

**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>

**APRIL 16, 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

- 12:00 p.m. - Special Ordinance Committee Meeting, Council Chamber
- 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

SPECIAL ORDINANCE COMMITTEE MEETING - 12:00 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Historic Resources Ordinance Amendments

Recommendation: That Ordinance Committee consider Historic and Special Design District criteria options by reviewing:

- A general proposal to amend Santa Barbara Municipal Code (SBMC) Chapter 22.22, "Historic Structures Ordinance";
- A general proposal to create a new SBMC Chapter 22.67, "Historic Landmarks Commission."

(Continued from April 9, 2013)

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

Subject: Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 2014 And 2015

Recommendation: That Finance Committee:

- A. Consider and approve the proposed Finance Committee review schedule and topics related to the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Budget for Fiscal Year 2014; and
- B. Provide staff any additional topics the Committee wishes to include in their review.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring April 2013 DMV/Donate Life California Month**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the adjourned regular meeting of March 18, 2013, and the regular meetings of March 19 and 26, 2013.

3. **Subject: Adoption Of Ordinance Amending The Electronic Campaign Disclosure Filing Requirement (110.03)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 2.03.110 of the Santa Barbara Municipal Code Regarding the Mandatory Electronic Campaign Disclosure Filing Requirement.

CONSENT CALENDAR (CONT'D)

4. Subject: Adoption of Ordinance For Firefighters Memorandum Of Understanding Extension Through June 30, 2014 (440.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Extending the 2007-2013 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Firefighters' Association Through June 30, 2014.

5. Subject: Adoption of Ordinances To Amend The Memoranda Of Understanding With Hourly And Treatment And Patrol TAP Bargaining Units (440.02)

Recommendation: That Council adopt, by reading of title only:

- A. An Ordinance of the Council of the City of Santa Barbara Amending the Existing 2008-2012 Memorandum of Understanding Between the City Of Santa Barbara and the Hourly Employees' Bargaining Unit to Extend the Term Through December 31, 2013, and to Reflect New Pension Requirements; and
- B. An Ordinance of the Council of the City of Santa Barbara Amending the 2011-2013 Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP Units) to Include Appendix H Regarding the Transfer of Meter Readers to the Bargaining Unit.

6. Subject: Contract For Design For Runway 15R-33L Pavement Rehabilitation (560.04)

Recommendation: That Council authorize the Public Works Director to execute a Professional Services agreement, in a form acceptable to the City Attorney, with Kimley-Horn and Associates in the amount of \$319,524 for design services for the Runway 15R-33L Pavement Rehabilitation Project, and authorize the Public Works Director to approve expenditures of up to \$15,976 for extra services of Kimley-Horn and Associates that may result from necessary changes in the scope of work.

7. Subject: Introduction Of Ordinance For Granting Of Easements On City Property At Chapala And Yanonali Streets (330.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Granting of Easements for Public Utilities In and Under the City-Owned Property at Chapala and Yanonali Streets, and Authorizing the Public Works Director to Execute Agreements with Southern California Edison Company, Verizon California Inc., Cox Communications California LLC, and Crown Castle NG West Inc., to Grant Easements Related to the City-Owned Property at Chapala and Yanonali Streets.

CONSENT CALENDAR (CONT'D)

8. **Subject: Contract For Construction Management Services For The Punta Gorda Street Bridge Replacement Project (530.04)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Filippin Engineering in the amount of \$330,674 for construction management support services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$33,067 for extra services that may result from necessary changes in the scope of work;
- B. Authorize the Public Works Director to execute a City Professional Services contract with Penfield & Smith in the amount of \$13,060 for engineering (design) support services for Lower Sycamore Creek Channel Widening, and authorize the Public Works Director to approve expenditures of up to \$1,306 for extra services that may result from necessary changes in the scope of work;
- C. Authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan and Associates in the amount of \$50,000 for engineering (design) support services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a City Professional Services contract with Cardno ENTRIX in the amount of \$90,881 for environmental coordination and biological monitoring services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$9,088 for extra services that may result from necessary changes in the scope of work.

9. **Subject: Fiscal Year 2013 Interim Financial Statements For The Eight Months Ended February 28, 2013 (250.02)**

Recommendation: That Council accept the Fiscal Year 2013 Interim Financial Statements for the Eight Months Ended February 28, 2013.

NOTICES

10. The City Clerk has on Thursday, April 11, 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.
11. The Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Operating and Capital Budget for Fiscal Year 2014, will be filed with the City Clerk's Office on April 16, 2013.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

12. Subject: Presentation From Santa Barbara County Air Pollution Control District On Marine Vessel Speed Reduction Initiative (150.05)

Recommendation: That Council receive a presentation from the Santa Barbara County Air Pollution Control District on a marine vessel speed reduction initiative.

FINANCE DEPARTMENT

13. Subject: Adoption Of Ordinance To Approve An Installment Sale Agreement, Trust Agreement And Continuing Disclosure Agreement In Connection With The Potential Sale Of Water Revenue Refunding Certificates Of Participation (240.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the City of Santa Barbara Authorizing the Execution and Delivery by the City of an Installment Sale Agreement, a Trust Agreement and a Continuing Disclosure Agreement in Connection with the Execution and Delivery of City of Santa Barbara Water Revenue Refunding Certificates of Participation, Series 2013, and Authorizing Related Actions.

14. Subject: Recommended Two-Year Financial Plan For Fiscal Years 2014 And 2015 (230.05)

Recommendation: That Council:

- A. Receive the Recommended Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Operating and Capital Budget for Fiscal Year 2014;
- B. Hear a report from staff in connection with the filing of the Recommended Two-Year Financial Plan for Fiscal Years 2014 and 2015; and
- C. Approve the proposed Schedule of Council Budget Review Meetings and Public Hearings of the Recommended Two-Year Financial Plan for Fiscal Years 2014 and 2015.

PUBLIC HEARINGS

15. Subject: Appeal Of Architectural Board Of Review Approval Of 2700 Miradero Drive (640.07)

Recommendation: That Council deny the appeal of Anne Senuta regarding the application of the Villa Miradero North Homeowner's Association, and uphold the Architectural Board of Review's approval to allow the Homeowners' Association to remove 40 attached trellises.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

16. 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

17. Subject: Conference with Real Property Negotiators - State Route 225 (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code §54956.8 to provide direction to the City Administrator and to the City Attorney regarding the relinquishment by the State of California of a portion of State Route 225 to the City of Santa Barbara.

- Real Property: A portion of State Route 225 between Post Mile 0.031 to Post Mile 4.55 (Castillo Street to Cliff Drive to Las Positas Road) within the City of Santa Barbara.
- City Negotiators: Public Works Director and the City Attorney
- Negotiating Party: CALTRANS, Deputy District Director Loe (San Luis Obispo District)
- Under Negotiation: Price and Terms of Transfer and Compensation

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

18. Subject: Request From Councilmember Francisco And Councilmember Rowse Regarding Alternatives To Narrowing Lower State Street (530.04)

Recommendation: That Council consider the request from Councilmember Francisco and Councilmember Rowse regarding alternatives to the narrowing of Lower State Street.

ADJOURNMENT

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE MEETING

MEETING AGENDA

DATE: April 16, 2013
TIME: 12:00 p.m.
PLACE: Council Chambers

Grant House, Chair
Frank Hotchkiss
Randy Rowse

Office of the City
Administrator

Office of the City
Attorney

Nina Johnson
Assistant To City Administrator

Stephen P. Wiley
City Attorney

ITEM FOR CONSIDERATION

Subject: Historic Resources Ordinance Amendments

Recommendation: That Ordinance Committee consider Historic and Special Design District criteria options by reviewing:

- A general proposal to amend Santa Barbara Municipal Code (SBMC) Chapter 22.22, "Historic Structures Ordinance";
- A general proposal to create a new SBMC Chapter 22.67, "Historic Landmarks Commission."

(Continued from April 9, 2013)



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 9 and 16, 2013

TO: Ordinance Committee

FROM: Planning Division, Community Development Department

SUBJECT: Historic Resources Ordinance Amendments

RECOMMENDATION: That Ordinance Committee consider Historic and Special Design District criteria options by reviewing:

- A general proposal to amend Santa Barbara Municipal Code (SBMC) Chapter 22.22, "Historic Structures Ordinance";
- A general proposal to create a new SBMC Chapter 22.67, "Historic Landmarks Commission."

EXECUTIVE SUMMARY:

On October 2, 2012, the Council adopted the Historic Resources Element (HRE). On February 5, 2013, the Council directed staff to implement a "Five-Year Historic Resources Work Program" (5-Year HRWP) and to return to the Council Ordinance Committee to work on the following major projects included in the 5-Year HRWP implementation, generally in this order:

1. A possible historic and special design districts ordinance
2. Historic districts implementation program, using existing historic survey data
3. Possible Municipal Code zoning amendments to support historic structures preservation. [This topic is proposed to be discussed after Ordinance Committee feedback regarding the historic and special design districts designations has been given.]

Staff plans to bring a series of historic districts to the Ordinance Committee and Council for adoption consideration, generally, one district at a time following extensive neighborhood outreach. Revisions to SBMC Chapter 22.22 and a new Chapter 22.67 are proposed to facilitate district implementation and to better organize the existing Municipal Code provisions. Staff seeks Ordinance Committee specific guidance on a list of topics (as described in Attachments 1 and 2): 1. basic ordinance provisions, 2. historic district nominations, 3. historic district boundary criteria, 4. property owner approval process, and 5. natural disaster provisions. Once direction is received on these topics, the City Attorney's Office will draft ordinances to be brought back to the Ordinance Committee for its final review.

DISCUSSION:

Background

On October 2, 2012, the Council adopted a Historic Resources Element (HRE) of the City's updated General Plan. The new HRE incorporates both the December 2011 General Plan Historic Resources Goals, Policies and Implementation Actions, and replaces the Cultural and Historic Resources section of the Conservation Element. The HRE includes 47 "possible implementation items to be considered" organized under ten policies. On February 5, 2013, the Mayor and Council directed staff to begin to implement a "Five-Year Historic Resources Work Program" (5-Year HRWP) and to return to the Ordinance Committee to obtain direction on this implementation. The 5-Year HRWP includes three major projects which require Ordinance Committee discussion and review. Staff's proposal as to how to schedule discussion of these projects is as follows.

- **Historic districts implementation.** To begin Ordinance Committee review on April 9, Staff will provide background information regarding how individual historic districts proposals can be considered and approved.
- **Historic and special design districts ordinance.** The bulk of the immediate discussion is proposed to be regarding the new Municipal Code components needed to facilitate future historic districts designations. Staff proposes two Ordinance Committee hearings on this topic, the first taking the majority of discussion time on April 9, and then a continued discussion on April 16 in order to allow sufficient discussion time.
- **Municipal code provisions for individual historic structures.** HRE implementation item 4.1 (HRE 4.1) proposes to provide incentives for the adaptive reuse of historic buildings. HRE 4.1 specifies to support zoning modification approvals for parking and setbacks to allow more change of uses for historic properties and allow more flexible building code compliance alternatives. For example, the California State Historical Building Code could be specially employed to allow more flexibility in compliance with our local Municipal Code requirements. This topic, although important, is proposed to be discussed at a later Ordinance Committee hearing sometime in the next five years, after Ordinance Committee feedback regarding the historic and special design districts designations has been given. In addition, other City Zoning Ordinance amendments to further facilitate neighborhood historic preservation in accordance with HRE implementation item 5.5 are expected to be brought to the Ordinance Committee during the extended general plan implementation time-frame.

I. Historic Districts Implementation

As reported to the Council on February 5, 2013, detailed historic property survey data is available for three major geographic areas of the City with the potential for historic districts (West Downtown, Lower Riviera and West Beach.) The data has been the basis for preliminary consultant recommendations for possible historic district designations. The key components for this program include the following:

- survey data completion and compilation
- mapping district proposals
- outreach programs to neighborhoods to explain districting
- hearings before the HLC and Council
- ordinance amendment for each district as it is adopted

The proposed general historic district ordinance amendments will allow this project to be completed efficiently. Proposed historic district guidelines work will also complement achievement of this project.

The first district proposed for adoption by Staff is the El Encanto Hotel Historic District. It would be adopted under the current regulations, due to its adoption requirement being part of a recent project approval for the new El Encanto Hotel.

Among all the surveyed areas of the City awaiting districting proposals, the survey data for West Beach is oldest and most at risk of becoming outdated. Therefore, West Beach is the first area where staff would propose a historic district be adopted under the new ordinance requirements. Staff proposes that districts would be implemented sequentially in one area of the City at a time. Following are potential historic district areas with existing survey data, which would be proposed individually after extensive neighborhood outreach.

District to be adopted in 2013 per current regulatory framework: El Encanto

Districts with existing survey data to be proposed for adoption under new ordinance

1. West Beach
2. West Downtown (2 districts)
3. Lower Riviera Bungalow Haven

Districts which may be subsequently adopted, depending upon community interest and survey data to be completed

- Diana Lane
- East Cabrillo Boulevard
- Plaza Bonita
- Plaza Rubio
- Rosemary Lane

Later “clean up” historic district items

- Adopt official historic districts within the existing EPV district, while keeping the current EPV design district boundaries.
- Revise Brinkerhoff Landmark District to be a historic district.

Certain procedures and regulations will need to be put in place in order to ensure these possible district designations have a standard public review process.

II. Historic & Special Design Districts Ordinance

The City also needs to adopt a process, criteria and procedures for evaluating proposals to form an historic district. Staff proposes Municipal Code changes to achieve a simple regulatory process, as well as set criteria and procedures for the future designation of historic and special design districts. An amended Chapter 22.22, [to be named Historic Resources Ordinance, combined with new administrative guidelines] is proposed in order to establish legal noticing procedures and steps involved with nomination, application, initiation, and research criteria which can lead to the designation of potential new districts.

Existing Historic Resources Municipal Code Discussion

The City's current Historic Structures Ordinance provides authority to create lists of potential historic resources and a process to designate historically significant structures as Structures of Merit or City Landmarks. All designated historic resources have existing Municipal Code provisions and findings which guide any proposal to demolish, alter, repair or maintain a Historic Structure. Staff is aware of many cities that have ordinances that outline how historic district nominations and designations are processed. Currently, the City of Santa Barbara does not have a comprehensive district ordinance and must initiate special ordinance amendments each time an historic district is formed. That special ordinance process was followed in 2004 when the Riviera Campus Historic District was created, and will need to be followed to adopt the pending proposed El Encanto Hotel Historic District.

During recent discussions as part of the Historic Resources Element (HRE) Update process, implementation strategies were further developed by the HRE Task Force that recommended the City simplify the Municipal Code in order to make it easier for the public to understand. For example, in 2004, extensive amendments were made to the Historic Structures Ordinance Chapter to establish the Demolition Review Study Area which lengthened and further complicated the existing ordinance. Staff is recommending that the Ordinance Committee consider revisions to the Municipal Code to better organize the regulations into two distinct chapters resulting in clearer regulations.

Current Historic and Landmark Districts

The City began identification of historic areas with the use of the Landmark District beginning in the 1970's for areas with a high concentration of historic structures. Chapter 22.22 has regulations for two Landmark Districts, specifically El Pueblo Viejo (EPV) and Brinkerhoff Avenue.

The EPV Landmark District has been expanded over time and is now more of a combination of an architectural special design district and a historic landmark district. The EPV Landmark District primarily focuses on required architectural styles and appearance rather than specific historic resource locations, although there is some overlap when considering these topics. Since SBMC Chapter 22.22 is proposed to have a focus on historic districts, it is proposed to move the HLC design review ordinance language and EPV ordinance structure into a new Municipal Code Chapter.

The Brinkerhoff Avenue Landmark District was the city's first authentic historic district in that all properties within the District were identified as "contributing properties." The "Landmark District" designation is misleading since all the structures within the area are Structures of Merit not Landmarks. Staff recommends that the Brinkerhoff Avenue Landmark District title be revised to a "historic district" in order to better reflect how the area should be evaluated. In addition, Staff recommends that formal design guidelines for the historic district be adopted. In anticipation of the future need to refer to "historic districts" rather than "landmark districts," a new definition of "historic districts" was already added to the City's Historic Structures Ordinance in 2007. The Brinkerhoff Historic District would remain in Chapter 22.22 since it is essentially a "historic district."

Discussion Item 1: General Historic Resources Municipal Code Approaches. Ordinance Committee confirmation that the five general approaches detailed in Attachment 1 are acceptable is needed so that the City Attorney's Office can begin drafting the required ordinances. The Ordinance Committee would then review specific proposed ordinance text at a future meeting.

Discussion Item 2: Historic District Formation Procedure Options for Consideration. Attachment 2 lists specific discussion questions regarding the following four topics, followed by applicable background information and staff recommendations. A chart compares how other jurisdictions approach items 1 – 3 in Attachment 2.

1. Who may initiate potential historic district designations.
2. Criteria to determine district boundaries.
3. Whether property owner approval is advisable or needed.
4. Natural disaster provisions.

BUDGET/FINANCIAL INFORMATION:

On February 5, 2013, in consideration of the 5-Year Historic Resources Work Program, the Mayor and Council supported approximately \$30,000 of funding for the Program for scanning and uploading information to websites, guidelines printing, and obtaining, reviewing and mapping data. The funding approval will be considered when Council acts on the two-year financial plan for fiscal years 2014 and 2015 and associated budget for the Community Development Department.

ATTACHMENTS:

1. Discussion Item 1: General Historic Resources Municipal Code Approaches
2. Discussion Item 2: Historic District Formation Procedure Options for Consideration and Comparison Table: Other Jurisdictions' Historic District Regulations
3. National Register Guidance on Historic District Designations

NOTE: The documents listed below have been separately delivered to the City Council and are available for public review in the Mayor and Council Office and City Clerk's Office.

1. Historic Resources Element, adopted 10/2/12. The Historic Resource Element is also available on-line at: www.santabarbaraca.gov/Government/General_Plan/index.htm
2. 5-Year Historic Resources Element Work Program Council Agenda Report, 2/5/13
3. City of Santa Barbara Master Environmental Assessment criteria for historic significance
4. Historic district ordinance examples from other jurisdictions

PREPARED BY: Jaime Limon, Senior Planner II
Heather Baker, AICP Project Planner
Nicole Hernandez, Urban Historian

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

APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: April 16, 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: Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 2014 And 2015

Recommendation: That the Finance Committee:

- A. Consider and approve the proposed Finance Committee review schedule and topics related to the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Budget for Fiscal Year 2014; and
- B. Provide staff any additional topics the Committee wishes to include in their review.



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: April 16, 2013
TO: Finance Committee
FROM: Administration Division, Finance Department
SUBJECT: Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 2014 And 2015

RECOMMENDATION: That Finance Committee:

- A. Consider and approve the proposed Finance Committee review schedule and topics related to the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Budget for Fiscal Year 2014; and
- B. Provide staff any additional topics the Committee wishes to include in their review.

DISCUSSION:

In accordance with City Charter, the Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Budget for the first year of the plan, is being filed with the City Clerk's Office on Tuesday, April 16, 2013 and is being presented to Council on this same day.

City staff has scheduled special City Council budget work sessions over the next two months during which the details of the recommended budget will be presented and discussed. Over the course of the special meetings, each department will present their respective budgets to City Council, with the focus being on the budget adjustments required to respond to the overall impacts on all funds, in particular the General Fund.

In addition to the review by Council, staff recommends that the Finance Committee review certain topics related to the recommended budget in more detail. These elements include General Fund revenue assumptions and projections, General Fund reserves and citywide fees. Staff will also be requesting the Committee for any other topics or areas of the budget they wish to review.

The proposed Finance Committee review schedule is included as an attachment to this report.

Finance Committee Agenda Report
Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years
2014 And 2015
April 16, 2013
Page 2

ATTACHMENT: Proposed Finance Committee Review Schedule

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA
Proposed Finance Committee Review Schedule
Two-Year Financial Plan for Fiscal Years 2014 and 2015

Meeting Date and Time	Department
Tuesday, April 16, 2013 12:30 p.m. – 1:45 p.m.	<ul style="list-style-type: none"> ➤ Proposed Finance Committee Budget Review Schedule
Tuesday, April 30, 2013 12:30 a.m. – 1:45 p.m.	<ul style="list-style-type: none"> ➤ General Fund non-departmental revenues and assumptions ➤ General Fund Multi-Year Forecast (updated)
Tuesday, May 7, 2013 12:00 p.m. – 1:45 p.m.	<ul style="list-style-type: none"> ➤ General Fund departmental proposed fee changes <ul style="list-style-type: none"> - Community Development, Public Works, Parks & Recreation, Police, Fire and Library
Tuesday, May 14, 2013 11:00 a.m. – 1:45 p.m.	<ul style="list-style-type: none"> ➤ Enterprise fund proposed fee changes <ul style="list-style-type: none"> - Water, Wastewater, Waterfront, Solid Waste, Downtown Parking, Golf and Airport
Tuesday, May 21, 2013 12:30 p.m. – 1:45 p.m.	<ul style="list-style-type: none"> ➤ Review of Citywide reserve balances ➤ Follow-up on items requested by Finance Committee ➤ Staff recommended adjustments, if any ➤ Finance Committee decisions/ recommendations



PROCLAMATION

DMV/Donate Life California Month April 2013

WHEREAS, organ, tissue, marrow and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and

WHEREAS, more than 116,000 individuals nationwide and more than 21,000 in California are currently on the national organ transplant waiting list, and every 90 minutes one person dies while waiting due to the shortage of donated organs; and

WHEREAS, the need for donated organs is especially urgent in Hispanic and African American communities; and

WHEREAS, more than 600,000 units of blood per year are needed to meet the blood shortage in California. At any given time, 6,000 patients are in need of volunteer marrow donors; and

WHEREAS, nearly ten million Californians have signed up with the state-authorized Donate Life California Registry to ensure their wishes to be organ and tissue donors are honored. The spirit of giving and decision to donate are not restricted by age or medical condition.

WHEREAS, a single individual's donation of the heart, lungs, liver, kidneys, pancreas and small intestine can save up to eight lives. Donation of tissue can save and heal the lives of up to 50 others; and a single blood donation can help three people in need; and

NOW, THEREFORE, I, HELENE SCHNEIDER, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, California, do hereby proclaim April 2013 as **DMV/DONATE LIFE CALIFORNIA MONTH** in the City of Santa Barbara and urge all Californians to check "YES!" when applying for or renewing their driver's license or I.D. card or by signing up at www.donateLIFECalifornia.org.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California, to be affixed this 16th day of April 2013.

HELENE SCHNEIDER
Mayor





CITY OF SANTA BARBARA CITY COUNCIL MINUTES

ADJOURNED REGULAR MEETING March 18, 2013 1911 CHINO STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 1:45 p.m.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: Assistant City Administrator/Community Development Director Paul Casey, City Attorney Stephen P. Wiley.

NOTICES

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.

SITE VISIT

Subject: 1911 Chino Street

Recommendation: That Council make a site visit to the property located at 1911 Chino Street, which is the subject of an appeal hearing scheduled for March 19, 2013, at 6:00 p.m.

Speakers:

Staff: Planning Technician Tony Boughman.

Discussion:

Staff provided an overview of the site and the proposed project, and led the Council on a tour of the property. Councilmembers' questions were answered.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 2:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 19, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:01 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 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 Susan Tschech.

CHANGES TO THE AGENDA

Item Removed from Agenda

City Administrator Armstrong stated that the following item was being removed from the Agenda:

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

PUBLIC COMMENT

Speakers: Frank Dupont, Miguel Albarran, Daniel Ramirez, Patricia Hiles, Marissa Barragan, Reverend Arthur Stevens, Kenneth Loch, Geof Bard.

CONSENT CALENDAR (Item Nos. 1 – 10)

The titles of the ordinance and resolutions related to Consent Calendar items were read.

Motion:

Councilmembers Murillo/White to approve the Consent Calendar, amended to remove recommendation B from Item No. 9.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

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

Action: Approved the recommendation.

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.

Action: Approved the recommendation; Ordinance No. 5610; Agreement No. 24,399.

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.

Action: Approved the recommendation; Resolution No. 13-012 (March 19, 2013, report from the Assistant City Administrator/Administrative Services Director; proposed resolution).

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.

Action: Approved the recommendation; Resolution No. 13-013 (March 19, 2013, report from the Public Works Director; proposed resolution).

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.

Action: Approved the recommendations; Resolution No. 13-014; Agreement Nos. 24,400 and 24,401 (March 19, 2013, report from the Public Works Director; proposed resolution).

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.

Action: Approved the recommendation; Agreement No. 24,402 (March 19, 2013, report from the Parks and Recreation Director).

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;
- 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.

Speakers:

Staff: Creeks Restoration/Water Quality Improvement Manager Cameron Benson.

Action: Approved the recommendations; Contract No. 24,403 (March 19, 2013, joint report from the Public Works and Parks and Recreation Directors).

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.

(Cont'd)

8. (Cont'd)

Action: Approved the recommendations (March 19, 2013, report from the Public Works Director).

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.~~

Action: Approved the recommendation (February 22, 2013, letter of appeal).

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 concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to consider a request from the Housing Authority of the City of Santa Barbara for the subordination, modification, and release of City Deeds of Trust on properties located at 418 Santa Fe Place and 521 N. La Cumbre Road. The Committee approved Staff recommendations related to the request, which will be submitted to the full Council next week.

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.

Documents:

- March 19, 2013, report from the Public Works Director.
- Proposed resolution.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Speakers:

Staff: Water Resources Manager Rebecca Bjork, Project Manager Robert Roebuck.

Motion:

Councilmembers House/Francisco to approve the recommendation; Resolution No. 13-015.

Vote:

Unanimous roll call vote.

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.

Documents:

- March 19, 2013, report from the Chief of Police.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

12. (Cont'd)

Speakers:

- Staff: Police Chief Camerino Sanchez, Police Sergeant Jill Beecher, Police Captain David Whitham, Police Sergeant Ed Olsen, Police Sergeant Riley Harwood, City Attorney Stephen Wiley.
- Police Activities League: Executive Director Laurie Parker.
- Members of the Public: Julio Ricon Delgado, Patricia Hiles, Robert Burke.

Discussion:

Police Chief Sanchez and department staff presented information regarding the current status of various law enforcement issues and programs such as burglaries, response to complaints received about the nightlife corridor, school safety, trends in Part 1 and 2 crimes, calls for service, Restorative Policing, and the Police Activities League. Councilmembers' questions were answered.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Rowse reported that the Downtown Parking Committee had received a report regarding the use of the new electric vehicle charging stations.
- Councilmember Murillo reported that the Milpas Action Task Force is planning a large community forum for both residents and businesses located near the Casa Esperanza Homeless Shelter; she also mentioned that the Neighborhood Advisory Council has established an eastside subcommittee.
- Mayor Schneider commented on celebrations held to mark the Riviera neighborhood's centennial and the reopening of the El Encanto Hotel.

RECESS

4:34 p.m. – 6:01 p.m.

Mayor Schneider presiding.

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

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Attorney Wiley, Deputy City Clerk Tschech.

PUBLIC COMMENT

No one wished to speak.

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.

Documents:

- March 19, 2013, report from the Senior Planner.
- PowerPoint presentation prepared and made by Staff.
- March 19, 2013, letter from Celeste Barber.
- March 19, 2013, e-mails from Anne Szymanski, Howard Wittausch.

Public Comment Opened:

6:02 p.m.

Speakers:

- Staff: Planning Technician Tony Boughman, City Attorney Stephen Wiley, Assistant City Administrator/Community Development Director Paul Casey, City Administrator James Armstrong.
- Architectural Board of Review: Vice Chair Kirk Gradin, Member Gary Mosel.
- Appellant: Evelyn Lee, Brian Wingate, Patrick Burns.
- Applicant: Architect Gil Barry, Property Owner Dario Pini, Ken Sterling.

Recess: 8:17 p.m. – 8:29 p.m.

Speakers (Cont'd)

- Members of the Public: Reverend Kenneth Collier, Marti Furman, Johan DelSol, Ryan Romero, Louis Truckenmiller, Susan Lafond.

Public Comment Closed:

8:54 p.m.

(Cont'd)

14. (Cont'd)

Motion:

Councilmembers House/Francisco to:

1. Uphold the appeal and direct the Applicant to return to the Architectural Board of Review with a revised project which incorporates:
 - The list of project changes submitted by Brian Wingate, Items 1 - 11;
 - Removal of one bathroom from the second floor;
 - Revisions to ensure that the top of the garage will not be used as a roof deck.

When reviewing the new project, the ABR is requested to study the possible reduction of square footage from the new building, as well as the reduction of the first floor full bathroom to a ½ bath.

2. Impose the following conditions on the property as a whole:
 - No future additions are to be made to the existing front structure;
 - If a parking permit program is established for the neighborhood at some time in the future, this property may not participate.
3. Require the resolution of the open master enforcement case against the Applicant before a building permit is issued for this project.

Vote:

Unanimous voice vote.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 9:41 p.m. in memory of Lily Rossi, who served as the City's Chief Deputy City Clerk from 1983 – 1998.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING March 26, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:02 p.m. (The Ordinance Committee and the Finance Committee, which ordinarily meet 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.

PUBLIC COMMENT

Speakers: Jason Nelson.

CONSENT CALENDAR (Item Nos. 1 – 10)

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

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of March 13, 2013.

Action: Approved the recommendation.

2. Subject: February 2013 Investment Report (260.02)

Recommendation: That Council accept the February 2013 Investment Report.

Action: Approved the recommendation (March 26, 2013, report from the Finance Director).

3. Subject: Authorization For The Allocation Of Transportation Development Act Funds (670.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim With the Santa Barbara County Association of Governments for Allocation of \$68,177 in Transportation Development Act Funds for Fiscal Year 2014.

