Councilmembers absent: Grant House, Mayor Helene Schneider.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Gwen Peirce.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring March 12, 2013, As Arbor Day (120.04)

Action: Proclamations were presented to representatives of Santa Barbara Beautiful and to City Arborist Tim Downey.

PUBLIC COMMENT

Speakers: Tamara Erickson, Kenneth Loch.

ITEMS REMOVED FROM THE CONSENT CALENDAR

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of February 26, 2013.

Documents:

Draft minutes of the regular meeting of February 26, 2013.

Councilmember Murillo stated that she was absent from the February 26, 2013, meeting and therefore would abstain from voting on this item.

Motion:

Councilmembers White/Hotchkiss to approve the recommendation.

Vote:

Majority voice vote (Abstention: Councilmember Murillo; Absent: Councilmember House, Mayor Schneider).

7. Subject: Contract For Design Of Wellhead For New Corporation Yard Well (540.10)

Recommendation: That Council authorize the Public Works Director to execute a Professional Services contract with Carollo Engineers in the amount of \$80,000 for design services for the Corporation Yard Wellhead Project, and authorize the Public Works Director to approve expenditures of up to \$8,000 for extra services of Carollo Engineers that may result from necessary changes in the scope of work.

Documents:

March 12, 2013, report from the Public Works Director.

Motion:

Councilmembers White/Francisco to approve the recommendation; Contract No. 24,389.

Vote:

Majority voice vote (Noes: Councilmember Murillo; Absent: Councilmember House, Mayor Schneider).

CONSENT CALENDAR (Item Nos. 3 – 6, 8 – 12)

The titles of the resolution and ordinances related to the Consent Calendar were read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember House, Mayor Schneider).

3. Subject: Municipal Code Amendments For Implementation Of The Nonresidential Growth Management Program (610.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adding Chapter 28.85 to the Santa Barbara Municipal Code, Deleting Sections 28.87.300 and 28.87.350, and Amending Sections 28.95.010 Through 28.95.070 to Implement the City's 2011 General Plan Nonresidential Growth Management Program.

Action: Approved the recommendation; Ordinance No. 5609.

4. Subject: Fiscal Year 2013 Interim Financial Statements For The Seven Months Ended January 31, 2013 (250.02)

Recommendation: That Council accept the Fiscal Year 2013 Interim Financial Statements for the Seven Months Ended January 31, 2013.

Action: Approved the recommendation (March 12, 2013 report from the Finance Director).

5. 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. 13-011 (March 12, 2013 report from the Parks & Recreation Director; proposed resolution).

6. Subject: Lease Agreement With U.S. Department of Transportation, Federal Aviation Administration (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Twenty-Year Lease Agreement with the U.S. Department of Transportation, Federal Aviation Administration, with No Monetary Consideration, for Approximately 2.5 Acres of Land at 10 Edward Burns Place, at the Santa Barbara Municipal Airport, Effective October 1, 2013.

Action: Approved the recommendation (March 12, 2013, report from the Airport Director; proposed ordinance).

8. Subject: Increase In Construction Change Order Authority For The Intersection Improvement Project At Anacapa And Carrillo Streets (530.04)

Recommendation: That Council:

- A. Increase appropriations by \$45,000 in the Streets Fund from reserves to the Intersection Improvement Project at Anacapa and Carrillo Streets; and
- B. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the Intersection Improvement Project at Anacapa and Carrillo Streets, Contract No. 23,907, in the amount of \$75,000 for a total project expenditure authority of \$442,895.

Speakers:

Staff: Assistant Public Works Director Pat Kelly, Principal Civil Engineer Linda Sumansky.

Action: Approved the recommendations (March 12, 2013, report from the Public Works Director).

9. Subject: Emergency Purchase Order For El Estero Wastewater Treatment Plant Equipment Repair (540.13)

Recommendation: That Council approve an after-the-fact Emergency Purchase Order to Wick Boiler Service for emergency repairs made to the El Estero Wastewater Treatment Plant's Digester Heat Exchanger units, in an amount of \$49,950.

Action: Approved the recommendation (March 12, 2013, report from the Public Works Director).

10. Subject: Contract For Construction For The Bridge Preventive Maintenance Program Project, Bid No. 3635 (530.04)

Recommendation: That Council:

- A. Accept a grant from the Federal Highway Administration for an amount not to exceed \$313,248 for construction of the Bridge Preventive Maintenance Program Project;
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2013 Streets Grant Fund by \$257,237 for the Bridge Preventive Maintenance Program Project;
- C. Award a contract to Granite Construction Company in their low bid amount of \$198,608 for construction of the Bridge Preventive Maintenance Program, Bid No. 3635; and
- D. Authorize the Public Works Director to execute the contract and approve expenditures up to \$19,861 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

(Cont'd)

10. (Cont'd)

Action: Approved the recommendations; Contract No. 24,390 (March 12, 2013, report from the Public Works Director).

NOTICES

11. The City Clerk has on Thursday, March 7, 2013, 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.
12. A City Council site visit is scheduled for Monday, March 18, 2013, at 1:30 p.m. to the property located at 1911 Chino Street, which is the subject of an appeal hearing set for March 19, 2013, at 6:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to hear a Staff presentation on insurance programs covering City operations and facilities.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

13. Subject: Professional Services Agreements - Financial Advisory Services And Bond Counsel And Disclosure Services (240.03)

Recommendation: That Council:

- A. Authorize the City Attorney to execute an agreement with Orrick, Herrington & Sutcliff, LLP, for Bond and Disclosure Counsel services in an amount not to exceed \$267,750 for the potential sale of Certificates of Participation (COPs) by the Water Fund, Wastewater Fund and Waterfront Fund to refinance existing debt and finance new capital projects, with the cost of the services payable from COP proceeds at such time as the COPs are issued; and
- B. Authorize the Finance Director to execute, subject to City Attorney review as to form, an agreement with KNN Public Finance for financial advisory services in an amount not to exceed \$75,000 for the initial sale of COPs and \$60,000 for each additional COP transaction, for a maximum not to exceed \$195,000, payable from COP proceeds if, and at such time as, the COPs are issued.

Documents:

- March 12, 2013, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff. (Cont'd)

13. (Cont'd)

Speakers:

Staff: Finance Director Robert Samario.

Motion:

Councilmembers Francisco/White to approve the recommendations; Agreement Nos. 24,391 and 24,392.

Vote:

Unanimous voice vote (Absent: Councilmember House, Mayor Schneider).

PUBLIC WORKS DEPARTMENT

14. Subject: Multi-Year Rate And Revenue Study And Revisions To Water Rates (540.01)

Recommendation: That Council:

- A. Hear a presentation on the Multi-Year Rate and Revenue Plan, proposed modifications to water rate structure for the Water Fund, and proposed changes to capacity fees for new customers;
- B. Adopt the Multi-Year Rate and Revenue Plan for the Water Fund; and
- C. Authorize staff to send notices to customers informing them of changes to the water rate structure and proposed adjustment to water rates and wastewater rates.

Documents:

- March 12, 2013, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- Correspondence from Randy and Lin Reetz.

Speakers:

- Staff: Water Resources Manager Rebecca Bjork, Water Resources Supervisor Alison Jordan.
- Consultant: Sudhir Pardiwala, Raftelis Financial Consultants, Inc.
- Members of the Public: Peter Marin.

Motion:

Councilmembers Murillo/Hotchkiss to approve the recommendations.

Vote:

Unanimous voice vote (Absent: Councilmember House, Mayor Schneider).

15. Subject: Contract For Design Services For The Temporary Relocation Of The 9-1-1 Call Center (520.01)

Recommendation: That Council:

- A. Approve a transfer of \$277,942 from the General Fund to the Capital Outlay Fund for design costs related to the Temporary Relocation of the 9-1-1 Call Center Project to be funded from an increase in estimated property tax revenues received in connection with the dissolution of the City's Redevelopment Agency;
- B. Increase appropriations and estimated revenues for the 9-1-1 Call Center Project by \$277,942 in the Capital Outlay Fund, funded from a transfer from the General Fund; and
- C. Authorize the Public Works Director to execute a City Professional Services contract with Leach Mounce Architects in the amount of \$122,675 for design services for Tenant Improvements to the Granada Garage Office Building for the Temporary Relocation of the 9-1-1 Call Center Project, and authorize the Public Works Director to approve expenditures of up to \$12,267 for extra services that may result from necessary changes in the scope of work.

Documents:

- March 12, 2013, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Assistant City Administrator/Community Development Director Paul Casey, Principal Civil Engineer Joshua Haggmark, Fire Chief Pat McElroy.

Motion:

Councilmembers White/Francisco to approve the recommendations; Professional Services Agreement No. 24,393.

Vote:

Unanimous voice vote (Absent: Councilmember House, Mayor Schneider).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hotchkiss reported on a recent meeting with West Beach residents regarding the La Entrada project, specifically regarding State Street pedestrian access. He spoke regarding a First Thursday Art display in the Mayor and Council's offices featuring Herbert Bayer, who created the Chromatic Gate. He also mentioned his attendance at the groundbreaking for the new Sansum Clinic.

(Cont'd)

Information: (Cont'd)

- Councilmember White reported on a recent Water Commission meeting, specifically regarding current drought conditions and information on Regional Quality Control Board fines being imposed on the El Estero Wastewater Treatment Plant.
- Councilmember Murillo spoke regarding her attendance at the Menudo Festival, hosted by the Santa Barbara Police Department's Youth Police Explorer Program.
- Mayor Pro Tempore Rowse reported on his attendance at a recent Pescatore Club meeting where they discussed the narrowing of lanes on State Street.

RECESS

Mayor Pro Tempore Rowse recessed the meeting at 4:12 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 16, 17, 18, 19 and 20, and he stated that no reportable action is anticipated.

CLOSED SESSIONS

16. Subject: Conference With Real Property Negotiators Regarding Acquisition Of Properties For The Mason And Cota Streets Bridge Replacements (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code §54956.8 to provide direction to the Public Works Director and to the City Attorney regarding the possible City purchase of the following real properties affected by the Mason Street and Cota Street Bridge Replacement Projects:

Property: 15 W. Mason Street (APN 033-075-006)
City Negotiators: Christine F. Andersen, Public Works Director; Pat Kelly, Assistant Public Works Director/City Engineer; John Ewasiuk, Principal Civil Engineer; David Thornburgh, Senior Real Property Agent; and Stephen P. Wiley, City Attorney.

Negotiating Party: David Nordahl, Trustee; Brent & Julia Reichard, Trustees; Bruce & Peggie Reichard, Trustees; and Janet Nancarrow, Trustee.

Under Negotiation: Price and terms of payment.

Property: 20 W. Mason Street (APN 033-074-005)
City Negotiators: Christine F. Andersen, Public Works Director; Pat Kelly, Assistant Public Works Director/City Engineer; John Ewasiuk, Principal Civil Engineer; David Thornburgh, Senior Real Property Agent; and Stephen P. Wiley, City Attorney.

Negotiating Party: Marian Walters, Trustee, and Grant Walters, Trustee.

Under Negotiation: Price and terms of payment. (Cont'd)

16. (Cont'd)

Property: A property primarily located in the Mission Creek floodway in the 100 Block of Kimberly Avenue (APN 033-074-019)
City Negotiators: Christine F. Andersen, Public Works Director; Pat Kelly, Assistant Public Works Director/City Engineer; John Ewasiuk, Principal Civil Engineer; David Thornburgh, Senior Real Property Agent; and Stephen P. Wiley, City Attorney.
Negotiating Party: Alex Funke and Erick Funke.
Under Negotiation: Price and terms of payment.

Property: 536 Bath Street / 233 W. Cota Street (APN 037-161-001)
City Negotiators: Christine F. Andersen, Public Works Director; Pat Kelly, Assistant Public Works Director/City Engineer; John Ewasiuk, Principal Civil Engineer; David Thornburgh, Senior Real Property Agent; and Stephen P. Wiley, City Attorney.
Negotiating Party: Lorenzo & Angelina Martel, Trustees, and Ogla Martel.
Under Negotiation: Price and terms of payment

Property: 221 - 223 W. Cota Street (APN 037-161-001)
City Negotiators: Christine F. Andersen, Public Works Director; Pat Kelly, Assistant Public Works Director/City Engineer; John Ewasiuk, Principal Civil Engineer; David Thornburgh, Senior Real Property Agent; and Stephen P. Wiley, City Attorney.
Negotiating Party: Edward & Renee Grubb.
Under Negotiation: Price and terms of payment.

Property: 230 W. Cota Street (APN 037-121-018)
City Negotiators: Christine F. Andersen, Public Works Director; Pat Kelly, Assistant Public Works Director/City Engineer; John Ewasiuk, Principal Civil Engineer; David Thornburgh, Senior Real Property Agent; and Stephen P. Wiley, City Attorney.
Negotiating Party: Marsha Kvocka for Maria Trinidad Vega, Trustee of the Vega Family Trust.
Under Negotiation: Price and terms of payment.
Scheduling: Duration, 40 minutes; anytime
Report: None anticipated

Documents:
March 12, 2013, report from the Public Works Director.

Time:
4:16 p.m. – 4:38 p.m. Councilmember House and Mayor Schneider were absent.

No report made.

17. 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 Fire Management Association and the Police Officers' Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

March 12, 2013, report from the Assistant City Administrator.

Time:

4:38 p.m. – 5:25 p.m. Councilmember House and Mayor Schneider were absent.

No report made.

19. 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. The pending litigation is *On Patrol with SBPD, Inc., vs. City of Santa Barbara, City of Santa Barbara vs. On Patrol with SBPD, Inc., Ira Distenfield, Linda Distenfield, et al.*, SBSC Case No. 1385228.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

March 12, 2013, report from the City Attorney.

Time:

5:25 p.m. – 5:33 p.m. Councilmember House and Mayor Schneider were absent.

No report made.

18. 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. The pending litigation is *Rolland Jacks, et al., v. City Of Santa Barbara*, SBSC Case No. 1383959.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

(Cont'd)

18. (Cont'd)

Documents:

March 12, 2013, report from the City Attorney.

Time:

5:33 p.m. – 5:45 p.m. Councilmember House and Mayor Schneider were absent.

