

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
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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>

**MAY 21, 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

- 11:00 a.m. - Special Finance Committee Meeting, David Gebhard Public Meeting Room, 630 Garden Street
2:00 p.m. - City Council Meeting

SPECIAL FINANCE COMMITTEE MEETING - 11:00 A.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM, 630 GARDEN STREET (120.03)

- 1. Subject: Loan to Peoples' Self-Help Housing Corporation for a New Affordable Housing Project at 510-520 N. Salsipuedes and 601 E. Haley Street (120.03)**

Recommendation: That the Finance Committee recommend to the City Council approval of a request from Peoples' Self-Help Housing Corporation (PSHHC) for \$900,000 of Home Investment Partnership Program (HOME) funds for the construction of low income rental housing at 510-520 N. Salsipuedes Street and 601 E. Haley Street (Haley and Salsipuedes Apartments).

- 2. Subject: Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 2014 And 2015 (120.03)**

Recommendation: That the Finance Committee hear a report from staff on the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Budget for Fiscal Year 2014.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the special meeting of May 6, 2013, and the regular meeting of May 7, 2013.

2. Subject: Records Destruction For Community Development 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 Community Development Department in the Administration, Housing and Human Services Division.

3. Subject: April 2013 Investment Report (260.02)

Recommendation: That Council accept the April 2013 Investment Report.

4. Subject: Introduction Of Ordinance For The Approval Of Encroachments At 33 West Victoria Street (330.10)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Encroachment Permit to Luria - New Vic LLC, a California Limited Liability Company, and Ensemble Theatre Company, Inc., a California Non-Profit Corporation, for the Property Known as 33 West Victoria Street and 1236 Chapala Street, Santa Barbara County Assessor's Parcel Number 039-181-001, Which Is Owned by Child Abuse Listening Mediation, Inc., a California Non-Profit Public Benefit Corporation, for Site Improvements That Will Encroach into the Public Right-of-Way and City Parking Lot No. 5, and Authorizing the City Administrator to Execute Same.

CONSENT CALENDAR (CONT'D)

5. **Subject: Contract For Construction For The Chapala Street Bridge Replacement Project (530.04)**

Recommendation: That Council:

- A. Award a contract with Granite Construction Company in their low bid amount of \$1,411,510 for construction of the Chapala Street Bridge Replacement Project, Bid No. 3590;
- B. Authorize the Public Works Director to execute the contract in the amount of \$1,411,510 with Granite Construction Company and approve expenditures up to \$141,151 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;
- C. Authorize the Public Works Director to execute a contract with MNS Engineers, Incorporated, in the amount of \$478,596 for construction management services, and approve expenditures of up to \$16,404 for extra services of MNS Engineers that may result from necessary changes in the scope of work;
- D. Authorize the Public Works Director to execute a contract with Drake Haglan and Associates in the amount of \$45,080 for design support services during construction;
- E. Accept Federal Highway Administration Grant funding in the total amount of \$2,188,562 to cover the cost of construction;
- F. Increase appropriations and estimated revenues by \$2,188,562 in the Fiscal Year 2013 Streets Capital Fund for the Chapala Street Bridge Replacement Project funded by the Federal Highway Administration Grant;
- G. Authorize an increase in appropriations of \$50,000 in the Streets Fund from revenues received through the sale of surplus properties acquired for completed bridge replacement projects to cover final City costs for the design and right-of-way phases of this Project;
- H. Authorize an increase in appropriations of \$24,537 in the Measure A Fund from available Measure A Fund reserves to cover the cost of work not eligible for reimbursement during the construction phase of this Project; and
- I. Increase appropriations and estimated revenues by \$2,000 in the Streets Capital Fund to cover the cost of work not eligible for reimbursement during the construction phase of this Project funded from a fee for granting Crown Castle a utility easement.

CONSENT CALENDAR (CONT'D)

6. **Subject: Contract For Construction For The Zone 6 (Fiscal Year 2013) Pavement Preparation Project (530.04)**

Recommendation: That Council:

- A. Award a contract with Granite Construction Company in their low bid amount of \$1,374,015 for construction of the Zone 6 (Fiscal Year 2013) Pavement Preparation Project, Bid No. 3673;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$137,402 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;
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc. in the amount of \$108,099 for construction support services, and approve expenditures of up to \$10,810 for extra services that may result from necessary changes in the scope of work; and
- D. Accept \$160,000 of State Local Partnership Program (SLPP) funds for the Zone 6 (Fiscal Year 2013) Pavement Preparation Project, and increase estimated revenues and appropriations by \$160,000 in the Streets Capital Fund.

7. **Subject: Contract For Construction For The Zone 6 (Fiscal Year 2013) Slurry Seal Project (530.04)**

Recommendation: That Council:

- A. Award a contract with VSS International, Inc., waiving minor irregularities, in their low bid amount of \$956,356 for construction of the Zone 6 (Fiscal Year 2013) Slurry Seal Project, Bid No. 3674;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$95,636 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;
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates in the amount of \$141,284 for construction support services, and approve expenditures of up to \$14,128 for extra services that may result from necessary changes in the scope of work;
- D. Increase appropriations and estimated revenues by \$101,710 in the Streets Capital Fund for the Zone 6 (Fiscal Year 2013) Slurry Seal Project funded from revenues from SL Residential, Inc. and Global West Network; and
- E. Appropriate \$50,000 from reserves in the Measure A Fund for the Zone 6 (Fiscal Year 2013) Slurry Seal Project.