Action: Approved the recommendation; Resolution No. 13-016 (March 26, 2013, report from the Public Works Director; proposed resolution).

4. Subject: Acceptance Of Southern California Gas Company Funds (630.06)

Recommendation: That Council:

- A. Authorize the receipt of Southern California Gas Company funds totaling \$26,850 through the South Coast Energy Efficiency Partnership; and
- B. Increase appropriations and estimated revenues in the Facilities Management Fund by \$26,850.

Action: Approved the recommendations (March 26, 2013, report from the Public Works Director).

5. Subject: Introduction Of Ordinance Approving Prohibition Of Commercial Vehicles Over Seven Tons On Hermosillo Road (530.05)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 10.36.031 of the Santa Barbara Municipal Code.

Action: Approved the recommendation (March 26, 2013, report from the Public Works Director; proposed ordinance).

6. Subject: Appropriation Of Funds For The Purchase Of Equipment For SWAT Team (330.05)

Recommendation: That Council:

- A. Accept a donation from the Santa Barbara Police Foundation in the amount of \$42,000; and
- B. Increase appropriations and estimated revenues in the amount of \$42,000 in the General Fund for the purchase of SWAT equipment.

Speaker:

Santa Barbara Police Foundation: President Craig Chase.

Action: Approved the recommendations (March 26, 2013, report from the Chief of Police).

7. Subject: Recommendation For City Poet Laureate For 2013-2015 (610.04)

Recommendation: That Council approve the City Arts Advisory Committee's recommendation for the City Poet Laureate from April 1, 2013, to April 1, 2015.

Action: Approved the recommendation (March 26, 2013, report from the Assistant City Administrator/Community Development Director).

8. Subject: Set A Date For Public Hearing Regarding Proposed Designation Of City Landmarks (640.06)

Recommendation: That Council set the date of April 9, 2013, at 2:00 p.m. for a public hearing to consider the proposed designation of the Veterans Memorial Building at 112 W. Cabrillo Boulevard (APN 033-101-013) and the Stark House at 1709 Overlook Lane (APN 015-192-016) as City landmarks.

Action: Approved the recommendation.

NOTICES

- 9. The City Clerk has on Thursday, March 21, 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.
- 10. Cancellation of the regular City Council meeting of April 2, 2013.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

11. 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 (660.04)

Recommendation: That Council approve 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 loan insured by the Department of Housing and Urban Development (HUD) and to a new HACSB loan, and amendment of the City's loan to extend the maturity date to coincide with the maturity date of the HUD-insured loan;
- B. An agreement between City and HACSB providing for annual repayment of the City loan to the City in the amount of \$60,000 for the remaining extended term of the loan subject to disclosure and approval of the agreement by HUD;
- C. HUD Rider to Affordability Control Covenant Imposed on Real Property;
- D. Release and reconveyance of existing City Grant Agreements and associated Deeds of Trust on Villa La Cumbre;
- E. Release and reconveyance of existing City Grant Agreements and associated Deeds of Trust on SHIFCO; and
- F. Authorization to 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).

Documents:

- March 26, 2013, report from the Assistant City Administrator/Community Development Director.
- PowerPoint Presentation prepared and made by Staff.

Speakers:

Staff: Community Development Program Supervisor Deirdre Randolph,
Community Development Program Specialist Elizabeth Stotts.

Motion:

Councilmembers Murillo/Rowse to approve the recommendations;
Agreement No. 24,410.

Vote:

Unanimous voice vote.

FINANCE DEPARTMENT

12. Subject: Presentation From The Santa Barbara Conference And Visitors Bureau And Film Commission (180.02)

Recommendation: That Council receive a presentation from the Santa Barbara Conference and Visitors Bureau and Film Commission.

Documents:

- March 26, 2013, report from the Finance Director.

Speakers:

- Santa Barbara Conference and Visitors Bureau: President/CEO Kathy Janega-Dykes.
- Members of the Public: Stephen Meade.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Rowse reported on the recent meeting of the Airport Commission where they discussed presentation of public art.
- Councilmember Hotchkiss commended Mayor Schneider for her delivery of the State of the City Address.
- Mayor Schneider commended the Airport staff for achieving a LEED gold certification from the U.S. Green Building Council for the airline terminal project.

RECESS

Mayor Schneider recessed the meeting at 3:15 p.m. in order for the Council to reconvene in closed session for Agenda 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 26, 2013, report from the Assistant City Administrator.

(Cont'd)

13. (Cont'd)

Time:

3:15 p.m. – 4:00 p.m.

No report made.

RECESS

4:00 p.m. – 6:00 p.m.

Mayor Schneider presiding.

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

Councilmembers absent: None.

Staff present: City Administrator Armstrong, City Attorney Knecht, Deputy City Clerk Applegate.

PUBLIC COMMENT

No one wished to speak.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

**14. Subject: Community Development And Human Services Committee
Recommendations For Fiscal Year 2014 And Annual Action Plan (610.05)**

Recommendation: That Council:

- A. Approve the Fiscal Year 2014 funding recommendations of the Community Development and Human Services Committee (CDHSC) for use of Human Services and Community Development Block Grant (CDBG) funds;
- B. Approve the CDHSC funding contingency plan;
- C. Authorize the Community Development Director to negotiate and execute agreements implementing the funding recommendations, subject to the review and approval as to form by the City Attorney and to funding availability; and
- D. Authorize the City Administrator to sign all necessary documents to submit the City's 2013-2014 Annual Action Plan to the US Department of Housing and Urban Development (HUD).

Documents:

- March 26, 2013, report from the Assistant City Administrator/Community Development Director.
- Report on Funding Recommendations Fiscal Year 2013-2014 [Community Development and Human Services Committee].

(Cont'd)

14. (Cont'd)

Documents (Cont'd):

- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Community Development Program Supervisor Deirdre Randolph, Community Development Program Specialist Elizabeth Stotts.
- Members of the Public: Eryn Eckert, Children's Center; Carolyn Brown, Boys and Girls Club of Santa Barbara; Elizabeth Rumeut, CALM; Rochelle Rose, People's Self-Help Housing; Heidi Holly, Friendship Center; Leah Gonzales, Women's Economic Ventures; Divana Dobberteen, Planned Parenthood; Elsa Granados, Santa Barbara Rape Crisis Center; Dr. Gary Linker, Center for Successful Aging; David Selberg, Pacific Pride.

Motion:

Councilmembers White/Hotchkiss to approve the recommendations; Agreement Nos. 24,411-24,466.

Vote:

Unanimous voice vote.

Based on the recommendations, the Council approved allocation of funding as follows:

FISCAL YEAR 2013-2014
COMMUNITY DEVELOPMENT BLOCK GRANT AND HUMAN SERVICES COMMITTEE
FUNDING AGREEMENTS

<u>PUBLIC/HUMAN SERVICE</u>	<u>AMOUNT</u>	<u>AGREEMENT NO.</u> (if applicable)
<u>1st Priority</u>		
Pacific Pride Foundation (Necessities of Life Food Pantry)	\$23,000	24,411
SB Neighborhood Clinics (Dental Care for the Homeless)	\$24,000	24,412
Sarah House (Sarah House)	\$19,000	24,413
SB Rape Crisis Center (SB Rape Crisis Center)	\$27,500	24,414
Youth and Family YMCA (Noah's Anchorage Youth Shelter)	\$15,000	24,415
Foodbank (Warehouse Operations)	\$24,600	24,416
Transition House (Comp. Homeless Services)	\$41,000	24,417
Unitarian Society (Freedom Warming Centers)	\$9,500	24,418
WillBridge (WillBridge of Santa Barbara, Inc.)	\$21,000	24,419
Casa Esperanza (Day Care & Shelter)	\$49,000	24,420
CAC (Healthy Senior Lunch)	\$8,000	24,421
Youth and Family YMCA (Transitional-Age Youth Housing)	\$14,000	24,422
SBC District Attorney (Sexual Assault Response Team)	\$8,500	24,423
Casa Esperanza (Community Kitchen)	\$40,500	24,424
Foodbank (Brown Bag for Seniors)	\$7,000	24,425

(Cont'd)

14. (Cont'd)

<u>PUBLIC/HUMAN SERVICE</u>	<u>AMOUNT</u>	<u>AGREEMENT NO.</u> (if applicable)
<u>1st Priority (Cont'd)</u>		
Legal Aid Foundation (Emergency Legal Services)	\$28,500	24,426
SBCHC (Riviera Life Skills/Housing Coordinator)	\$14,500	24,427
CADA (Project Recovery Detox Program)	\$16,000	24,428
Casa Esperanza (Jail Discharge Program)	\$12,000	24,429
Carrillo Counseling Services (RV Safe Park/Homeless Outreach)	\$13,000	24,430
People's Self-Help Housing (Housing the Homeless)	\$5,000	24,431
SBCHC (New Faulding Life Skills)	\$12,000	24,432
Domestic Violence Solutions (Emergency Shelter)	\$8,453	24,433
Domestic Violence Solutions (Emergency Shelter)	\$23,547	24,466
Domestic Violence Solutions (Second Stage)	\$6,000	24,434
St. Vincent's (Family Strengthening Program)	\$8,000	24,435
Surgical Eye Expeditions (SB Vision Care Program)	\$9,000	24,436
City of Santa Barbara Parks and Recreation (SB Arts Alliance)	\$5,000	24,437
Teddy Bear Cancer Found. (Asst. Families w/ Pediatric Cancer)	\$7,000	24,438
Planned Parenthood (Assistance Fund - Health Center)	\$7,000	24,439
Casa Serena, Inc. (Scholarship Program)	\$7,000	24,440
City of SB Parks and Recreation (Job Apprenticeship Program)	\$10,000	24,441
<u>2nd Priority</u>		
Storyteller Children's Center (Storyteller Children's Center)	\$23,500	24,442
CC Commission for Seniors (Ombudsman)	\$15,000	24,443
CALM (Prevention, Intervention, & Treatment)	\$20,000	24,444
Rental Housing Mediation (Rental Housing Mediation Task)	\$23,000	24,445
Academy of Healing Arts (Social-Emotional Learning)	\$11,000	24,446
Transition House (Homeless Prevention Program)	\$8,500	24,447
Boys & Girls Club of SB (Power Hour Homework)	\$15,000	24,448
Family Service Agency (Big Brothers Big Sisters)	\$7,500	24,449
Family Service Agency (Santa Barbara Family Resource Centers)	\$5,500	24,450
Friendship Adult Day Center (Adult Day Services Program)	\$15,500	24,451
Future Leaders of America (Excellence in Academics...)	\$9,500	24,452
Family Service Agency (Caregiver Mental Health and Support)	\$2,000	24,453
Mental Health Association (Recovery Learning Center (RLC))	\$9,000	24,454
Independent Living Center (Independent Living (IL) Services)	\$13,500	24,455
SB Police Activities League (PAL Jr. High After-School Program)	\$17,000	24,456
United Way (Fun in the Sun (FITS))	\$7,609	24,457
SUBTOTAL	\$726,709	
<u>Capital</u>		
Boys and Girls Club of SB (Roof)	\$90,000	24,458
City of Santa Barbara (Bus Shelters)	\$59,000	24,459
Girls Incorporated (Program Center Room Remodel)	\$29,000	24,460
City of Santa Barbara (Access Ramp)	\$102,000	24,461
Transition House (Emergency Shelter Rehab)	\$110,000	24,462
City of Santa Barbara (Franklin Center Improvements)	\$15,000	24,463

(Cont'd)

14. (Cont'd)

<u>PUBLIC/HUMAN SERVICE</u>	<u>AMOUNT</u>	<u>AGREEMENT NO.</u> (if applicable)
Jewish Federation (Client Confidentiality/Safety)	\$24,914	24,464
Women's Economic Center (Self Employment Training)	<u>\$20,000</u>	24,465
SUBTOTAL	\$449,914	
GRAND TOTAL	\$1,176,623	

ADJOURNMENT

Mayor Schneider adjourned the meeting at 7:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER
MAYOR

DEBORAH L. APPLGATE
DEPUTY CITY CLERK

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AMENDING SECTION 2.03.110 OF THE
SANTA BARBARA MUNICIPAL CODE REGARDING THE
MANDATORY ELECTRONIC CAMPAIGN DISCLOSURE
FILING REQUIREMENT

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

SECTION 1. Section 2.03.110 of Chapter 2.03 of Title 3 of the Santa Barbara Municipal Code is amended to read as follows:

2.03.110 Online Electronic Disclosure of Campaign Statements and Late Contributions and Expenditures.

A. Online Reporting of Campaign Statements. Each Candidate and Committee that has received contributions or made expenditures of \$5,000 or more in connection with a City election shall use the electronic filing and disclosure system established by the City Clerk's Office in order to file online copies of each campaign disclosure statement required by section 2.03.090 on the date such reports are due in accordance with the state Political Reform Act and, as to the additional local filing, by the local filing date. Once a Candidate or Committee is required to file campaign disclosure statements online, that Candidate or Committee shall continue to file statements online until the Committee has officially terminated in accordance with this Chapter.

Online filings shall be made in accordance with requirements (in the manner established) of regulations adopted by the City Clerk for the City's electronic campaign disclosure filing system created and maintained by the City Clerk for these purposes.

B. Voluntary Online Reporting. Any Candidate or Committee not required to file online pursuant to section (A) hereof may do so voluntarily.

SECTION 2. Following the effective date of this Ordinance, the City Clerk is hereby authorized to implement and notify all persons filing reports pursuant to Chapter 2.03 of the revised SBMC Chapter 2.03 report filing procedures.

ORDINANCE NO. ____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA EXTENDING THE 2007-2013
MEMORANDUM OF UNDERSTANDING BETWEEN THE
CITY OF SANTA BARBARA AND THE SANTA BARBARA
CITY FIREFIGHTERS' ASSOCIATION THROUGH
JUNE 30, 2014

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

SECTION 1. The Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Firefighters' Association entered into as of July 1, 2007, adopted as Ordinance No. 5443 (the "Agreement"), and amended by Ordinance No 5533, is hereby amended effective January 1, 2013, as reflected in Exhibit A, attached hereto and included herein by reference.

**City of Santa Barbara and Firefighters
Second Agreement to Extend Existing MOU**

Pursuant to Section 3.12 of the Municipal Code of the City of Santa Barbara and Section 3500 et. seq. of the Government Code, the duly authorized representatives of the City Of Santa Barbara ("The City") and the Santa Barbara City Firefighters Association, Inc. (Hereinafter Referred To As "Association"), having conferred in good faith, agree that the existing 2007-2013 Memorandum of Understanding (MOU), adopted by Ordinance No. 5443 and amended by Ordinance No 5533, shall be modified and supplemented with the following additional agreement:

1. Effective Date: The effective date of this amendment shall be January 1, 2013.
2. Term: The term of the agreement will be extended by twelve months, through June 30, 2014.
3. Retirement:
 - a. Classic PERS Members:
 1. Effective June 29, 2013, employee contributions to PERS under Government Code Section 20516(a) will stop as previously agreed, and
 2. Effective June 29, 2013, employees will instead contribute 2.98% of PERS-able compensation toward the 9% member contribution, reducing the City's Employer Paid Member Contributions to 6.018%, and such employee contributions will not be subject to an expiration date. The City shall pay and report as special compensation to PERS this 6.018%.
 - b. New PERS Members: Effective January 1, 2013, new employees and/or members as defined by California Public Employees' Pension Reform Act of 2013 (hereinafter "AB 340") will be covered under the 2.7% at 57 retirement formula, with a final compensation measurement period of the average of the highest three (3) consecutive years, as well as all other statutory requirements of AB 340. Effective January 1, 2013, new employees and/or members as defined by AB 340 shall contribute half the normal cost for benefits, as defined by AB 340; the City will not pay any portion of these employees' required contributions.
 - c. The parties agree that any provisions of this Agreement that are contrary to or inconsistent with the lawful provisions of AB 340, shall be modified so as to cause them to be consistent with those lawful provisions through letter of understanding to amend the Agreement.

4. The Minimum Staffing agreement is amended as follows: “Minimum Staffing: Subject to the requirements of Article X, Section 1008 of the City Charter, the City agrees to maintain the following minimum staffing levels:
 - a. The minimum staffing requirements of the Department shall be as follows:
 - i. For suppression, 28 sworn fire suppression personnel per shift within the City, not including sworn management, consisting of 7 engine companies, 1 AARF company, and 1 truck company. Staff on mutual aid of a duration of 12 hours or less will be included in this number, in which case back filling shall be at the discretion of the Fire Chief. Each engine company shall be comprised of one Fire Captain, one Fire Engineer and one Firefighter. The AARF Company at the Airport shall be comprised of one Fire Captain and two Fire Engineers. The truck company shall be staffed with one Fire Captain, one Fire Engineer, and two Firefighters.
 - ii. For the Prevention Bureau there shall be a minimum of 6 authorized positions on the official list of authorized positions. The City Council may direct that these positions, if vacated by the incumbent employee for reasons other than an involuntary termination, remain unfunded and unfilled without violating this section.
 - iii. There shall also remain a Training Captain position on the official list of authorized positions. The City Council may direct that this position, if vacated by the incumbent employee for reasons other than an involuntary termination, remain unfunded and unfilled without violating this section, however it is the intent of this section for the Training Captain position remain funded and filled if fiscal conditions permit.
 - b. If the City Council exercises its rights under Article X, Section 1008 of the City Charter, or otherwise discontinues the minimum staffing levels in **Section 3(a)** above without the express written consent of the Association:
 - i. The City will give the Association a minimum of 60 days written notice prior to the effective date of the change to minimum staffing (the “change date”), and
 - ii. The City will prospectively reduce the required employee member contribution toward PERS by 2.982%, increasing Employer Paid Member Contributions accordingly, and
 - iii. In the event the Association believes that such intended action will affect the safety or workload of affected employees, it shall so advise the City, whereupon the City and the Association shall meet and confer in good faith over the impacts of the change,
 1. Such meeting and conferring, however, shall not prevent the City from implementing the staffing change on an interim basis not less than 60 days after notice to the Association, but prior to the conclusion of negotiations over the impacts of the change.”

5. Other Terms and Conditions: All other terms and conditions reflected in the existing Memorandum of Understanding, as amended, will continue in full force and effect during the extended term of the agreement.

For the City:

For the Association:

Kristine Schmidt
Employee Relations Manager

Anthony Pighetti, Fire Captain
Association President

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE EXISTING 2008-2012 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA BARBARA AND THE HOURLY EMPLOYEES' BARGAINING UNIT TO EXTEND THE TERM THROUGH DECEMBER 31, 2013, AND TO REFLECT NEW PENSION REQUIREMENTS

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

SECTION 1. The term of the Memorandum of Understanding between the City of Santa Barbara and the Service Employees' International Union, Local 620, Hourly Employees' Bargaining Unit, entered into as of November 1, 2008 and adopted under Ordinance No. 5483, and amended by Ordinance No. 5579, is hereby extended to December 31, 2013.

SECTION 2. The agreement terms are amended as follows:

1. Amend Article 3, "Term of Agreement" as follows:

"3. TERM OF AGREEMENT

Pursuant to California Government Code Section 3500 et seq., the parties have met and conferred over wages, hours, benefits and other terms and conditions of employment. As a result of agreement being reached, and subsequent ratification by the Union and approval by the City Council, the following terms and conditions of employment shall remain in effect for the period commencing November 1, 2008 and expiring December 31, 2013.

Either party may present to the other a written proposal to reopen negotiations for a successor Memorandum of Understanding if done between October 31, 2013 and December 31, 2013. Failure to submit such a proposal to reopen negotiations shall result in the continuation of the Memorandum of Understanding on the same terms and conditions therein for one additional year."

2. Amend Article 14 "Retirement" to add a new Section (e), as follows:

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

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE 2011-2013 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA BARBARA AND THE PATROL OFFICERS' AND TREATMENT PLANTS' BARGAINING UNITS (TAP UNITS) TO INCLUDE APPENDIX H REGARDING THE TRANSFER OF METER READERS TO THE BARGAINING UNIT.

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

SECTION 1. The term of the Memorandum of Understanding between the City of Santa Barbara and the Service Employees' International Union, Local 620, Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units, effective as of January 1, 2013, and adopted by Ordinance No 5554, is hereby amended to include the Appendix (Appendix H) attached hereto and incorporated herein by reference as "Exhibit A".

APPENDIX H
Meter Readers

1. Effective October 1 2012, employees who were formerly Meter Readers and the Lead Meter Reader in the General Unit will become members of the Treatment Plants' Unit under the classifications "Meter Reader/Water Distribution Operator in Training" and "Lead Meter Reader/Water Distribution Operator in Training".
2. Salaries for these employees will be set at not less than the salaries they received On September 30, 2012.
3. Benefits will be adjusted to the same level as other employees in the Treatment Plants' Unit.
4. These employees will not be subject to an unpaid furlough.
5. These employees will not be eligible for the across-the-board salary increase effective December 28, 2013.
6. These positions will continue to underfill the budgeted water distribution operator classifications. Upon passing the appropriate examinations and obtaining a class B driver's license, employees will be eligible for reclassification into the Water Distribution Operator I and/or II classifications.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Design For Runway 15R-33L Pavement Rehabilitation

RECOMMENDATION:

That Council authorize the Public Works Director to execute a Professional Services agreement, in a form of agreement acceptable to the City Attorney, with Kimley-Horn and Associates in the amount of \$319,524 for design services for the Runway 15R-33L Pavement Rehabilitation Project, and authorize the Public Works Director to approve expenditures of up to \$15,976 for extra services of Kimley-Horn and Associates that may result from necessary changes in the scope of work.

DISCUSSION:

PROJECT DESCRIPTION

The work consists of preparation of plans and specifications for the rehabilitation of Runway 15R-33L at the Airport. The runway is one of two parallel runways that run north-south intersecting the Airport's main runway. Runway 15R-33L is 4,143 feet long by 100 feet wide and is used primarily by small general aviation aircraft. The asphalt concrete runway pavement has not had any major maintenance work in ten years and needs to be rehabilitated. It is expected that the rehabilitation work will generally consist of cold milling the existing deteriorated surface and then placing a 2-3 inch layer of new asphalt concrete.

The consultant will make a detailed survey of the runway area; perform a detailed geotechnical study of the runway pavement and underlying soils; and prepare plans and specifications for construction of the work. The consultant will also prepare studies and reports which are required by the Federal Aviation Administration, which is funding most of the project.

DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Kimley-Horn and Associates in the amount of \$319,524 for design services. Kimley-Horn was selected as part of an RFP process that included six proposers, and is experienced in this type of work.

FUNDING

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

Design (by Contract)	\$319,524
Subtotal	\$319,524
Estimated Construction Contract w/Change Order Allowance	\$2,000,000
Estimated Construction Management/Inspection (by Contract)	\$250,000
Subtotal	\$2,250,000
TOTAL PROJECT COST	\$2,569,524

This project is 90 percent funded by a Federal Aviation Administration grant. There are sufficient appropriated funds in the Airport Capital Fund to cover the cost of this contract.

PREPARED BY: Pat Kelly, Assistant Public Works Director/City Engineer/OT/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Introduction Of Ordinance For Granting Of Easements On City Property At Chapala And Yanonali Streets

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the Granting of Easements for Public Utilities In and Under the City-Owned Property at Chapala and Yanonali Streets, and Authorizing the Public Works Director to Execute Agreements with Southern California Edison Company, Verizon California Inc., Cox Communications California LLC, and Crown Castle NG West Inc., to Grant Easements Related to the City-Owned Property at Chapala and Yanonali Streets.

DISCUSSION:

Several overhead utility facilities owned by Southern California Edison Company (SCE), Verizon California Inc. (Verizon), Cox Communications California, LLC (Cox), and Crown Castle NG West Inc. (Crown Castle), currently exist in a portion of Chapala Street, northwest of Yanonali Street, vacated (via City Ordinance No. 4991, document number 97-002986, recorded in the County of Santa Barbara Recorder's Office) on January 17, 1997 (Assessor's Parcel Number 033-041-012). The intent of the City was to incorporate this vacated roadway into the Santa Barbara Railroad Station parcels. When that portion of Chapala Street was vacated, a public service/utility easement was created on behalf of the City and certain named utility companies.

It is necessary to relocate these overhead facilities to accommodate the construction of the City's Chapala Street Bridge Replacement Project (scheduled for construction in June 2013), and the construction of the County of Santa Barbara Flood Control District's ("County") Lower Mission Creek Reach 2A, By-pass Box Culvert Project (hereinafter referred to as the "Box Culvert"), scheduled for construction in 2014 (see Attachment). The Historic Landmarks Commission reviewed and approved the Chapala Bridge

Replacement design plans, including the utility relocation plan, at its December 19, 2012, meeting.

Bridge replacement projects typically require some relocation of public utility facilities. This is an opportunity to have the utilities relocated underground, where feasible. The utility companies are participating in the undergrounding efforts at this location.

To accommodate relocating the existing utilities underground, non-exclusive easements are proposed to be granted to SCE, Verizon, Cox, and Crown Castle, in and under the City-Owned Property at Chapala and Yanonali Streets (hereinafter referred to as the "Depot Triangle Property"). The Depot Triangle Property is part of the larger Santa Barbara Railroad Station parcels. The location of the undergrounded facilities was determined by considering the future location of the Box Culvert. Prior to the Box Culvert's construction, the County will need to acquire an easement from the City over the abandoned Chapala Street and the Depot Triangle Property before beginning construction of the Box Culvert. The easement area to be granted to the utility companies and to the County will lie adjacent to each other.

The proposed easement agreements stipulate that before the easements are granted, a record drawing legal description and plat map must be prepared to accompany each easement deed for recording. Once installed, SCE will take the lead to prepare the record drawing legal description, with all utilities in the same corridor, and City will then record the easement deeds.

The easements to SCE, Verizon, and Cox shall be granted at no cost. The easement to Crown Castle shall be granted for a nominal consideration determined to be two thousand dollars (\$2,000), as it has no prior individual rights within the existing public service/utility easement. Each of the four utility companies has executed an Agreement to Grant Easement with the City, which will give the utility companies permission to install the facilities under the Depot Triangle Property.

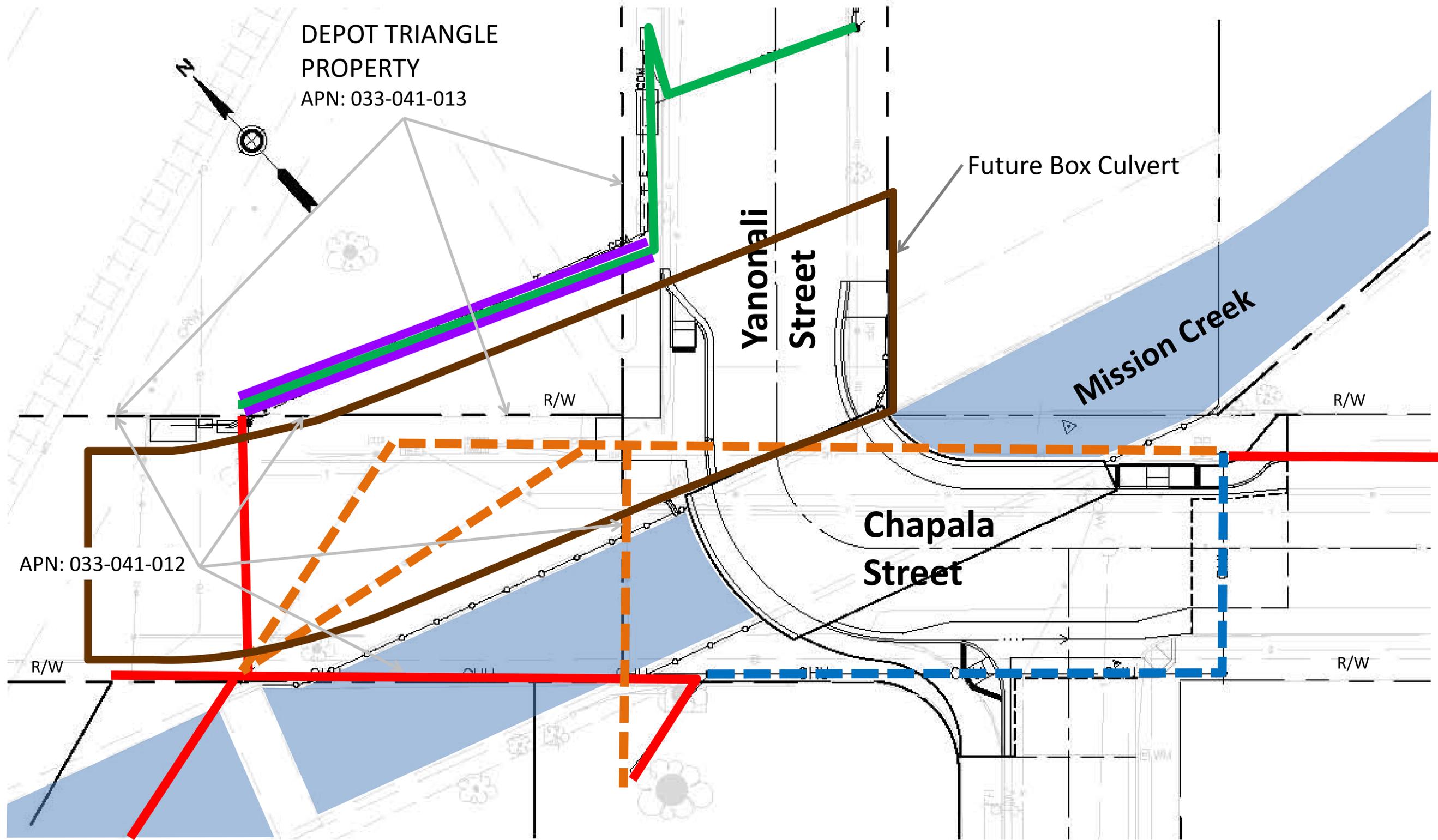
The proposed Ordinance will authorize the execution of the necessary agreements by the Public Works Director on behalf of the City.