No report made.

20. Subject: Conference With Legal Counsel - Potential Litigation (160.03)

Recommendation: That Council hold a closed session to consider the possible initiation of litigation pursuant to subsection (c) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

March 12, 2013, report from the City Attorney.

Time:

5:45 p.m. – 5:50 p.m. Councilmember House and Mayor Schneider were absent.

No report made.

ADJOURNMENT

Mayor Pro Tempore Rowse adjourned the meeting at 5:50 p.m. in the memory of Fred Benko.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

RANDY ROWSE
MAYOR PRO TEMPORE

GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A TWENTY-YEAR LEASE AGREEMENT WITH THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION, WITH NO MONETARY CONSIDERATION, FOR APPROXIMATELY 2.5 ACRES OF LAND AT 10 EDWARD BURNS PLACE, AT THE SANTA BARBARA MUNICIPAL AIRPORT, EFFECTIVE OCTOBER 1, 2013

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, that certain lease between the City of Santa Barbara and the U.S. Department of Transportation, Federal Aviation Administration, which provides for operation of an Air Traffic Control Tower on 2.5 acres of land at 10 Edward Burns Place, at the Santa Barbara Municipal Airport, for a period of twenty years, beginning October 1, 2013, and ending September 30, 2033, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Records Destruction For Administrative Services Department

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Administrative Services Department in the City Clerk's Office, Human Resources Division, and Information Systems Division.

DISCUSSION:

The City Council adopted Resolution No. 12-008 on February 14, 2012, approving the City of Santa Barbara Records Management Policies and Procedures Manual. The Manual contains the records retention and disposition schedules for all City departments. The schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice.

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

The Administrative Services Director requests the City Council to approve the destruction of the Administrative Services Department records in the City Clerk's Office, Human Resources Division, and Information Systems Division listed on Exhibit A of the proposed Resolution, without retaining a copy.

SUSTAINABILITY IMPACT:

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

PREPARED BY: Susan Tschech, CMC, Deputy City Clerk

SUBMITTED BY: Marcelo López, Assistant City Administrator/Administrative Services Director

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA RELATING TO THE DESTRUCTION OF RECORDS HELD BY THE ADMINISTRATIVE SERVICES DEPARTMENT IN THE CITY CLERK'S OFFICE, HUMAN RESOURCES DIVISION, AND INFORMATION SYSTEMS DIVISION

WHEREAS, the City Council adopted Resolution No. 12-008 on February 14, 2012, approving the City of Santa Barbara Records Management Policies and Procedures Manual;

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

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

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

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

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

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

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

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

ADMINISTRATIVE SERVICES DEPARTMENT

CITY CLERK'S OFFICE

<u>Records Series</u>	<u>Date(s)</u>
Advisory Group Member Information	2010
City Council Meeting Audio or Video Recordings	2002
Contracts, Agreements and Leases	1970 – 1973
Correspondence	2010
Election Records	
Campaign Statements	2005, 2007
Election of November 6, 2007:	
CD of Voter Information, Rosters of Voters,	
Applications to View Registration Information	2007
Nomination Documents	1983 – 2003
Withdrawn or Disqualified Initiatives/Measures	1986, 1988, 1997
Ethics Training Logs	2006, 2007
Reports and Studies	2004 – 2010
Statements of Economic Interests	2005

HUMAN RESOURCES DIVISION

<u>Records Series</u>	<u>Date(s)</u>
Closed Eligibility and Examination Files	Prior to Feb. 2011
Employment Eligibility Forms (I-9)	Prior to Feb. 2010
Personnel Folders	Prior to 1988

INFORMATION SYSTEMS DIVISION

<u>Records Series</u>	<u>Date(s)</u>
Access Request Forms	2007 – 2012



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Mayor and Councilmembers

FROM: Administration Division, Public Works Department

SUBJECT: Records Destruction For Public Works Department

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Public Works Department in the Engineering and Water Resources Divisions.

DISCUSSION:

The City Council adopted Resolution No. 12-008 on February 14, 2012, approving the City of Santa Barbara Records Management Policies and Procedures Manual. The Manual contains the records retention and disposition schedules for all City departments. The schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice.

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

The Public Works Director requests the City Council to approve the destruction of the Public Works Department records in the Engineering and Water Resources Divisions, listed on Exhibit A of the proposed Resolution, without retaining a copy.

SUSTAINABILITY IMPACT:

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

PREPARED BY: Pat Kelly, Assistant Public Works Director/City Engineer/CC/tb

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA RELATING TO THE DESTRUCTION OF
RECORDS HELD BY THE PUBLIC WORKS DEPARTMENT
IN THE ENGINEERING AND WATER RESOURCES
DIVISIONS

WHEREAS, the City Council adopted Resolution No. 12-008 on February 14, 2012, approving the City of Santa Barbara Records Management Policies and Procedures Manual;

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

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

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

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

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

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

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

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

PUBLIC WORKS DEPARTMENT

ENGINEERING DIVISION

Records Series

Date(s)

Capital Project Files

2009- 2010

Credit Card Transaction Records

6/2010 to 6/2011

WATER RESOURCES DIVISION

Records Series

Date(s)

Completed Work Orders and As-Built Files

2005 – 2006



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Acquisition Of Temporary Easements And Extra Design Services For The Punta Gorda Street Bridge Replacement Project

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Acquire and Accept Temporary Construction Easements Located at 1130 and 1133 Punta Gorda Street, and Authorize the Public Works Director, Subject to Review and Approval as to Form by the City Attorney, to Execute Said Agreements and Related Acquisition Documents that May be Required for the Punta Gorda Street Bridge Replacement Project, and Consent to the Recordation of the Related Deeds in the Official Records, County of Santa Barbara; and
- B. Authorize an increase in the extra services amount with Drake Haglan and Associates for final design services for the Punta Gorda Street Bridge Replacement Project, Contract No. 23,959, in the amount of \$34,000, for a total project expenditure authority of \$166,000.

EXECUTIVE SUMMARY:

Sycamore Creek is being incrementally widened to reduce neighborhood flooding. The City will continue the creek widening effort with the Punta Gorda Street Bridge Replacement Project (Project). To move forward with the widening effort for this Project, the City must acquire non-exclusive temporary construction easements on the subject properties for \$4,400 for the purposes of surveys, inspections, demolition, excavation, construction, repair, removal, replacement, and reconstruction.

During the course of the final design for the Project, staff determined that additional utility relocations, expanding project limits, and re-design of the bridge exterior girders were necessary. These extra services in the amount of \$34,000 were not included in Drake Haglan and Associates' (DHA) original scope of services and exceed the extra services budget available within the current contract.

DISCUSSION:

BACKGROUND

The California Department of Transportation (Caltrans) has been coordinating with the City, and started the Sycamore Creek widening effort with its U.S. Highway 101 Widening Project from Milpas Street to Hot Springs Road. This Caltrans project has now widened Sycamore Creek under U.S. Highway 101 to accommodate triple capacity of Sycamore Creek. The City will continue the creek widening effort with the Punta Gorda Street Bridge Replacement Project (Project) from U.S. Highway 101 to approximately 100 feet upstream of the Punta Gorda Street Bridge.

On January 13, 2009, Council authorized a contract with Penfield and Smith (P&S), to prepare a study and conceptual design options for Sycamore Creek between the Union Pacific Railroad Bridge and approximately 100 feet upstream of Indio Muerto Street.

On February 23, 2010, Council authorized P&S to complete the final design services for creek channel widening between U.S. Highway 101 and Punta Gorda Street.

On December 6, 2011, Council authorized DHA to complete final design services for the replacement of the Punta Gorda Street Bridge.

On September 7, 2012, the City received notification from the California Department of Housing and Community Development of a conditional approval of the Disaster Recovery Initiative grant funds in the total amount of \$2,662,525, for creek channel widening and bridge replacement improvements. The grant funds can only be used towards construction. Favorable construction bids are anticipated and the full grant fund amount will not be expended.

CURRENT STATUS

Acquisition Of Temporary Construction Easements

The three temporary construction easements identified below are necessary for the Project (see Attachment) in order to begin construction in June 2013.

<u>APN</u>	<u>Site Address</u>	<u>Square Feet</u>	<u>Owner</u>
017-291-010	1133 Punta Gorda Street	625	Justina Valle
033-074-001	1130 Punta Gorda Street	3,744 and 5,718	Green Valley Corporation

Written offers to the property owners to purchase the temporary construction easements, based on accepted valuation practices of temporary and non-substantial acquisitions of real property interests, have been provided and accepted. The

Council Agenda Report

Acquisition Of Temporary Easements And Extra Design Services For The Punta Gorda Street Bridge Replacement Project

March 19, 2013

Page 3

agreements identified in the proposed resolution have been executed and delivered to staff by the property owners. These documents require authorization and approval by Council and the acceptance by the City of the real property interests being acquired. The proposed resolution will authorize the execution and recordation of the agreements by the Public Works Director on behalf of the City.

The total amount of compensation being paid to acquire the easements as described by the agreements and proposed for authorization by Council action are:

APN	Owner	Compensation
017-291-010	Justina Valle	\$3,400
033-041-001	Green Valley Corporation	\$1,000
TOTAL COMPENSATION		\$4,400

The valuation and compensation differences are due to the fact that the portion of Ms. Valle's property that is being affected is her family's primary residence, and the temporary easement area will be partially in and adjacent to their back yard (see Attachment). The term of the construction easement is one year and represents a significant impact to their immediate living situation. The Green Valley property is currently vacant, and the temporary construction easements do not represent a significant or immediate impact.

Design Extra Services

The total final design contract amount of \$132,000 was awarded to DHA, and included the basic contract amount of \$120,000 and an additional \$12,000 available for extra services. During the course of the final design for the Project, staff determined that additional utility relocations, expanding project limits, and re-design of the bridge exterior girders were necessary, as detailed more fully below. These extra services are not in DHA's original scope of services and exceed the extra services budget available within the current contract.

When developing the scope of services for this project, the City and DHA were not aware that Southern California Edison's overhead electric transmission facility was in direct conflict with the proposed creek channel, and this had not been documented in the Sycamore Creek Flood Master Plan Study (Penfield & Smith, 21 November 2003) or the Soledad Street Right of Way Clearance Report (Penfield & Smith, 29 June 2009). Finding a suitable relocation for the overhead electric transmission facility within the footprint of the project limits and coordinating with Southern California Edison have added additional time and cost to the project.

DHA's original scope of services assumed that their scope of work would be from the upstream conform of the creek to a point about 100 feet downstream of the bridge. The DHA bridge Project plans were expanded to include the creek widening plans

prepared by P&S. This resulted in additional coordination between the two design consultants.

DHA's assumptions in its scope of services were that the bridge design would utilize typical precast/prestressed slab girders that conform to Caltrans standards and that the potable water and natural gas pipes would be installed visually-opened on the side of, or underneath, the bridge. However, one of the conditions of approval by the Architectural Board of Review (ABR) requires the pipes to be hidden from view. A re-design of the bridge exterior girders fulfills ABR's condition of approval.

DHA's original delivery schedule of the construction documents was in 2012. The additional utility relocation mentioned above has caused the bridge design to be delayed. Subsequently, additional time is being expended by DHA to keep the project moving through the additional utility relocation process.

Project Costs

The following summarizes the design extra services cost increase recommended in this report:

FINAL DESIGN CONTRACT COSTS

Final Design Cost	Base Contract	Contract Change Order	Total
Initial Contract Amount	\$120,000	\$12,000	\$132,000
Proposed Increase	\$0	\$34,000	\$34,000
TOTAL FINAL DESIGN COSTS	\$120,000	\$46,000	\$166,000

The following summarizes all Project design costs, construction contract funding, and other Project costs to date.

PROJECT COSTS

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

Project Cost	Federal Share	City Share	Total
Design Cost- DHA (Contract)	\$0	\$166,000	\$166,000
Other Design Cost- P&S (Contract)	\$0	\$257,720	\$257,720
Other Design Cost- Land Survey (City Staff)	\$0	\$27,278	\$27,278
Project Management (City Staff)	\$0	\$116,556	\$116,556
Subtotal	\$0	\$567,554	\$567,554
Right of Way Cost (City Staff)	\$0	\$15,549	\$15,549
Other Right of Way Cost- Temporary Construction Easements Compensation	\$0	\$4,400	\$4,400
Subtotal	\$0	\$19,949	\$19,949
Estimated Construction Contract Cost (Contract)	\$1,441,000	\$200,000	\$1,641,000
Estimated Construction Contract Change Order	\$212,317	\$ 68,456	\$280,773
Estimated Construction Management Cost (City Staff)	\$0	\$124,193	\$124,193
Estimated Construction Management Support/Inspection/Material Testing Cost (Contract)	\$106,158	\$ 34,228	\$140,386
Subtotal	\$1,759,475	\$ 426,877	\$2,186,352
Other Estimated Construction Cost- Engineering Support Services (Contract)	\$52,454	\$16,912	\$69,366
Other Estimated Construction Cost- Environmental Coordination/Biological Monitoring (Contract)	\$79,413	\$ 25,604	\$105,017
Subtotal	\$131,867	\$ 42,516	\$174,383
TOTAL PROJECT COSTS	\$1,891,342	\$ 1,056,896	\$ 2,948,238

BUDGET/FINANCIAL INFORMATION:

There are sufficient appropriated and budgeted funds in the Streets Fund and Wastewater Fund to cover City costs, including the \$4,400 compensation for the temporary construction easements and the \$34,000 increase in the design contract extra services.