CONSENT CALENDAR (CONT'D)

8. Subject: Increase In Appraisal Services For The Cabrillo Boulevard Bridge Replacement Project (530.04)

Recommendation: That Council authorize an increase in the extra services amount with Schott & Company, for real estate appraisal services for the Cabrillo Boulevard Bridge Replacement Project, Contract No. 388,237 in the amount of \$15,000, for a total project expenditure authority of \$40,000.

9. Subject: Service Agreement With Thresholds To Recovery, Inc. To Operate The Sobering Center (520.04)

Recommendation: That Council approve and authorize the Chief of Police to negotiate and execute a service agreement with Thresholds to Recovery, Inc. to operate the Sobering Center in Fiscal Year 2014 with annual fees not to exceed \$202,800 and in a form approved by the City Attorney.

10. Subject: Santa Barbara Police Activities League Donation For The Police Department Youth Explorer Program (520.04)

Recommendation: That Council:

- A. Accept a donation of \$5,516 from the Santa Barbara Police Activities League for the Police Department Explorer Program; and
- B. Increase appropriations and estimated revenues in the Police Department Miscellaneous Grants Fund for the Explorer Program.

11. Subject: Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2014 - Intention to Levy (550.10)

Recommendation: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2014; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2014 Fiscal Year, at a Public Hearing to be Held on June 4, 2013, at 2:00 p.m.

NOTICES

12. The City Clerk has on Thursday, May 16, 2013, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FIRE DEPARTMENT

13. Subject: Renewal Of Levy For Fiscal Year 2014 For The Wildland Fire Suppression Assessment District (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2014.

PUBLIC WORKS DEPARTMENT

14. Subject: State Route 225 Relinquishment Authorizations (680.04)

Recommendation: That Council:

- A. Receive an update on the State Route 225 Relinquishment;
- B. Authorize the City Administrator to execute a relinquishment agreement between the State of California Department of Transportation and the City of Santa Barbara for the relinquishment to the City of the portion of State Route 225 on Las Positas Road, Cliff Drive, and Castillo Street, subject to terms and conditions acceptable to the City Administrator and approval as to form of the agreement by the City Attorney; and
- C. Authorize the City Administrator to execute freeway maintenance agreements between the State of California Department of Transportation and the City of Santa Barbara for the Las Positas Road Overcrossing and the Castillo Street Undercrossing, subject to terms and conditions acceptable to the City Administrator and approval as to form of the agreement by the City Attorney.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT (CONT'D)

15. Subject: Contract For Construction For The Punta Gorda Street Bridge Replacement Project (530.04)

Recommendation: That Council:

- A. Award a contract to Shaw Contracting, Inc., in their low bid amount of \$1,865,964.50 for construction of the Punta Gorda Street Bridge Replacement Project, Bid No. 3575;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$186,600 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;
- C. Authorize the Public Works Director to execute a professional services agreement 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;
- D. Authorize the Public Works Director to execute a professional services agreement with Penfield & Smith in the amount of \$13,060 for engineering (channel design) support services for the Punta Gorda Street Bridge Replacement Project, 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;
- E. Authorize the Public Works Director to execute a professional services agreement with Drake Haglan and Associates in the amount of \$50,000 for engineering (bridge 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
- F. Authorize the Public Works Director to execute a professional services agreement 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.

MAYOR AND COUNCIL REPORTS

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

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 4, 2013, and June 18, 2013.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

17. Subject: Conference With Labor Negotiator (440.05)

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

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

18. Subject: Conference with Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case). The pending litigation is the on-going administrative hearings before the California State Water Resources Control Board regarding appropriative water rights permits 11308 and 11310.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

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

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

Title: City Attorney

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

(Continued from May 7, 2013)

ADJOURNMENT

CITY OF SANTA BARBARA
FINANCE COMMITTEE
SPECIAL MEETING AGENDA

DATE: May 21, 2013

Dale Francisco, Chair

TIME: 11:00 A.M.

Bendy White

PLACE: David Gebhard Public Meeting Room
630 Garden Street

Cathy Murillo

James L. Armstrong
City Administrator

Robert Samario
Finance Director

ITEMS TO BE CONSIDERED:

1. **Subject: Loan to Peoples' Self-Help Housing Corporation for a New Affordable Housing Project at 510-520 N. Salsipuedes and 601 E. Haley Street**

Recommendation: That the Finance Committee recommend to the City Council approval of a request from Peoples' Self-Help Housing Corporation (PSHHC) for \$900,000 of Home Investment Partnership Program (HOME) funds for the construction of low income rental housing at 510-520 N. Salsipuedes Street and 601 E. Haley Street (Haley and Salsipuedes Apartments).

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

Recommendation: That the Finance Committee hear a report from staff on the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Budget for Fiscal Year 2014.