ATTACHMENTS: Site Map

PREPARED BY: John Ewasiuk, Principal Civil Engineer/MAW/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



Overhead Lines, Temporary

Existing overhead lines to be removed

Overhead Lines, Permanent

New underground lines – permanent

Easement Area

Future Box Culvert

Utility Relocations at Chapala and Yanonali Streets

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING THE GRANTING OF EASEMENTS FOR PUBLIC UTILITIES IN AND UNDER THE CITY-OWNED PROPERTY AT CHAPALA AND YANONALI STREETS, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE AGREEMENTS WITH SOUTHERN CALIFORNIA EDISON COMPANY, VERIZON CALIFORNIA INC., COX COMMUNICATIONS CALIFORNIA LLC, AND CROWN CASTLE NG WEST INC., TO GRANT EASEMENTS RELATED TO THE CITY-OWNED PROPERTY AT CHAPALA AND YANONALI STREETS

WHEREAS, the City of Santa Barbara's Chapala Street Bridge Replacement Project and the County of Santa Barbara Flood Control District's Lower Mission Creek, Reach 2A, By-pass Box Culvert Project, require the relocation of several above-ground utilities in order to construct the bridge and the box culvert;

WHEREAS, the City of Santa Barbara is prepared to enter into an Agreement to Grant Easement with Southern California Edison Company for the purposes of relocating existing overhead electrical and communication facilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, to underground electrical and communication facilities in and under a portion of that certain tract of land owned by the City of Santa Barbara commonly known as APN: 033-041-013 (and referred to herein as the Depot Triangle Property);

WHEREAS, the City of Santa Barbara is prepared to enter into an Agreement to Grant Easement with Verizon California Inc., for the purposes of relocating existing overhead communication facilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, to underground communication facilities in and under the Depot Triangle Property;

WHEREAS, the City of Santa Barbara is prepared to enter into an Agreement to Grant Easement with Cox Communications California, LLC, for the purposes of relocating existing overhead communication facilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, to underground communication facilities in and under a portion the Depot Triangle Property;

WHEREAS, the City of Santa Barbara is prepared to enter into an Agreement to Grant Easement with Crown Castle NG West Inc., for the purposes of relocating existing overhead communication facilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, to underground communication facilities in and under a portion of that certain tract of land owned by the City of Santa Barbara commonly known as APN: 033-041-013 (and referred to herein as the Depot Triangle Property); and

WHEREAS, this ordinance will provide authorization by the Council of the City of Santa Barbara for the Public Works Director to execute the agreements with each of the aforementioned utility companies, and provide for the grant and recordation of said easements.

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

SECTION 1. The Public Works Director is hereby authorized by the Council of the City of Santa Barbara to execute the Agreement to Grant Easement with Southern California Edison Company, Verizon California Inc., Cox Communications California, LLC, and Crown Castle NG West, Inc. for the purposes of relocating existing overhead electrical and communication facilities to underground facilities in and under the Depot Triangle Property.

SECTION 2. That the grant of a nonexclusive easement as set forth in the Easement Deed to each of Southern California Edison Company, Verizon California Inc., Cox Communications California, LLC, and Crown Castle NG West Inc., for the purposes of relocating existing overhead electrical and communication utilities now existing in that portion of Chapala Street vacated via City Ordinance No. 4991, displaced by the Chapala Street Bridge Replacement Project and the County of Santa Barbara Flood Control District's Lower Mission Creek, Reach 2A, By-pass Box Culvert Project, and for all related purposes and uses in and under a portion of that certain tract of land owned by the City of Santa Barbara commonly known as APN: 033-041-013 and also referred to as the Depot Triangle Property, is approved pursuant to the City Charter Article V, Section 520, and the City Administrator is authorized to execute the same.

SECTION 3. That upon the effective date of the Ordinance, the City Clerk is authorized to record said Easement Deeds in the Official Records of the Office of the County Recorder, Santa Barbara County.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction Management Services For The Punta Gorda Street Bridge Replacement Project

RECOMMENDATION: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Filippin Engineering in the amount of \$330,674 for construction management support services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$33,067 for extra services that may result from necessary changes in the scope of work;
- B. Authorize the Public Works Director to execute a City Professional Services contract with Penfield & Smith in the amount of \$13,060 for engineering (design) support services for Lower Sycamore Creek Channel Widening, and authorize the Public Works Director to approve expenditures of up to \$1,306 for extra services that may result from necessary changes in the scope of work;
- C. Authorize the Public Works Director to execute a City Professional Services contract with Drake Haglan and Associates in the amount of \$50,000 for engineering (design) support services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services that may result from necessary changes in the scope of work; and
- D. Authorize the Public Works Director to execute a City Professional Services contract with Cardno ENTRIX in the amount of \$90,881 for environmental coordination and biological monitoring services for the Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$9,088 for extra services that may result from necessary changes in the scope of work.

EXECUTIVE SUMMARY:

The Punta Gorda Street Bridge Replacement Project (Project) is needed to incrementally widen Sycamore Creek to reduce neighborhood flooding. To move forward with the widening effort for this Project, the City needs to obtain construction

management services to support staff, including construction management, engineering (design), and environmental and biological monitoring support services.

DISCUSSION:

PROJECT DESCRIPTION

The Project involves two concurrent improvement components. Component 1 is the Lower Sycamore Creek Channel Widening, located from U.S. Highway 101 to approximately 100 feet upstream, and just south of the Punta Gorda Street Bridge. Component 1 consists of constructing an earthen channel and other drainage facilities, planting landscape materials, and installing irrigation systems.

Component 2 is the Punta Gorda Street Bridge Replacement Project, located from the upstream limit of Component 1 to approximately 100 feet upstream of the Punta Gorda Street Bridge. Component 2 consists of removing and replacing a concrete bridge and roadway approaches, relocating water and sewer facilities, constructing an earthen channel, planting landscape materials, and installing irrigation systems. The proposed bridge consists of a precast/pre-stressed concrete deck and cast-in-place concrete abutment walls that incorporate cast-in-drilled-hole concrete foundations.

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 Project from U.S. Highway 101 to approximately 100 feet upstream of the Punta Gorda Street Bridge. See Attachment for previous Council actions, grant funding, discretionary board approval, and encroachment removals.

On September 7, 2012, the City received notification from the California Department of Housing and Community Development of a conditional approval of the DRI 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 may not be needed.

CONSTRUCTION MANAGEMENT SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Filippin Engineering (Filippin) in the amount of \$330,674 for construction management support services for the Project, and approve expenditures of up to \$33,067 for extra services that may result from necessary changes in the scope of work. Staff requested proposals from consulting construction management firms and received proposals from four firms.

Staff evaluated the proposals and concluded that Filippin is the best qualified firm. Staff negotiated the fee with Filippin and concluded that the fee is fair compensation for the services.

Staff recommends that Council authorize the Public Works Director to execute a contract with P&S in the amount of \$13,060 for engineering (design) support services for Component 1 of the Project, and approve expenditures of up to \$1,306 for extra services that may result from necessary changes in the scope of work. P&S was the designer of Component 1. Staff reviewed and concluded that P&S's proposal is fair and reasonable and would provide the best value and continuity of services without delay.

Staff also recommends that Council authorize the Public Works Director to execute a contract with DHA in the amount of \$50,000 for engineering (design) support services for Component 2 of the Project, and approve expenditures of up to \$5,000 for extra services that may result from necessary changes in the scope of work. DHA was the designer of Component 2. Staff reviewed and concluded that DHA's proposal is fair and reasonable and would provide the best value and continuity of services without delay.

Lastly, Staff recommends that Council authorize the Public Works Director to execute a contract with Cardno ENTRIX (Cardno) in the amount of \$90,881 for environmental coordination and biological monitoring services for the Project, and approve expenditures of up to \$9,088 for extra services that may result from necessary changes in the scope of work. Cardno provided the biological studies for the design of the Project. Staff reviewed and concluded that Cardno's proposal is fair and reasonable and would provide the best value and continuity of services without delay.

COMMUNITY OUTREACH

Two months in advance of starting construction, staff will hold a Community Outreach workshop within the neighborhood of the Project. Written notices will be mailed to adjacent properties within 300 feet of the Project site. The Community Outreach workshop will provide a forum for staff interaction with the neighborhood to provide information and answer questions about the Project. Renderings and construction plans of the Project will be exhibited. Project fact sheets will be distributed which will contain information about the Project's benefit, location, construction schedule, traffic control showing temporary road closures and detours for vehicles, pedestrians, and bus routes, staff's contact information, and the City website information for construction status updates.

Staff will be mailing written notices at a minimum of two weeks in advance of the start of construction activity. The written notices will provide detailed information of construction hours, and staff's contact information will also be provided.

Once the construction contractor is issued the notice to proceed, the construction contractor will deliver another written notice 72 hours in advance of any construction

activity to the adjacent properties within 300 feet from the Project site. In addition, the construction contractor will install a sign at the Project site that will show contact information of staff, the contractor, and the Project's environmental coordinator during the construction phase.

FUNDING

The Project's construction cost is federally funded in part by the 2010-2011 Community Development Block Grant Component Award for the 2008 Disaster Recovery Initiative Program. The following summarizes all Project design and construction costs:

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
Design Cost - P&S (Contract)	\$0	\$257,720	\$257,720
Other Design Cost - Environmental (Contract)	\$0	\$8,834	\$8,834
Other Design Cost - Land Survey (City Staff)	\$0	\$27,278	\$27,278
Project Management (City Staff)	\$0	\$116,556	\$116,556
Subtotal	\$0	\$576,388	\$576,388
Estimated Construction Contract Cost (Contract)	\$1,506,808	\$34,192	\$1,541,000
Estimated Construction Contract Change Order	\$280,773	\$0	\$280,773
Construction Management Cost (City Staff)	\$0	\$111,008	\$111,008
Construction Management Support/Inspection/Material Testing Cost (Contract)	\$363,741	\$0	\$363,741
Subtotal	\$2,151,322	\$145,200	\$2,296,522
Other Construction Cost - Engineering Support Services (DHA Contract)	\$55,000	\$0	\$55,000
Other Construction Cost - Engineering Support Services (P&S Contract)	\$14,366	\$0	\$14,366
Other Construction Cost - Environmental Coordination/Biological Monitoring (Contract)	\$99,969	\$0	\$99,969
Subtotal	\$169,335	\$0	\$169,335
TOTAL PROJECT COSTS	\$2,320,657	\$721,588	\$3,042,245

There are sufficient appropriated and budgeted funds in the Streets Capital Program to cover current and future City costs.

ENVIRONMENTAL IMPACTS

The Project has received all necessary environmental permits or approvals for construction. The Project includes a low-flow fish passage channel for the Tidewater Goby and riparian bank protection and planting.

ATTACHMENT(S): Project Milestones

PREPARED BY: Linda Sumansky, Principal Engineer/JI/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

PROJECT MILESTONES

Council Actions

On January 13, 2009, Council authorized a contract with Penfield & 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 October 4, 2011, Council approved an increase in appropriations and estimated revenues in the amount of \$3,392,985 for the newly created Disaster Recovery Initiative (DRI) Fund. This appropriation included \$2,662,525 for the Project, \$409,700 for San Pedro Creek Sewer Line Relocation, \$250,000 for an update to the City's Safety Element, and \$70,760 for general administration.

On December 6, 2011, Council authorized Drake Haglan and Associates (DHA) to complete final design services for the replacement of the Punta Gorda Street Bridge.

Grant Funding

On September 7, 2012, the City received notification from the California Department of Housing and Community Development of a conditional approval of the DRI 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 may not be needed.

Discretionary Board Approval

On September 7, 2012, the Project received final design approval from the Architectural Board of Review.

Encroachment Removals

On August 25, 2009, Council authorized the Public Works Director to terminate the Encroachment Permit (Agreement No. 16,786, Ordinance No. 4788) of Santa Barbara Green Mobile Home Park. On November 30, 2012, the Green Mobile Home Park finished removing and relocating the mobile home coaches away from the City's creek right of way.

On September 28, 2012, the former Deluxe Mobile Home Park finished removing the remaining, dilapidated building that was located at the southeast corner of the vacant property, away from the City's creek right of way.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 2013

TO: Mayor and Councilmembers

FROM: Accounting Division, Finance Department

SUBJECT: Fiscal Year 2013 Interim Financial Statements For The Eight Months Ended February 28, 2013

RECOMMENDATION:

That Council accept the Fiscal Year 2013 Interim Financial Statements for the Eight Months Ended February 28, 2013.

DISCUSSION:

The interim financial statements for the eight months ended February 28, 2013 (66.7% of the fiscal year) are attached. The interim financial statements include budgetary activity in comparison to actual activity for the General Fund, Enterprise Funds, Internal Service Funds, and select Special Revenue Funds.

ATTACHMENT: Interim Financial Statements for the Eight Months Ended February 28, 2013

PREPARED BY: Julie Nemes, Accounting Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget
GENERAL FUND					
Revenue	106,232,314	69,445,664	-	36,786,650	65.4%
Expenditures	106,551,376	69,007,033	1,421,982	36,122,361	66.1%
<i>Addition to / (use of) reserves</i>	(319,062)	438,631	(1,421,982)		
WATER OPERATING FUND					
Revenue	36,392,362	26,898,411	-	9,493,951	73.9%
Expenditures	35,143,747	19,994,893	2,479,267	12,669,587	63.9%
<i>Addition to / (use of) reserves</i>	1,248,615	6,903,519	(2,479,267)		
WASTEWATER OPERATING FUND					
Revenue	20,257,200	14,675,609	-	5,581,591	72.4%
Expenditures	17,369,170	9,583,269	1,342,691	6,443,210	62.9%
<i>Addition to / (use of) reserves</i>	2,888,030	5,092,340	(1,342,691)		
DOWNTOWN PARKING					
Revenue	7,163,539	5,474,224	-	1,689,315	76.4%
Expenditures	7,905,307	4,900,563	328,682	2,676,062	66.1%
<i>Addition to / (use of) reserves</i>	(741,768)	573,662	(328,682)		
AIRPORT OPERATING FUND					
Revenue	14,774,556	10,142,643	-	4,631,913	68.6%
Expenditures	16,334,202	9,519,587	522,599	6,292,016	61.5%
<i>Addition to / (use of) reserves</i>	(1,559,646)	623,055	(522,599)		
GOLF COURSE FUND					
Revenue	1,872,903	1,154,228	-	718,675	61.6%
Expenditures	1,923,510	1,336,470	10,224	576,816	70.0%
<i>Addition to / (use of) reserves</i>	(50,607)	(182,242)	(10,224)		
INTRA-CITY SERVICE FUND					
Revenue	5,930,750	3,688,735	-	2,242,014	62.2%
Expenditures	6,607,428	3,729,256	920,545	1,957,628	70.4%
<i>Addition to / (use of) reserves</i>	(676,679)	(40,520)	(920,545)		

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget
FLEET REPLACEMENT FUND					
Revenue	2,549,018	1,708,694	-	840,324	67.0%
Expenditures	2,596,624	709,191	1,388,808	498,625	80.8%
<i>Addition to / (use of) reserves</i>	<u>(47,606)</u>	<u>999,503</u>	<u>(1,388,808)</u>		
FLEET MAINTENANCE FUND					
Revenue	2,441,918	1,637,938	-	803,980	67.1%
Expenditures	2,586,089	1,620,111	201,348	764,631	70.4%
<i>Addition to / (use of) reserves</i>	<u>(144,171)</u>	<u>17,827</u>	<u>(201,348)</u>		
SELF INSURANCE TRUST FUND					
Revenue	6,101,986	4,115,901	-	1,986,085	67.5%
Expenditures	5,949,472	3,896,334	196,152	1,856,987	68.8%
<i>Addition to / (use of) reserves</i>	<u>152,514</u>	<u>219,567</u>	<u>(196,152)</u>		
INFORMATION SYSTEMS ICS FUND					
Revenue	2,358,079	1,573,189	-	784,890	66.7%
Expenditures	2,808,492	1,751,732	119,526	937,234	66.6%
<i>Addition to / (use of) reserves</i>	<u>(450,413)</u>	<u>(178,543)</u>	<u>(119,526)</u>		
WATERFRONT FUND					
Revenue	12,072,564	8,529,905	-	3,542,659	70.7%
Expenditures	13,162,748	8,355,036	510,517	4,297,195	67.4%
<i>Addition to / (use of) reserves</i>	<u>(1,090,184)</u>	<u>174,869</u>	<u>(510,517)</u>		
TOTAL FOR ALL FUNDS					
Revenue	218,147,189	149,045,141	-	69,102,048	68.3%
Expenditures	218,938,165	134,403,473	9,442,341	75,092,351	65.7%
<i>Addition to / (use of) reserves</i>	<u>(790,977)</u>	<u>14,641,668</u>	<u>(9,442,341)</u>		

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

CITY OF SANTA BARBARA
General Fund
Interim Statement of Budgeted and Actual Revenues
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

	Annual Budget	YTD Actual	Remaining Balance	Percent Received	Previous YTD
TAXES					
Sales and Use	19,933,931	12,846,454	7,087,477	64.4%	11,774,384
Property Taxes	24,626,561	13,910,255	10,716,306	56.5%	12,804,564
Utility Users Tax	7,015,200	4,609,459	2,405,741	65.7%	4,783,187
Transient Occupancy Tax	14,489,200	10,137,870	4,351,330	70.0%	9,437,862
Business License	2,220,780	1,827,387	393,393	82.3%	1,619,870
Real Property Transfer Tax	356,180	463,709	(107,529)	130.2%	253,050
<i>Total</i>	<u>68,641,852</u>	<u>43,795,135</u>	<u>24,846,717</u>	<u>63.8%</u>	<u>40,672,917</u>
LICENSES & PERMITS					
Licenses & Permits	208,988	131,329	77,659	62.8%	146,571
<i>Total</i>	<u>208,988</u>	<u>131,329</u>	<u>77,659</u>	<u>62.8%</u>	<u>146,571</u>
FINES & FORFEITURES					
Parking Violations	2,382,621	1,702,173	680,448	71.4%	1,586,278
Library Fines	120,331	84,631	35,700	70.3%	72,725
Municipal Court Fines	162,352	65,234	97,118	40.2%	74,155
Other Fines & Forfeitures	305,000	177,819	127,181	58.3%	146,861
<i>Total</i>	<u>2,970,304</u>	<u>2,029,858</u>	<u>940,446</u>	<u>68.3%</u>	<u>1,880,019</u>
USE OF MONEY & PROPERTY					
Investment Income	729,077	542,640	186,437	74.4%	499,135
Rents & Concessions	453,827	276,676	177,151	61.0%	258,989
<i>Total</i>	<u>1,182,904</u>	<u>819,315</u>	<u>363,589</u>	<u>69.3%</u>	<u>758,124</u>
INTERGOVERNMENTAL					
Grants	521,134	652,545	(131,411)	125.2%	144,018
Vehicle License Fees	-	48,265	(48,265)	100.0%	-
Reimbursements	14,040	15,231	(1,191)	108.5%	1,323
<i>Total</i>	<u>535,174</u>	<u>716,040</u>	<u>(180,866)</u>	<u>133.8%</u>	<u>145,342</u>
FEES & SERVICE CHARGES					
Finance	848,301	581,482	266,819	68.5%	557,342
Community Development	4,495,945	2,864,948	1,630,997	63.7%	2,753,298
Recreation	2,441,584	1,507,849	933,735	61.8%	1,396,196
Public Safety	555,980	375,456	180,524	67.5%	388,365
Public Works	5,407,003	3,603,169	1,803,834	66.6%	3,342,052
Library	673,140	624,118	49,022	92.7%	629,894
Reimbursements	4,271,753	2,904,162	1,367,591	68.0%	3,859,105
<i>Total</i>	<u>18,693,706</u>	<u>12,461,184</u>	<u>6,232,522</u>	<u>66.7%</u>	<u>12,926,251</u>
OTHER REVENUES					
Miscellaneous	1,638,608	1,831,898	(193,290)	111.8%	1,357,633
Franchise Fees	3,509,700	2,622,299	887,401	74.7%	2,398,153
Indirect Allocations	5,841,852	3,894,568	1,947,284	66.7%	4,074,546
Operating Transfers-In	3,009,226	1,144,038	1,865,188	38.0%	1,199,576
<i>Total</i>	<u>13,999,386</u>	<u>9,492,802</u>	<u>4,506,583</u>	<u>67.8%</u>	<u>9,029,907</u>
TOTAL REVENUES	<u>106,232,314</u>	<u>69,445,664</u>	<u>36,786,650</u>	<u>65.4%</u>	<u>65,559,129</u>

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
GENERAL GOVERNMENT						
<u>Mayor & City Council</u>						
MAYOR	737,693	479,438	515	257,741	65.1%	
<i>Total</i>	737,693	479,438	515	257,741	65.1%	457,664
<u>City Attorney</u>						
CITY ATTORNEY	2,011,215	1,349,382	8,325	653,508	67.5%	
<i>Total</i>	2,011,215	1,349,382	8,325	653,508	67.5%	1,267,465
<u>Administration</u>						
CITY ADMINISTRATOR	1,551,018	914,575	515	635,928	59.0%	
CITY TV	473,554	314,399	24,600	134,555	71.6%	
<i>Total</i>	2,024,572	1,228,974	25,114	770,483	61.9%	1,251,886
<u>Administrative Services</u>						
CITY CLERK	461,229	281,322	13,120	166,787	63.8%	
HUMAN RESOURCES	1,258,017	772,991	13,822	471,204	62.5%	
ADMIN SVCS-EMPLOYEE DEVELOPMENT	14,447	4,390	-	10,057	30.4%	
<i>Total</i>	1,733,693	1,058,703	26,942	648,048	62.6%	1,234,920
<u>Finance</u>						
ADMINISTRATION	241,585	202,911	2,871	35,802	85.2%	
TREASURY	530,592	331,563	14,600	184,429	65.2%	
CASHIERING & COLLECTION	438,330	286,206	-	152,124	65.3%	
LICENSES & PERMITS	446,773	285,285	-	161,488	63.9%	
BUDGET MANAGEMENT	434,881	281,720	1,400	151,761	65.1%	
ACCOUNTING	493,940	304,279	45,160	144,501	70.7%	
PAYROLL	286,604	185,113	-	101,491	64.6%	
ACCOUNTS PAYABLE	218,948	141,550	-	77,398	64.6%	
CITY BILLING & CUSTOMER SERVICE	647,851	412,797	-	235,054	63.7%	
PURCHASING	698,481	368,514	554	329,413	52.8%	
CENTRAL STORES	160,944	93,599	304	67,040	58.3%	
MAIL SERVICES	108,448	71,300	280	36,868	66.0%	
<i>Total</i>	4,707,377	2,964,837	65,170	1,677,370	64.4%	2,745,925
TOTAL GENERAL GOVERNMENT	11,214,550	7,081,334	126,066	4,007,150	64.3%	6,957,859
PUBLIC SAFETY						
<u>Police</u>						
CHIEF'S STAFF	994,588	679,288	110	315,190	68.3%	
SUPPORT SERVICES	626,474	409,851	515	216,108	65.5%	
RECORDS	1,173,614	747,707	1,019	424,888	63.8%	
COMMUNITY SVCS	994,713	739,520	2,529	252,663	74.6%	
PROPERTY ROOM	155,893	86,074	820	68,999	55.7%	
TRNG/RECRUITMENT	412,970	406,928	7,265	(1,223)	100.3%	
RANGE	1,157,431	790,178	32,706	334,547	71.1%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>** Remaining Balance</u>	<u>YTD Expended and Encumbered</u>	<u>Previous YTD</u>
PUBLIC SAFETY						
<u>Police</u>						
BEAT COORDINATORS	825,860	548,694	-	277,166	66.4%	
INFORMATION TECHNOLOGY	1,320,105	866,995	18,869	434,242	67.1%	
INVESTIGATIVE DIVISION	4,697,571	2,948,001	2,766	1,746,804	62.8%	
CRIME LAB	132,701	85,660	-	47,041	64.6%	
PATROL DIVISION	15,258,604	9,922,679	94,686	5,241,239	65.7%	
TRAFFIC	1,373,035	888,100	689	484,246	64.7%	
SPECIAL EVENTS	786,140	750,987	-	35,153	95.5%	
TACTICAL PATROL FORCE	1,303,426	816,750	-	486,676	62.7%	
STREET SWEEPING ENFORCEMENT	306,625	150,614	-	156,011	49.1%	
NIGHT LIFE ENFORCEMENT	287,755	191,792	-	95,963	66.7%	
PARKING ENFORCEMENT	944,849	568,128	27,800	348,921	63.1%	
CCC	2,389,953	1,459,209	4	930,740	61.1%	
ANIMAL CONTROL	629,335	393,396	-	235,939	62.5%	
<i>Total</i>	<u>35,771,642</u>	<u>23,450,550</u>	<u>189,779</u>	<u>12,131,314</u>	66.1%	<u>22,184,819</u>
<u>Fire</u>						
ADMINISTRATION	773,141	524,024	2,552	246,565	68.1%	
EMERGENCY SERVICES AND PUBLIC ED	254,443	172,099	-	82,344	67.6%	
PREVENTION	1,141,192	674,849	-	466,343	59.1%	
WILDLAND FIRE MITIGATION PROGRAM	174,860	110,927	9,307	54,626	68.8%	
OPERATIONS	17,706,629	11,881,047	70,506	5,755,077	67.5%	
ARFF	1,740,953	1,151,973	-	588,981	66.2%	
<i>Total</i>	<u>21,791,218</u>	<u>14,514,918</u>	<u>82,365</u>	<u>7,193,935</u>	67.0%	<u>13,364,379</u>
TOTAL PUBLIC SAFETY	<u>57,562,860</u>	<u>37,965,468</u>	<u>272,143</u>	<u>19,325,249</u>	66.4%	<u>35,549,197</u>
PUBLIC WORKS						
<u>Public Works</u>						
ADMINISTRATION	1,005,992	610,131	6,265	389,596	61.3%	
ENGINEERING SVCS	4,650,713	2,955,833	1,760	1,693,120	63.6%	
PUBLIC RT OF WAY MGMT	1,000,166	614,173	553	385,440	61.5%	
ENVIRONMENTAL PROGRAMS	557,906	227,253	254,571	76,082	86.4%	
<i>Total</i>	<u>7,214,777</u>	<u>4,407,389</u>	<u>263,150</u>	<u>2,544,239</u>	64.7%	<u>4,170,506</u>
TOTAL PUBLIC WORKS	<u>7,214,777</u>	<u>4,407,389</u>	<u>263,150</u>	<u>2,544,239</u>	64.7%	<u>4,170,506</u>
COMMUNITY SERVICES						
<u>Parks & Recreation</u>						
PRGM MGMT & BUS SVCS	413,527	269,295	354	143,878	65.2%	
FACILITIES	828,084	513,352	14,499	300,233	63.7%	
YOUTH ACTIVITIES	714,977	557,575	4,999	152,403	78.7%	
SR CITIZENS	723,198	470,917	165	252,116	65.1%	
AQUATICS	1,096,927	790,131	23,399	283,397	74.2%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
COMMUNITY SERVICES						
<u>Parks & Recreation</u>						
SPORTS	484,909	291,842	3,838	189,229	61.0%	
TENNIS	255,362	158,583	-	96,779	62.1%	
NEIGHBORHOOD & OUTREACH SERV	951,954	657,342	9,388	285,224	70.0%	
ADMINISTRATION	599,031	384,143	1,238	213,650	64.3%	
PROJECT MANAGEMENT TEAM	223,076	149,329	-	73,747	66.9%	
BUSINESS SERVICES	310,413	189,070	5,996	115,346	62.8%	
FACILITY & PROJECT MGT	973,211	669,629	-	303,582	68.8%	
GROUNDS MANAGEMENT	4,357,754	2,705,351	166,862	1,485,541	65.9%	
FORESTRY	1,182,017	697,799	82,902	401,316	66.0%	
BEACH MAINTENANCE	151,599	102,584	14,491	34,524	77.2%	
<i>Total</i>	13,266,039	8,606,942	328,132	4,330,964	67.4%	8,250,521
<u>Library</u>						
ADMINISTRATION	537,794	332,426	53,700	151,668	71.8%	
PUBLIC SERVICES	2,136,837	1,305,266	700	830,871	61.1%	
SUPPORT SERVICES	2,004,205	1,103,200	167,347	733,658	63.4%	
<i>Total</i>	4,678,836	2,740,892	221,747	1,716,197	63.3%	2,458,844
TOTAL COMMUNITY SERVICES	17,944,875	11,347,835	549,879	6,047,161	66.3%	10,709,365
COMMUNITY DEVELOPMENT						
<u>Community Development</u>						
ADMINISTRATION	577,992	378,869	7,030	192,093	66.8%	
ECON DEV	47,384	26,497	-	20,887	55.9%	
CITY ARTS ADVISORY PROGRAM	427,260	394,248	-	33,012	92.3%	
HUMAN SVCS	926,170	690,944	176,964	58,262	93.7%	
LR PLANNING/STUDIES	966,481	589,452	309	376,720	61.0%	
DEV & DESIGN REVIEW	1,251,412	751,151	10,759	489,502	60.9%	
ZONING	1,204,968	718,317	2,853	483,798	59.8%	
DESIGN REV & HIST PRESERVATN	1,083,146	663,462	4,689	414,995	61.7%	
BLDG PERMITS	1,097,900	715,568	367	381,966	65.2%	
RECORDS & ARCHIVES	543,242	321,699	7,385	214,157	60.6%	
PLAN CK & COUNTER SRV	1,308,665	737,291	387	570,987	56.4%	
<i>Total</i>	9,434,620	5,987,543	210,744	3,236,333	65.7%	6,144,901
TOTAL COMMUNITY DEVELOPMENT	9,434,620	5,987,543	210,744	3,236,333	65.7%	6,144,901
NON-DEPARTMENTAL						
<u>Non-Departmental</u>						
DUES, MEMBERSHIPS, & LICENSES	22,272	24,057	-	(1,785)	108.0%	
COMMUNITY PROMOTIONS	1,536,799	1,242,310	-	294,489	80.8%	
SPECIAL PROJECTS	381,073	236,151	-	144,922	62.0%	
TRANSFERS OUT	43,500	29,000	-	14,500	66.7%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