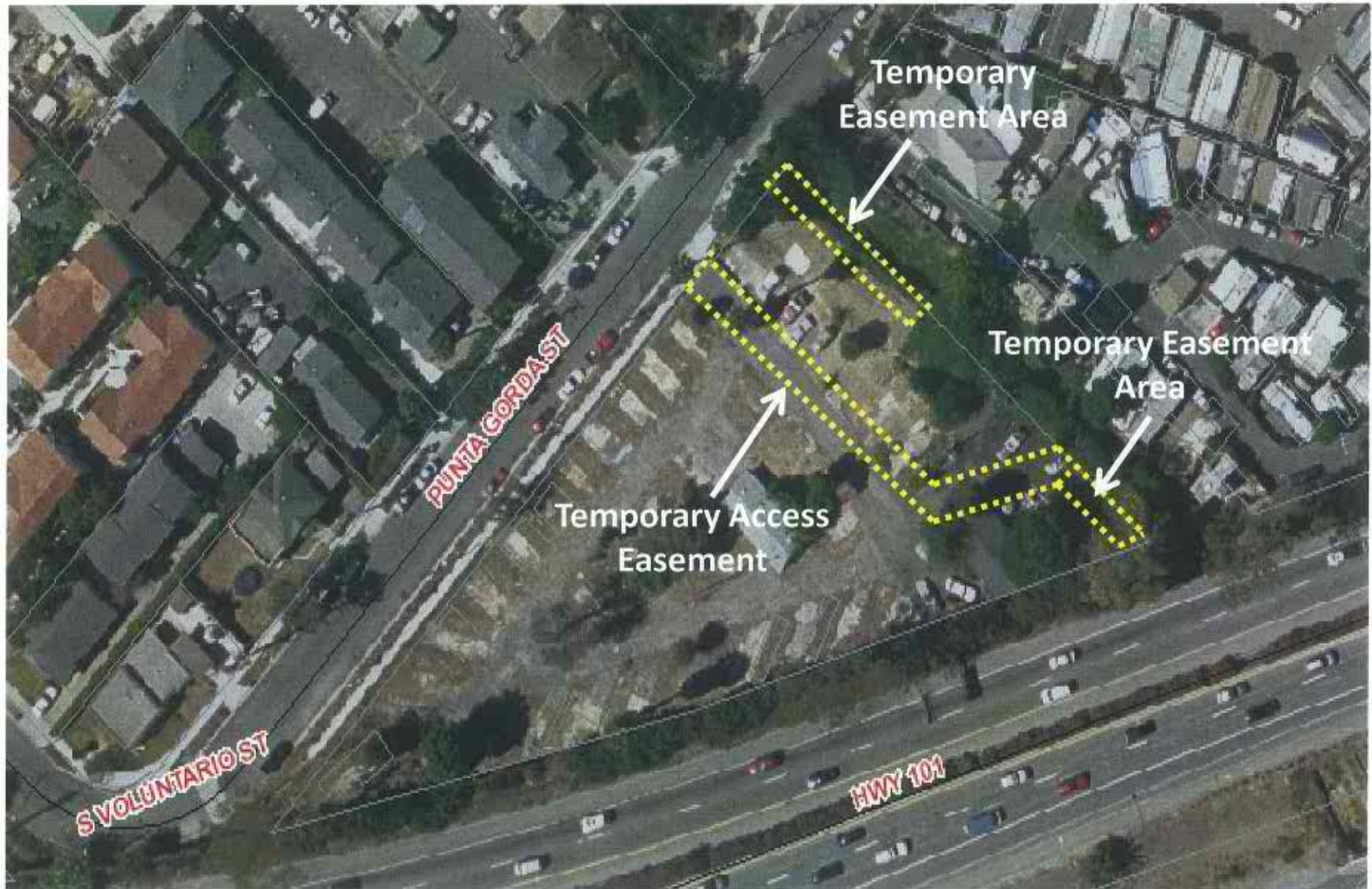
ATTACHMENT(S): Aerial Maps of Temporary Construction Easement Locations

PREPARED BY: John Ewasiuk/JLI/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

1130 Punta Gorda Street Temporary Construction Easement Locations and Access



1133 Punta Gorda Street Temporary Construction Easement Location



RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA TO ACQUIRE AND ACCEPT TEMPORARY CONSTRUCTION EASEMENTS LOCATED AT 1130 AND 1133 PUNTA GORDA STREET, AND AUTHORIZE THE PUBLIC WORKS DIRECTOR, SUBJECT TO REVIEW AND APPROVAL AS TO FORM BY THE CITY ATTORNEY, TO EXECUTE SAID AGREEMENTS AND RELATED ACQUISITION DOCUMENTS THAT MAY BE REQUIRED FOR THE PUNTA GORDA STREET BRIDGE REPLACEMENT PROJECT, AND CONSENT TO THE RECORDATION OF THE RELATED DEEDS IN THE OFFICIAL RECORDS, COUNTY OF SANTA BARBARA

WHEREAS, a proposed project is currently undergoing final design and environmental review for the City of Santa Barbara (City) to replace the existing bridge for Punta Gorda Street at Sycamore Creek due to its age, increasingly deteriorated condition, and limited flood control capacity;

WHEREAS, the City anticipates reimbursement of all of the City's associated costs for this bridge replacement project through funding provided by a grant from the United States Department of Housing and Urban Development (HUD);

WHEREAS, the bridge replacement project requires the purchase by the City of two temporary construction easements on a portion of the real property; the first commonly known as 1133 Punta Gorda Street, County of Santa Barbara, Assessor's Parcel Number (APN) 017-291-010, owned by Justina Valle, a married woman as her sole and separate property, due to the property's location adjacent to the existing bridge and Sycamore Creek channel, for total compensation in the amount of \$3,400; and the second commonly known as 1130 Punta Gorda Street, County of Santa Barbara, Assessor's Parcel Number (APN) 017-332-003, owned by the Green Valley Corporation, a California corporation, also due to its proximity to Punta Gorda Street Bridge and Sycamore Creek Channel, for total compensation of \$1,000;

WHEREAS, the temporary construction easements have been valued, and in accordance with applicable laws and guidelines, written offers and required valuation summaries and agreements have been delivered to the respective owners;

WHEREAS, the written purchase offers have been accepted by the respective owners, and their agreements have been signed voluntarily to allow the City to purchase the real property interests, subject to final approval by the Council of the City of Santa Barbara;

WHEREAS, this Resolution will provide authorization by the Council of the City of Santa Barbara for the Public Works Director to execute the agreements with the affected owners, subject to approval as to form by the City Attorney;

WHEREAS, this Resolution will also provide authorization by the Council of the City of Santa Barbara for the Public Works Director to subsequently execute any other documents that may become necessary to accomplish such purchases by the City of the various interests in the real properties, subject to approval as to form of such documents by the City Attorney, which may include but not be limited to, escrow instructions; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the temporary construction easement interests particularly described in the respective documents delivered for such purpose, without further action or subsequent resolution.

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

SECTION 1. The Public Works Director is hereby authorized by the Council of the City of Santa Barbara to execute the Temporary Construction Easement Purchase Agreements with Justina Valle, a married woman, as her sole and separate property, to accomplish the purchase by the City of the temporary construction easement for the purposes of bridge and appurtenant public works improvements and related facilities construction work, on a portion of the real property commonly known as 1133 Punta Gorda Street, Santa Barbara County Assessor's Parcel Number 033-074-001, for total compensation in the amount of \$3,400, and with the Green Valley Corporation, a California corporation for like purposes, on a portion of the real property known as 1130 Punta Gorda Street, County of Santa Barbara, Assessor's Parcel Number (APN) 017-332-003, for total compensation of \$1,000.

SECTION 2. The Public Works Director is hereby authorized by the Council of the City of Santa Barbara to execute the Temporary Construction Easement Purchase Agreements, subject to approval as to form by the City Attorney, with Justina Valle, a married woman, as her sole and separate property, for total compensation of \$3,400, and with the Green Valley Corporation, a California corporation, for total compensation of \$1,000, to accomplish the purchase by the City of temporary construction easements for the purposes of bridge and appurtenant public works improvements and related facilities construction work, on a portion of the real properties commonly known as 1133 and 1130 Punta Gorda Street, Santa Barbara County Assessor's Parcel Numbers 017-291-010 and 017-332-003, respectively.

SECTION 3. The City of Santa Barbara hereby accepts the interests on the real properties mentioned above, as more particularly described in the Punta Gorda Street Bridge Temporary Construction Easement Deeds signed by Justina Valle, a married woman, as her sole and separate property, and by the Green Valley Corporation, a California corporation, which have been executed and delivered hereunder.

SECTION 4. The City of Santa Barbara hereby consents to the recordation of the Punta Gorda Bridge Temporary Construction Easement Deeds in the Official Records, County of Santa Barbara.

SECTION 5. This Resolution shall become effective immediately upon its adoption.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Mayor and Councilmembers

FROM: Recreation Division, Parks and Recreation Department

SUBJECT: Lease Agreement With Special Olympics Of Southern California, Inc.,
At Westside Neighborhood Center

RECOMMENDATION:

That Council authorize the Parks and Recreation Director to execute a lease agreement with Special Olympics of Southern California, Inc., for 922 square feet of space at the Westside Neighborhood Center at \$1.17 per square foot.

DISCUSSION:

The Parks and Recreation Department administers lease agreements for facility space at below market rates with local non-profit social service providers at neighborhood centers. This lease agreement expands the Special Olympics of Southern California, Inc., use into an adjacent area increasing their space from 496 square feet to 992 square feet at the Westside Neighborhood Center.

BUDGET/FINANCIAL INFORMATION:

The monthly rental rate for leased space is \$1.17 per square foot as adopted by Council on June 19, 2012.

PREPARED BY: Mark Alvarado, Neighborhood and Outreach Services Senior Supervisor

SUBMITTED BY: Nancy L. Rapp, Parks and Recreation Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department
Creeks Division, Parks and Recreation Department

SUBJECT: Contract For Construction Of Low Impact Development
Demonstration Permeable Paver Parking Lots Project

RECOMMENDATION: That Council:

- A. Accept a Proposition 84 Storm Water Grant for an amount not to exceed \$1,889,299 for the Low Impact Development Demonstration Permeable Paver Parking Lots Project;
- B. Approve a transfer of reserves in the amount of \$259,890 from the Creeks Operating Fund to the Creeks Capital Fund;
- C. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2013 Creeks Capital Fund by \$2,149,189, for the Low Impact Development Demonstration Permeable Paver Parking Lots Project funded from the \$1,889,299 grant and \$259,890 transfer of reserves from the Creeks Operating Fund;
- D. Reject the apparent low bid from Moalej Builders, Inc., of \$1,681,373 for the Low Impact Development Demonstration Permeable Paver Parking Lots Project, Bid No. 3677, as nonresponsive due to their failure to submit a complete bid;
- E. Award a contract with G. Sosa Construction, Inc., waiving minor irregularities, in their low bid amount of \$1,716,930 for construction of the Low Impact Development Demonstration Permeable Paver Parking Lots Project, Bid No. 3677; and
- F. Authorize the Public Works Director to execute the contract and approve expenditures up to \$171,700 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

EXECUTIVE SUMMARY:

The Low Impact Development Demonstration Permeable Paver Parking Lots Project (Project) proposes to install permeable concrete pavers at Oak Park, Stevens Park, and the Westside Neighborhood Center. The City has been awarded a Proposition 84

Storm Water Grant to cover a significant share of Project costs. The Project received bids from construction contractors in February 2013, but the apparent low bidder, Moalej Builders, Inc. (Moalej) had both major and minor irregularities in their bid. Therefore, staff recommends that Council reject the apparent low bidder, Moalej, and award the Project to the lowest responsive bidder, G. Sosa Construction, Inc. (Sosa).

DISCUSSION:

PROJECT DESCRIPTION

Urban storm water runoff is the single largest source of surface water pollution in Santa Barbara. Under most existing conditions, storm water runoff from urban areas picks up pollutants as it flows across roofs, sidewalks, driveways, parking lots, and streets, and is conveyed by gutters, channels, and storm drains directly into local creeks and the ocean without any treatment. This runoff carries sediment, nutrients, bacteria, hydrocarbons, metals, pesticides, and trash.

The City has developed a Storm Water Management Program (SWMP) in order to reduce the discharge of pollutants into local creeks and the ocean, and installing permeable pavers is one of the suggested methods for developers to meet the City's guidelines. Permeable pavers allow water to pass through them into a subsurface gravel layer that doubles as a storage and infiltration area and a structural base layer.

The Project consists of installing over 85,000 square feet of permeable concrete pavers in the parking lots at Oak Park, Stevens Park, and the Westside Neighborhood Center. The Project is designed to capture and treat the volume of storm water generated from a 1-inch, 24-hour storm event. The Project will be used as an example of a relatively simple Best Management Practice that meets the City's SWMP requirements, and can be installed almost anywhere there is existing hardscape with low traffic volumes, site conditions permitting.

CONTRACT BIDS

A total of eight bids were received for the subject work, ranging as follows:

	BIDDER	BID AMOUNT
1.	Moalej Builders, Inc. Sherman Oaks	\$1,681,373.00*
2.	G. Sosa Construction, Inc. Orcutt	\$1,716,930.00
3.	C.S. Legacy Construction, Inc. Chino	\$1,795,317.00

	BIDDER	BID AMOUNT
4.	Brough Construction, Inc. Arroyo Grande	\$1,873,949.00*
5.	Spiess Construction Company, Inc. Santa Maria	\$1,895,044.50*
6.	Shaw Contracting, Inc. Carpinteria	\$1,904,691.00
7.	Lash Construction, Inc. Santa Barbara	\$1,995,920.00
8.	Whitaker Construction Group, Inc. Paso Robles	\$2,117,010.00

*corrected bid total

The apparent low bid of \$1,681,373.00, submitted by Moalej, has been determined to be non-responsive due to their failure to commit to performing, with their own organization, contract work amounting to at least 50 percent of the contract price as required by the bid specifications. This is the type of irregularity that could give Moalej a material advantage over other bidders. Besides this major bid irregularity, the bid submitted by Moalej also had a minor bid irregularity by having math errors on their bid sheets. Based upon the major bid irregularity, staff recommends that Council reject Moalej's bid.

The responsive low bid of \$1,716,930, submitted by Sosa, is an acceptable bid that is responsive to and meets the requirements of the bid specifications. Staff recommends that Council waive a minor bid irregularity associated with Sosa's bid whereby Azalea Landscape & Environmental Services, a subcontractor named in the bid, is not currently licensed in the state of California. The listing of an unlicensed subcontractor does not cause a bid to be non-responsive because the Business and Professions Code does not require that a general contractor list only licensed subcontractors when it submits its bid to a public agency. Because this is not the type of irregularity that would allow Sosa to withdraw its bid, no material advantage exists over the other bidders.