	Annual Budget	YTD Actual	Encum- brances	** Remaining Balance	YTD Expended and Encumbered	Previous YTD
NON-DEPARTMENTAL						
<u>Non-Departmental</u>						
DEBT SERVICE TRANSFERS	349,125	320,456	-	28,669	91.8%	
CAPITAL OUTLAY TRANSFER	548,234	365,489	-	182,745	66.7%	
APPROP. RESERVE	298,691	-	-	298,691	0.0%	
<i>Total</i>	3,179,694	2,217,464	-	962,230	69.7%	2,379,649
TOTAL NON-DEPARTMENTAL	3,179,694	2,217,464	-	962,230	69.7%	2,379,649
TOTAL EXPENDITURES	106,551,376	69,007,033	1,421,982	36,122,361	66.1%	65,911,478

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

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

CITY OF SANTA BARBARA
Special Revenue Funds
Interim Statement of Revenues and Expenditures
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
TRAFFIC SAFETY FUND					
Revenue	506,204	326,124	-	180,080	64.4%
Expenditures	506,204	326,124	-	180,080	64.4%
<i>Revenue Less Expenditures</i>	-	-	-	-	
CREEK RESTORATION/WATER QUALITY IMPRVMT					
Revenue	3,002,872	2,130,484	-	872,388	70.9%
Expenditures	3,780,959	1,930,101	419,010	1,431,848	62.1%
<i>Revenue Less Expenditures</i>	(778,087)	200,383	(419,010)	(559,460)	
SOLID WASTE PROGRAM					
Revenue	18,509,144	12,326,652	-	6,182,492	66.6%
Expenditures	18,677,350	12,176,962	150,653	6,349,736	66.0%
<i>Revenue Less Expenditures</i>	(168,206)	149,691	(150,653)	(167,244)	
COMM.DEVELOPMENT BLOCK GRANT					
Revenue	2,132,621	759,729	-	1,372,892	35.6%
Expenditures	2,132,621	459,454	284,119	1,389,047	34.9%
<i>Revenue Less Expenditures</i>	-	300,275	(284,119)	(16,155)	
COUNTY LIBRARY					
Revenue	1,849,920	1,052,429	-	797,491	56.9%
Expenditures	2,050,848	1,274,663	74,058	702,126	65.8%
<i>Revenue Less Expenditures</i>	(200,928)	(222,234)	(74,058)	95,365	
STREETS FUND					
Revenue	10,214,197	7,224,830	-	2,989,367	70.7%
Expenditures	13,982,197	6,942,278	1,323,528	5,716,392	59.1%
<i>Revenue Less Expenditures</i>	(3,768,000)	282,552	(1,323,528)	(2,727,024)	
MEASURE A					
Revenue	3,021,238	2,190,253	-	830,985	72.5%
Expenditures	3,322,218	1,565,472	621,988	1,134,758	65.8%
<i>Revenue Less Expenditures</i>	(300,980)	624,781	(621,988)	(303,773)	

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

WATER OPERATING FUND

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Water Sales - Metered	29,800,000	21,412,274	-	8,387,726	71.9%	20,715,409
Service Charges	537,000	445,960	-	91,040	83.0%	598,284
Cater JPA Treatment Charges	2,405,482	1,229,356	-	1,176,126	51.1%	1,564,163
Investment Income	500,000	406,133	-	93,867	81.2%	464,033
Rents & Concessions	-	15,248	-	(15,248)	100.0%	-
Reimbursements	519,880	735,621	-	(215,741)	141.5%	227,133
Miscellaneous	30,000	53,819	-	(23,819)	179.4%	58,641
Operating Transfers-In	2,600,000	2,600,000	-	-	100.0%	337,001
TOTAL REVENUES	36,392,362	26,898,411	-	9,493,951	73.9%	23,964,665
EXPENSES						
Salaries & Benefits	7,830,597	4,940,855	-	2,889,742	63.1%	4,674,866
Materials, Supplies & Services	9,187,970	4,745,674	1,792,530	2,649,766	71.2%	4,397,164
Special Projects	1,282,374	381,688	468,914	431,772	66.3%	252,146
Water Purchases	7,963,366	4,518,295	174,561	3,270,510	58.9%	4,572,779
Debt Service	4,989,408	3,056,385	-	1,933,023	61.3%	3,169,099
Capital Outlay Transfers	3,426,649	2,284,433	-	1,142,216	66.7%	7,522,944
Equipment	149,093	26,862	4,692	117,540	21.2%	54,326
Capitalized Fixed Assets	129,289	11,503	38,569	79,217	38.7%	8,365
Other	35,000	29,199	-	5,801	83.4%	27,215
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
TOTAL EXPENSES	35,143,747	19,994,893	2,479,267	12,669,587	63.9%	24,678,904

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

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

WASTEWATER OPERATING FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Service Charges	16,337,000	10,883,347	-	5,453,653	66.6%	9,976,505
Fees	614,000	566,784	-	47,216	92.3%	605,517
Investment Income	206,200	115,058	-	91,142	55.8%	149,576
Public Works	25,000	29,165	-	(4,165)	116.7%	30,046
Miscellaneous	25,000	31,254	-	(6,254)	125.0%	21,891
Operating Transfers-In	3,050,000	3,050,000	-	-	100.0%	449,397
TOTAL REVENUES	<u>20,257,200</u>	<u>14,675,609</u>	<u>-</u>	<u>5,581,591</u>	<u>72.4%</u>	<u>11,232,934</u>
EXPENSES						
Salaries & Benefits	5,423,604	3,435,648	-	1,987,956	63.3%	3,145,196
Materials, Supplies & Services	6,708,910	3,788,842	1,338,686	1,581,383	76.4%	3,737,207
Special Projects	326,300	4,020	-	322,281	1.2%	2,104
Debt Service	1,646,192	314,422	-	1,331,770	19.1%	324,512
Capital Outlay Transfers	3,000,121	2,000,081	-	1,000,040	66.7%	3,061,706
Equipment	83,044	33,448	44	49,552	40.3%	27,889
Capitalized Fixed Assets	26,000	5,809	3,962	16,229	37.6%	868
Other	5,000	1,000	-	4,000	20.0%	1,000
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
TOTAL EXPENSES	<u>17,369,170</u>	<u>9,583,269</u>	<u>1,342,691</u>	<u>6,443,210</u>	<u>62.9%</u>	<u>10,300,481</u>

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

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)
DOWNTOWN PARKING

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Improvement Tax	840,000	732,546	-	107,454	87.2%	684,341
Parking Fees	5,757,166	4,243,826	-	1,513,340	73.7%	4,103,349
Investment Income	112,800	74,996	-	37,804	66.5%	78,798
Rents & Concessions	40,925	27,283	-	13,642	66.7%	40,925
Miscellaneous	1,500	(1,075)	-	2,575	-71.6%	(42)
Operating Transfers-In	411,148	396,648	-	14,500	96.5%	235,905
TOTAL REVENUES	<u>7,163,539</u>	<u>5,474,224</u>	<u>-</u>	<u>1,689,315</u>	<u>76.4%</u>	<u>5,143,276</u>
EXPENSES						
Salaries & Benefits	4,024,353	2,485,161	-	1,539,192	61.8%	2,429,019
Materials, Supplies & Services	1,915,082	1,152,674	142,943	619,465	67.7%	1,086,775
Special Projects	531,806	321,429	180,675	29,702	94.4%	406,251
Transfers-Out	297,121	198,081	-	99,040	66.7%	198,081
Capital Outlay Transfers	1,111,945	741,297	-	370,648	66.7%	695,513
Equipment	25,000	1,921	5,065	18,014	27.9%	2,367
TOTAL EXPENSES	<u>7,905,307</u>	<u>4,900,563</u>	<u>328,682</u>	<u>2,676,062</u>	<u>66.1%</u>	<u>4,818,007</u>

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)
AIRPORT OPERATING FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Leases - Commercial / Industrial	4,345,075	2,969,097	-	1,375,978	68.3%	2,900,884
Leases - Terminal	5,043,600	3,273,641	-	1,769,959	64.9%	3,138,751
Leases - Non-Commerical Aviation	1,498,800	1,101,867	-	396,933	73.5%	999,081
Leases - Commerical Aviation	3,549,000	2,629,581	-	919,419	74.1%	1,988,741
Investment Income	171,700	85,237	-	86,463	49.6%	119,094
Miscellaneous	166,381	83,220	-	83,161	50.0%	232,072
Operating Transfers-In	-	-	-	-	100.0%	200,111
TOTAL REVENUES	<u>14,774,556</u>	<u>10,142,643</u>	<u>-</u>	<u>4,631,913</u>	<u>68.6%</u>	<u>9,578,733</u>
EXPENSES						
Salaries & Benefits	5,101,719	3,190,571	-	1,911,148	62.5%	3,178,941
Materials, Supplies & Services	7,079,052	4,223,736	519,830	2,335,486	67.0%	4,027,239
Special Projects	736,200	382,774	-	353,426	52.0%	498,292
Transfers-Out	18,295	12,197	-	6,098	66.7%	29,475
Debt Service	1,780,853	571,869	-	1,208,984	32.1%	-
Capital Outlay Transfers	1,469,012	1,120,283	-	348,729	76.3%	1,047,271
Equipment	63,569	16,998	2,769	43,802	31.1%	57,643
Other	-	1,161	-	(1,161)	100.0%	-
Appropriated Reserve	85,502	-	-	85,502	0.0%	-
TOTAL EXPENSES	<u>16,334,202</u>	<u>9,519,587</u>	<u>522,599</u>	<u>6,292,016</u>	<u>61.5%</u>	<u>8,838,861</u>

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

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

GOLF COURSE FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Fees & Card Sales	1,559,903	948,622	-	611,281	60.8%	959,585
Investment Income	6,300	6,656	-	(356)	105.7%	6,705
Rents & Concessions	306,000	198,650	-	107,350	64.9%	175,851
Miscellaneous	700	300	-	400	42.8%	400
Operating Transfers-In	-	-	-	-	100.0%	69,082
TOTAL REVENUES	<u>1,872,903</u>	<u>1,154,228</u>	<u>-</u>	<u>718,675</u>	<u>61.6%</u>	<u>1,211,622</u>
EXPENSES						
Salaries & Benefits	989,689	670,681	-	319,008	67.8%	706,089
Materials, Supplies & Services	560,984	353,757	10,224	197,004	64.9%	314,328
Special Projects	300	-	-	300	0.0%	-
Debt Service	185,650	179,852	-	5,798	96.9%	180,294
Capital Outlay Transfers	158,373	105,582	-	52,791	66.7%	61,357
Equipment	27,500	25,751	-	1,749	93.6%	1,013
Other	1,014	847	-	167	83.5%	847
TOTAL EXPENSES	<u>1,923,510</u>	<u>1,336,470</u>	<u>10,224</u>	<u>576,816</u>	<u>70.0%</u>	<u>1,263,929</u>

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

INTRA-CITY SERVICE FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Service charges	99,584	66,389	-	33,195	66.7%	66,389
Work Orders - Bldg Maint.	3,085,446	2,039,119	-	1,046,328	66.1%	2,090,428
Grants	321,388	128,095	-	193,293	39.9%	363,000
Service Charges	2,057,130	1,371,421	-	685,709	66.7%	1,356,021
Miscellaneous	367,202	83,711	-	283,491	22.8%	3,528
Operating Transfers-In	-	-	-	-	100.0%	223,268
TOTAL REVENUES	<u>5,930,750</u>	<u>3,688,735</u>	<u>-</u>	<u>2,242,014</u>	<u>62.2%</u>	<u>4,102,635</u>
EXPENSES						
Salaries & Benefits	3,290,726	2,108,284	-	1,182,442	64.1%	1,918,815
Materials, Supplies & Services	1,158,398	765,947	97,508	294,943	74.5%	720,350
Special Projects	1,857,597	642,678	822,216	392,704	78.9%	992,012
Equipment	15,000	3,849	-	11,151	25.7%	1,105
Capitalized Fixed Assets	285,708	208,498	821	76,389	73.3%	437,488
TOTAL EXPENSES	<u>6,607,428</u>	<u>3,729,256</u>	<u>920,545</u>	<u>1,957,628</u>	<u>70.4%</u>	<u>4,069,770</u>

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

FLEET REPLACEMENT FUND

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Vehicle Rental Charges	2,146,217	1,430,811	-	715,406	66.7%	1,200,796
Investment Income	128,400	93,527	-	34,873	72.8%	90,202
Rents & Concessions	224,401	149,601	-	74,800	66.7%	149,601
Miscellaneous	50,000	34,755	-	15,245	69.5%	68,843
TOTAL REVENUES	2,549,018	1,708,694	-	840,324	67.0%	1,509,442
EXPENSES						
Salaries & Benefits	185,579	121,877	-	63,702	65.7%	104,631
Materials, Supplies & Services	3,059	1,814	-	1,245	59.3%	1,410
Special Projects	300,000	-	-	300,000	0.0%	-
Capitalized Fixed Assets	2,107,986	585,499	1,388,808	133,679	93.7%	261,104
TOTAL EXPENSES	2,596,624	709,191	1,388,808	498,625	80.8%	367,144

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

FLEET MAINTENANCE FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Vehicle Maintenance Charges	2,371,918	1,581,278	-	790,640	66.7%	1,581,278
Reimbursements	10,000	6,667	-	3,333	66.7%	-
Miscellaneous	60,000	49,993	-	10,007	83.3%	17,649
Operating Transfers-In	-	-	-	-	100.0%	65,870
TOTAL REVENUES	<u>2,441,918</u>	<u>1,637,938</u>	<u>-</u>	<u>803,980</u>	<u>67.1%</u>	<u>1,664,798</u>
EXPENSES						
Salaries & Benefits	1,220,922	803,316	-	417,606	65.8%	748,332
Materials, Supplies & Services	1,250,057	795,432	169,188	285,437	77.2%	648,573
Special Projects	105,110	21,173	32,159	51,778	50.7%	21,717
Equipment	10,000	190	-	9,810	1.9%	-
TOTAL EXPENSES	<u>2,586,089</u>	<u>1,620,111</u>	<u>201,348</u>	<u>764,631</u>	<u>70.4%</u>	<u>1,418,621</u>

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

SELF INSURANCE TRUST FUND

	** Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Insurance Premiums	2,598,025	1,732,016	-	866,009	66.7%	1,698,056
Workers' Compensation Premiums	2,600,000	1,733,334	-	866,666	66.7%	1,666,666
OSH Charges	187,961	-	-	187,961	0.0%	-
Investment Income	116,000	46,353	-	69,647	40.0%	79,929
Reimbursements	-	-	-	-	100.0%	967
Miscellaneous	-	4,198	-	(4,198)	100.0%	2,933
Accel - Return of Premium	600,000	600,000	-	-	100.0%	-
TOTAL REVENUES	6,101,986	4,115,901	-	1,986,085	67.5%	3,448,551
EXPENSES						
Salaries & Benefits	517,317	321,271	-	196,046	62.1%	279,472
Materials, Supplies & Services	5,076,048	3,337,724	196,152	1,542,172	69.6%	3,163,470
Special Projects	100	-	-	100	0.0%	-
Transfers-Out	356,007	237,338	-	118,669	66.7%	2,462,633
TOTAL EXPENSES	5,949,472	3,896,334	196,152	1,856,987	68.8%	5,905,575

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

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

INFORMATION SYSTEMS ICS FUND

	Annual Budget	YTD Actual	Encum- brances	Remaining Balance	Percent of Budget	Previous YTD
REVENUES						
Service charges	2,358,079	1,572,052	-	786,027	66.7%	1,524,262
Miscellaneous	-	1,138	-	(1,138)	100.0%	1,209
Operating Transfers-In	-	-	-	-	100.0%	13,160
TOTAL REVENUES	2,358,079	1,573,189	-	784,890	66.7%	1,538,631
EXPENSES						
Salaries & Benefits	1,672,999	1,052,991	-	620,008	62.9%	972,328
Materials, Supplies & Services	795,547	552,127	87,077	156,343	80.3%	415,696
Special Projects	14,500	3,483	3,245	7,772	46.4%	3,802
Transfers-Out	43,000	43,000	-	-	100.0%	-
Equipment	277,853	100,131	29,204	148,518	46.5%	109,952
Capitalized Fixed Assets	1,000	-	-	1,000	0.0%	-
Appropriated Reserve	3,593	-	-	3,593	0.0%	-
TOTAL EXPENSES	2,808,492	1,751,732	119,526	937,234	66.6%	1,501,778

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenses
For the Eight Months Ended February 28, 2013 (66.7% of Fiscal Year)

WATERFRONT FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Leases - Commercial	1,657,000	1,058,009	-	598,991	63.9%	1,000,407
Leases - Food Service	2,423,000	1,917,637	-	505,363	79.1%	1,705,039
Slip Rental Fees	4,041,464	2,712,521	-	1,328,943	67.1%	2,646,953
Visitors Fees	383,000	284,065	-	98,935	74.2%	277,124
Slip Transfer Fees	450,000	379,650	-	70,350	84.4%	386,100
Parking Revenue	1,886,360	1,374,410	-	511,950	72.9%	1,349,325
Wharf Parking	248,880	166,283	-	82,597	66.8%	153,997
Other Fees & Charges	235,008	159,057	-	75,951	67.7%	250,157
Investment Income	150,900	90,589	-	60,311	60.0%	95,786
Rents & Concessions	310,952	217,656	-	93,296	70.0%	227,797
Reimbursements	-	10,830	-	(10,830)	100.0%	-
Miscellaneous	286,000	159,198	-	126,802	55.7%	108,027
Operating Transfers-In	-	-	-	-	100.0%	302,321
TOTAL REVENUES	<u>12,072,564</u>	<u>8,529,905</u>	<u>-</u>	<u>3,542,659</u>	<u>70.7%</u>	<u>8,503,033</u>
EXPENSES						
Salaries & Benefits	5,741,416	3,706,966	-	2,034,450	64.6%	3,577,624
Materials, Supplies & Services	3,621,195	2,237,127	495,025	889,043	75.4%	2,134,172
Special Projects	140,685	92,757	-	47,928	65.9%	91,511
Debt Service	1,849,105	1,226,865	-	622,240	66.3%	1,051,353
Capital Outlay Transfers	1,540,978	1,027,319	-	513,659	66.7%	622,989
Equipment	129,369	63,003	15,492	50,875	60.7%	53,323
Capitalized Fixed Assets	40,000	-	-	40,000	0.0%	-
Other	-	1,000	-	(1,000)	100.0%	2,540
Appropriated Reserve	100,000	-	-	100,000	0.0%	-
TOTAL EXPENSES	<u>13,162,748</u>	<u>8,355,036</u>	<u>510,517</u>	<u>4,297,195</u>	<u>67.4%</u>	<u>7,533,512</u>

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



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 2013

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Presentation From Santa Barbara County Air Pollution Control District on Marine Vessel Speed Reduction Initiative

RECOMMENDATION:

That Council receive a presentation from the Santa Barbara County Air Pollution Control District on a marine vessel speed reduction initiative.

DISCUSSION:

The Santa Barbara County Air Pollution Control District's will give a presentation to Council on an initiative to reduce vessel speed. A fact sheet is attached.

ATTACHMENT: Vessel Speed Reduction Initiative Fact Sheet

PREPARED BY: Jennifer Jennings, Administrator's Office Supervisor

SUBMITTED BY: Jim Armstrong, City Administrator

APPROVED BY: City Administrator's Office



Vessel Speed Reduction Initiative Fact Sheet

GOAL

Advance California's clean-transportation goals and sustainable freight strategy by implementing a voluntary vessel speed reduction incentive program to cut greenhouse gas (GHG) emissions and other air pollutants, with the ancillary benefit of potentially protecting endangered whale species along the California coast.

APPROACH

The initiative would use California Cap-and-Trade auction funds to expand the existing vessel speed reduction incentive programs at the Ports of Los Angeles and Long Beach. The Ports of Los Angeles and Long Beach speed reduction incentive programs have been successfully implemented with participation rates over 90%, and have achieved significant air pollutant reductions by limiting vessel speeds to 12 knots or less.

Participation in an expanded program using Cap-and-Trade funds would be contingent on participation in the existing Ports programs, so the initiative would support the Ports' current clean-air goals while extending the benefits through the Santa Barbara Channel and possibly along the California coast.



Photo courtesy of John Calambokidis, Cascadia Research Collective

PHASE ONE: DEVELOPMENT AND PILOT (1-2 years)

Working with the Ports, stakeholders, and shipping companies the Santa Barbara County Air Pollution Control District (SBCAPCD) will take the lead, determining incentive structure, costs, emission reductions, and emissions verification systems, and implement a pilot program from the slow speed zone boundary at the Los Angeles ports through the Santa Barbara Channel.

PHASE TWO: PROGRAM ROLL-OUT (2nd-3rd year out)

Program roll-out to larger portion of California coast, or entire coast.

BENEFITS

This is a prime and unique opportunity to fulfill multiple objectives of AB 32 (Global Warming Solutions Act of 2006) and AB 1532 (Greenhouse Gas Reduction Fund). Through a single policy mechanism, the project can cut shipping emissions of greenhouse gases, nitrogen oxides, and other air pollutants by up to 50 percent. The initiative supports the existing Port programs and helps ensure ships reduce speeds even during favorable economic conditions when it has been shown that they increase speeds. The

initiative would complement clean-air efforts, and is in line with clean-transportation and sustainable-freight strategies. In addition, reduced ship speeds could reduce the severity of injury to whales should a ship-whale collision occur.

MEASURABLE BENEFITS

- **Reduces GHG Air Pollution:** Reducing vessel speed to 12 knots will reduce shipping GHG emissions by 50%.
 - In California up to 2,580,000 tonnes/year¹
 - In the Santa Barbara Channel up to 369,762 tonnes/year¹
- **Reduces Nitrogen Oxides Air Pollution (NOx is a precursor to ozone):** Reducing vessel speeds to 12 knots will reduce NOx by 56%.
 - In California up to 43,108 tons/year¹
 - In the Santa Barbara Channel up to 6,760 tons/year¹
- **Improving Air Quality for Human Health:** Additional particulate matter reductions beyond CARB marine vessel fuel regulation²
- **Improving Whale Protection:** Ships traveling 12 knots or less could help reduce the chance of a lethal ship strike of a whale.³



Photo courtesy of NOAA

COORDINATED SOLUTION STRATEGY

The SBCAPCD proposes this unique program that finds common ground and pursues diverse partnership. The District and its Board, which is made up the five Santa Barbara County Supervisors and representatives from each incorporated city in the County, have been pursuing reducing emissions from cargo ships since 1994.

This proposal also has the support and backing of a number of stakeholders, including members of a *Marine Shipping Solutions Group* that has been meeting regularly. This group includes federal agencies (National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS), Channel Islands National Marine Sanctuary (CINMS), U.S. Coast Guard, and CINMS Advisory Council), NGO groups (Environmental Defense Center (EDC), Ocean Conservancy (OC), and Community Environmental Council (CEC), leading scientists (John Calambokidis, Cascadia Research Collective, Inc.), and local elected leaders.

CONCLUSION

This innovative program expands a successful program already in place and offers a unique opportunity to reduce GHG and other air pollution emissions. It also protects human health and marine wildlife, complies with the requirements of AB 32 and AB 1532, and can achieve shared goals across a broad range of stakeholders.

¹ Santa Barbara County Air Pollution Control District calculations.

² Yusuf Khan et al. 2012. Greenhouse Gas and Criteria Emission Benefits through Reduction of Vessel Speed at Sea. *Environmental Science & Technology*. 46 (22) pp 12600-12607.

³ Vanderlaan, A.S.M. and Taggart, C.T. 2007. Vessel Collisions with Whales: The probability of lethal injury based on vessel speed. *Marine Mammal Science* 23(1): 144-156.

Vessel Speed Reduction (VSR) Initiative Compatibility with AB 1532

The VSR initiative builds on and expands the existing Ports of Long Beach and Los Angeles vessel speed reduction incentive programs. It fulfills funding requirements for investing in “low-carbon transportation” as outlined in newly-enacted statutory requirements⁴ directing how AB 32 Cap-and-Trade auction funds are allocated while furthering the California Air Resources Board’s Sustainable Freight Strategy.⁵ In addition to reducing GHG emissions, the proposal fulfills funding goals required by legislation including: (1) maximizing economic, environmental, and public health benefits; (2) complementing efforts to improve air quality, (3) providing opportunities for businesses, public agencies, nonprofits, and others to participate in efforts to reduce GHG emissions, and (4) lessening impacts and effects of climate change. The following table outlines how the VSR initiative meets specific legal requirements outlined in AB 1532.

AB 1532	Vessel Speed Reduction Initiative
<p>(b) Moneys shall be used to facilitate the achievement of reductions of greenhouse gas emissions in this state consistent with this division and, where applicable and to the extent feasible:</p> <p>(1) Maximize economic, environmental, and public health benefits to the state.</p>	<p>GHG reductions up to 50% from shipping</p> <p><u>Economic</u>: supports ports by avoiding regulatory approach that could discourage ships from CA port calls; enhances ability of coastal areas to meet air standards</p> <p><u>Environmental</u>: whale and other species protection</p> <p><u>Public health</u>: reductions in criteria pollutants, particulate and air toxics</p>
<p>(3) Complement efforts to improve air quality.</p>	<p>Reductions in criteria pollutants, particulate and air toxics.</p>
<p>(5) Provide opportunities for businesses, public agencies, nonprofits, and other community institutions to participate in and benefit from statewide efforts to reduce greenhouse gas emissions.</p>	<p>Public agencies: SBCAPCD, NOAA, potentially other air districts, County and City of Santa Barbara</p> <p>Nonprofits: stakeholder organizations (EDC, CEC,OC)</p> <p>Other community (CINMS Advisory Council)</p> <p>Shipping Representatives: Marine Exchange, PMSA</p> <p>Ports: Ports of Long Beach and Los Angeles</p>
<p>(6) Lessen the impacts and effects of climate change on the state’s communities, economy, and environment.</p>	<p>Reducing GHG emissions</p>

⁴ AB 1532, SB 535, and SB 1018

⁵ California Environmental Protection Agency - Air Resources Board, January 2013. Annual Report to the Joint Legislative Budget Committee on Assembly Bill 32 (Chapter 488, Statutes of 2006) The California Global Warming Solutions Act of 2006. This report can be viewed at: <http://www.arb.ca.gov/mandrpts/mandrpts.htm>.

<p>(c) Moneys appropriated from the fund may be allocated, consistent with subdivision (a), for the purpose of reducing greenhouse gas emissions in this state through investments that may include, but are not limited to, any of the following: (2) Funding to reduce greenhouse gas emissions through the development of state-of-the-art systems to move goods and freight...</p>	<p>Improving efficiencies of moving goods and freight and consistent with ARB’s Sustainable Freight Strategy</p>
<p>(6) Funding to reduce greenhouse gas emissions through investments in programs implemented by local and regional agencies, local and regional collaboratives, and nonprofit organizations coordinating with local governments...</p>	<p>Regional collaborative; partnership with nonprofits and government</p>
<p>(7) Funding in research, development, and deployment of innovative technologies, measures, and practices related to programs and projects funded pursuant to this part.</p>	<p>Research and development of innovative measures and practices to reduce ship speeds.</p>
<p>The investment plan, consistent with the requirements of Section 39712, shall do all of the following: (1) Identify the state’s short-term and long-term greenhouse gas emissions reduction goals and targets by sector. (2) Analyze gaps, where applicable, in current state strategies to meeting the state’s greenhouse gas emissions reduction goals by sector.</p>	<p>CARB identified that it would assess a ship speed reduction rule as part of GHG measures in AB 32 scoping plan: http://www.arb.ca.gov/ports/marinevess/vsr/vsr.htm This assessment has yet to be completed, and regulatory measure uncertain, so this approach could fill gap.</p>



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 2013

TO: Mayor and Councilmembers

FROM: Administration Division, Public Works Department
Administration Division, Finance Department
City Attorney's Office

SUBJECT: Adoption Of Ordinance To Approve An Installment Sale Agreement, Trust Agreement And Continuing Disclosure Agreement In Connection With The Potential Sale Of Water Revenue Refunding Certificates Of Participation

RECOMMENDATION:

That Council adopt, by reading of title only, An Ordinance of the City of Santa Barbara Authorizing the Execution and Delivery by the City of an Installment Sale Agreement, a Trust Agreement and a Continuing Disclosure Agreement in Connection with the Execution and Delivery of City of Santa Barbara Water Revenue Refunding Certificates of Participation, Series 2013, and Authorizing Related Actions.

DISCUSSION:

Staff from the Public Works Department, Finance Department and the City Attorney's Office have been working toward the sale of Water Fund certificates of participation to refinance the existing 2002 Refunding Certificates of Participation and, potentially, outstanding 2002 and 2003 State Department of Water Resources revolving loans.

The purpose of refinancing existing debt is to capitalize on the historically low interest rate environment and thereby realize savings in current interest costs. Staff anticipates selling the new certificates of participation in May 2013.

In connection with the sale of the certificates of participation, the City will be entering into various long-term agreements that, because they exceed five years in term, require adoption of a City ordinance to approve the execution of the agreements.

One of the agreements is the Installment Purchase Agreement. This agreement is between the City of Santa Barbara and the Santa Barbara Financing Authority (Authority). The Authority was created pursuant to a Joint Exercise of Powers Agreement between the City of Santa Barbara and the Redevelopment Agency of the City. Pursuant to AB 1x26, as amended, the Redevelopment Agency was dissolved as of February 1, 2012. The

Council Agenda Report

Adoption Of Ordinance To Approve An Installment Purchase Agreement, Trust Agreement And Continuing Disclosure Agreement In Connection With The Potential Sale Of Water Revenue Refunding Certificates Of Participation

April 16, 2013

Page 2

Successor Agency to the Redevelopment Agency succeeded to the Redevelopment Agency and assumed all of the rights, duties and obligations of the former Redevelopment Agency. The Authority was organized for the purpose of assisting and facilitating the financing for purposes authorized under the Joint Powers Act.

The Installment Sales Agreement provides for the sale by the City of the improvements ("Project"), financed by the original bonds issued by Water Fund, to the Authority and then the purchase of the Project from the Authority by the City. The City will utilize net revenue from the Water Fund to make installment payments to the Authority which will be used to pay the debt service on the refinancing certificates of participation. The Installment Sale Agreement sets out the main security parameters for the certificates such as the rate covenant and conditions under which additional debt can be issued.

The City will also need to execute a Trust Agreement between the City, Authority and U.S. Bank National Association through which the right to receive the installment payments, and interest thereon, will be assigned by the Authority to the Trustee.

The Continuing Disclosure Agreement requires the City to provide to the Trustee, acting as Dissemination Agent, for the benefit of the holders of the Certificates, certain financial information and notice of certain material events (such as change in certificate rating) on an ongoing basis. Each year, as long as the bonds are outstanding, the City has a requirement to submit financial information to bondholders and the general investment industry pursuant to Securities Exchange Commission requirements. This includes updated information regarding the finances of the City, in this case of the Water Fund, so that current bondholders and potential investors can assess if financial conditions have changed relative to the financial information contained in the original bond offering documents. The City provides the continuing disclosures to the Trustee, who then files the information to the Electronic Municipal Market Access ("EMMA") system administered by the Municipal Securities Rulemaking Board. EMMA is a centralized online source for free access to municipal disclosures, market transparency data and educational materials about the municipal securities market.

Next Steps

During the next two months, City staff will be proceeding with the next steps:

1. Authority adoption of a resolution authorizing the execution of the Installment Purchase Agreement and Trust Agreement and the execution of the certificates.
2. Meeting with bond rating agencies to secure a bond rating, which will have a direct impact of the interest rates offered through the competitive bid process.
3. Sale of the Certificates

Council Agenda Report

Adoption Of Ordinance To Approve An Installment Purchase Agreement, Trust Agreement
And Continuing Disclosure Agreement In Connection With The Potential Sale Of Water
Revenue Refunding Certificates Of Participation

April 16, 2013

Page 3

With its adoption, the ordinance will become effective thirty days later (May 16th). The sale of the certificates is currently scheduled for the week following the effective date of the ordinance.

Copies of the Installment Sales Agreement, the Trustee Agreement and the Continuing Disclosure Agreement are available for review by the public at the City Clerk's Office and available to Council members in the City Council's reading file.

PREPARED BY: Robert Samario, Finance Director
Sarah Knecht, Assistant City Attorney

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

ORDINANCE NO. ____

Ordinance of the City of Santa Barbara Authorizing the Execution and Delivery by the City of an Installment Sale Agreement, a Trust Agreement and a Continuing Disclosure Agreement in Connection with the Execution and Delivery of City of Santa Barbara Water Revenue Refunding Certificates of Participation, Series 2013, and Authorizing Related Actions

WHEREAS, the City and the Redevelopment Agency of the City of Santa Barbara (“Agency”), which Agency was on February 1, 2012, succeeded to by the Successor Agency to the Redevelopment Agency of the City of Santa Barbara, have heretofore entered into a Joint Exercise of Powers Agreement, dated as of April 1, 2002 (the “Joint Powers Agreement”), which Joint Powers Agreement creates and establishes the Santa Barbara Financing Authority (“Authority”);

WHEREAS, in order to refinance the acquisition, construction and installation of certain improvements (the “Project”) to its water system, the City of Santa Barbara (the “City”) caused to be executed and delivered the City of Santa Barbara Water Revenue Refunding Certificates of Participation Series 2002 (the “Prior Certificates”);

WHEREAS, the Prior Certificates evidence undivided proportionate interests of the owners thereof in installment payments (the “Prior Installment Payments”) to be made by the City pursuant to an Installment Sale Agreement, dated as of May 1, 2002, by and between the City and the Authority;

WHEREAS, in order to achieve certain savings, the City desires to refinance the Project by exercising its option to prepay the Prior Installment Payments, which prepayment will be applied to the redemption of the Prior Certificates;

WHEREAS, in order to refinance the Project, the City will sell the Project to the Authority and then purchase the Project from the Authority pursuant to an Installment Sale Agreement (the “Installment Sale Agreement”);

WHEREAS, the City and the Authority have determined that it would be in the best interests of the City and the Authority to provide the funds necessary to refinance the Project through the execution and delivery, pursuant to a Trust Agreement (the “Trust Agreement”), by and among U.S. Bank National Association, as trustee (the “Trustee”), the Authority and the City, of the City of Santa Barbara Water Revenue Refunding Certificates of Participation, Series 2013 (the “Certificates”), evidencing direct, fractional undivided interests in the installment payments (the “Installment Payments”), and the interest thereon, payable by the City under the Installment Sale Agreement;

WHEREAS, the City has received three loans from the State of California (the “State”) under the State’s Safe Drinking Water State Revolving Fund Law of 1997 as follows: (1) a not to exceed loan of \$19,200,000 to fund the Cater Water Treatment Plant Improvement Project (Project No. 4210010-02) (the “2002 SRF Loan”), (2) a not to exceed loan of \$20,000,000 to fund the Sheffield Reservoir Project (Project No. 4210010-01) (the “2003 SRF Loan”), and (3) a

not to exceed loan of \$29,283,000 to fund a project to meet safe drinking water standards (Project No. 4210010-004C) (the “2010 SRF Loan”);

WHEREAS, the 2002 SRF Loan and the 2003 SRF Loan (the “Subordinated Prior Loans”) are currently subordinate in payment to the Prior Certificates;

WHEREAS, the City has requested the State to continue the subordination of the payment of the Subordinated Prior Loans to the payment of the Certificates;

WHEREAS, if the State refuses the City’s request to continue the subordination of the payment of the Subordinated Prior Loans to the payment of the Certificates or if there are reasonable savings with respect to the refinancing of the Subordinated Prior Loans, the City may, upon the advice and recommendation of the City’s financial advisor, determine to refinance either or both of the Subordinated Prior Loans concurrently with the refinancing of the Prior Certificates;

WHEREAS, if the City determines to refinance the Subordinated Prior Loans concurrently with the refinancing of the Prior Certificates, the Trust Agreement and the Installment Sale Agreement shall be appropriately revised to reflect such refinancing;

WHEREAS, all rights to receive the Installment Payments, and the interest thereon, will be assigned without recourse by the Authority to the Trustee pursuant to the Trust Agreement;

WHEREAS, in consideration of such assignment and the execution of the Trust Agreement, the Trustee will execute and deliver the Certificates, each evidencing a direct, fractional undivided interest in the Installment Payments, and the interest thereon;

WHEREAS, in order to refinance the acquisition, construction and installation of certain other improvements to its water system, the City caused to be executed and delivered the City of Santa Barbara Water Revenue Refunding Bonds, Series 1994A (the “Prior Bonds”);

WHEREAS, City intends to refund the outstanding Prior Bonds by making, from available City funds, including the debt service reserve fund on deposit with the Trustee , a cash deposit with the trustee for the Prior Bonds in an amount equal to the outstanding principal of and interest on the Prior Bonds through the date of redemption;

WHEREAS, Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 requires that, in order to be able to purchase or sell the Certificates, the purchaser thereof must have reasonably determined that the City has undertaken in a written agreement or contract for the benefit of the holders of the Certificates to provide disclosure of certain financial information and certain material events on an ongoing basis;

WHEREAS, in order to cause such requirement to be satisfied, the City desires to enter into a Continuing Disclosure Agreement (the “Continuing Disclosure Agreement”) with the Trustee; and

WHEREAS, the City Council of the City (the “City Council”) has been presented with the form of each of the Installment Sale Agreement, the Trust Agreement and the Continuing

Disclosure Agreement, and the City Council has examined and approved each such document and desires to authorize and direct the execution of such documents, subject to revision in the event that the Subordinated Prior Loans are refinanced as described above;

NOW, THEREFORE, The City Council of the City of Santa Barbara does ordain as follows:

Section 1. All of the recitals herein contained are true and correct and the City Council so finds.

Section 2. The form of Installment Sale Agreement, presented in connection with and prior to this meeting and on file with the City Clerk, is hereby approved, and the City Administrator of the City, the Finance Director of the City, the Public Works Director of the City, the City Attorney or his or her designee (each, an “Authorized Officer”), are each hereby authorized and directed, for and in the name and on behalf of the City, to execute, acknowledge and deliver the Installment Sale Agreement in substantially the form presented in connection with and prior to this meeting with such changes therein as the Authorized Officers executing the same may require or approve in consultation with the City Attorney and Bond Counsel, which approval shall be conclusively evidenced by the execution and delivery thereof; provided, however, that the aggregate amount of the Installment Payments shall not exceed \$45,000,000, the final Installment Payment shall be payable no later than October 1, 2026 and there shall be net present value savings with respect to the refinancing of the Prior Certificates of at least 3%, and if either or both of the Subordinated Prior Loans are refinanced there shall be additional reasonable present value savings as determined by the Authorized Officers in consultation with and based upon the advice and recommendation of the City’s financial advisor.

Section 3. The form of Trust Agreement, presented in connection with and prior to this meeting and on file with the City Clerk, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the City, to execute and deliver the Trust Agreement in substantially the form presented in connection with and prior to this meeting with such changes therein as the Authorized Officers executing the same may require or approve in consultation with the City Attorney and Bond Counsel, which approval to be conclusively evidenced by the execution and delivery thereof.

Section 4. The form of Continuing Disclosure Agreement, presented in connection with and prior to this meeting and on file with the City Clerk, is hereby approved, and the Authorized Officers are each hereby authorized and directed, for and in the name and on behalf of the City, to execute, acknowledge and deliver the Continuing Disclosure Agreement in substantially the form presented in connection with and prior to this meeting, with such changes therein as the Authorized Officers executing the same may require or approve in consultation with the City Attorney and Bond Counsel, which approval to be conclusively evidenced by the execution and delivery thereof.

Section 5. The Authorized Officers are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable in order to consummate the transactions herein authorized and otherwise to carry out, give effect to and comply with the terms and intent of this Ordinance, including, without limitation, the deposit

with the trustee for the Prior Bonds of sufficient available funds of the City to refund the outstanding Prior Bonds;

Section 6. All actions heretofore taken by the officers, employees and agents of the City with respect to the transactions set forth above are hereby approved, confirmed and ratified.

Section 7. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Council hereby orders that, in lieu of the publication of this Ordinance once in the official newspaper of the City within 15 days after its adoption, this Ordinance shall be published by title only once in the official newspaper of the City within 15 days after its adoption, provided that the full text shall be available to the public at the City Clerk's Office, and such publication by title only shall so state. This Ordinance shall become effective 30 days from and after the date of its adoption.

PASSED AND ADOPTED by the City Council of the City of Santa Barbara at a regular meeting of said City Council on April 9, 2013, by the following vote of said City Council:

Ayes:

Noes:

Absent:

Abstain:

Mayor

ATTEST:

City Clerk Services Manager

CERTIFICATE OF CITY CLERK

I, Gwendolynn B. Peirce, City Clerk Services Manager of the City of Santa Barbara, do hereby certify as follows:

That the foregoing is a full, true and correct copy of Ordinance No. ____, which was duly introduced at a regular meeting of the City Council of the City of Santa Barbara duly and regularly and legally held at the regular meeting place thereof on April 9, 2013, of which meeting all of the members of the City Council of said City had due notice and at which a quorum was present, and which was thereafter duly adopted at a regular meeting of the City Council of the City Council of the City of Santa Barbara duly and regularly and legally held at the regular meeting place thereof on April __, 2013, of which meeting all of the members of the City Council of said City had due notice and at which a quorum was present.

That an agenda of each of said meetings was posted at least 72 hours before said meeting at 740 Anacapa Street, Santa Barbara, California, a location freely accessible to members of the public, and a brief description of said Ordinance appeared on said agenda.

That I have carefully compared the foregoing copy with the original minutes of said April __, 2013 meeting on file and of record in my office; that said copy is a full, true and correct copy of the original Ordinance adopted at said meeting and entered in said minutes; and that said Ordinance has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

Dated: _____, 2013

Gwendolynn B. Peirce
City Clerk Services Manager

[SEAL]



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 2013
TO: Mayor and Councilmembers
FROM: Administration Division, Finance Department
SUBJECT: Recommended Two-Year Financial Plan For Fiscal Years 2014 And 2015

RECOMMENDATION: That Council:

- A. Receive the Recommended Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Operating and Capital Budget for Fiscal Year 2014;
- B. Hear a report from staff in connection with the filing of the Recommended Two-Year Financial Plan for Fiscal Years 2014 and 2015; and
- C. Approve the proposed Schedule of Council Budget Review Meetings and Public Hearings of the Recommended Two-Year Financial Plan for Fiscal Years 2014 and 2015.

DISCUSSION:

In accordance with City Charter, the Recommended Two-Year Financial Plan for Fiscal Years 2014 and 2015 ("Recommended Plan") has been filed with the City Clerk's Office and is being submitted to Council today. The Recommended Plan covers a two-year planning horizon and includes the recommended operating and capital budget for the first year of the plan. In June, Council will adopt a Two-Year Financial Plan for Fiscal Years 2014 and 2015 as well as an operating and capital budget for fiscal year 2014.

The current Recommended Plan was prepared in the context of a much improved local economy. General Fund sales tax and transient occupancy tax revenues have been very strong in the last two years and are expected to continue growing in the next two years, although at a more moderate rate. While the fiscal condition of the General Fund has greatly improved, some challenges still lay ahead, including continued increase in retirement costs and significantly underfunded capital needs.

City staff has scheduled special budget work sessions over the next two months during which the details of the Recommended Plan will be presented and discussed as part of the budget public hearing process. Over the course of the public hearings, each City department will present their respective recommended budget, including their operating budget and capital program, if applicable, as well as proposed performance measures and objectives for their programs.

The first of these special budget work sessions will be held on Thursday, May 1, from 3:00 p.m. to 6:00 p.m. in Council Chambers. The budget work sessions are scheduled at different times of the day and evening to encourage public participation. The proposed schedule for the special budget work sessions, at which the public hearings on the budget would be held, is included as an attachment to this report for Council's approval.

In addition to the public review by Council, staff recommends that the Finance Committee review certain elements of the Recommended Plan in more detail. The proposed Finance Committee Review Schedule will be presented to the Finance Committee for approval on April 19, 2011, just prior to the City Council meeting.

A copy of the Recommended Plan will be available for review in the City Clerk's Office and the Public Library's main and eastside branches. It will also be available on the City's website at www.SantaBarbaraCa.gov.

ATTACHMENT: Schedule of Proposed Council Budget Review Meetings and Public Hearings

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA
Two-Year Financial Plan for Fiscal Years 2014 and 2015

**Schedule of Council Budget Review Meetings
and Public Hearings**

MEETING	DATE	BUDGET AGENDA ITEM(S)
SPECIAL WORKSESSION AND PUBLIC HEARING #1	Wed., May 1, 2013 3:00 – 6:00 pm Council Chambers	<ul style="list-style-type: none"> ➤ Open Budget Public Hearing ➤ <u>Department Budget Presentations for:</u> <ul style="list-style-type: none"> - Finance - Community Promotions - Administrative Services - City Attorney's Office - City Administrator's Office - Mayor & Council
SPECIAL WORKSESSION AND PUBLIC HEARING #2	Thurs., May 2, 2013 1:00 – 4:00 pm Council Chambers	<ul style="list-style-type: none"> ➤ <u>Department Budget Presentations for:</u> <ul style="list-style-type: none"> - Community Development / Successor Agency - Library
SPECIAL WORKSESSION AND PUBLIC HEARING #3	Mon., May 6, 2013 2:00 – 5:00 pm Council Chambers	<ul style="list-style-type: none"> ➤ <u>Department Budget Presentation for:</u> <ul style="list-style-type: none"> - Public Works
SPECIAL WORKSESSION AND PUBLIC HEARING #4	Mon., May 13, 2013 2:00 – 5:00 pm Council Chambers	<ul style="list-style-type: none"> ➤ <u>Department Budget Presentation for:</u> <ul style="list-style-type: none"> - Airport - Waterfront - Solid Waste Fund (Finance)
SPECIAL WORKSESSION AND PUBLIC HEARING #5	Wed., May 15, 2013 9:30 am – 12:00 pm Council Chambers	<ul style="list-style-type: none"> ➤ <u>Department Budget Presentations for:</u> <ul style="list-style-type: none"> - Parks & Recreation (including Creeks and Golf Funds)
SPECIAL WORKSESSION AND PUBLIC HEARING #6	Mon, May 20, 2013 2:00 – 5:00 pm Council Chambers	<ul style="list-style-type: none"> ➤ <u>Department Budget Presentation for:</u> <ul style="list-style-type: none"> - Fire - Police

<p>SPECIAL BUDGET WORKSESSION AND PUBLIC HEARING #7</p>	<p>Wed., May 22, 2013 9:00 am – 12:00 pm Council Chambers</p>	<ul style="list-style-type: none"> ➤ <u>Department Budget Presentation for:</u> - Other presentations (if needed)
<p>SPECIAL BUDGET WORKSESSION AND PUBLIC HEARING #8</p>	<p>Mon., June 3, 2013 2:00 – 5:00 pm Council Chambers</p>	<ul style="list-style-type: none"> ➤ Finance Committee Budget Recommendations to Council ➤ Council Budget Deliberations
<p>SPECIAL BUDGET WORKSESSION AND PUBLIC HEARING #9</p>	<p>Wed., June 5, 2013 3:00 – 6:00 pm Council Chambers</p>	<ul style="list-style-type: none"> ➤ Continue Council Budget Deliberations (if needed)
<p>SPECIAL BUDGET WORKSESSION AND PUBLIC HEARING #10</p>	<p>Thurs., June 6, 2013 9:00 am – 12:00 pm Council Chambers</p>	<ul style="list-style-type: none"> ➤ Final Council Budget Deliberations ➤ Close Budget Public Hearing ➤ Final Council Budget Direction to Staff
<p>REGULAR CITY COUNCIL MEETING</p>	<p>Tues., June 11, 2013 Afternoon session Council Chambers</p>	<ul style="list-style-type: none"> ➤ Prop. 218 Hearing on Proposed Increases to Water, Wastewater and Solid Waste Rates
<p>REGULAR CITY COUNCIL MEETING</p>	<p>Tues, June 18, 2013 Afternoon session Council Chambers</p>	<ul style="list-style-type: none"> ➤ Budget Adoption



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 2013

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Appeal Of Architectural Board Of Review Approval Of 2700 Miradero Drive

RECOMMENDATION:

That Council deny the appeal of Anne Senuta regarding the application of the Villa Miradero North Homeowners' Association, and uphold the Architectural Board of Review's approval to allow the Homeowners' Association to remove 40 attached trellises.

DISCUSSION:

Project Description

The subject site is an approximately six acre, two-family residential R-2 zoned parcel located in the East San Roque neighborhood. The parcel is developed with a residential condominium complex consisting of 43 units in one-story four and five unit buildings. The project is a proposal to remove all 40 existing wooden gable trellises attached to the residential condominium buildings.

Project History

On February 19, 2013 the application was presented to the Architectural Board of Review (ABR) by the president, vice president, and treasurer of the Villa Miradero North Homeowner's Association. The applicants explained that the trellises throughout the complex are dilapidated and in need of expensive repair and that they have concerns about the costs of future maintenance.

The ABR considered the request in terms of the architectural design impacts to the complex, and also the repair and maintenance concerns of the applicant. The ABR received a public comment letter via email in opposition to the project from Christopher Clayton, Villa Miradero North homeowner (Attachment 2). The scope of work is simple removal of wood rafter trellis members, and cutting off and capping the support beams. The trellis beams are proposed to be cut so that a portion would still protrude beyond the roof rake tiles, at same angle as the existing beam ends to retain some of the architectural character of the beams (Attachment 3). The ABR commented that the trellises provide architectural interest and character but also understood the maintenance reasons behind

the proposal. The ABR determined that the buildings had enough architectural interest without the trellises and approved the project with a unanimous vote (Attachment 4).

On February 20 the building permit was made "ready to issue" to a licensed contractor. Because it is a simple demolition project, no plan check process was required. On February 22, the homeowners association left notes for each unit involved in the project that work would begin three days later. In response to this note, Anne Senuta, Villa Miradero North homeowner, filed an appeal of the ABR approval and permit issuance was halted on February 22 (Attachment 1).

Appeal Issues

The appellant is concerned that there was no public notification to the affected homeowners and they were unable to present their comments to the ABR.

The appellant appreciates the architectural design, the aesthetics looking from inside her unit, the protection and shade provided by her trellis, and stated that other homeowners in the complex also object to their removal.

The appellant believes the homeowners association failed to properly maintain the trellises and now wrongly justifies their removal with the argument that expensive repairs are necessary.

Staff comments

The scope of this alteration project did not require public notification by the City. The Municipal Code defines specific projects that require a public mailed notice prior to ABR review. The application was brought forward by the homeowners association. The appropriate venue for individual homeowners to express their concerns on the decision to make this application, or past decisions on maintenance was in their association meetings. Staff met individually with the applicant and the appellant to urge them to find a compromise solution, informing them that the City should not mediate homeowners association disputes.

The ABR gave appropriate consideration to the project and found that, while it would be desirable to retain the trellises, there are compelling costs and maintenance reasons for their removal, and the architectural quality of the complex would remain acceptable after their removal. Staff recommends that Council deny the appeal and uphold the ABR's approval.

- ATTACHMENTS:**
1. Appeal letter
 2. Public comment letter
 3. Project plans and photographs
 4. ABR minutes of February 19, 2013

PREPARED BY: Tony Boughman, Planning Technician II

SUBMITTED BY: Jaime Limón, Senior Planner

APPROVED BY: City Administrator's Office

RECEIVED

2013 FEB 22 PM 4:30

CITY OF SANTA BARBARA
CITY CLERK'S OFFICE

Anne Senuta
2836 Miradero Dr.
Santa Barbara, CA 93105

February 22, 2013

Santa Barbara City Clerk's Office
City Hall
De La Guerra Plaza
735 Anacapa St.
Santa Barbara, CA

To Whom It May Concern:

This letter is being created within great time constraints to ask for the Appeal of Santa Barbara City Case #BLD2013-00236 approved by the Architectural Board of Review on Tuesday February 19, 2013. The permit was approved for the removal of "decorative" trellis and capping of beams at 2712-2836 Miradero Drive.

At least one Board Member was not notified of the scheduling of this Review nor had they seen the application. There was no notification to the Homeowners of the meeting, and those interested in presenting their opposing views on the topic were not able to do so.

There are homeowners who appreciate the architectural design of this extension of our roofline and beams from the interior to the outside through the floor to ceiling glass wall providing an indoor outdoor living look that has been kept since these were built in 1963.

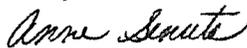
Protection of our glass walls and shade is also provided by this overhang.

The last maintenance has been admitted to have been done incorrectly plus maintenance has not been done as set aside in the HOA Reserve. Monies have been recently taken out of the budget therefore a Special Assessment was requested. These create the ability to say it is too expensive for upkeep.

A previous vote to keep the trellid was approved by the majority of homeowners. The recent vote after more deterioration that was not addressed and monies that were newly absent from the budget resulted in a majority of those responding to the vote, but not a majority of the homeowners, was to remove the trellis.

I am requesting an opportunity for more information to be presented for review before demolition of the property begins at 8am on Monday, February 25 as notes were slipped into mailboxes today, Friday Feb. 22, has let us know. Out of town or offsite owners most probably have less notice if any.

Sincerely,



Anne Senuta
enclosure

H 805-569-0501

C 805-453-1460

22 February 2013

Dear Resident,

The Association trellis maintenance project, Santa Barbara City Case #: BLD2013-00236, will begin Monday, 25 February, at 8am. This project consists of removal of the trellises and repair of the three beams on the exterior of your Unit. There is no requirement for you to leave your Unit, and of course no access to your Unit is required by the work crew, other than to the patio. You will experience some noise associated with the work, but otherwise you should expect a minimum of inconvenience.

While the crew will exercise care, you are encouraged to remove any items from under the trellises to ensure they are not damaged.

Thank you for your patience and understanding.

Villa Miradero North HOA Board of Directors

ATTACHMENT 2
CHRISTOPHER CLAYTON

1909 Grand Avenue • Santa Barbara, California 93108
Phone: 805.898.1821 • E-Mail: chris.clayton@cox.net

January 26, 2013

Scott Hopkins
Piekert Group Architects, LLP
10 East Figueroa Street, Suite 1
Santa Barbara
California 93101

Dear Mr. Hopkins,

I write to you in your capacity as a member of the City of Santa Barbara, Architectural Board of Review.

I am concerned that major modifications are about to be made to 40 of the 43 condominium units that comprise Villa Miradero North located on the north side of Miradero Drive just east of Alamar Avenue. A vicinity map is attached as Exhibit 1.

Villa Miradero North was built in 1962 and is a low-density development originally classed as a Community Apartment Project. It was very recently converted to condominiums. There are a total of 43 individually owned units arranged into 10 "haciendas" as shown on the site plan attached as Exhibit 2. The development also includes a swimming pool for the exclusive use of the owners and tenants. Each unit also has an associated unattached garage, the latter of which are arranged into 7 structures aligned along Villa Drive at the rear of the development.

Villa Miradero North could be classed as an outstanding example of single-story, low-density, multiple-family development constructed in the 1950s and 1960s; few of which remain intact today. The units have not undergone noticeable modifications to their original design: retaining their red tile roofs; post and beam construction affording cathedral ceilings throughout a section of the unit; large picture windows facing private patios; and a "trellis" design element acting as an extension of the roofline. In Exhibit 3 I attach copies of photographs illustrating typical units showing their setting, roof and trellis as well as the garages and community pool.

It is the "trellis" element of the units that is threatened with imminent demolition. The Board of Governors has made the decision (with the majority support of homeowners) to remove the "trellis" section from all units that possess one. This entails cutting back each of the three main beams that support the roof and walls of each unit and removing the attached decorative rafters (2 or 3 pairs, depending on unit).

Admittedly, there are maintenance and repair issues surrounding the "trellis" element, attributable in large part to many years of deferred maintenance. Please see attached photograph in Exhibit 4. It is

claimed by the Board that the removal of the "trellises" comprises a repair and maintenance action and, thus, does not require a building permit or consultation with the ABR.

I vehemently disagree with (a) the decision to remove the "trellises", and (b) considering their removal as an action beyond the jurisdiction of the City of Santa Barbara. I also attach a letter I recently sent to each of the Board members and the management company expressing my opinion on this topic. Please see Exhibit 5.