The change order funding recommendation of \$171,700, or ten percent, is typical for this type of work and size of project.

COMMUNITY OUTREACH

The Creeks Division posted temporary signs at the Project sites in January, notifying the public of the planned construction. In the beginning of April, Public Works staff will notify the property owners and residents located near the Project locations of the upcoming

construction via mailers. Prior to construction, the contractor will be responsible for the final notice given via door hangers 72 hours prior to construction. The Project will also be outlined in a news release and on the City's website. During construction, temporary construction signs detailing the Project design and benefits will be posted at the sites. Upon Project completion, a television segment will be aired on City TV, and permanent interpretive signs will be posted at each site.

FUNDING

The City has been awarded Proposition 84 Storm Water Grant funding in the amount of \$1,889,299 for project costs. There is a 20 percent local match required as part of this grant, but the City originally offered \$672,878, or 26 percent, to give the grant application a better likelihood of success. The total amount of the grant, plus the City's match, is \$2,562,177. During final design, additional items were added to the scope of work, consisting of construction management and non-contract construction costs that will be performed by City staff and will include installation of new picnic tables at Oak Park, installation of new gates at Oak Park and Stevens Park, and landscaping at Oak Park. Even with these additional items, due to the bid prices coming in lower than the Engineer's estimate, the estimated total Project cost is now \$2,361,624. With this cost savings, the City will only be contributing the required 20 percent match of \$472,315 and will be able to expend all of the available grant funds. Currently, \$104,250 is available in the Creeks Division Capital Fund for the construction of the Low Impact Development Demonstration Permeable Paver Parking Lots Project. With the grant appropriation of \$1,889,299, and utilizing \$259,890 from the Creeks Reserve Fund, there will be sufficient funds in the Creeks Division Capital Fund to cover the cost of the Project. Funding for the \$108,185 in design costs have previously been appropriated and spent.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
G. Sosa Construction, Inc.	\$1,716,930	\$171,700	\$1,888,630
TOTAL RECOMMENDED AUTHORIZATION			\$1,888,630

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

ESTIMATED TOTAL PROJECT COST

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

	Grant Share	City Share	Total
City Design Costs	\$60,310	\$15,077	\$75,387
City Survey Costs	\$9,934	\$2,484	\$12,418
Other Design Costs (soil samples, borings, utility locating)	\$16,304	\$4,076	\$20,380
Subtotal	\$86,548	\$21,637	\$108,185
Construction Contract	\$1,373,544	\$343,386	\$1,716,930
Construction Change Order Allowance	\$137,360	\$34,340	\$171,700
Non-Contract Construction Costs (gates, picnic tables, landscaping)	\$54,495	\$13,624	\$68,119
Subtotal	\$1,565,399	\$391,350	\$1,956,749
Other Construction Costs (testing, etc.)	\$19,976	\$4,994	\$24,970
Construction Management (by Contract)*	\$17,376	\$4,344	\$21,720
Construction Management/Inspection (by City Staff)	\$200,000	\$50,000	\$250,000
Subtotal	\$237,352	\$59,338	\$296,690
TOTAL PROJECT COST	\$1,889,299	\$472,325	\$2,361,624

*This is the estimated cost for a labor compliance consultant contract that is required by the granting agency. If the proposals received for this are over \$25,000, the professional services agreement will require authorization by Council with a separate Council Agenda Report at a later date.

SUSTAINABILITY IMPACT:

The City's SWMP has three different requirements that must be met by project applicants: (1) a peak runoff discharge requirement; (2) a runoff volume requirement; and (3) a water quality treatment requirement. The Project meets or exceeds these requirements. For the peak runoff discharge requirement, the Project reduces the storm water runoff discharge rate from previous conditions by allowing water to pass through the permeable pavers and into a storage and infiltration gravel area. For the runoff volume requirement, the subsurface gravel layer below the permeable pavers has enough capacity to retain on-site the volume of storm water generated from a 1-inch,

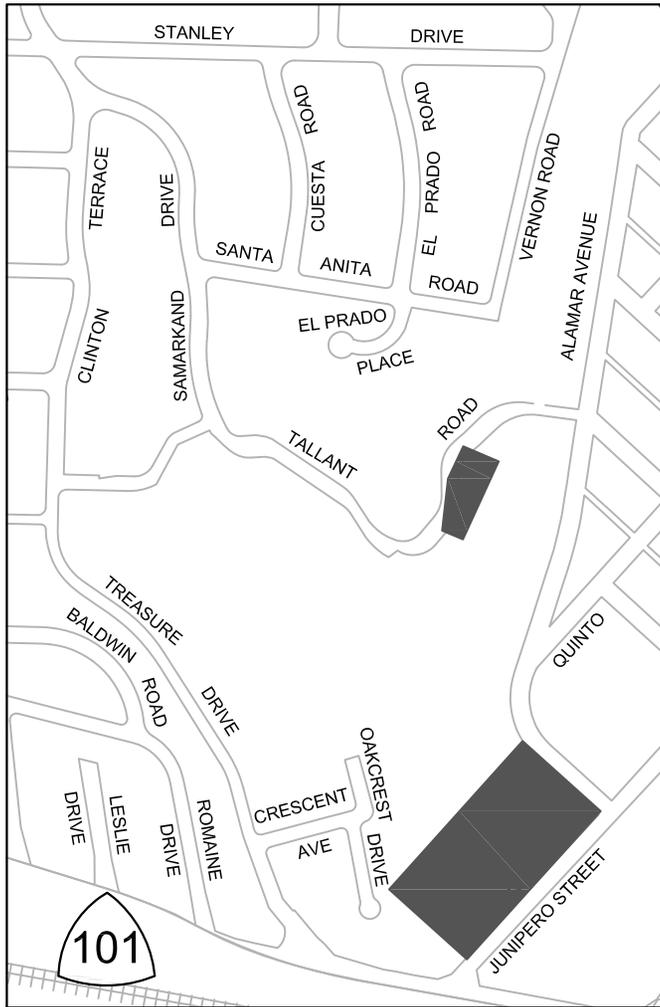
24-hour storm event. The water quality treatment requirement is met in this same fashion, by retaining and treating on-site the volume of storm water generated from a 1-inch, 24-hour storm event.

ATTACHMENT(S): Vicinity Map – Permeable Paver Parking Lots Project

PREPARED BY: John Ewasiuk, Principal Civil Engineer/MR/sk
Cameron Benson, Creeks Restoration/Water Quality
Improvement Manager

SUBMITTED BY: Christine F. Andersen, Public Works Director
Nancy Rapp, Parks and Recreation Director

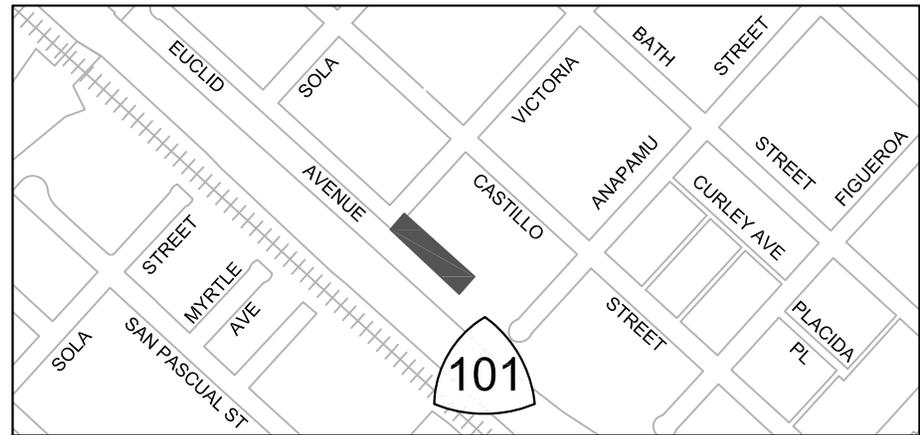
APPROVED BY: City Administrator's Office



OAK PARK



STEVENS PARK



WESTSIDE NEIGHBORHOOD CENTER



Low Impact Development Demonstration
Permeable Paver Parking Lots Project
 Vicinity Maps

DATE	<u>3/5/2013</u>
DRAWN	<u>MR</u>
BID NO.	<u>3677</u>
SCALE	<u>N.T.S.</u>
SHEET	<u>1 OF 1</u>



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Emergency Repair Of The Rattlesnake Creek Sewer Pipe Bridge Creek Crossing

RECOMMENDATION: That Council:

- A. Approve an emergency Purchase Order for Specialty Construction, Inc., in the amount of \$74,867.11 for repair of the Rattlesnake Creek Sewer Pipe Bridge Creek Crossing; and
- B. Approve an emergency increase in a professional services contract with Fillippin Engineering in the amount of \$66,216.38 for construction management, inspection and environmental monitoring.

DISCUSSION:

In the 1960's, the City directed St. Mary's Seminary (St. Mary's) to abandon their septic system. The City and St. Mary's reached an agreement whereby St. Mary's would construct a sewer pipe and pipe bridge across Rattlesnake Creek to connect to the City's sewer system, and then transfer ownership of the sewer pipe and bridge to the City.

In 2010, one of the bridge supports was damaged by winter rains. After inspection, the pipe bridge appeared to be stable, and a long-term solution was programmed into the Wastewater Fund budget for Fiscal Year 2012. As a safety precaution, the pipe segment over the creek was lined in 2011 to reduce the chance of a pipe joint leaking.

In October of 2012, the City contracted with Filippin Engineering (Filippin) to conduct a feasibility study for a long-term solution that would address the pipe bridge and the damaged support. In December of 2012, information concerning the condition of the sewer pipe bridge creek crossing necessitated the need to do an emergency temporary repair. A sag in the line had started to form in the pipe over the Creek as a result of the failed support. Because Filippin was familiar with the proposed project, they were hired to provide construction management, inspection and environmental monitoring of the emergency repair.

Specialty Construction was mobilized and working on another City pipeline project in the immediate area. On December 19, 2012, an emergency Purchase Order was issued to Specialty Construction to repair the pipe bridge. Construction began on January 9, 2013, as soon as the emergency permit was issued by the U.S. Army Corps of Engineers (USACE), and was completed on February 6, 2013.

The emergency permit issued by the USACE included comments and conditions from the following permitting agencies:

- National Marine Fisheries Service
- California Department of Fish and Wildlife
- Central Coast Regional Water Quality Board

On February 26, 2012, Staff received approval of a site restoration plan from the USACE. The site restoration includes some minor slope protection and the planting of ten trees to replace the one sycamore tree that had to be removed. The restoration work and the two-year required maintenance will be contracted services and are anticipated to cost no more than \$20,000.

The following summarizes the expenditures for this project:

ESTIMATED TOTAL PROJECT COST

Contract	Amount
Construction	\$74,867.11
Construction Management (by consultant))	\$66,216.38
Site Restoration and Monitoring (by contract*)	\$20,000.00
Project Management and Design	\$26,958.24
TOTAL AMOUNT	\$188,041.73

*This is the estimated cost for site restoration and monitoring. If the proposals received for this are over \$25,000, the professional services agreement will require authorization by Council with a separate Council Agenda Report at a later date.

BUDGET/FINANCIAL INFORMATION:

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

SUSTAINABILITY IMPACT:

The construction effort was monitored by a biologist to ensure as little disturbance to the creek habitat as possible. No animals were harmed and no hazardous materials were used in the creek area during the repair.

PREPARED BY: Joshua Haggmark, Principal Civil Engineer/RR/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. 330.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Purchase Of Real Property At The City's Hydroelectric Plant

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the City's Public Works Director to Act in the Negotiations on Behalf of the City of Santa Barbara For the Purchase of the Fee Simple Interest in the Real Property Known as the Santa Barbara Hydroelectric Power Plant Land at Lauro Dam and Verifying that Funds Have Been Budgeted for the Purchase at Fair Market Value as Determined by Appraisal.

DISCUSSION:

The City owns a hydroelectric plant located on federal land within the fenced enclosure around Lauro Reservoir, which is the raw water supply reservoir for the City's Cater Water Treatment Plant. The Hydroelectric Plant (Plant) receives water from the City's Gibraltar Dam that is conveyed to Santa Barbara via the City's Mission Tunnel. In 1985, the Plant began producing electrical power which was sold to Southern California Edison.

The Plant was mothballed in 1998, because the Plant's operation and maintenance costs, along with regulatory burdens, exceeded the income from power sales. In 2010, an engineering report determined that the key to recommissioning the Plant and reducing regulatory costs and burdens was for the City to acquire ownership of the land beneath the Plant. Council adopted Resolution No. 10-086 in November 2010 declaring the City's intent to acquire and accept title to the real property on which the hydroelectric plant was constructed.

The Cachuma Operation and Maintenance Board and the US Bureau of Reclamation declared that the land beneath the Plant was surplus to the needs of the Cachuma Project. As a result, on January 7, 2013, the U.S. General Services Administration (GSA) issued a notice that it had determined the land beneath the Plant "to be Government surplus and available for disposal." Subsequently, the GSA, in a letter to the City received on February 19, 2013, informed the City that purchase of the surplus

land would be through a "negotiated sale" process as set forth in federal law. If negotiations between the GSA and City are ultimately not successful, the property will be disposed of by public sale. The "negotiated sale" process requires the City to adopt a resolution verifying that: (i) a particular individual is authorized to act in the negotiations on behalf of the City of Santa Barbara, and (ii) funds exist for the purchase.

In addition to recommending Council adopt a resolution that complies with the GSA request, City staff intends to select a state licensed or certified appraiser and authorize an appraisal of the subject land in accordance with instructions contained in the GSA letter. City staff will return to Council with the results of the appraisal and request authority to make an "Offer to Purchase" to GSA.

SUSTAINABILITY IMPACT:

Recommissioning the Plant will result in the production of clean and renewable hydroelectric power. It has been estimated that initially the Plant will produce 2,099 megawatt hours (MWh) of power annually. Because of siltation at Gibraltar Dam, the amount of power generation will decline over time, and eventually will reach a steady annual production of 1,877 MWh, which is enough to meet the electrical demand of approximately 200 single family homes. It is intended that the power produced by the Plant will be sold to Southern California Edison at the "California Renewable Energy Small Tariff" rate.