Should you wish to discuss this topic, feel free to call me (contact information at the head of this letter). I also provide you with the contact information for the Chairman of the Board of Governors of Villa Miradero North and the contractor chosen to undertake the proposed demolition work, respectively:

David Miller, Chairman
2810 Miradero Drive
Santa Barbara, CA 93105
805-708-9794

Wayne Ward
WD Ward Company
132 Garden Street, No. 18
Santa Barbara, CA 93101
805-466-6070
Contractor License No - 800574

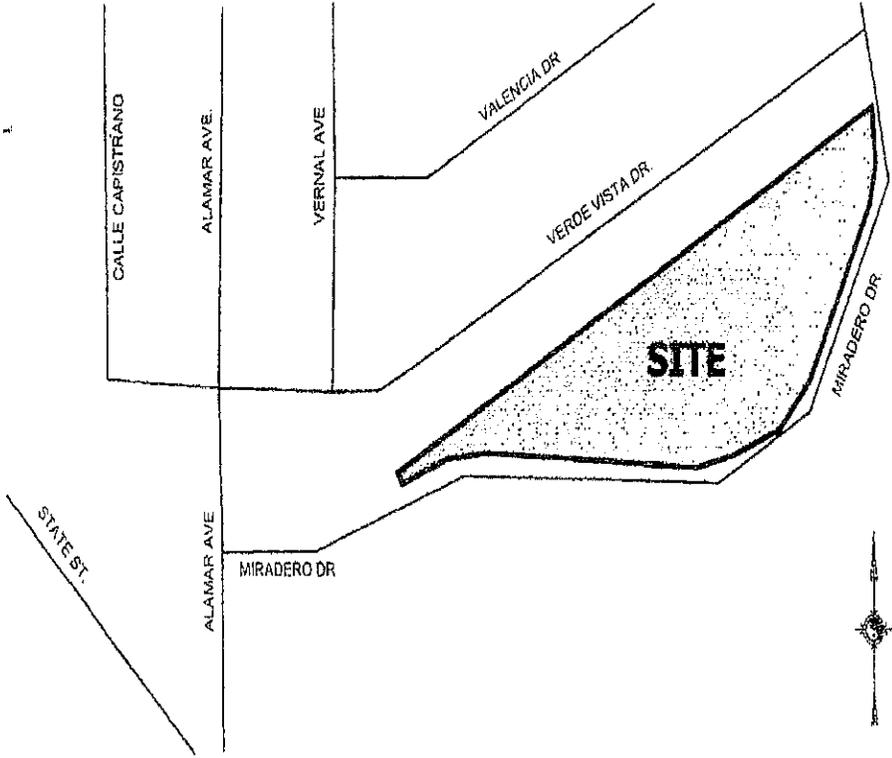
Sincerely,



Christopher Clayton (Co-Owner of unit 2740 Miradero Drive)

CC: Thiep Cung; Kirk Gradin; Stephanie Poole; William H. Wittausch; Paul Zink; James Nguyen, Bartlein Company; Wayne Ward, WD Ward Company

Exhibit 1: Vicinity Map



VICINITY MAP (NOT TO SCALE)

Exhibit 2: Site Plan

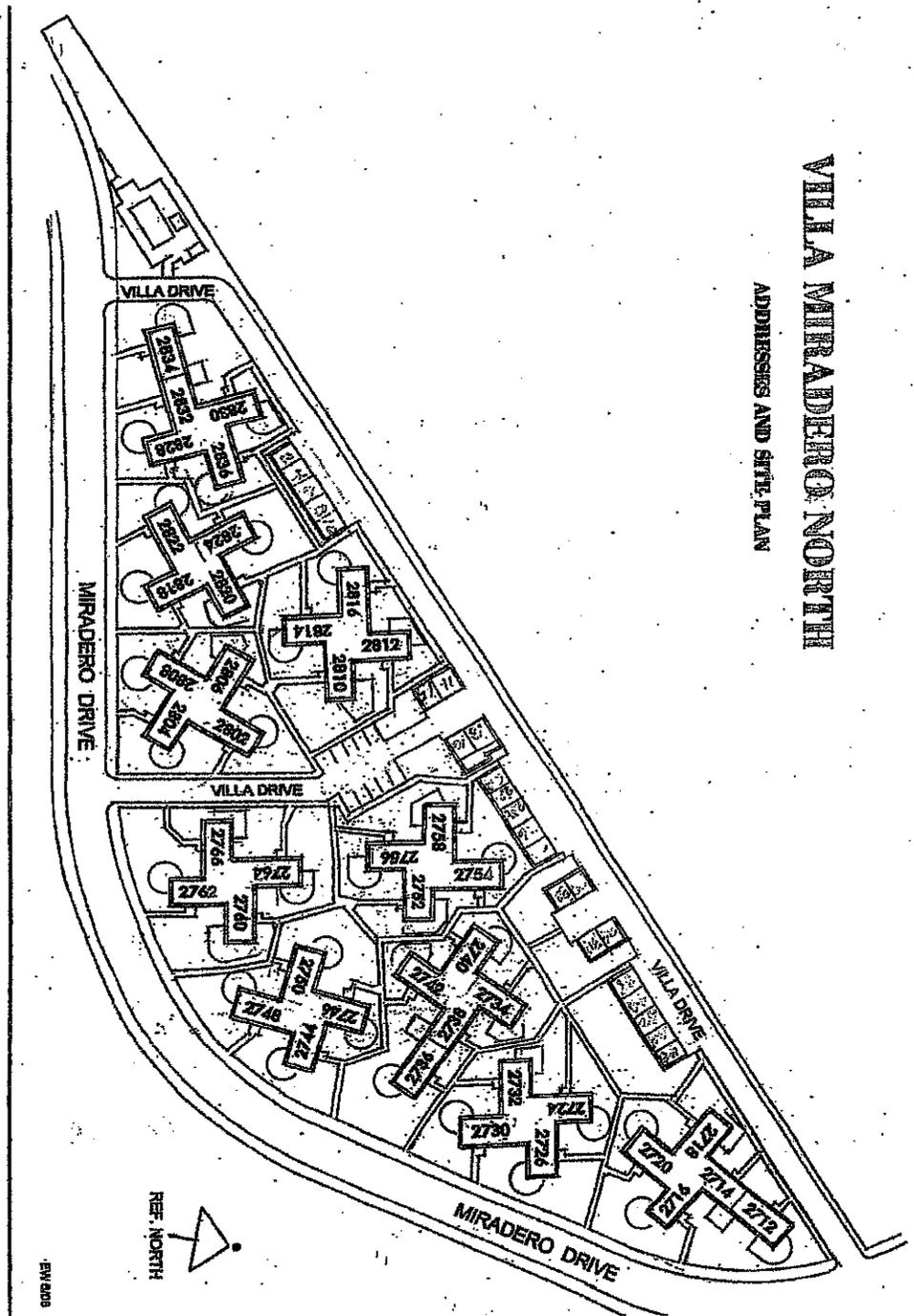


Exhibit 3: Villa Miradero North, Typical Units



Exhibit 3 (Continued): Villa Miradero North, Typical Units



Exhibit 3 (Continued): Villa Miradero North, Typical Units

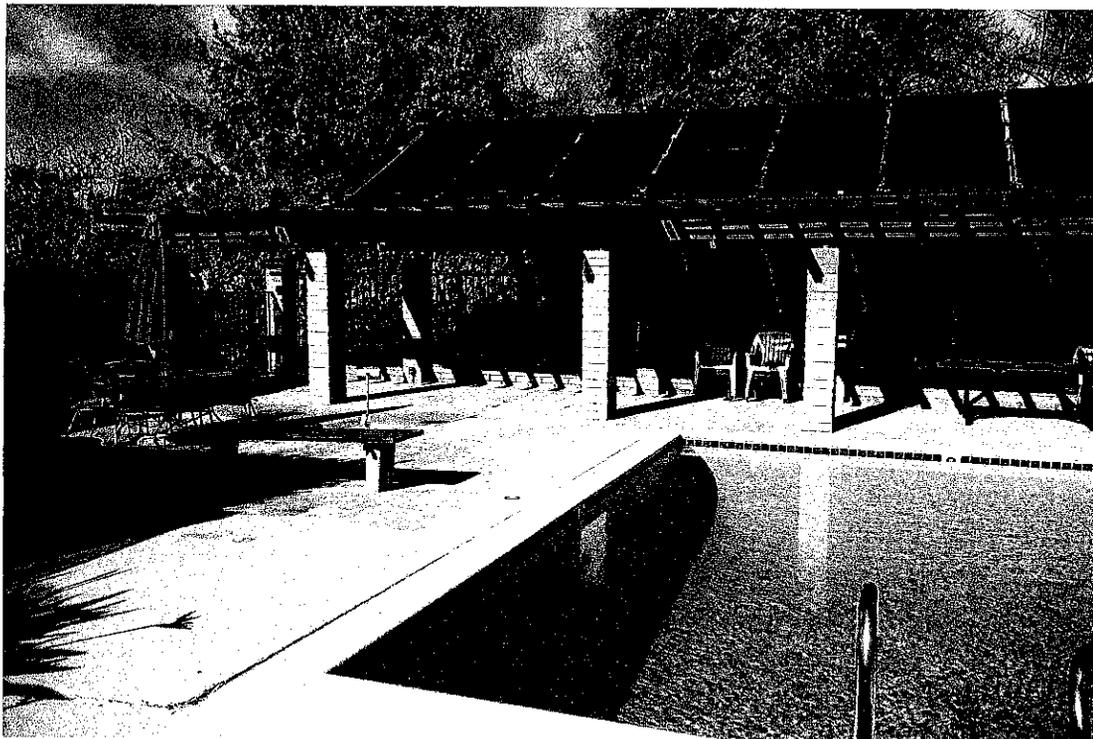
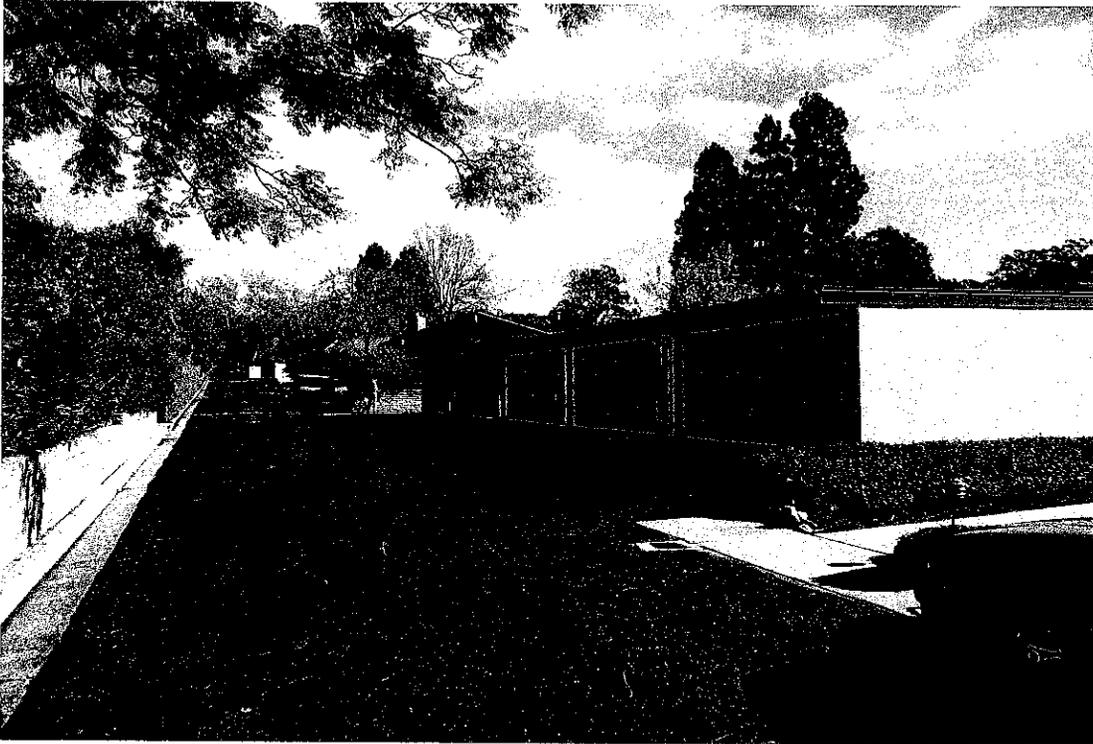


Exhibit 4: Damage to "Trellis"



**Exhibit 5: Letter to Board of Governors and Management
Company**

CHRISTOPHER CLAYTON

1909 Grand Avenue • Santa Barbara, California 93103
Phone: 805.898.1821 • E-Mail: chris.clayton@cox.net

January 22, 2013

James Nguyen
Bartlein Company
3944 State St #200
Santa Barbara
California 93105

Dear Mr. Nguyen:

I write to you concerning the proposed removal of the "trellises" at each of the units that possess them at Villa Miradero North: a proposal to which, as you know, I am adamantly opposed. Regardless of the eventual outcome of this proposal, there are certain requirements that must be fulfilled before the Board has the authority to proceed with the removal of the trellises.

- There are a number of types of projects that do not normally require a building permit from the City of Santa Barbara Building and Safety Division. Many of these items, however, are regulated to some extent by the Public Works Department and/or Planning and Zoning Division.
 - The proposal to remove the trellises at Villa Miradero North does NOT comprise one of these types of project. Thus, in the eventuality that this proposal moves forward, it will be necessary to acquire a building permit.
- Since a building permit is required, the proposed project is subject to review by the Architectural Board of Review (ABR). This requirement is based on the fact that the proposal would alter the exterior of the Villa Miradero North development and that the development is categorized as either (a) a multi-residential building or (b) two or more units on any non-single family zoned property.

My comments are based upon a conversation with Tony Boughman, Planning Technician (805-564-5470 ext. 4539) of the City of Santa Barbara Community Development Department, Planning Division.

I trust you will find this information helpful in your deliberations and will verify it.

Sincerely,

Christopher Clayton

CC: David Miller; Shirley Cabeen; Diane Hemmer; Julie Mercer; Mary Shambra

MT7 48° 17' W 5.39' R1

S80° 56' 50" W 27.56' C.F.R.

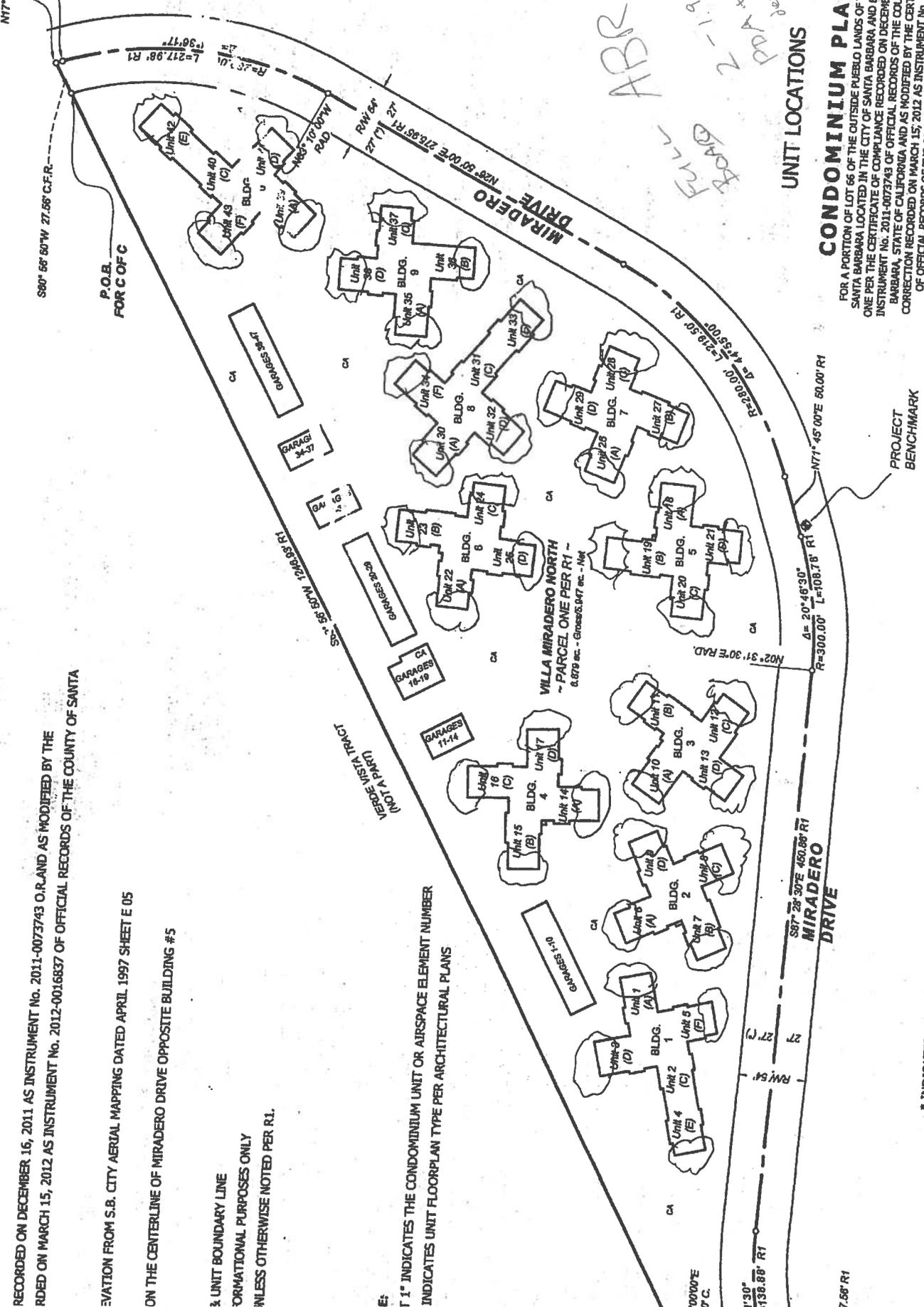
P.O.B. FOR C OF C

RECORDED ON DECEMBER 16, 2011 AS INSTRUMENT No. 2011-0073743 O.R. AND AS MODIFIED BY THE
 RECORDED ON MARCH 15, 2012 AS INSTRUMENT No. 2012-0016837 OF OFFICIAL RECORDS OF THE COUNTY OF SANTA
 BARBARA, STATE OF CALIFORNIA AND AS MODIFIED BY THE CERTIFICATE OF
 CORRECTION RECORDED ON MARCH 15, 2012 AS INSTRUMENT No. 2012-0016837
 OF OFFICIAL RECORDS OF THE COUNTY OF SANTA BARBARA, STATE OF
 CALIFORNIA

EVIATION FROM S.B. CITY AERIAL MAPPING DATED APRIL 1997 SHEET E 05
 ON THE CENTERLINE OF MIRADERO DRIVE OPPOSITE BUILDING #5

1/2 UNIT BOUNDARY LINE
 INFORMATIONAL PURPOSES ONLY
 UNLESS OTHERWISE NOTED PER R1.

1" = 1' INDICATES THE CONDOMINIUM UNIT OR AIRSPACE ELEMENT NUMBER
 INDICATES UNIT FLOORPLAN TYPE PER ARCHITECTURAL PLANS



ABR
 FALL
 PDV + FA
 Details to
 Staff

UNIT LOCATIONS

CONDOMINIUM PLAN

FOR A PORTION OF LOT 66 OF THE OUTSIDE PUEBLO LANDS OF THE CITY OF
 SANTA BARBARA LOCATED IN THE CITY OF SANTA BARBARA AND BEING PARCEL
 ONE PER THE CERTIFICATE OF COMPLIANCE RECORDED ON DECEMBER 16, 2011 AS
 INSTRUMENT No. 2011-0073743 OF OFFICIAL RECORDS OF THE COUNTY OF SANTA
 BARBARA, STATE OF CALIFORNIA AND AS MODIFIED BY THE CERTIFICATE OF
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 CALIFORNIA

* INDICATES AN EASEMENT FOR ROAD AND INCIDENTAL
 PURPOSES IN FAVOR OF THE CITY OF SANTA BARBARA, DES

ALSO KNOWN AS







PHOTO SIM











2013.02.05



2013.02.05



CONCEPT REVIEW - NEW ITEM**2. 2700 MIRADERO**

(3:40) Assessor's Parcel Number: 051-520-CA1
Application Number: MST2013-00058
Owner: Villa Miradero North HOA
Applicant: David Miller

(Proposal to remove existing attached gable pergolas at 40 residential condominium units.)

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

Actual time: 3:50 p.m.

Present: David Miller, Applicant/President of the Villa Miradero North HOA; Julie Mercer, Vice-President of the Villa Miradero North HOA; and Diane Hammer, Treasurer of the Villa Miradero North HOA.

Public comment opened at 3:52 p.m., and as no one wished to speak, public comment was closed.

A letter of concerns from Christopher Clayton was acknowledged.

Motion: Project Design Approval and Final Approval with conditions:

- 1) The Board evaluated the project and understands the buildings will have architectural merit without the trellises. It is unfortunate to see them be lost, but the Board understands the maintenance issues and replacing them is a significant financial burden on the applicant.
- 2) Provide a detail to staff showing that the remaining beam outriggers to have a minimum 8 inch projection beyond the roof tile, and have a sheet metal cap installed for further protection.
- 3) Provide a dimensioned detail for the condition that has a support column, and a detail for the condition where there is no column.

Action: Wittausch/Cung, 7/0/0. Motion carried.

The ten-day appeal period was announced.

CORRESPONDENCE
RECEIVED BY THE CITY CLERK'S OFFICE

**Villa Miradero North Homeowners Association
2810 Miradero Drive, Santa Barbara, CA 93105**

Santa Barbara City Clerk's Office
735 Anacapa Street
Santa Barbara, CA 93102

10 April 2013

Re: Rebuttal to February 22, 2013 Appeal of #BLDG2013-00236

To Whom It May Concern:

This document with attachments is submitted on behalf of the homeowners of the Villa Miradero North Homeowners Association in response to the February 22, 2013 Appeal of the Santa Barbara City Architectural Board of Review (ABR) decision of February 19, 2013. That appeal letter is as Attachment 1. This package is intended to demonstrate that the appeal is without merit. The Association proposal was fully documented, approved by a vote of the homeowners, and approved unanimously by the ABR.

The Association Board of Directors' position on this issue is clear and consistent with the decision of our homeowners. On January 22, 2013, subsequent to the vote of our homeowners, the Board President received a letter from one resident demanding a presentation to the ABR. On February 19th three Board members including the President presented the Association proposal to the ABR. On February 20th, following the ABR decision, the remaining members of the Board expressed their written support for the action taken.

The five allegations which constitute the basis for the appeal, in paragraphs 5 and 6 of the appeal letter, are false in their entirety.

First allegation: "The last maintenance has been admitted to have been done incorrectly..."

On the contrary, the last maintenance was the best that could have been done under the circumstances. Since their completion in 1963 the trellises have proven to be a financial burden for the community. Periodic maintenance could not stay ahead of the continuous deterioration caused by exposure to the elements; and in 2006 the Board implemented a massive repair and replacement program that ran 100% over budget, ultimately costing homeowners \$104,000. The specific maintenance "fix" that was implemented in the hope of correcting the problem is detailed as Attachment 2. The issue with the trellises is that the design itself is fundamentally flawed and cannot be corrected or fixed by modifying the

trellis-beam attaching mechanisms. The current problems are not related to the attempted corrective action of 2006, and this was explained to the homeowners in the June 10, 2011 Association Newsletter article as Attachment 3, "TO BE OR NOT TO BE", and again as part of the homeowner ballot as Attachment 4.

Second allegation: "...plus maintenance has not been done as set aside in the HOA Reserve."

This statement is not true. Routine maintenance is funded from the HOA Operating & Maintenance Budget, not HOA Reserve. Over the past six years minor maintenance has been performed on some trellises exhibiting significant deterioration. An additional \$20,000 was added to the Reserve Account for scheduled trellis repair in 2012 in conjunction with overall facility repainting, not routine maintenance, as per Attachment 5.

Third allegation: "Monies have been recently taken out of the budget therefore a Special Assessment was requested."

This statement is not true. Reserve funds are dedicated to specific infrastructure projects. They cannot, by law, be used for other purposes, and they were not. The \$20,000 is in the bank. That amount is insufficient, and that is the reason a Special Assessment vote was required.

Fourth allegation: "A previous vote to keep the trellid (sic) was approved by the majority of the homeowners."

This statement is not true. There was never such a vote until December 20, 2012 which was the basis for the Association proposal to remove the trellises. In fact, 6 years earlier, during the Association's Annual Meeting on November 28, 2006, a number of homeowners pleaded for the opportunity to vote on this issue but were denied. During this meeting the Board Chairperson, because of a personal preference for the trellises, simply declared that the issue had not been, and would not be, subjected to a vote of the homeowners. And it was not, until last year. An unedited transcript of the trellis portion of that 2006 Homeowner Meeting is as Attachment 6.

Fifth allegation: "... and monies that were newly absent from the budget resulted in a majority of those responding to the vote, but not a majority of the homeowners, was to remove the trellis."

This statement is not true. Of our 43 homeowners, 29 cast a ballot, and of those, 22, which constituted both a majority of those responding and an absolute majority of the homeowners, voted to remove the trellises. Just 6 homeowners voted for the assessment necessary to retain the trellises. The voting results are in the Association proposal to the ABR as Attachment 7.

Note: Because of the significance of the vote on this issue, our Management Company, Bartlein & Co., distributed an explanatory notification to homeowners on November 17, 2012 in advance of the balloting so there would be no confusion as to the requirements for passing a special assessment, stating "If the Association only receives 22 ballots back, just 12 ballots voting in the affirmative (the majority of the quorum of 22) is needed to pass."

Functionally, as regards the appellant's suggestion in paragraph 4 of the appeal, that the trellises offer shade, it is safe to say that at a certain time of the day during a certain period of the year the trellises contribute a modicum of shade. However, based on an examination of their numbers and orientation there does not appear to be any correlation to suggest that the trellises were installed as anything other than a decorative feature. See Attachment 8 for a brief discussion of this issue.

Architecturally, the Association's proposal to eliminate the visual clutter created by the trellises will bring our facilities into conformance with the surrounding neighborhood by revealing the tiled rake which will enhance the Spanish-style appearance of our homes.

With the appeal the City Council is being asked to:

- 1) Disregard the facts and accept as truths the falsehoods that comprise the appeal,
- 2) Overturn the vote of our homeowners,
- 3) Overturn the unanimous vote of the Architectural Board of Review,
- 4) Impose a \$93,000 financial burden on the Association.

Thank you for your time and consideration. The Board of Directors on behalf of the homeowners of the Villa Miradero North Homeowners Association request that you deny the appeal.

Sincerely,



David Miller
President, Board of Directors
Villa Miradero North HOA

8 Attachments a/s

Anne Senuta
2836 Miradero Dr.
Santa Barbara, CA 93105

RECEIVED

2013 FEB 22 PM 4:30

CITY OF SANTA BARBARA
CITY CLERK

February 22, 2013

Santa Barbara City Clerk's Office
City Hall
De La Guerra Plaza
735 Anacapa St.
Santa Barbara, CA

To Whom It May Concern:

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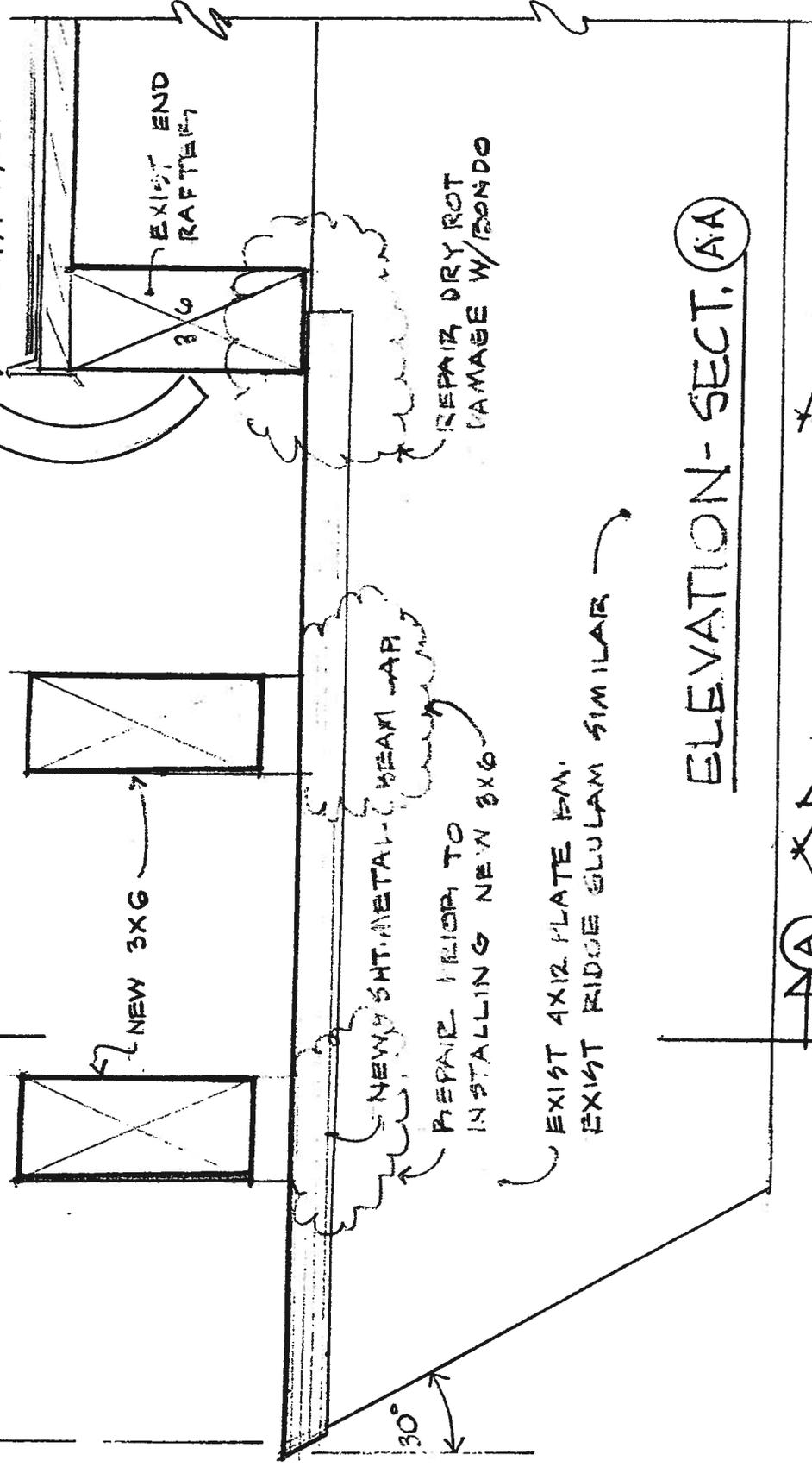
Anne Senuta
enclosure

H 805-569-0501

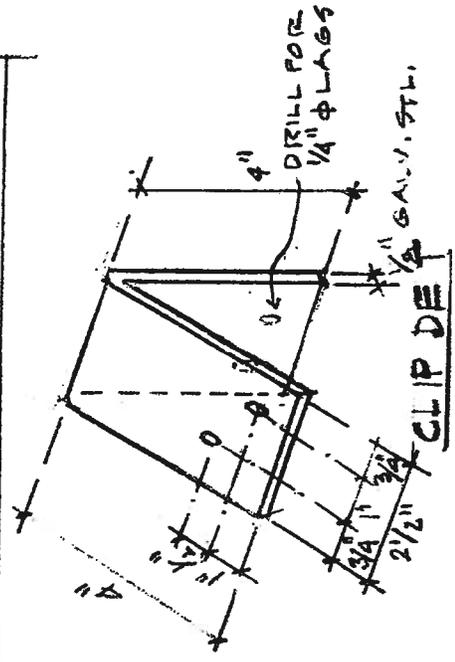
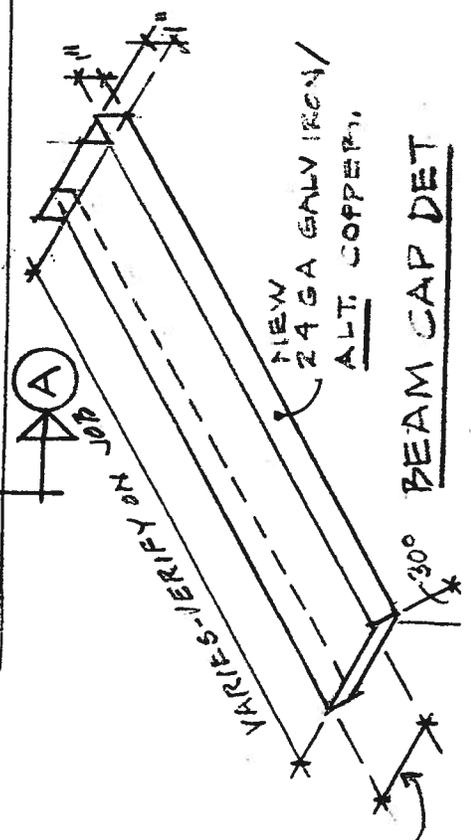
C 805-453-1460

**N. ADELFO NORTH
TRELLIS REPAIRS**

VARIABLES - SOME TRELLIS HAVE 3 RAFTERS.

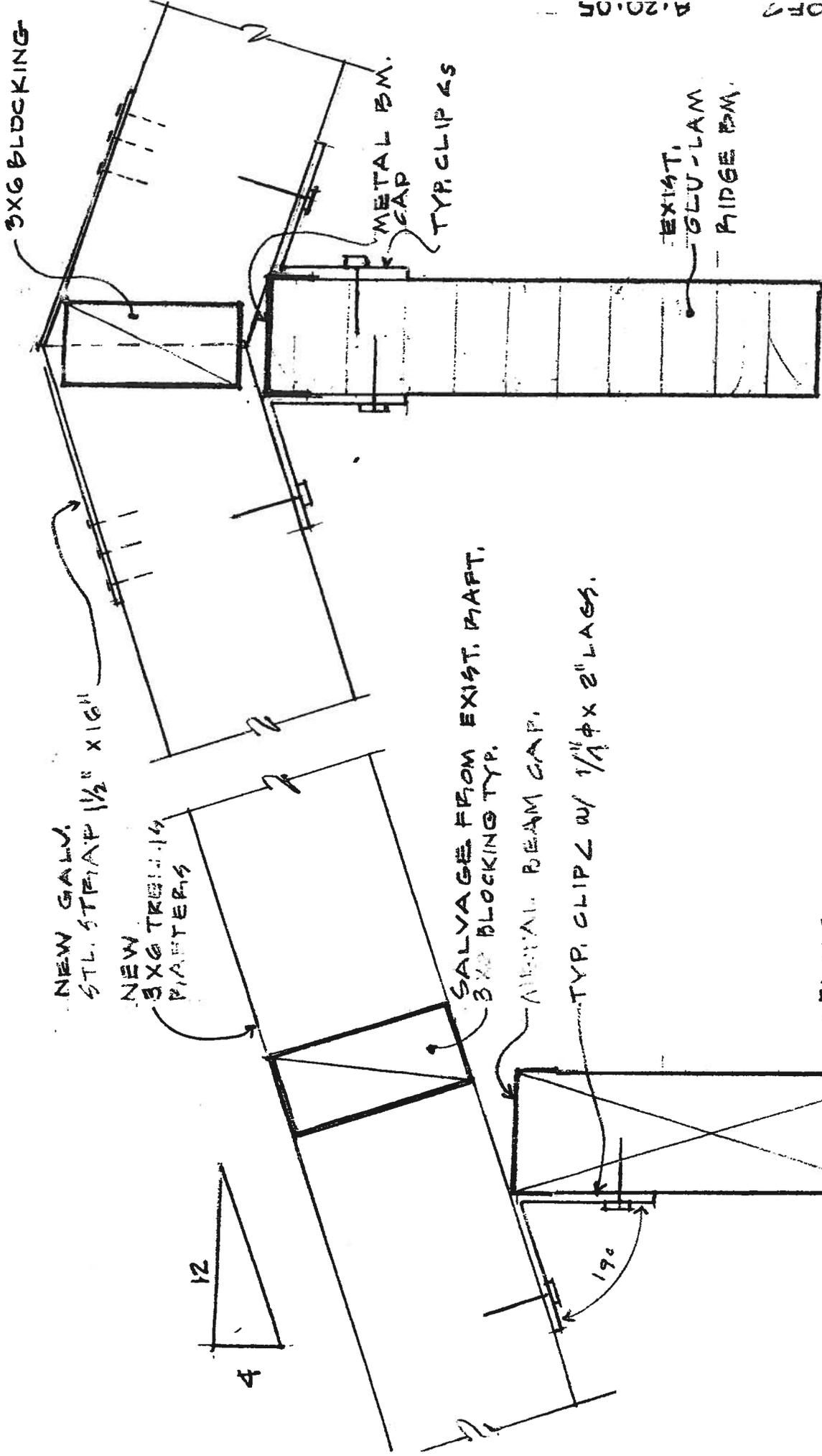


ELEVATION- SECT. AA



VARIES - AX12 PLATE BEAM # 3/4 X 1 1/8" GLULAM RIDGE BEAM

MIRAFLEJO NORTH
TRELLIS REPAIRS



3X6 BLOCKING

NEW GALV. STL. STRAP 1/2" X 16"

NEW 3X6 TRELLIS PLATE BEAMS

SALVAGE FROM EXIST. TRUSS 3X6 BLOCKING TYP.

METAL BEAM CAP.

TYP. CLIP \angle W/ 1/4" X 2" LAGS.

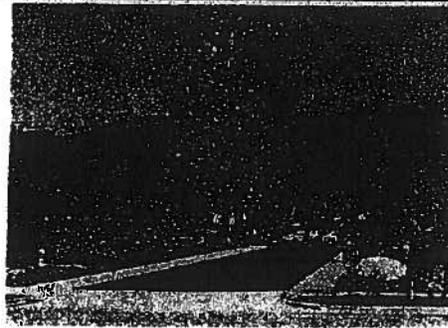
EXIST. AXIS PLATE BEAM.

METAL B.M. CAP TYP. CLIP \angle S

EXIST. GLU-LAM RIDGE B.M.

NOTE: REPAIR BEAMS WITH DRYROT & TERMITES DAMAGE PRIOR TO RESET

SECT. AA



**VILLA MIRADERO NORTH
HOMEOWNERS' ASSOCIATION**

--- NEWSLETTER ---

June 10, 2011

SPECIAL ASSESSMENTS NOW DUE

The one-time Special Assessment of \$225 to proceed with the application to apply for the Fannie Mae approval list was due June 1.

In addition, the first of five installments to proceed with the condominium conversion process was also due on June 1. It may be paid in full or in installments, as follows:

- \$400 due on June 1, 2011
- \$400 due on August 1, 2011
- \$400 due on October 1, 2011
- \$400 due on December 1, 2011
- \$400 due on February 1, 2012

Please remember that the special assessment is due on the 1st of the month and is late after the 15th of the same month. Otherwise, there will be a 10% late charge. If you are on the automatic pay program, you will still need to write check(s). Please make your check(s) payable to "Villa Miradero North Homeowners Association" and send it to Bartlein & Company, Inc., 3944 State Street, Suite 200, Santa Barbara, CA 93105-3170. Remember to write "Special Assessment" on the memo line.

NEW FORMAT OF MINUTES

You may notice a change in the format of the attached minutes for the May meeting. This is a direct result of an allegation from one of the attorneys engaged by a homeowner, who informed the Board that the minutes "have not

fulfilled the obligation of the Board to clearly relate..." and are lacking in clarity. In the interest of avoiding any future conflicts and potential litigation, issues of the minutes will be considerably condensed, effective with the May meeting.

**CONDOLENCES TO
PHYLLIS WESTWICK and FAMILY**

On behalf of VMN, the Board would like to extend its condolences to Vice Chairman Phyllis Westwick and her family on the death of her husband, Jim. With his deep, booming voice, Jim was a long-time neighbor who was a delight to meet under any circumstances. He was always cheerful, easily apt to share an amusing self-deprecating story, and interested in everyone he met. We will sincerely miss his smile, style, and zest for living.

BRIEF CONDO CONVERSION UPDATE

The Committee contacted two title companies whose estimates both ranged between \$600 - \$650 per unit. One title company indicated an unknown further amount for outsourcing the research. In addition, one of the title companies performed a preliminary title search (no charge) and determined that there are only 14 deeds of trust on VMN units. This is very good news as it can make the conversion process much easier, having so few lenders with whom to deal.

(Continued on next page)

VILLA MIRADERO NORTH OWNERS ASSOCIATION

Two land surveyors were contacted: one estimate was between \$300 - \$350 per unit; the other for \$1,186 per unit. Checking with the County Assessor's Office, the Committee confirmed that our property will not be re-assessed. There is some confusion with the County Tax Collector's Office whether we may have to pay the full annual tax bill in advance.

Another discrepancy uncovered is that one loan officer at Santa Barbara Bank & Trust professed a willingness to provide financing with 40% down from a qualified buyer; another loan officer says it might be considered on an exceptional basis, but not too likely.

The Committee had a meeting with Steve McGuire, Esq. on May 4th. After reviewing our legal documents, and knowing that even though twenty-eight owners voted in favor of the special assessment to accomplish this legal change, he suggested that he prepare a simple amendment to the CC&R's that drops the two-thirds vote to a majority for conversion only. If the "short amendment" is approved, it would also apply to lenders, as the law interprets our CC&R's to require two-thirds of their approval too, for the conversion to pass. Mr. McGuire, speaking from experience, has indicated how difficult it is to get two-thirds of lenders to agree, so he has suggested we lower our approval rate to 51% -- which would hold for both owners and lenders. However, it is important to stress that it would take two-thirds of the owners to approve this change. If the "short amendment" did not receive 29 votes, we would be discovering this at the beginning of the process instead of the end.

TO BE OR NOT TO BE

In the years preceding 2005, the Villa Miradero North HOA invested a considerable amount of money repairing and replacing the trellis rafters (trellises) attached to the three support beams extending from the end of each of forty of our units. The Association was fighting a losing battle to preserve 120 beam extensions and their 164 attached trellises from continuing deterioration. The factors contributing to the deterioration included a design that exposes beams and trellises to the elements, extended and unsupported trellis length that fostered warping of the trellises, dark paint that absorbed heat and promoted the breakdown of the painted surfaces, and – most critically – a construction technique that involved a seat-cut notch in the trellises to attach them to the support beams. This method of attachment defined the primary locations of termite infestation and rot.

In 2005, Gene Weston submitted a proposal to the Board that involved replacing the seat-cut attachment technique with angled brackets that would avoid the wood-on-wood contact problem. He further proposed covering the exposed ends of the supporting beams with metal "caps" and splicing replacement sections to damaged beams. His was an effective solution to those problems. In the six years since implementation, there has been no noticeable deterioration either at the beam/trellis connection points or along the tops of the capped supporting beams.

However, the remaining problems – weather, exposure, paint, and extended trellis length – could not reasonably be addressed. That combination of factors has, in the subsequent

VILLA MIRADERO NORTH OWNERS ASSOCIATION

six years, resulted in trellis warping, paint peeling, and continued deterioration in the original unspliced sections of the beams. The extent of trellis warping and paint peeling is evident throughout the complex. No unit is immune. The total extent of damage to the supporting beams is unknown, but a dramatic example is shown in the photo below.

Your Board is now considering two options to address the ongoing problems:

1) Retain the existing design by removing 41 damaged trellis members and replacing them with new ones, repair any damaged support beams as they are located, and repaint all trellises and beams. This option will cost approximately \$40,000;

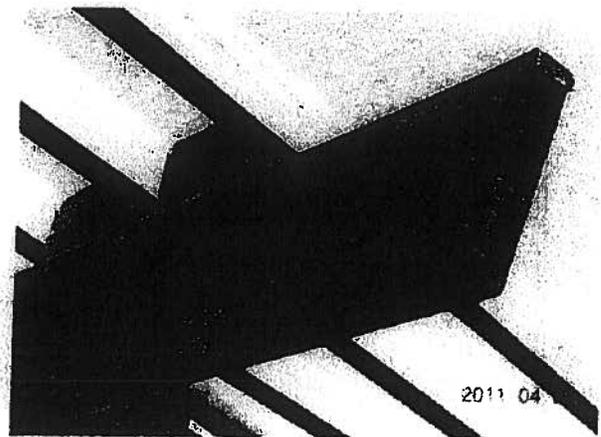
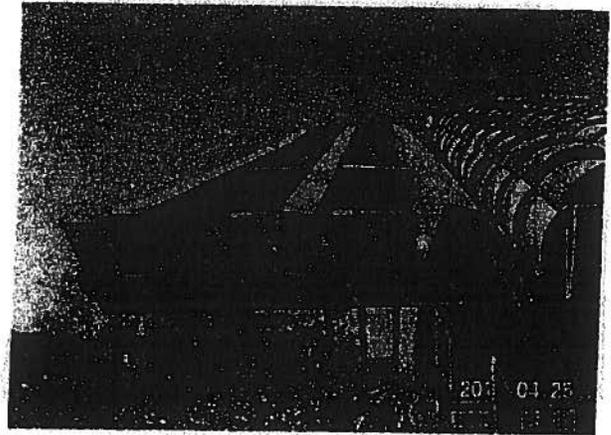
2) Remove the trellises permanently, cut back the support beams at the existing angle to approximately four inches from the eave and cover them with the salvaged metal caps described above. This option will cost approximately \$20,000.

With either option there are pro's and con's, many of which were addressed at the May 19th Board of Governors meeting. This article is meant to introduce the subject to the homeowners before a final decision is reached. Due to the significance of the decision, the Board decided to solicit homeowner input. To encourage that input, we have provided an approximation of what a unit would look like under option 2 in the form of a demonstration site – admittedly incomplete and rather gawky. Ms. Vera Krogh at 2818 has graciously offered her unit for this purpose. We have removed the trellises (we have to leave “reduced-beam-length” to your imagination since we may have

to replace trellises back onto those beams if option 2 is not selected). This demonstration site will better reveal the finished tile design at the rake and the contrast in beam deterioration between that section under the eave and that exposed to the elements.

Please check out unit 2818 and provide your thoughts to the Board. This item is on the agenda for the June 16th meeting at which time the Board may make a decision.

- Building Maintenance Committee



VILLA MIRADERO NORTH

HOMEOWNERS ASSOCIATION

November 2, 2012

Hello Villa Miradero North Homeowners,

This mailing comes to you presenting a matter of importance to Villa Miradero North homeowners – the trellises on our haciendas.

As you may remember, the trellises underwent major and costly repair and replacement in 2006, at a cost of \$92,000. It is time that trellis work needs to be done again.

A presentation of background and discussion of trellis maintenance, an in-depth cost analysis, and a large color photo showing the appearance of a hacienda with trellises removed is included in this mailing.

We hope that you find these materials clear and informative.

Also included in this mailing are a vote ballot, ballot procedures, and inner and outer envelopes for return of the ballot.

We ask that you vote now on one of two options related to trellis maintenance.

Please observe the ballot procedures, vote your choice, and mail or deliver your completed ballot to be received by the Inspector of Elections, Lily Sanders, 2816 Miradero Dr, Santa Barbara, CA 93105, before the start of the vote count process at the regular Board Meeting on December 20, 2012.

Your vote is very important to Villa Miradero North HOA.

Sincerely,

VMN Board of Governors

November 2, 2012

TRELLISES BACKGROUND/DISCUSSION

In the spring of 2011, the Association's Building Maintenance Committee (BMC) developed and distributed solicitations detailing two options to address the trellis issue; one to repair and replace selective trellises and their supporting beams, and one to remove the trellises and shorten the supporting beams. Responses from five vendors were evaluated and the results presented to the Board of Governors at the 21 July 2011 meeting.

Option 1 provided for replacement of some 41 trellis members, repair of the supporting beams, retaining the existing protective caps and painting for \$40,000, plus additional unspecified out-year maintenance costs.

Option 2 involved removing the trellises completely to reveal the finished tile design at the roofline, reducing the length of the supporting beams, and retaining the existing protective caps, subject to Architectural Board of Review approval if required. It was the BMC's position that this option would update the appearance of the haciendas with a one-time cost of \$20,000 and incur only minimal out-year maintenance expenses.

At attachment 2 is a photographic rendering of the look for a typical VMN hacienda as recommended by the BMC, with reduced beam length and revealed-tile finish. With reference to this photo it is necessary at this time to explain that the trellises are not an integral architectural or structural feature of our haciendas. They are original, but not integral. As an illustration, the ridge beams supporting the roofs are integral in the sense of being fundamental to the structure. The trellises and their supporting beams are neither structural nor integral.

During the Board meeting in August several homeowners objected to the Board's pending vote to remove the trellises, one homeowner stating that the trellises could be salvaged and repaired, i.e.; straightened, and selectively replaced for considerably less than the \$40,000 as presented by the BMC. Thereupon, the Board suspended its vote and appointed a Trellis Committee consisting of Gene Weston, Jerry Homan, Chris Clayton and Robert Liebman to develop a proposal for repair and replacement that would not exceed \$40,000.

Over the course of the next twelve months this committee performed an independent assessment of the trellises, conferred with several contractors, and concluded that the trellises could not feasibly be replaced selectively, but would again have to be totally replaced (as had been done previously in 2006 at a cost exceeding \$90,000). To compensate for the unsupported and extended length of the trellises the committee proposed adding more wood to the structures by inserting wood bracing-blocks between the trellis members to minimize the warping they predicted would inevitably occur due to the trellises' length and exposure to the elements, blocking which would change the appearance of the

trellises (July 19, 2012 Trellis Committee Status Report to the Board). This proposal became the new Option 1.

The cost of this option should be considered in the context of the total infrastructure costs looming on the 2013 horizon. The price tag is \$93,000, quite possibly more (this includes \$6,000 maintenance set-aside for future years), as estimated by the Finance Committee per attachment 1. This option, because of its complexity and unknowns, requires the services of a project manager (licensed building contractor with insurance for condominium projects) to develop solicitations, oversee repair/replacement of wood damaged by termites, treatment of exposed surfaces, selection and installation of trellis and bracing-material, and painting of exterior wood surfaces on all units to protect against future infestation. Estimates for Project Management range from \$10,000 to \$50,000; the Finance Committee chose \$15,000 for their \$93,000 total estimate. The Association currently has \$20,000 earmarked for trellis repair. Because of the project's unknowns and the imprecision of estimated costs, the \$20,000 would be used to cover costs that exceed current estimates and thereby limit the special assessment to \$2,200 per unit. In addition to this possible \$2,200 assessment in 2012, homeowners will be asked to vote in 2013 on an additional assessment potentially as high as \$2,200 to complete the Condo Conversion and accomplish scheduled infrastructure projects (See VMN 2013 FINANCIAL & BUDGET). This brings the total potential assessments subject to homeowner approval for the next two years to \$4,400 under the Option 1 scenario.

The scope and complexity of Option 2 is significantly less and would be managed by the Association's reconstituted BMC as proposed in 2011. The \$20,000 referenced above would fund the project and obviate the necessity for an assessment in 2012. However, there is still the 2013 Condo Conversion assessment referenced above, bringing the total potential assessment subject to homeowner approval for the next two years to \$2,200 under the Option 2 scenario.

With this information regarding the complexity and potential costs of the two options, it is the homeowners who will make the final determination through this Special Assessment ballot.

Attachments:

- 1) Trellis Project Cost Analysis
- 2) Photo of Hacienda w/o trellises

Cost Analysis for Trellis Replacement and Repair of Support Beams

The Trellis Committee estimated that the cost of removal and replacement of all trellis members plus the cost of repair (or removal and replacement) and refinishing of their support beams will be \$60,000, but this estimate did not include a fee for daily on-site supervision of the project, nor did it specify if any additional costs would be incurred for time and materials (T&M). The Trellis Committee also failed to draft a proposed scope of work that could be sent out for bids.

Given that all VNM trellis members were replaced approximately 6 years ago, it is clear that there is a useful life for an average trellis member that must be taken in to account in order to begin now to accumulate monies in the Reserve Fund sufficient to pay for future trellis removal and replacement (just as Reserve monies are collected in advance for reroofing and replacement water heaters). The Finance Committee (FC) estimates that with a significant upgrade in trellis and support beam maintenance that the useful life for all VMN trellises and their support beams should be about 10 years.

According to California law, all such Major Repair and Replacement (MR&R) projects in a condominium are to be paid from Reserves that have been accumulated in advance of the dates when the actual work must be done. The law also requires that a Reserve Study be conducted every three years to determine whether or not adjusting the schedule for specific projects is warranted based on updated information about the true costs of the items on the list of future projects -- including changes in the cost of labor and materials -- and to add, if appropriate, additional projects/items to the MR&R list. The law takes this approach in order to insure (a) that future projects are identified and funded in advance, and (b) to avoid to the degree possible the need for Special Assessments to pay for the full cost of an MR&R project. Unlike a local or State government, condo associations are not empowered to borrow to pay for such projects.

Reserve funds are accumulated monthly as a portion of every monthly assessment (the other portion of the monthly assessment is used to fund annual operating expenses). In addition whatever is saved in the course of a scheduled MR&R project (as a result of good project management, lower-than-estimated costs and/or luck), or saved at the end of the year from annual operating expenses due to good cost management, good weather and/or luck, is also returned to the Reserves. The problem facing VNM Home Owners now is that when the trellises were replaced 6 years ago, no provision at all was made to estimate and fund the replacement of trellises in the future. That, in a nutshell, is why a Special Assessment would be necessary, and also why the amount being requested must be greater than simply the costs associated with trellis replacement in the current year. We cannot afford to skirt California condo law by failing to fund Reserves sufficient to begin paying now for future trellis replacement.

The Finance Committee considers removal/replacement cost estimated by the Trellis Committee to be a significant underestimate and suggests that the original estimate be increased by twenty percent (\$12,000) to \$72,000. The Finance Committee, after consultation with others who have significant project management experience, feels that it is fiscally prudent and arguably necessary to include the cost of an independent manager to provide daily, on-site supervision, and that a project of the size and scope of the proposed project would entail a total management fee of roughly \$15,000. The FC has therefore recommended that this cost also be included in the calculation of the Special Assessment. In addition, to begin the required accumulation of Reserves to pay for a similar project in ten years, The FC recommends that \$6,000 be included this year in the Special Assessment, and that next year (i.e., in 2013) the monthly assessment be increased by \$12 per month per unit which will be assigned to increase the Reserve Fund for future trellis replacement. Finally, to insure

that the investment made in new trellises not be wasted, the FC recommends that the monthly assessment also be increased by an additional \$25 per month per unit in order to pay for anticipated additional costs associated specifically with annual trellis maintenance (for example, painting trellises and beams with high-gloss paint, and immediate repair and repainting as necessary to maintain their appearance).

Breakdown of Proposed Special Assessment:

Estimated cost for Time and Materials	\$72,000
Estimated cost for Project Management	\$15,000
Contribution to Reserve Fund for 2012	\$ 6,000

Total	\$93,000
Special Assessment per unit:	\$ 2,163



Optimized Cash Flow Analysis for Villa Miradero North Owners Association

RESERVE COMPONENTS	Estimated Useful Life (years)	Estimated Remaining Life (years)	Estimated Current Cost to Replace	Fiscal Year Beginning Jan 1, 2012	Fiscal Year 2013	Fiscal Year 2014	Fiscal Year 2015	Fiscal Year 2016	Fiscal Year 2017
RESIDENCE ROOFS									
Tile Roof Underlay - #2720,2732	40	26	\$149,700						
Tile Roof Underlay - #2742	40	27	\$83,200						
Tile Roof Underlay - #2758	40	28	\$66,500						
Tile Roof Underlay - #2816,2824	40	30	\$133,100						
Tile Roof #2750,2766,2808,2836	40	31	\$282,700						
Flat Roofs- Bldgs #2720, 32, 42	20	8	\$8,600						
Flat Roofs- Bldgs #2758	20	9	\$2,900						
Flat Roofs- Bldgs #2816, 2824	20	10	\$5,800						
Flat Roof #2750,2766,2808,2836	20	11	\$11,500						
Roof Repair/Maint. 2011/12/13	6	0	\$10,000	\$10,000	\$10,300				
Raingutters & Downspouts (Phased)	20	1	\$52,000		\$26,780	\$27,583			
GARAGES									
Garage Flat Roofs (4) 2009	20	17	\$18,000						
Garage Flat Roofs (3) 2010	20	18	\$27,000						
Garage Doors (17) 2009	30	27	\$12,300						
Garage Doors (30) 2010	30	28	\$24,000						
PAINTING									
Stucco Paint (Units & Garages)	15	10	\$51,400						
Trellises - Paint/Repair	6	0	\$20,000	\$20,000					
Wood Trim Paint (Units & Garages)	6	1	\$54,000		\$37,080				
Front/Back Doors - Paint	8	4	\$4,000					\$4,502	
STREETS & DRIVEWAYS									
Asphalt Sealcoat/Stripe 2009	4	1	\$6,000		\$6,180				\$6,956
Asphalt Patch (Partial Areas)	4	1	\$5,800		\$5,974				\$6,724
Asphalt Grind & Replace	22	12	\$82,900						
Concrete Paving/Root Barriers	1	0	\$2,000	\$2,000	\$2,060	\$2,122	\$2,185	\$2,251	\$2,319
Entry/Park Area Upgrade	One-time	3	\$15,000				\$16,391		
SWIMMING POOL									
Pool Resurface 2003	20	12	\$12,500						
Pool Filter & Pump	10	6	\$2,000						
Pool Skimmers - Replace	30	12	\$3,600						
Concrete Pool Deck	45	2	\$30,000			\$31,827			
Pool Area Lights & Motion Sensors	40	2	\$7,500			\$7,957			
POOL BUILDING RENOVATE									
Pool Building Renovation	One-time	2	\$50,000			\$53,045			
Pool Solar System Replace	18	2	\$10,000			\$10,609			
Pool Pump House Renovation	One-time	2	\$12,000			\$12,731			
IRRIGATION SYSTEM									
Irrigation Controllers (2011)	15	14	\$5,000						
COMMON UTILITIES									
100-Gal Water Heaters (1/Year)	1	0	\$3,000	\$3,000	\$3,090	\$3,183	\$3,278	\$3,377	\$3,478
Potable Water Lines (2011/12)	One-time	0	\$55,000	\$55,000					
Water Softener Enclosures - I	One-time	4	\$30,000					\$33,765	
Water Softener Enclosures - II	One-time	5	\$30,000						\$34,778
MISCELLANEOUS									
Termite Treatment (Phased)	1	0	\$9,000	\$9,000	\$9,270	\$9,548	\$9,835		
Custom Signs (2008/12)	40	1	\$10,000		\$10,300				
Unscheduled Capital Expense	1	0	\$1,000	\$1,000	\$1,030	\$1,061	\$1,093	\$1,126	\$1,159
Inflation factor applied each year				1.000	1.030	1.061	1.093	1.126	1.159
Estimated total reserve expense	(Costs adjusted for Inflation)			\$100,000	\$112,064	\$159,666	\$32,782	\$45,021	\$55,414
CASH FLOW FORECASTS									
Annual reserve funding	RECOMMENDED →			\$55,896	\$57,572	\$59,300	\$61,079	\$62,911	\$64,798
Special Assessment: Plumbing & Pool Bldg Renovate \$2000/unit, 2014						\$86,000			
After-tax interest earnings	(on reserve account)			\$488	\$372	\$227	\$190	\$266	\$314
Gross reserve account income				\$56,383	\$57,944	\$145,527	\$61,268	\$63,176	\$65,112
Annual reserve expense	(from total above)			\$100,000	\$112,064	\$159,666	\$32,782	\$45,021	\$55,414
Net annual reserve income	(reserve expense - reserve income)			(\$43,617)	(\$54,120)	(\$14,140)	\$28,486	\$18,155	\$9,698
Reserve Acct - Beginning of year				\$183,000	\$139,383	\$85,263	\$71,124	\$99,610	\$117,765
Reserve Account - End of year				\$139,383	\$85,263	\$71,124	\$99,610	\$117,765	\$127,463

(Numbers refer to numbers on the Sony Tape Machine counter)

- # 1-90 Maggy Cara's opening speech to homeowners
 Bob Bartlein - Budget Matters (referring to a copy that presumably all homeowners have)
- #90 - 315 Earthquake Insurance
 #100 - Tiiu's comments re Northridge Earthquake
 #225 - Q about consequences of NOT having earthquake insurance, and Bob Bartlein's response
- #315 Co-Mingling of Funds
 Maggy's comments
 Whitney's Question: Re whether the current Board gave written authorization to Bartlein
 #341 Bonnie asking for clarification of the process of the Board giving authority to Bartlein (i.e., is it renewable every 30 days by the Board? and when was the permission given?)
 #344 Bob Bartlein - "it automatically continues until someone wants to . . ."
 #345 Maggy - The authorization was given to Bartlein at the July 2006 Board meeting - continues until the Board changes it??