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING THE CITY'S PUBLIC WORKS DIRECTOR TO ACT IN THE NEGOTIATIONS ON BEHALF OF THE CITY OF SANTA BARBARA FOR THE PURCHASE OF THE FEE SIMPLE INTEREST IN THE REAL PROPERTY KNOWN AS THE SANTA BARBARA HYDROELECTRIC POWER PLANT LAND AT LAURO DAM AND VERIFYING THAT FUNDS HAVE BEEN BUDGETED FOR THE PURCHASE AT FAIR MARKET VALUE AS DETERMINED BY APPRAISAL.

WHEREAS, the City received United States Bureau of Reclamation License and Agreement No. 20-07-20-L2148 (City Agreement No. 11,539), dated July 15, 1982, which permitted the construction, operation, and maintenance of the City's Hydroelectric Plant on United States land adjacent to Lauro Reservoir;

WHEREAS, the City's hydroelectric plant produced clean, renewable power from 1985 through 1998;

WHEREAS, the City decommissioned the hydroelectric plant in 1998, when it was determined that project operation, maintenance, permit, and regulatory costs exceeded project revenues;

WHEREAS, a technical analysis by Brown and Caldwell Engineers, Inc. in 2010 determined that recommissioning the hydroelectric plant would be feasible if the City were able to acquire fee simple title to the real property on which the plant was constructed which would most likely enable the City to avoid significant regulatory costs and burdens associated with starting and operating the plant;

WHEREAS, on August 23, 2010, the Cachuma Operations and Maintenance Board agreed to send a letter to the Bureau of Reclamation in support of the City of Santa Barbara's request to transfer ownership of the real property to the City for the purpose of recommissioning the City's Hydroelectric Plant at Lauro Reservoir;

WHEREAS, on November 2, 2010, City Council adopted Resolution No. 10-086 declaring the City's desire to resume operations at the hydroelectric plant and to accept ownership of the fee simple interest in real property known as the Santa Barbara Hydroelectric Power Plant at Lauro Dam;

WHEREAS, on January 7, 2013, the United States General Services Administration (GSA) issued a Notice that it had determined the real property "to be Government surplus and available for disposal";

WHEREAS, on January 15, 2013, the City's Public Works Director sent a letter to GSA notifying them of the City's intent to purchase the land; and

WHEREAS, on February 19, 2013, GSA informed the City that in order to initiate the process of "negotiated sale" in accordance with federal law, the City must adopt and submit a resolution adopted by the governing body verifying that (i) a particular individual is authorized to act in the negotiations on behalf of the City of Santa Barbara, and (ii) funds exist for the purchase.

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

SECTION 1. Christine F. Andersen, Public Works Director, is authorized hereby to act in the negotiations on behalf of the City for the purchase of the real property beneath the City's hydroelectric plant.

SECTION 2. Funds have been budgeted for the purchase of the real property at fair market value as determined by an appraisal prepared by a state licensed or certified appraiser.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Mayor and Councilmembers

FROM: Chief's Staff, Police Department

SUBJECT: Police Department Update

RECOMMENDATION:

That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

DISCUSSION:

As requested by the Mayor and City Council, beginning on December 6, 2011, Police Chief Cam Sanchez will give an oral presentation to Council regarding the status of the Police Department and its operations. This presentation will be part of a series of updates and will occur on a periodic basis.

PREPARED BY: Chief Sanchez, Police Chief

SUBMITTED BY: Cam Sanchez, Chief of Police

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

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 Fire Management Association and the Police Officers' Association, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

SCHEDULING: Duration, 30 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



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 19, 2013

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Appeal Of Architectural Board Of Review Approval Of 1911 Chino Street

RECOMMENDATION:

That Council deny the appeal of Evelyn Lee, et al., of the application of Gil Barry, architect, agent for Alamar II LLC, and uphold the Architectural Board of Review's Project Design Approval for the proposed second single-family dwelling and garage on a lot with an existing single-family dwelling.

EXECUTIVE SUMMARY:

On January 22, 2013, the ABR granted Project Design Approval to construct a new two-story single-family residence and attached two-car garage located behind a one-story single-family residence. Twelve neighbors have filed an appeal regarding the approval and listed eight areas of concern in their appeal letter. The ABR responded to issues of concern raised during public comment and ABR requested changes in the project to address them. In addition, the ABR informed the public of the extent of the Board's purview. In response to the ABR's comments, the project was revised to be smaller and sensitive to the issues discussed.

Staff recommends that Council deny the appeal and uphold the ABR's Project Design Approval. The ABR gave appropriate consideration to the project, including concerns of the appellants and other members of the public, prior to granting Project Design Approval. Further enhancement will be seen prior to Final Approval as the project complies with conditions of approval.

DISCUSSION:

Project Description

The subject site is a 7,500 square foot, two-family residential R-2 zoned lot. The zoning and lot size allow development of two dwelling units. The lot is currently developed with a 990 square foot one-story single-family residence and a detached 550 square foot two car garage. The project is a proposal to demolish the garage and construct a new

1,320 square foot two-story single-family residence and attached 407 square foot two-car garage. The new dwelling unit is located at the rear of the site behind the existing residence, which is proposed to remain. A new driveway and two uncovered parking spaces are also proposed.

Project History

The Architectural Board of Review (ABR) reviewed the project twice (Attachment 2). At the initial review on January 7, 2013, a larger 1,700 square foot two-story project was presented with six bedrooms and six full bathrooms. The ABR heard comments from neighbors and found the general site planning to be acceptable and requested study of the architecture, reduction of the second story, and privacy impacts to adjacent properties. In response to the ABR's comments, a smaller revised project was presented at a second concept review on January 22, 2013, where the ABR granted Project Design Approval. On February 4, 2013, an appeal was filed by Evelyn Lee on behalf of herself and 11 neighbors (Attachment 1). The appellants listed eight areas of concern in their appeal letter. This report outlines each appeal issue in the letter, followed by a staff response, and discusses other public concerns raised and evaluated during the review meetings (Attachment 3).

Appeal Issues:

1. *The ABR should not have considered the application because the property owner on the application was incorrect.*

Due to staff's error in not updating the City's database to reflect the change of ownership both former owner Eddie M. Walker and current owner, Alamar II LLC, incorrectly appeared on both ABR meeting agendas, although the notice of public hearing, both meeting's minutes, and application form correctly showed only the current owner. This is a minor technical error and does not prevent review of the application.

2. *The plans approved by the ABR are not accurate and contain discrepancies.*

The ABR did not raise issues regarding plan accuracy in its review. Staff found the plans to be clear and consistent, and that they met the City's informational requirements during the cursory zoning plan check. The appellants did not explain in what way they believed the plans to be inaccurate.

3. *Council should consider environmental issues including: soil contamination, parking, density, and water conservation.*

All discretionary projects undergo California Environmental Quality Act (CEQA) review. Prior to scheduling items for ABR review, staff prepares a Master Environmental Assessment map printout for each proposed project and completes the accompanying environmental assessment checklist with respect to that application. The project site did not appear on reference lists of contaminated sites. There was a 2012 enforcement case regarding an underground fuel tank and the case was resolved with the tank being

properly removed under Santa Barbara County Fire Department supervision. Soil samples were taken and no further action was required by County Fire and the case was closed. The related 2013 enforcement case for barrels of hazardous waste stored on the property has been resolved and the case was closed.

The parking requirement for two residential units is four spaces, with two of those in a garage or carport. The project proposes a two-car garage and two uncovered spaces. Two spaces per unit is the maximum required for a residential unit by the Zoning Ordinance regardless of the number of bedrooms.

Similarly, residential density in the R-2 zone is based on the number of separate dwelling units and it does not consider the number of bedrooms within a dwelling unit. Under the state Uniform Housing Code, the City may not regulate the number of people who may share a dwelling unit except where there is a safety threat due to overcrowding as determined by the Fire Department.

Water resources are not “significantly” impacted by adding the additional dwelling to this property. The environmental review process does not require analysis of water consumption when fewer than 10 single-family residences, or 20 condominiums or apartments are proposed. Prior to final approval, the project’s landscape and irrigation plans will be checked for compliance with water conservation standards. The building permit plans will also be checked for plumbing code compliance.

4. The mass, bulk, and scale of the project are not compatible with the neighborhood.

In response to comments from the ABR and the public, the applicant reduced the original project from 1,700 square feet with six bedrooms and six bathrooms to 1,320 square feet with four bedrooms and four bathrooms. The applicant presented a map with nearby two-story buildings shaded to demonstrate neighborhood compatibility and view considerations (Attachment 4). Staff prepared a brief neighborhood survey for this report of the number of units, bedrooms, square footage, and stories in the immediate vicinity of the project. A reasonable sized area was defined within 100 feet of the subject property as well as additional properties on both sides of the 1900 Block of Chino Street and the 800 Block of West Pedregosa Street. The sizes of the properties in this survey area are varied: 1-3 units, 1-9 bedrooms, 1-5 bathrooms, 680-3,550 square feet, 1-2 stories. The proposed project would have 2 units, 5 bathrooms, 6 bedrooms, 2,677 square feet, and 2 stories. Thus, the neighborhood survey indicates the project is within the range and compatible with the existing development in the survey area.

5. *The design of the project is not compatible with the neighborhood because it does not fit within the historical character and value of the surrounding properties.*

The 800 block of West Pedregosa Street, where 10 of the appellants live, has a nice streetscape of relatively unaltered, well-maintained, mostly one-story single-family residences. This area is not in a special design district, nor is it under consideration as a historic district. The ABR considered the character of the neighborhood and complimented the nice condition and upkeep of the neighbors' houses. The ABR found the proposed Spanish style to be compatible with the existing one-story Spanish style house on the subject property as well as compatible with the neighborhood as other examples of this style occur in the neighborhood. The zoning in the neighborhood is R-2 and almost all of the lots have adequate size to potentially be developed with at least two units.

6. *The dissenting minority opinions of the ABR's approval vote clouds its overall decision.*

ABR decisions are by a simple majority vote. Four members voted for approval. Although three members voted in opposition, two of them indicated the project needed more refinement and additional review prior to approval and they participated in offering design comments to shape the project so that they would be comfortable granting an approval. One ABR member indicated the project would not be compatible with the neighborhood.

7. *The ABR failed to uphold its stated goals as outlined in its mission statement.*

The ABR's review was consistent with its goals (Attachment 5). In particular the Board considered the historic and architectural qualities of Santa Barbara, requested alterations of the massing and fenestration to refine the architecture of the proposed Spanish style structure, evaluated neighborhood compatibility, and was fair in its review process. Staff reviewed the application for Zoning Ordinance compliance prior to ABR review.

8. *This application should not have been accepted by the City until pending City litigation is resolved.*

There is no pending City litigation involving this property, but there was an open CDD Staff enforcement case when this application was submitted. The City Attorney's office filed a complaint that the existing house had been converted from two to four bedrooms. An inspection by City staff found that other rooms had been used for sleeping, however there is no City ordinance prohibiting people from sleeping in any habitable room and this is allowed by the state Uniform Housing Code. The enforcement case was closed on January 22, 2013.

Staff comments:

The issues raised in the appeal letter do not include several issues raised during the public comment period and discussed by the ABR, for example: site drainage, privacy, blockage of mountain views, traffic impacts, lighting, and number of people renting the property. The meeting minutes reflect the ABR's consideration of these issues in its discussion of building height, roof forms, window placement, and grading. In addition, the ABR informed the public of the extent of the Board's purview. Although ABR members expressed sympathy with the concerns raised by the neighbors about the possible impacts of residential density resulting from a new dwelling with four bedrooms and four full bathrooms, the ABR is only able to request changes to the project within the limitations of its purview. The ABR did evaluate the implications of the number of bedrooms and bathrooms on the exterior of the building in terms of size, bulk, and scale, massing, and window placement. Although this project would result in two single-family dwellings, it is located in the R-2 ("Duplex") zone and therefore is not under the purview of the Single Family Design Board, the ABR did consider the good neighbor tips in the Single Family Residential Design Guidelines with regard to the neighbors' concerns about impacts to their single-family properties. Window placement and window sizes were considered in order to provide maximum privacy. Roof form and pitch were reviewed for architectural consistency that also lowered the roof for reduced blockage of neighbors' mountain views.

In summary, the ABR gave appropriate consideration to the project, including concerns of the appellants and other members of the public, prior to granting Project Design Approval. The applicant was very responsive to the ABR's direction from the initial review and made changes as requested. The revised project was approved with conditions that will refine the architecture and address the privacy concerns by changing placement of windows. Further enhancement will be seen prior to Final Approval as project complies with conditions of Project Design Approval. Staff recommends that Council deny the appeal and uphold the ABR's Project Design Approval.

- ATTACHMENTS:**
1. Appeal letter
 2. ABR minutes of January 7, 2013 and January 22, 2013
 3. Public comment letters
 4. Project plans
 5. ABR Goals

PREPARED BY: Tony Boughman, Planning Technician II

SUBMITTED BY: Jaime Limón, Senior Planner

APPROVED BY: City Administrator's Office

RECEIVED

2013 FEB -4 PM 1:42

SP

CITY OF SANTA BARBARA
CITY CLERK'S OFFICE

February 4, 2013

To: The Mayor and City Council of the City of Santa Barbara

From: Residents adjacent to 1911 Chino Street, Santa Barbara, CA

Re: Appeal of Santa Barbara Architectural Board of Review ("ABR")
Approval No: 043-121-013, dated January 22, 2013,
regarding Application No: MST2012-00475

We, the residents adjacent to the proposed development of 1911 Chino St., hereby and respectfully formally appeal the above-referenced decision by the ABR to the Mayor and City Council of the city of Santa Barbara. The grounds upon which we request the appeal are as follows:

1. The ABR should not have considered the application because the primary owner shown on the application was incorrect. The listed applicant, Ms. Eddie Walker, is deceased as of 2010.
2. The plans approved by the ABR are not accurate and there are discrepancies that cloud the overall scope of the project and its potential impacts.
3. The ABR does not have jurisdiction over State Environmental Quality Act concerns and we feel there are enough significant issues which warrant City Council review, including possible soil contamination stemming from the underground storage of gasoline at the site, as well as parking, density and water conservation issues.
4. The ABR was remiss in approving the mass, bulk and scale of this project because there is no precedent of there being a similar 9-bedroom, 6-bath property in this neighborhood.
5. The ABR was remiss in approving the compatibility of the design of this project within this neighborhood because the design does not fit within the historical character and historical value of the surrounding properties.
6. The dissenting minority opinions of the ABR's final vote clouds its overall decision and reinforces our claim that the City Council needs to take a closer look at this proposed development.
7. The ABR failed to uphold its stated goals as outlined in its mission statement.
8. This application should never have been accepted by the city until the pending litigation the City has against this applicant is resolved.

We respectfully appeal to the Mayor and City Council to grant a closer and more thorough inspection of this proposed development as we feel it has the potential to adversely impact the natural beauty and charm of the area in which we live.

Respectfully Submitted,



Evelyn Lee
802 W Pedregosa St.
805-212-4911

On behalf of and with the support of:

Richard and Lindsey Berrett
814 W Pedregosa St.

Patrick Burns
806 W Pedregosa St.

Jeanne Perkins
818 W Pedregosa St.

Ralph Romero
810 W Pedregosa St.

Louis and Rebecca Truckenmiller
820 W Pedregosa St.

Ryan Romero
810 W Pedregosa St.

Brian Wingate
802 W Pedregosa St.

Johan and Diane Delsol
1910 Chino St.

An Excerpt from the Architectural Board of Review Minutes of January 7, 2013:**CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING****4. 1911 CHINO ST****R-2 Zone**

(4:45) Assessor's Parcel Number: 043-121-013
Application Number: MST2012-00475
Owner: Alamar II, LLC
Architect: Gil Barry

(Proposal to demolish an existing detached 600 square foot two car garage and construct a new two-story single-family residence and attached two-car garage. The project is located at the rear of the 7,500 square foot lot behind the existing 990 square foot one-story single-family residence. A new driveway and two uncovered parking spaces are also proposed.)

(Action may be taken if sufficient information is provided.)

Actual time: 4:33 p.m.

Present: Gil Barry, Architect/Agent.

Public comment opened at 4:40 p.m.

- 1) Ryan Romero, opposed; concerns regarding privacy and loss of private mountain views, neighborhood compatibility, residential density, parking impacts, water drainage into his adjacent yard, and noise from new tenants.
- 2) Ralph Romero, opposed; concerns regarding privacy, water drainage into his adjacent yard, and residential density, and parking impacts.
- 3) Patrick Burns (adjacent neighbor), opposed; concerns regarding private mountain views, neighborhood compatibility, long-term sustainability, noise abatement, and residential density, and parking impacts.
- 4) Jeannie Perkins, opposed; concerns regarding neighborhood compatibility, residential density, parking impacts.
- 5) Richard & Lindsey Garrett, (submitted separate letters & some photos) opposed; concerns regarding neighborhood compatibility, residential density, parking impacts, long-term sustainability, privacy, and private mountain views.
- 6) Evelyn Lee, (submitted letter) opposed; concerns regarding neighborhood compatibility, safety, residential density, privacy, parking impacts, and private views.
- 7) Lou Truckenmiller, opposed; concurred with previous comments of neighbors.

Letters letter of expressed concern from Richard & Lindsey Garrett, and Evelyn Lee were acknowledged.

Public comment closed at 5:01 p.m.

Chair Zink addressed the Boards lack of purview on issues of residential density and private views.

Motion: Continued two weeks to Full Board with comments:

1. Some Board members find the roof pitch design is too steep and inappropriate for the style of architecture; applicant to restudy a reduction in the angle of the roof pitch, and incorporate some flat roof elements for better design continuity with the front house.
2. Restudy the elevations.
3. Restudy the number of windows to better utilize the interior area.
4. Provide drainage details, and a more detailed topography showing drainage.
5. Provide a study of privacy impacts of the proposed second floor windows and balcony areas; include neighboring fenestration locations on the site plan.
6. Some Board members felt that the balconies should remain un-usable. Study faux balconies.
7. Study reducing the size of the second floor.
8. Provide a pedestrian pathway from the street to rear unit.
9. Study the trash enclosure.
10. To study the impacts the proposed addition would have on mountain views of neighboring properties.

Action: Gradin/Hopkins, 6/0/0. Motion carried. (Poole absent).

An Excerpt from the Architectural Board of Review Minutes of Tuesday, January 22, 2013:**CONCEPT REVIEW - CONTINUED ITEM****8. 1911 CHINO ST****R-2 Zone**

(6:40) Assessor's Parcel Number: 043-121-013
 Application Number: MST2012-00475
 Architect: Gil Barry
 Owner: Alamar II, LLC

(Proposal to demolish an existing detached 600 square foot two-car garage and construct a new 1,320 square foot two-story single-family residence and attached 407 square foot two-car garage. The project is located at the rear of the 7,500 square foot lot behind the existing 990 square foot one-story single-family residence. A new driveway and two uncovered parking spaces are also proposed.)

(Second Review. Project was last reviewed on January 7, 2013. Action may be taken if sufficient information is provided.)

Actual time: 7:19 p.m.

Present: Gil Barry, Architect.

Public comment opened at 7:29 p.m.

- 1) Ralph Romero, opposed; requested further review of drainage, expressed concerns about privacy.
- 2) Ryan Romero, opposed; seconded concerns regarding drainage and privacy.
- 3) Patrick Burns, opposed; second units in neighborhood should match front units, concerned that this project will harm the existing character of the neighborhood.
- 4) Johan Delsol, opposed; existing site has many residents and cars, outstanding violations, unkempt condition of property, traffic and street parking concerns, and blocking private views.
- 5) Rich Barrett, opposed; concerns about reduction of rear yard space, architectural style, prefers a single-story project, a neighborhood compatibility and window study was requested; expressed concerns regarding privacy and living standards issues; request drawings, elevations, and photos to show proximity to adjacent properties.
- 6) Evelyn Lee, opposed; seconds Mr. Barrett's and Mr. Burns' comments, would like to see proposed lighting for pedestrian walkway and a landscape plan; suggests a wall at end of driveway to block cars.
- 7) Louis Truckenmiller; opposed; supports all comments from neighbors, concerned about proposed windows in closets.

A letter of expressed concerns from Brian Wingate and Evelyn Lee regarding was acknowledged.

Public comment closed at 7:41 p.m.

Motion: Project Design Approval with conditions:

- 1) The mass, bulk, and scale is appropriate to the neighborhood and to the site.
- 2) The architect has done a commendable job in considering the impacts to the neighbors, both in privacy and views.
- 3) Some Board members feel that additional simplification of the architecture could be made and that additional consideration on the south elevation, some changes to the balcony configuration or window configuration on the south elevation could be made to provide greater privacy to the neighbor on that side.
- 4) Some Board members find that window areas and sizes could be reduced, and that perhaps some windows should be eliminated, for example those in the closet areas on the west elevation. Other Board members feel that the windows as shown are fine.

Action: Gradin/Poole, 4/3/0. Motion carried. (Zink, Mosel, Wittausch opposed).

The ten-day appeal period was announced.

ATTACHMENT

To the members of the ABR, 22 January 2013

Thank you for the opportunity to comment on the revised design for 1911 Chino Street.

Before I begin my comments on the design, Dario Pini needs to be named as the owner. The agenda mis-identified the owner of the property as Eddie Walker, who died 4 years ago.

I want to acknowledge that Gil Barry, the architect, came by the neighborhood, after the January 7 th ABR hearing. In preparation for his design revision, he talked to many of us and looked at the mountain view that would be lost with the building of the second story.

This revised 2nd story is now a 3 bedroom, 4 bath, but it still encroaches significantly on the mountain views of the neighbors.

An architect friend had a look at these new plans. His findings include:

1. It seems the drainage as drawn will run off into the neighbor's property. A drainage plan for the whole length of the property is in order. It only shows a 1% slope.
2. The sloped roof line does not match the front house, which has a flat roof. A flat roof seems a more consistent design.
3. Regarding the balconies, the design shows access from sliding doors. It was suggested at the previous hearing that the balconies be faux and there be windows, not doors.
4. Pedestrian walkway is drawn in but what will the lighting be for this long walkway?
5. There are no plans for heating or ventilation system. What will be used?
6. There is no outdoor lights shown on the plans. Will they be on all night? Will they shine into our windows? Where will the lights be placed?
7. There is a sliding glass door onto the garage roof. What is the height of the garage walls? Will there be a railing surrounding this outdoor space? How high? Again, how will this barrier block our mountain views?
8. Regarding the garbage enclosure by the front house, what will it be made of? How high?
9. There are windows in the closets of the bedrooms. Why?
10. We suggest a short wall at the turn of the walkway be built to protect the yard in front of the entrance and to mark the end of the long driveway.
11. What is the landscape plan?
12. There are many ways that this design can be subdivided into another unit and additional bedrooms be created. It should be required that the owner sign a declaration that he will not divide this single family residence into multiple units and that he will not create additional rooms by putting up more walls.

I believe the city does have that authority.

Our homes date back to the early 1920's. We hope that the ABR will continue to be ever vigilant in protecting the historical and architectural qualities that make neighborhoods such as ours, unique.

Thank you for your consideration.

Brian Wingate

Evelyn Lee

802 West Pedregosa St




To the Members of the ABR,
Regarding 1911 Chino Street addition

Our concerns are as follows:

1. The owner named for 1911 Chino Street on your agenda is NOT Eddie Walker. She died about 4 years ago, so neither she nor any of her family has anything to do with this project. Her husband was required to leave when the property was sold in November 2011 to Dario Pini.
2. The zoning and building violations identified have not been 100% corrected. Dario Pini has had over a year to bring the property up to code.
3. This original 900 square foot 2-bedroom single family house is now rented out as a four bedroom house to 6 or 7 unrelated persons. There are 4 cars parked in the driveway and maybe more cars on the street. I see only 4 parking spaces on the site plan. Where do the occupants of the proposed 5 bedrooms park their cars?
4. This is an old neighborhood with many of the homes built in the 1920s. The original families continue to call it home. These single family houses will be dwarfed by this proposed unit. It is too big for this neighborhood.
5. At a public meeting, Mr. Pini said he would not rent to more than 2 persons per bedroom. That means there could be an additional 10 people living at 1911 Chino Street on top of the 6 or 7 already on the front 900 square foot house. The high density does not fit in with this neighborhood.
6. We cannot ignore the reputation of Dario Pini as a landlord. We see his rental practices applied to the front 4 bedroom, 900 square foot house. It was listed as a 2 bedroom when he bought it. His properties tend to have high turnovers of renters as well. We are concerned for the safety of the neighborhood. There is a licensed daycare 2 doors down from 1911 Chino Street.
7. The proposed 2-story unit will block out much of the sunlight to beloved and well-tended gardens. It will eliminate the view of the mountains for many of the neighbors. How can it be that these new renters will get the mountain views and the 35-years residents will lose their view.
8. We want our neighborhood preserved. Any additional building allowed should not take away from what is here already.

Submitted by:

 1/7/13
DARIO PINI WE 802 WEST PADDINGTON
 1/7/13

Members of the A.R.B.
Regarding 1911 Chino Street, Santa Barbara, Ca.

January 7, 2013

My concern as the resident/owner of 814 West Pedregosa Street, whose backyard comes up against the back yard of 1911 Chino Street is the long and horrific history of other addresses owned by the same owner of this property at 1911 Chino Street. Quotes by the Police as to the goings on at other residences owned by the same owner, are very discouraging and frightening.

There are 7 living in the 4 bed house in the front of the property with the capacity for at least 10 more in the addition in the back. This is way too many people in one place in this neighborhood. If this turns into a transitory situation where people are coming and going all the time, (how long does a person live in just 1 bedroom), what could develop.

Another concern is the structure being 2 stories with 2 balconies on the second story. There will be no privacy for many backyards ever again. How can the rights of 1 supersede the rights of so many others?

We need advocates to help stop the furtherance of this project. Once this is built, it will be there forever and forever destroy this beautiful old Santa Barbara, Westside neighborhood with many long-time owners. My family has owned our property for more than 70 years with old friends next door, down the street and around the corner.

Sincerely,
Lindsey Berrett
814 West Pedregosa Street, Santa Barbara, Ca.

Please see attached pictures with the mountain ridge line from our back porch and back bedroom. The light gray roof is in the backyard where the 2 story building would be built.

Lindsey Berrett January 7, 2013

DISTRIBUTION DATE: 1/7/13
 ABR MEMBERS (7) TECH 2 mbg
 SR. PLANNER ASST CITY ATTY.
 APPLICANT'S AGENT(S)
 ENTERED AS INT PARTY
 ON DATE: 1/7 BY klg



DISTRIBUTION DATE: 1/7/13
 ABR MEMBERS (7) TECH La...
 SR. PLANNER ASST CITY ATTY. ...
 APPLICANT'S AGENT(S) ...
 ENTERED AS INT PARTY ...
 ON DATE: 1/7 BY klg

Members of the A.B.R.
 Regarding 1911 Chino Street, Santa Barbara, California

This Westside neighborhood has been our home for 35 years. It is friendly, warm, safe, and a true representation of Santa Barbara. All of the homes are single family residences, being used as single family residences. The proposed structure is a "boarding house" masquerading as a single family residence. Does Santa Barbara actually have a zoning rule preventing "boarding houses" in R2 zoned areas? The EXISTING 900 square foot house now is home to SEVEN tenants.. With the additional five bedrooms in the new building, that would increase the occupancy to 17; perhaps 20 new tenants. Do they drive?? Do they park?

Let's not pretend we all don't know what is happening here!!!

Santa Barbara has a "Single Family Design Board with General Guidelines" to promote long-term sustainability contributing to a desirable living environment. Where are they??

The proposed project adversely affects five adjacent properties and numerous others in close proximity. If the Boarding House is permitted, all privacy for the five adjacent properties is LOST. The wonderful views of the Santa Ynez Mountains will be substituted for a view of the rear of an Isla Vista Apartment Complex....