#347

Trellis Issue:

Q - By unknown person (Joe Petrini? Dale Whitney?)

"Another question . . . for the Board in power --

"Now, about the - what I undertand was a cost overrun to repair the trellises . . . \$40,000 cost overrun . . . What was supposed to be \$50,000 was now \$90,000 . . . my understanding is . . . the Board \$3,000, as homeowners (garbled) . . . So, was that cost overrun approved and paid for without asking the homeowners' approval which would be counter to so I'm asking, did something like that happen?

A - Bob Bartlein - "I don't believe there was any request for approval by the homeowners

Q - "No, no, it's in the CC&R's

Comment (Diane Hemmer?) - "Only if it's a non-budgeted item . . . this was a budgeted item that went over, but it was a budgeted item."

A Bob Bartlein - "Well, my understanding is that those CC&R's . . . position . . . has been overruled by the California Civil Code, I may be wrong, you probably should get some legal advice if you're concerned. But my understanding is that the Civil Code gives the authority to the Board regardless of what your CC&R's say . . . but that may be wrong."

Joe Petrini: "But this lady here says it's OK because it was a budgeted item . . ."

"I would take issue with that . . .(garbled)."

#355

Gene Weston: "Unfortunately there has been a misunderstanding as to what happened. We started out with the trellises which consisted of two elements, rafters and beams. The rafters are not structural, the beams are structural. As we progressed through the units – there are 120 beams that we have in the whole development. As we started through the process of checking them . . . (garbled) . . . we found it was much, much, much worse than ever anticipated -- they had been covered up very nicely by about 3 or 4 coats of paint, and if you're curious about what it was – I've got some pictures . . ."

Joe: "Actually my point about it is this"

Weston: "We had no way of estimating "

Joe: "It's a matter of what I . . . as communicating with the homeowners . . . going over it with them after the fact and talking about what are we going to do, it's a lot worse than we thought - that's the point - now, I can see where a lot of people would want to go -- I can see where some people would say well I don't know – it's really not a matter of how much needed to be done, it's . . . the cost of it . . . from my understanding, is not dealing with . . ."

Weston: "But the thing is, if we hadn't done anything – some of those beams were so far gone they would start to fail, and when that happens the roof starts to fail."

Tiiu Jacobson: I have no problem with the dry rot - you have to take care of it. The question I have is was that work put out for bid, were there two or three . . ."

Weston: "Two bidders - one was twice that of the lower bidder, but that did not include the dry rot because we had no idea of how much there was. There was absolutely no way of knowing."

Bonnie: "Well, the other question was whether repairing the trellises or not, without going into – belaboring it -- there were a lot of people, because of the cost overrun, that did not want to keep the trellises and somebody made the decision without consulting with homeowners as to whether we should keep the trellises or not because of aesthetics and du-du-de-duh, and I happened to have had a bid for \$8,000 to cut them all off – \$8,000! To cut them ALL off -- just get the trellises off – and that does not affect the beams – "

Weston: "Yes it does."

Bonnie: "Well, to a certain extent, yes. But we weren't – NOBODY -- NO homeowners were ever consulted – that's the bottom line."

#373

Maggy: "The Board has a responsibility to protect the architecture of the property. This is the responsibility of the Board. We cannot just say we don't like it, it's too expensive, we're going to take it off. I will give you another example. The roof. The tiles on our roof are just decorative, we don't need them because they are lying underneath those tiles (sic). So, some say well we don't need the tiles. Well what does this do to our _____ to our building? So, I think that when you

buy in this particular association, you better like the beams because . . .
(laughter, clapping) . . . that's a part of the architecture."

Bonnie: "Well, NO homeowners were asked . . ."

#379

Blankenship: "Maggy, I have to say this – that while I am in favor of retaining the trellises, it just seems that there should be something in the process that we have here that when we do have extensive overruns like appear to be the case with whether you agree with the roofs, whether it be with the future pool or whatever else, that we get something _____ so that people can, so that the homeowners can say well maybe this is something that we don't want to repair, so that there would then be a notification to the group, you know, that we're going to have to have a vote on this _____ the trellises. But I understand that there were people that didn't want to keep them _____. I think there's going to be an issue here with the pool _____ some people here who want to repair the pool, who use the pool and other people who don't think we should even _____ the pool. (unfinished).

11 February 2013

Mr. Paul Zink, Chair
And Members of the Architectural Board of Review
630 Garden St., Santa Barbara, CA 93102

Re: Villa Miradero North Homeowner Association, 2712 – 2836 Miradero Drive
Proposal for ABR Review 19 February 2013

Dear Mr. Zink;

For the 40 units in our complex the Villa Miradero North HOA proposes to remove their decorative chalet-type trellises, shorten the external support beams to 8 inches and cover each with a protective metal cap. This action will reduce maintenance costs and upgrade the appearance of our buildings to conform with those in the neighborhood.

By way of background, in 2006 the Association spent more than \$100,000 to replace these same trellises and repair the support beams which had suffered from dry rot and termite damage due to their design and exposure to the elements. In 2011 the Association's Building Maintenance Committee reported that the trellises and beams had again deteriorated significantly and recommended that the trellises be removed and the exposed beams be reduced in length. The Board appointed a second, independent, committee to investigate the problem and propose alternate solutions. In 2012 this committee reported that, if the trellises were to be retained, the only feasible solution would be another total trellis replacement and beam repair program estimated to cost in excess of \$90,000 plus a monthly dues increase to provide for future maintenance estimated at \$7,500 per year.

The Board of Governors then prepared a special assessment ballot for the homeowners to indicate their preference, approve the assessment and repair, or permanently remove the trellises. On 20 December 2012 the result of the voting by 43 homeowners was announced:

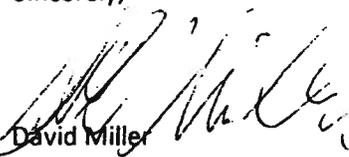
- 6 in favor of the assessment and retaining the trellises
- 22 in favor of permanently removing the trellises
- 1 in favor of retaining the trellises, but not in favor of the assessment
- 14 non-votes (in essence not in favor of the assessment and trellis retention)

On behalf of our homeowners the Board of Directors submits this proposal which we believe is consistent with the following ABR Goals:

- To promote aesthetically pleasing structures
- To promote conservation of natural and manmade resources
- To promote neighborhood compatibility
- To encourage the preservation of pre-1925 Hispanic styles of architecture

As a model for this proposal we invite the Board's attention to the Units at the El Paraiso Homeowners Association, 535 N. La Cumbre Rd. Their building orientations, architecture, design and building materials, are virtually the same as ours at Villa Miradero North with two notable exceptions – 1) they do not have exposed trellises and beams, but 2) they do not have the attractive roof tile finish at the rake which would be revealed at Villa Miradero North with this proposal. Thank you.

Sincerely,


David Miller

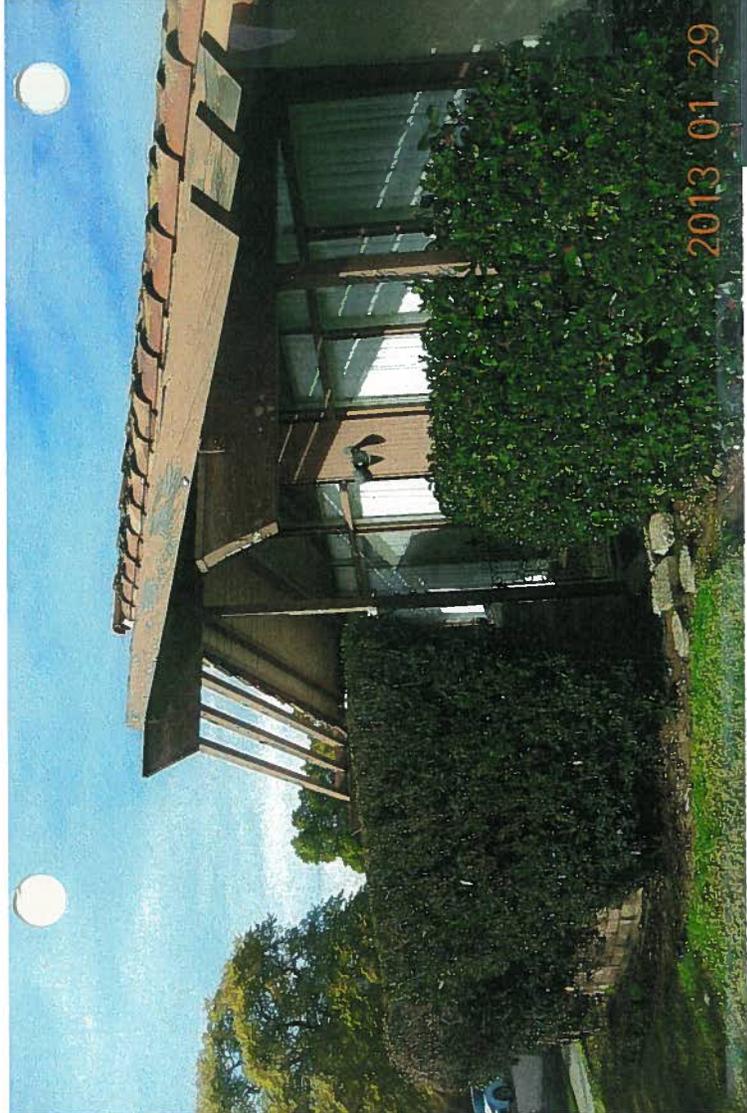
President, Board of Directors
Villa Miradero North Homeowners Association

Cc: Mr. Tony Boughman

On the assumption that if some trellises are good for shade then more would be better, one would expect that assumption to be reflected as a part of their overall design and location. Yet of the 20 units facing south or west just 6 of them have a three, rather than the basic two-trellis configuration. In fact, more Units facing south and west have extended eaves than have three trellises. And inexplicably, of the remaining 20 units facing north and east, 3 of them also have the three-trellis configuration. Shade is, in fact, provided by the extended eaves on these south and west facing units, not the trellises, an issue noted by the ABR during their discussion regarding the existence of additional vertical posts on selected units to support these extended eaves. Included here are three photos of the El Paraiso Units and one of Villa Miradero North for comparison. The VMN photo was taken at a time that illustrates the maximum shade impact of the trellises. Even under these optimum shade conditions it is the post-supported eaves on the VMN Units (without the trellises) that provide shade, because they are so wide. Because of this design, our eaves are more effective than those on the El Paraiso Units with similar glass exposure. The lower tier of glass on the VMN Units is typically covered by blinds or draperies as in the photo. For all practical purposes, the trellises' shade contribution is negligible.



2012 12 26



2013 01 29

VMN →

↙ EL Paraíso ↘



2013 01 29



2013 01 29

RECEIVED

Apr. 4, '13

2013 APR -9 AM 10:40

Dear Mayor and council members,

I am writing this letter to express my disappointment over ARB's decision to approve structural changes to our homes at Miradero North.

I am a resident and homeowner, having lived at this location for the past 13 years. I also grew up in Santa Barbara since I was 4 years old. Therefore, I appreciate the fact that the city's governing bodies have always worked to maintain its historical and cultural background, not only in its public facilities but also in its neighborhood environment.

Given Santa Barbara's historical background, why ARB approved changes in the structural appearance of our neighborhood homes is puzzling. Perhaps it is because the neighborhood area of Miradero North is not a large major development.

We are a relatively small neighborhood. However, it is an integral part of the larger community. The structural design of our homes, together with its natural environment, provide an overall sense of harmony that reflects Santa Barbara's desire to maintain a historical environment in its neighborhoods as well as in its public facilities.

The changes requested by the board of directors and approved by ARB may seem small. However, the physical impact on our neighborhood's harmonious appearance is devastating. If changes are allowed to move forward these changes would cause a loss not only for us at Miradero but also to Santa Barbara as a whole.

I am requesting a reconsideration of ARB's decision.

Sincerely,

Hermana Fogata



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 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: April 16, 2013
TO: Mayor and Councilmembers
FROM: City Administrator's Office
SUBJECT: Conference with Real Property Negotiators – State Route 225

RECOMMENDATION:

That Council hold a closed session pursuant to the authority of Government Code §54956.8 to provide direction to the City Administrator and to the City Attorney regarding the relinquishment by the State of California of a portion of State Route 225 to the City of Santa Barbara.

Real Property: A portion of State Route 225 between Post Mile 0.031 to Post Mile 4.55 (Castillo Street to Cliff Drive to Las Positas Road) within the City of Santa Barbara

City Negotiators: Public Works Director and the City Attorney

Negotiating Party: CALTRANS, Deputy District Director Loe (San Luis Obispo District)

Under Negotiation: Price and Terms of Transfer and Compensation

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

SUBMITTED BY: Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: April 16, 2013

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Request From Councilmember Francisco And Councilmember Rowse Regarding Alternatives To Narrowing Lower State Street

RECOMMENDATION:

That Council consider the request from Councilmember Francisco and Councilmember Rowse regarding alternatives to the narrowing of Lower State Street.

DISCUSSION:

Attached is a memorandum from Councilmember Francisco and Councilmember Rowse requesting that Council receive community and staff input on the advisability of narrowing Lower State Street. Also attached is a memorandum from Community Development which outlines the history of the La Entrada project and the various design considerations. The City Attorney will also be submitting a separate memorandum to Council outlining key legal issues related to the street improvements that are part of the La Entrada project.

ATTACHMENTS:

1. Memorandum from Councilmember Francisco and Councilmember Rowse
2. Memorandum from Community Development dated April 9, 2013, regarding Entrada Project and Narrowing Lower State Street

PREPARED BY: Jennifer Jennings, Administrator's Office Supervisor

SUBMITTED BY: Jim Armstrong, City Administrator

APPROVED BY: City Administrator's Office



City of Santa Barbara
Mayor and Council Office

Memorandum

DATE: March 26, 2013

TO: James L. Armstrong, City Administrator

FROM: Dale Francisco, Council Member 
Randy Rowse, Council Member

SUBJECT: Alternatives to Narrowing Lower State Street

- Summary of Information to be Presented to the City Council

Twelve years ago the City Council approved a plan to narrow State Street from four lanes to two lanes between the railroad tracks and Cabrillo Boulevard. This was part of the Entrada project.

Now a very different Entrada project is going forward. Commercial and retail activity is exploding in the adjoining Funk Zone. The area has changed enormously from what it was twelve years ago, and there is concern in the community that the proposed narrowing of State Street may result in traffic gridlock.

We want to bring together all the interested parties, including particularly the environmental community and waterfront area businesses, to discuss whether this idea still makes sense, and if not, what are the possible alternatives. (See attached document for more information.)

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

Listen to community and staff input on the advisability of narrowing State Street, and based on discussion, give direction to staff on how or whether to proceed.

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

Transportation policy is of vital importance to the social and economic health of the city, and is within the purview of City Council.

Entrada and the Narrowing of State Street

The long-anticipated, long dormant “La Entrada” project now finally seems to be becoming a reality. In the twelve years that have passed between the original conception and the latest iteration, much has changed about the project and its surroundings. The City Council that originally approved this project viewed a vastly different use (fractional unit ownership vs. the now proposed luxury hotel), adjoined on one side by a group of low-intensity or “ocean-use related” properties known as the Funk Zone.

The Funk Zone has now for some time been in the midst of a commercial and retail explosion, with no end in sight. New development will bring with it traffic impacts that were not anticipated twelve years ago. Many in the community are concerned that the old plan to narrow State Street between the railroad tracks and Cabrillo Boulevard from four lanes to two now has the potential to create significant traffic congestion and a major bottleneck, particularly during weekends in the peak tourist season.

Some have argued that this narrowing simply continues the changes that were made many years ago to the State Street “Plaza” north of Gutierrez without any serious problems. This ignores the glaring fact that State Street north of Gutierrez is supplemented by Chapala Street and Anacapa Street for commercial deliveries and customer parking. No such alternative routes exist below the freeway.

The existing wide boulevard creates an open vista that allows for pedestrian, motorist, and cyclist views of our mountain skyline. Narrowing the roadway, combined with the construction on both sides of new multi-story buildings, will likely result in a constricted urban “canyon” effect.

The city has committed to enhancing public safety by rejecting hardscape constrictions on major arterials. The De la Vina Y and Cliff Drive re-stripings are excellent examples of this. The Tsunami Impact Zone overlays the Entrada development area; the restriction of egress from the coastal zone is antithetical to established efforts and policies.

Lastly the narrowing of this primary gateway to the city creates a physical and psychological barrier to both vehicular and pedestrian transit to our downtown, and would be a further detriment to a commercial zone that already suffers from the impacts of restricted parking, traffic congestion, and street crime.

We believe that the entire community and all the various stakeholders deserve an open forum to discuss whether this major change to State Street still makes sense, and what superior alternatives might exist.



**City of Santa Barbara
Community Development**

Memorandum

DATE: April 9, 2013
TO: Mayor and Council
FROM: Allison De Busk, Project Planner
SUBJECT: Entrada Project and Narrowing Lower State Street

This memo provides background information that the Staff believes is appropriate for the City Council to have in connection with the request from Council members Francisco and Rowse to agendaize a discussion of the public improvements required as part of the Entrada project approval.

A. Entrada Project Time Line and City Approval History Concerning Project Related Street Improvements

- May 22, 1998 – Project submitted for review.
 - July 1998 – Planning Commission Concept review
 - September 1998 – HLC Concept review
 - December 1998 – Planning Commission Scoping Hearing; at completion of hearing City Planning Commission directs staff to prepare a Mitigated Negative Declaration instead of a EIR focused on public view concerns as had been recommended by City Planning Staff.
 - February 4, 1999 – Planning Commission hearing on Draft Mitigated Negative Declaration (First Revision to Initial Study)
 - March 16, 1999 – Planning Commission/City Council/Redevelopment Agency Joint Workshop on Lower State Street Improvements, as related to Entrada de Santa Barbara project. Council indicated support for the proposed public improvements.
 - March 23, 1999 – City Council public hearing on Lower State Street Improvements, as related to Entrada de Santa Barbara project.
City Council also conceptually approves encroachment permit request for arcade entry feature in public right of way on Mason Street (Site A)
 - March 25, 1999 – Planning Commission public hearing on City discretionary land use permits for the Entrada project
 - April 8, 1999 – Continuation of Planning Commission public hearing on Project
 - April 14, 1999 – Planning Commission/Historic Landmarks Commission First Joint Work Session

- April 22, 1999 – Planning Commission/ Historic Landmarks Commission Second Joint Work Session
- May 27, 1999 – Planning Commission hearing on Draft Mitigated Negative Declaration (Second Revision to Initial Study)
- June 24, 1999 – Continued Planning Commission public hearing on discretionary permits needed for the Project
- July 1, 1999 – Planning Commission approves Entrada MND and the permits necessary for the Project.
- August 10, 1999 – City Council hearing on appeal of Planning Commission approval of Project.
- August 17, 1999 – City Council denied appeal of Planning Commission’s approval
- September 1999 – Appeal filed with California Coastal Commission. Issues included protection of public views, traffic and congestion, and loss of lower cost visitor serving uses. Coastal Commission staff recommends Project approval with special CCC conditions of approval to address loss of lower cost visitor serving uses, maintenance of parking facilities and restrictions on changes of use.
 - November 4, 1999 – Coastal Commission hearing on determination of Substantial Issue relative to appeal of City approval of project by Environmental Defense Center and “Cars R Basic.”
 - January 13, 2000 – Coastal Commission hearing on appeal by Environmental Defense Center and Cars R Basic appeals.
 - April 12, 2000 – Coastal Commission hearing continued after Santa Barbara Superior Court ruling invalidates Entrada MND and orders the preparation of a focused EIR.
- May 30, 2000 – Superior Court final judgment that focused EIR was required for views; previous City land-use approvals vacated.
- Spring 2001 – local group calling itself “Streets R Us” begin circulating a proposed City initiative measure which would adopt a City ordinance banning any changes to the existing design of lower State Street, Cabrillo Boulevard, or Shoreline Drive without the approval of City voters.
- May 8, 2001 – Joint Planning Commission/HLC Workshop on Redesigned Entrada Project
- June 19, 2001 – Elizabeth Donati and “Streets R Us” file Superior Court declaratory relief action against the City seeking a judicial determination that the initiative measure they circulated for signatures in an effort to qualify for the November 2001 City election is a constitutionally appropriate initiative measure.
- July 11, 2001 – Planning Commission certifies EIR focused on public view impacts and approved project.
- August 21, 2001 – City Council denies appeal of Planning Commission’s Project approval through the adoption of comprehensive “Findings” Resolution - Santa Barbara City Council Resolution No. 01-103.
- August 24, 2001 – Santa Barbara Superior Court Judge Anderle determines that the proposed “Streets R Us” initiative measure is preempted by the state Vehicle Code and, thus, constitutionally impermissible. “Streets R Us” & Elizabeth Donati appeal this decision to the Second District Court of Appeal.

- August 2001 – Second Appeal filed with Coastal Commission over the Entrada Project by group called “Streets R Us,” Citizen’s Planning Association, and League of Women Voters of Santa Barbara.
- October 9, 2001 – Coastal Commission conducts “substantial issue” hearing; Commission finds “no substantial issue” with the appeal as recommended by CCC staff. Commission affirms Project Coastal Act approval with special conditions added by Commission as part of the 2000 appeal process.
- December 11, 2001 – Coastal Commission issues a Final Decision stating “no substantial [Coastal Act] issue” with the second Entrada appeal. [The Coastal Commission specifically references that its decision requires the incorporation of the City public street improvement conditions, among other conditions of approval, as CDP permit conditions of approval and expressly provides that any modification or revisions to these Conditions of Approval will constitute a modification of the Entrada CDP and will thus require the issuance of a new Coastal Development Permit.]
- January 2002 - Santa Barbara Superior Court CEQA Litigation filed regarding the City’s environmental review of the Entrada Project; Judgment is ultimately issued in favor of the Applicant and the City that CEQA compliance was appropriate. (No appeal filed of this judgment.)
- April 29, 2003 – Second District Court of Appeal affirms Judge Anderle’s decision that “Streets R Us” Initiative Measure is unconstitutional.
- December 9, 2003 – City Council authorizes the City Administrator to execute and record (in the official records of Santa Barbara County) the City’s standard form “Agreement for Land Development Improvements” concerning the public improvements for State Street and Mason Street.
- December 9, 2003 – City Council adopts City Ordinance No. 5299 approving the City’s standard form of “Agreement for Land Development Improvements” for the Entrada Project which has an Exhibit A consisting of the “C1” engineering plans showing improvements for all State Street and Mason Street Project street and sidewalk changes.
- April 13, 2004 – City Council formally approves the Final Entrada Subdivision Maps and authorizes the City Public Works staff to execute the necessary and standard Development and Subdivision Map Agreements.
- Early December 2005 – All Entrada/City Project Agreements fully executed by Applicant and City staff.
- December 12, 2005 – Entrada “Escrow” Closes and a City Building Permit for Entrada Area C and all Public Street Improvements is issued. All recordable agreements are recorded in the official records of Santa Barbara County, Final Subdivision Maps recorded with County Surveyor’s office and all related agreements signed and delivered. City receives permit and mitigation fees in the amount of \$1.434 million (not including School District fees and County property tax proration paid by Entrada owner) and City Public Works staff receives payment and performance bonds to secure completion of the required State and Mason Public Improvements in the amount of \$5,497,500.
- April 16, 2009 – Revised “Agreement to Construct and Install Land Development Improvements” is executed with MF (Mountain Funding) Santa Barbara – the successor-in-interest to original Entrada Developer/Applicant is executed by City staff and recorded in

official records of Santa Barbara County. Payment and Performance bonds are renewed and accepted by City for public improvements in accordance with new schedule attached to the City's 2009 Substantial Conformance Determination.

- March 2010 – new Substantial Conformance Determination issued by City to MF Santa Barbara which Determination revises schedule for street and sidewalk Public Improvements.
- December 2010 – Amended Substantial Conformance Determination issued to 35 State Street Hotel Partners LLC (Michael Rosenfeld.) Schedule for Public Improvements revised.
- March 4, 2013 - Amended "Agreement to Construct and Install Stage I Land Development Improvements" is executed by City staff and 35 State Street Hotel Partners LLC (the successor-in-interest to MF Santa Barbara) and recorded in official records of Santa Barbara County. Public Works and City Attorney Staff confirms that existing Developer Public Improvement Payment and Performance bonds issued in 2010 remain in place and secure the obligation to build the public improvements in accordance with the anticipated schedule for Phase II and Phase III Public Improvements to be determined by the City's 2013 Substantial Conformance Determination and to coincide with the construction of the Entrada Project. Phase 1 Public Improvements (west side of State and west block of Mason at State) begin in accordance with December 2010 SCD amendment.

B. Entrada Project – Required Public Street and Sidewalk Improvements

The Entrada Project Description, as summarized in the July 11, 2001 Planning Commission staff report, includes the following description of the required Public Improvements:

"At the request of the City and the Redevelopment Agency, the Entrada project proposes an agreement with the Agency for the rehabilitation of three block faces of State Street sidewalk frontage and for extensive streetscape improvements at the intersection of State Street and Mason Street, including along the first blocks of east and west Mason Street. The Entrada Project is proposing a reconfiguration of existing on-street public parking on Mason Street and Helena Avenue, a widening of the State Street sidewalks so that they are at least 15 feet wide from curb to building line, a reduction in the number of vehicle traffic lanes on State Street, and a redesign of the look of the State Street/Mason Street intersection. This reconfiguration of State Street (including the use of new sidewalk paving materials) would be consistent with the City's existing State Street pedestrian "Plaza" as it presently exists in the City's Central Business District along State Street from Gutierrez Street to Victoria Street. All of these streetscape changes would involve design and landscape improvements such as paving the sidewalk with brick pavers, new landscaping, new street trees, new street furniture, and improvements for better disabled accessibility. Similar streetscape improvements are also proposed for Mason Street and Helena Avenue.

Staff supports the Entrada project with or without the proposed State Street narrowing.

A new traffic signal is proposed at the intersection of State Street and Mason Street. In addition, a signalized pedestrian crossing is proposed mid-block on

State Street between the proposed Visitor Information Center and the new public parking lot at 125 State Street.”

This is essentially the same public improvement description which was included with the project in 1999 when it was initially approved by the Planning Commission and City Council. All of the public improvement plans for the improvements described above were issued Public Works permits by the City in December 2005 and those permits remain valid. As indicated in the above timeline, a standard City Agreement for Land Development Improvements was executed and recorded, and improvement security bonds were provided to the City.

As part of the Substantial Conformance Determination that was made in March 2010, the 35 State Street Hotel Partners was required to undertake those public improvements identified above (and outlined in the original project conditions of approval required by the Coastal Commission) within a certain time period. The public improvements were originally divided into 3 phases for construction – somewhat to coincide with the three phase construction of the Entrada Project itself. The first phase was the west side of State Street and W. Mason Street. Updated improvement plans for just this phase were approved by the City in Fall 2012, and construction of the Phase 1 improvements began in March 2013.

C. The Purpose of the Required Public Improvements.

The sidewalk widening/road narrowing was intended to be consistent with the City’s longstanding State Street Plaza design north of Highway 101 to allow for the consistent development of this portion of State Street.

Once the Cross-town Freeway was completed by CALTRANS in the early 1990’s, State Street was no longer a main arterial road to Highway 101. The narrowing of State Street to two lanes below Highway 101 was designed and intended to restore a sense of place to the Waterfront Area. At peak times of use, pedestrians outnumber cars on this portion of State Street. The public improvements focus on increasing the capacity for pedestrians as well as enhancing the pedestrian environment.

These public improvements were found to be consistent with the Local Coastal Plan, Circulation Element and Downtown Waterfront Visioning Report, which encourage pedestrian friendly amenities and decreased dependence on the automobile. As mentioned above, these improvements are now also Project Conditions imposed by the state Coastal Commission in connection with the Coastal Commission’s Fall 2001 decision to find that the appeal of the Entrada Project to the Commission presented “no substantial issue” with respect to its consistency and compliance with the State Coastal Act.

D. Entrada Project Traffic Analysis.

As mentioned throughout the staff reports prepared by Community Development and Public Works Transportation staff for the project review history shown above, congestion at the signal at State Street and Cabrillo Boulevard is the primary limiting factor in the area. Consequently, the proposed narrowing of State Street does not reduce the number of vehicle lanes at the intersection of State Street and Cabrillo

Boulevard or otherwise negatively impact pedestrian access. Currently State Street could deliver more cars to the State/Cabrillo intersection than that intersection can handle (the intersection can accommodate only 600-900 vehicles per hour but the existing two lanes of travel can send 2,800 vehicles per hour to the intersection.)

Even after reducing the number of lanes on State Street at the mid-block points, at peak times State Street will still deliver more cars to the State and Cabrillo intersection (1,400 vehicles per hour) than the intersection can handle due to the existing pedestrian activity. In other words, since the limiting factor is the intersection of State and Cabrillo and the number of pedestrians and vehicles that use that intersection, the Entrada State Street Sidewalk improvements will not increase congestion and congestion levels (at peak times) will continue with or without State Street narrowing. In addition, the Mitigated Negative Declaration prepared for the Entrada project noted that the Level of Service (LOS) of the State Street/Mason Street intersection would be reduced from LOS A to LOS B as a result of the narrowing of State Street. This was identified as a less than significant impact. Therefore, the City concluded that the result of the public improvements would be a betterment to the area in the form of an enhanced pedestrian experience without affecting congestion levels.