We are all "Old Time" Santa Barbarans who deserve your representation in this matter.

In closing, I am not opposed to a property owner developing his property. It is beneficial to the City. Let him build a one story, four bedroom, 5 bath Single Family Residence, and maintain the Westside Santa Barbara Neighborhood for the benefit of all.

Sincerely,

R.M. Berrett

814 West Pedregosa Street, Santa Barbara, California

R.M. Berrett JANUARY 7, 2013

1911 CHINO STREET

The proposed single family residence at the rear of 1911 Chino Street is not compatible with the neighborhood. The revised plans do not eliminate our concerns. We are not opposed to a new structure that is compatible with the surrounding neighborhood and does not invade neighbors privacy and living standards. The builder has a 7500 square foot lot to work with, with 1090 feet being used by front house and setback. A one story home with matching architecture would easily fit.

This past week we have taken pictures of the 800 block of West Pedregosa Street and the 1900 block of Chino Street. SHOW PICTURES. As you can see, there are no Spanish style homes. There are a few 2 story homes that do not encroach on neighbors properties and are quite low profile.

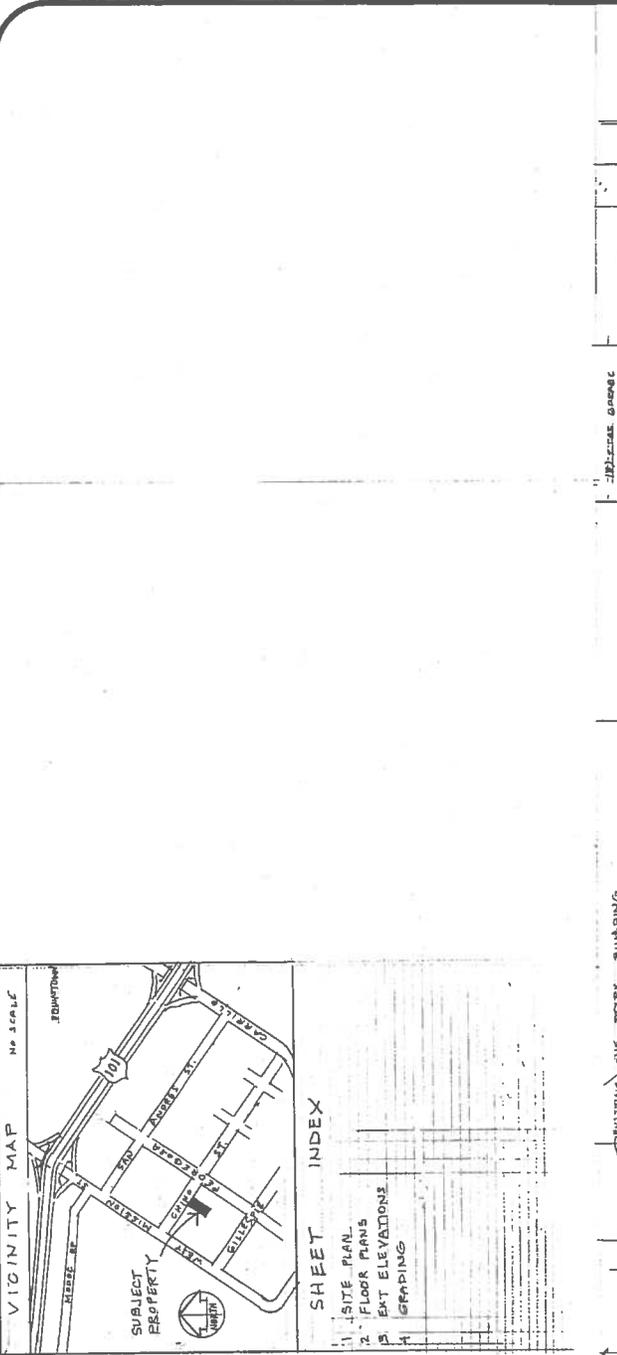
Our concerns with the revised plans are as follows:

1. No required study provided to show impact on neighbors.
2. No required drawings or elevations showing neighbors window locations in proximity to proposed structure.
3. There are no water heaters shown. Where and what type. Instantaneous on the exterior? The heating system is not shown.
4. The upstairs bedroom windows have been relocated to the north side in the closets.?
5. Bollards should be installed at end of paved driveway to prevent parking on open space.
6. Elevations of the property should be surveyed to determine that it will drain properly during heavy rains.
7. Two car garage will serve front and rear unit with interior door into rear unit. Front unit will have access to rear unit?
8. Outdoor lighting concerns – light pollution.?
9. Sewer main in street is only 6" PVC. Would a betterment be required to handle additional usage?
10. Toilets drawn are not to scale. Actual size limits door movement.

Thank you.

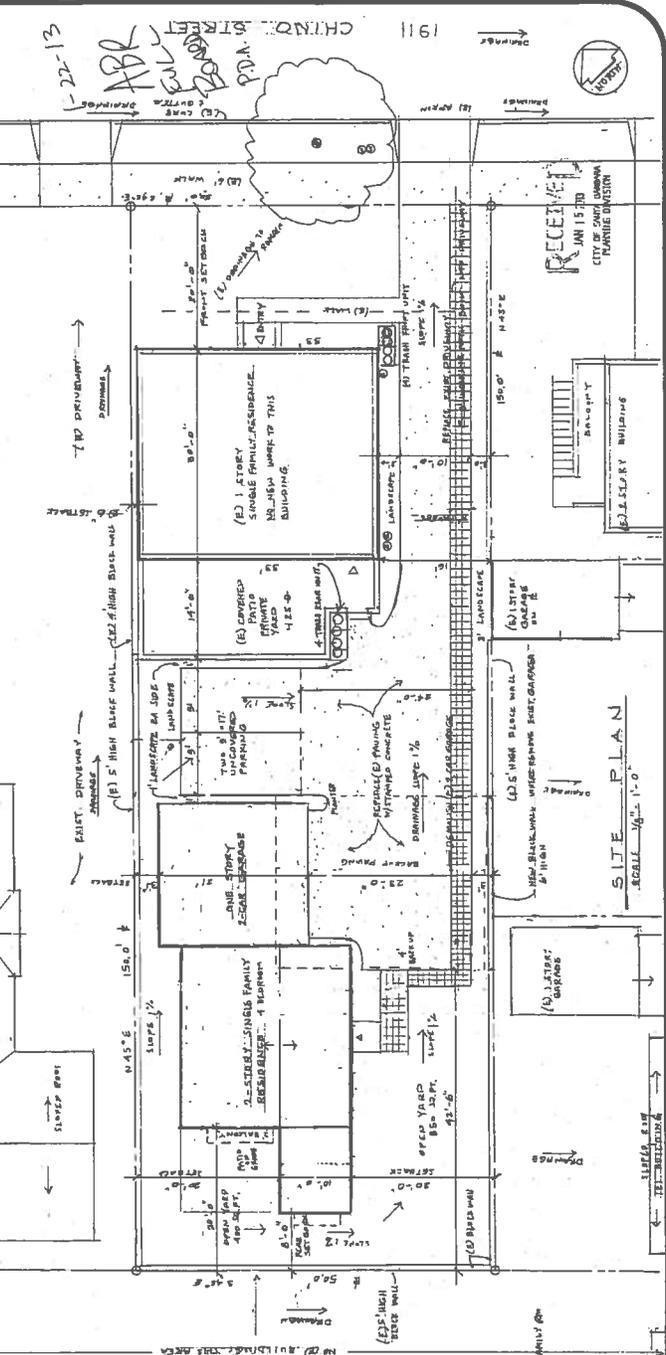
RICH DERRETT





PROJECT STATISTICS:

1) PROJECT ADDRESS: 1911 CHINO
 OWNER: ALANAR II LLC 813 S GARFIELD ST UNIT 1 155-6415
 2) ARCHITECT: GILL BARRETT ARCHITECT 315 N 105th ST STE 200 313-2423
 3) ARCHITECT: GILBERT & CO, INC
 4) A.P.N.: 043-121-013
 5) ZONING DESIGNATION: R2 - SINGLE STORY, 0 STORY ATTACHED
 6) GENERAL PLAN DESIGNATION: RESIDENTIAL, SINGLE-FAMILY, ONE-UNIT
 7) CONSTRUCTION TYPE: 1A
 8) OCCUPANCY GROUP: R-3
 9) APPLICABLE CODES: 2010 CBC, 2010 CEC, 2010 CFC, 2010 CMA, 2010 CMC, 2010 CMT, 2010 CML, 2010 CMO, 2010 CMR, 2010 CMS, 2010 CMW, 2010 CMX, 2010 CMY, 2010 CMZ, 2010 CNA, 2010 CNB, 2010 CNC, 2010 CND, 2010 CNE, 2010 CNF, 2010 CNH, 2010 CNI, 2010 CNJ, 2010 CNK, 2010 CNL, 2010 CNM, 2010 CNP, 2010 CNQ, 2010 CNR, 2010 CNS, 2010 CNT, 2010 CNU, 2010 CNV, 2010 CNW, 2010 CNX, 2010 CNY, 2010 CNZ
 10) LOT AREA: 50,000 SQ FT
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 12) LOT AREA: 50,000 SQ FT
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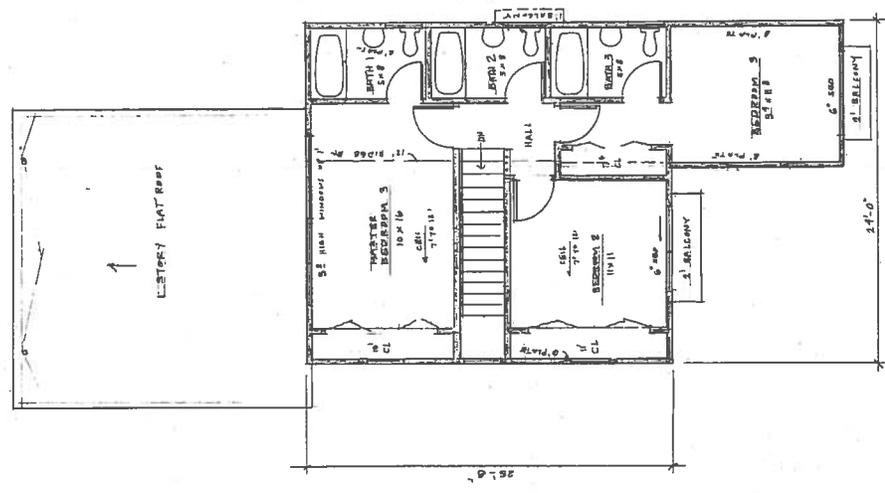
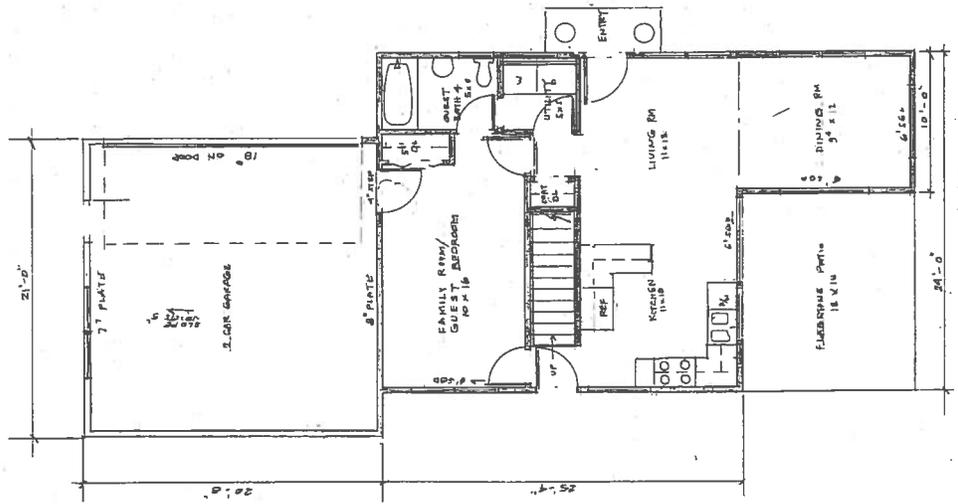
15) NUMBER OF RESIDENTIAL UNITS: 1 (A 1.5 STORY EXISTING FAMILY RESIDENCE AND 1 NEW 2-CAR GARAGE UNIT)
 16) NUMBER OF PARKING SPACES: 2 (A 2-CAR GARAGE UNIT AND 1 NEW 2-CAR GARAGE UNIT)
 17) FLOOR TO LOT RATIO (F.A.R.): 0.28 - NEW GARAGE UNIT
 18) LOT COVERAGE: 33%
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FLOOR PLANS

PROJECT: ADP 1 SINGLE FAMILY RESIDENTIAL UNIT
1911 CHINO
SANTA BARBARA, CA
DRAWN BY: GIL BARRY ARCHITECT
509-2625

REVISIONS

JOB NO.
DATE
JOB #15



FLOOR PLAN 1/4" = 1'-0" SECOND FLOOR PLAN 1/4" = 1'-0"

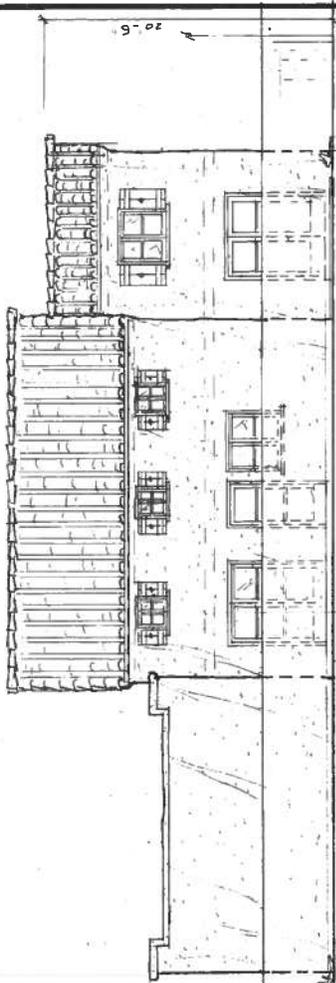
DESCRIPTION
EXTERIOR ELEVATIONS

PROJECT
ADD 1 SINGLE FAMILY RESIDENTIAL UNIT
1811 CHINA ST
SANTA BARBARA, CA

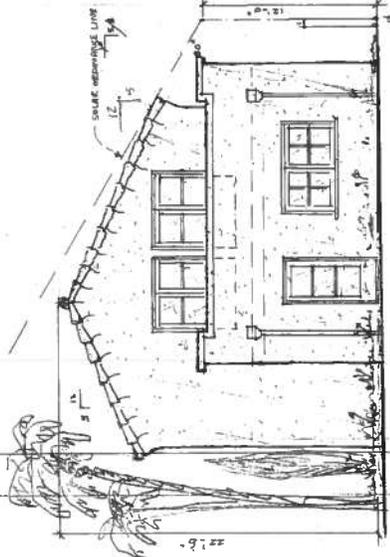
DRAWN BY
G.L. BARKLEY ARCHITECT
08.01.2013

JOB NO.
DATE
2013

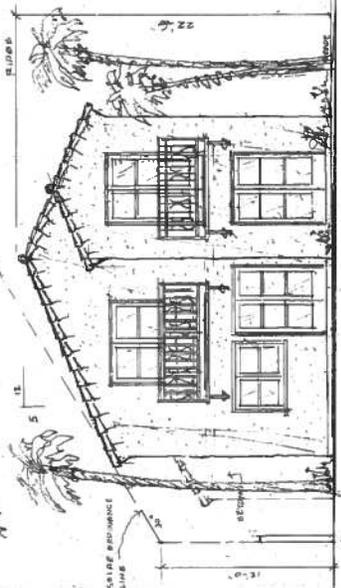
REVISIONS



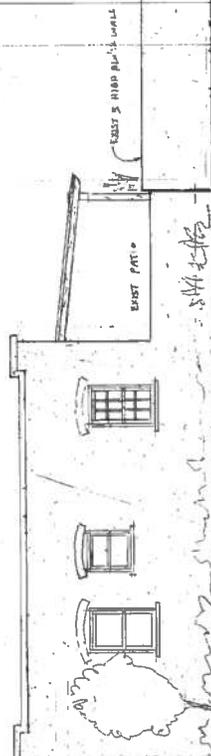
WEST ELEVATION 1/4" = 1'-0"



NORTH ELEVATION 1/4" = 1'-0"

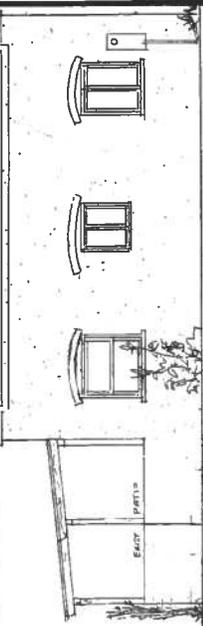


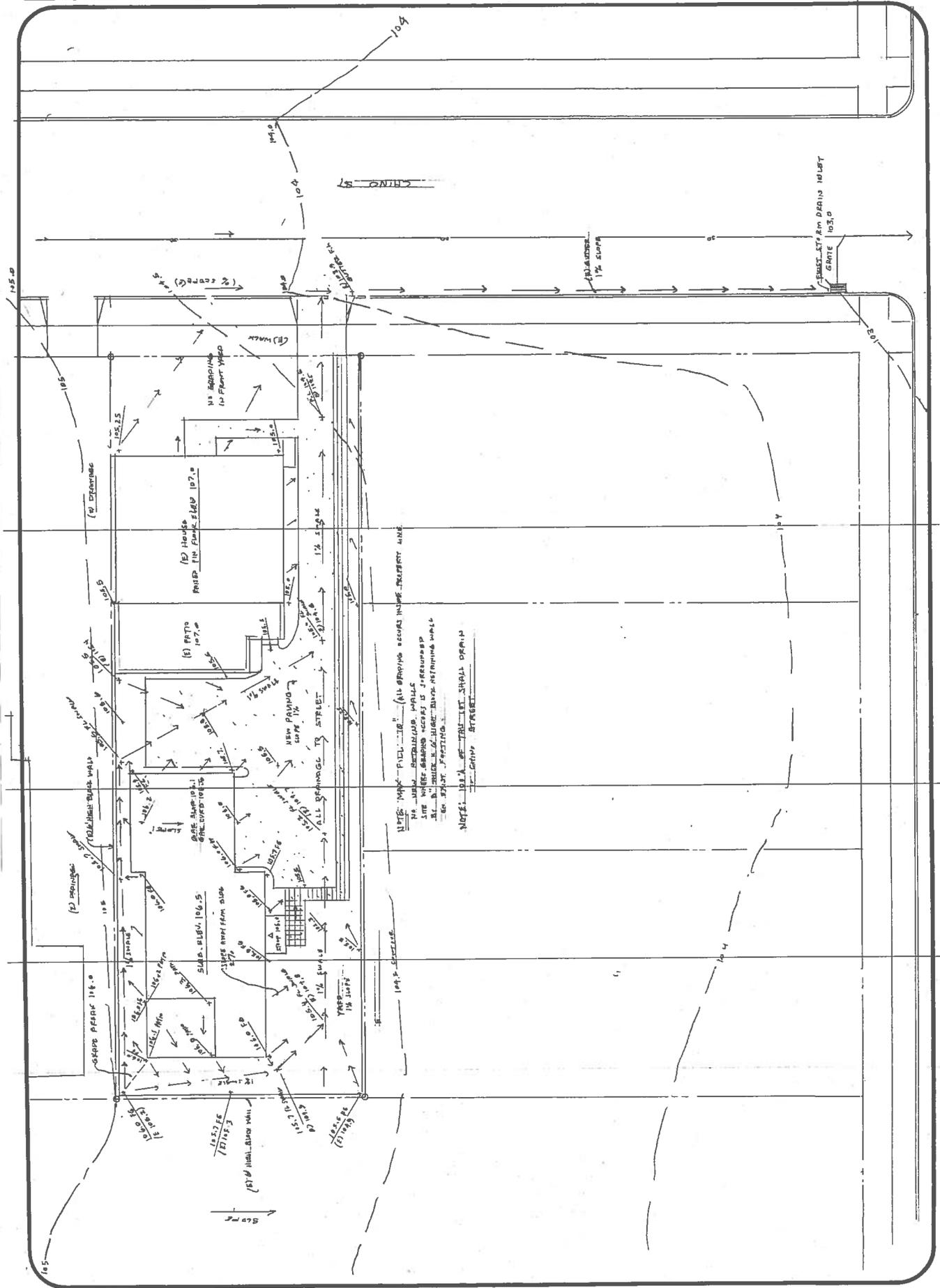
SOUTH ELEVATION 1/4" = 1'-0"



EAST ELEVATION 1/4" = 1'-0"

ITEM	MATERIAL	COLOR	FINISH	SCHEDULE
ROOF	2 PG MISSING TILE	TERRA COTTA	BLINDS #15	GUTTERS COPPER COLOR
EXT. WALLS	STUCCO	NO SPA STAIN	NAJAIN	WHITE
WINDOWS	VINYL	SANTA BARBARA	BLUE	
DOORS	WOOD	SHANE LARK GROUP	707	
BALCONY	IRON	DARK GREEN/BLACK		
SHUTTERS	WOOD	SANTA BARBARA	BLUE PAINT	
EXTERIOR	BLACK IRON			





NOTE: "NEW FLOORING" (ALL GRAPING occurs IN THIS PROJECT AND
 IS NEW BEDROOMS WALL
 THE OTHER ROOMS ARE IN JERUSALEM
 AT A. HOUSE NO. 1911 CHINO. HAVE RETURNING WALL
 ON THAT FRONTING.

NOTE: 1911 CHINO STREET SHALL BE
 1911 CHINO STREET

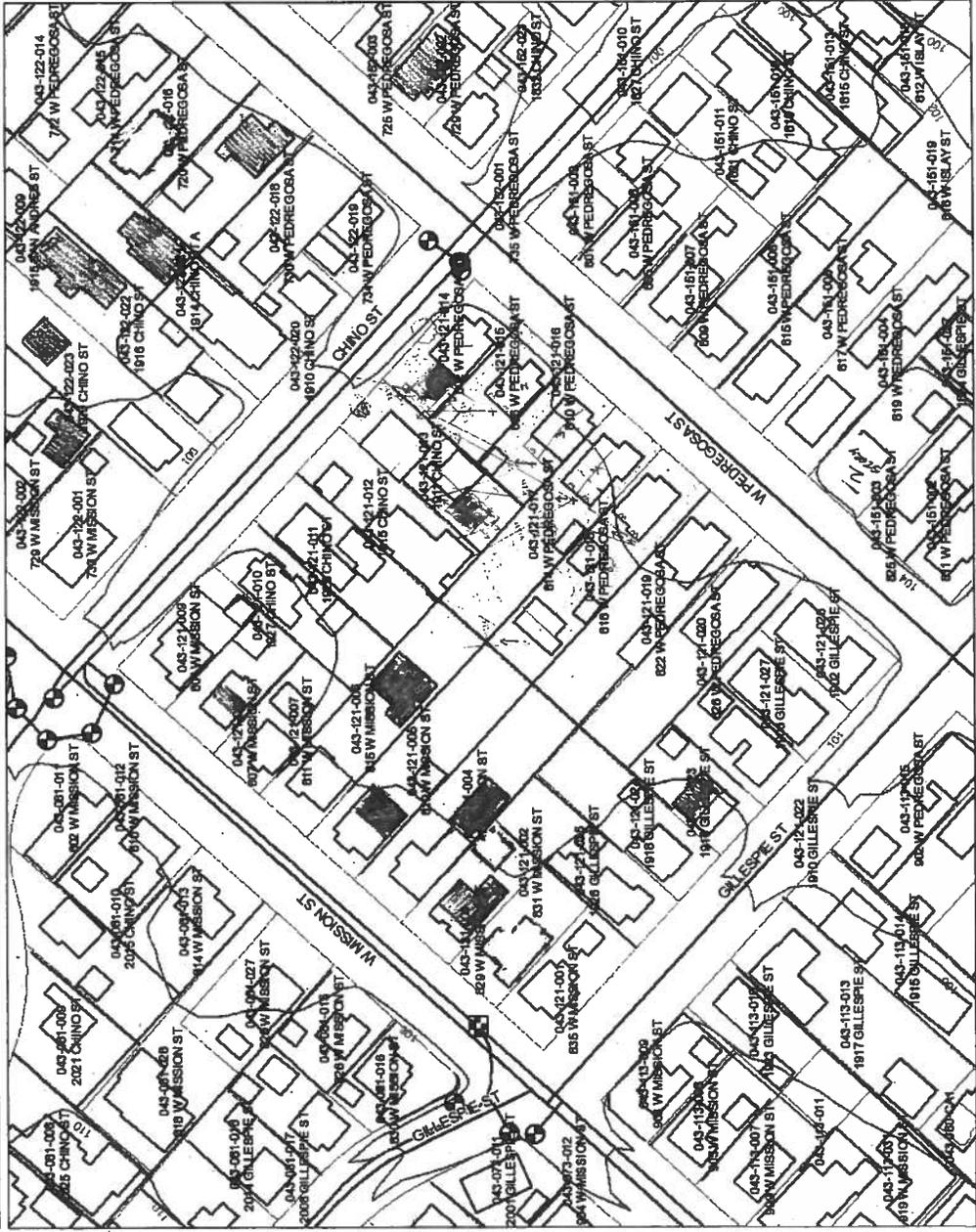
Scale

City of Santa Barbara



- Legend**
- City Limits
 - Elevation
 - Structures & Features
 - Stormwater Drainage Easement
 - Storm Drain Channel
 - Storm Drain Nodes
 - CATCH BASIN
 - TreeSymbol 0
 - DROP INLET
 - U-SD-CALTRANS-IS
 - U-SD-CALTRANS-MH
 - U-SD-CALTRANS-NODE
 - U-SD-CALTRANS-WALL
 - TreeSymbol 1
 - U-SD-CO-AV
 - TreeSymbol 2
 - TreeSymbol 3
 - U-SD-CO-IS
 - MANHOLE
 - U-SD-CO-NODE
 - U-SD-CO-WALL
 - U-SD-DI
 - U-SD-IS
 - TreeSymbol 4
 - U-SD-NODE
 - U-SD-PLUG
 - U-SD-PVT-CB
 - U-SD-PVT-DI
 - U-SD-PVT-IS
 - TreeSymbol 5
 - U-SD-PVT-NODE
 - U-SD-PVT-WALL
 - U-SD-REDUCER
 - U-SD-SW

1:1,386



MAP DISCLAIMER

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Reported on 01/08/2013 04:24 PM

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Notes

Enter Map Description

ARCHITECTURAL BOARD OF REVIEW GOALS

The Architectural Board of Review (ABR) is guided by a set of general goals that define the major concerns and objectives of its review process. These goals are:

- A. to protect the historic and architectural qualities of Santa Barbara;
- B. to protect the beauty and ecological balance of Santa Barbara's natural resources;
- C. to insure development and building consistent with the policies of the General Plan and Zoning Ordinance;
- D. to promote high standards in architectural and landscape design and the construction of aesthetically pleasing structures;
- E. to improve the general quality of the environment and promote conservation of natural and manmade resources of the City;
- F. to encourage planning which is orderly, functionally efficient, healthful, convenient to the public, and aesthetically pleasing;
- G. to promote neighborhood compatibility;
- H. to encourage the preservation of pre-1925 and Hispanic styles of architecture;
- I. to promote visual relief throughout the community by preservation of public scenic ocean and mountain vistas, creation of open space, and variation of styles of architecture;
- J. to preserve creek areas through restoration, maintenance, and enhancement, and to discourage removal of significant trees and foliage removal;
- K. to encourage landscape design that utilizes water-wise plants and the most efficient irrigation technology available for the protection and conservation of our water resources; and
- L. to ensure that the review process is fair and consistent both in policy and implementation to allow all who are involved to benefit from the process.