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Finance Committee

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

SUBJECT: Loan to Peoples' Self-Help Housing Corporation for a New Affordable Housing Project at 510-520 N. Salsipuedes and 601 E. Haley Street

RECOMMENDATION:

That the Finance Committee recommend to the City Council approval of a request from Peoples' Self-Help Housing Corporation (PSHHC) for \$900,000 of Home Investment Partnership Program (HOME) funds for the construction of low income rental housing at 510-520 N. Salsipuedes Street and 601 E. Haley Street (Haley and Salsipuedes Apartments).

DISCUSSION:

Background

The City of Santa Barbara receives federal HOME funds annually that are used to promote affordable housing through activities such as acquisition, rehabilitation, new construction and tenant-based rental assistance. PSHHC was selected from a request for proposals issued by the City in March. PSHHC's proposal meets the affordable housing priorities outlined in the City's 2010-2014 Consolidated Plan; the Housing Element and the following required criteria:

- Developer's expertise with HOME funded projects
- Developer's compliance with HOME regulations
- Project's compliance with HOME funding guidelines
- Cost and financial feasibility
- Timing of the project
- Energy efficiency and conservation
- Project's impact on affordable housing

Project Description

The project site consists of three contiguous parcels on the northeast corner of Haley and Salsipuedes. The combined area of the site is approximately 41,000 square feet. PSHHC acquired the Property with financial assistance from the City's former

Finance Committee Agenda Report

Loan to Peoples' Self-Help Housing Corporation for a New Affordable Housing Project at 510-520 N. Salsipuedes and 601 E. Haley Street

May 21, 2013

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Redevelopment Agency Housing Setaside Funds ("RDA Housing Funds") in the form of a \$2,000,000 acquisition loan.

The project includes the construction of 47 rental units for extremely low, very low and low-income households and one manager's unit. The Property is zoned for multi-family housing and is located near Ortega Park and Santa Barbara Jr. High School. The development will consist of five (5) one-bedroom, twenty-seven (27) two-bedroom and fifteen (15) three-bedroom units, community space and an on-site laundry facility.

Eight (8) of the 47 units will be HOME assisted units. The HOME units will be designated as "floating units". A floating designation provides PSHHC flexibility to maintain the HOME-assisted units throughout the affordability period, although the specific unit(s) designated may vary with availability. In addition, the system of floating units provides consistency with the requirements for Low Income Housing Tax Credits (LIHTC). Several of the one-bedroom units will be used either primarily for residents who are homeless or at risk of becoming homeless. PSHHC's Supportive Housing Program (a clinical case management and social services program) assists residents with accessing community services and provides direct "hands-on" assistance.

The Project construction will begin in December 2014 and PSHHC anticipates that this project will be completed by January 2016. This timeframe meets the HOME requirement that a project be completed within four (4) years of the commitment of funds. PSHHC seeks \$900,000 in HOME funds from the City to help pay for preconstruction and construction costs.

Project Costs

Below is a summary of the Project's estimated costs:

Site Acquisition:	\$2,000,000
Site preparation:	65,000
Building Materials:	3,287,996
Professional Labor:	5,836,084
Architect/Engineer/Permits:	410,000
Misc. Fees	3,873,397
Contingency:	<u>501,704</u>
Total	<u>\$15,974,181</u>

PSHHC serves as the sole developer, owner, and general contractor for the project. Its affiliate, The Duncan Group, serves as the management agent for the development team.

Through sustainable design and building methods, the project will promote energy efficiency and conservation. The project will exceed the Title 24 Energy Standards by 17.5% by utilizing florescent and LED lights; Energy Star rated appliances, water

saving fixtures in kitchens and bathrooms, and low emissions VOC paint. The project will obtain a Greenpoint multi-family rating of 100 or above.

Financing

The financing plan utilizes several funding sources including 9% Low-Income Housing Tax Credits which will pay off a \$9,613,066 construction loan. The previously provided RDA Housing loan and the requested HOME loan will provide needed leverage for the LIHTC application. The financing details on this Project, as well as the timing of each commitment, are as follows:

RDA Housing Funds	2,000,000 (3/2011)
Federal Home Loan Bank	\$420,000 (4/2014)
Bank Permanent Loan	1,634,072 (6/2013)
NeighborWorks Grant	470,000 (2012-13)
HOME Loan	900,000 (6/2013)
LIHTC	<u>10,550,109</u> (est. 8/2014)
Total:	<u>\$15,974,181</u>

() = Commitment Date

PSHHC will create a limited partnership (LC) in early 2014, which will own the project, and they will submit the LIHTC application to the California Tax Credit Allocation Committee in March 2014 for a LIHTC award allocation in August. During the initial 15-year tax credit compliance period, PSHHC will maintain operational control of the Property by master leasing the improvements from the LP. PSHHC will remain the managing general partner of this limited partnership. PSHHC has completed several successful LIHTC projects on the South Coast, including Dahlia Court Apartments (Carpinteria), Casas las Grandas (City of Santa Barbara), Pismo Creek Bungalows (Pismo Beach), Rolling Hills (Templeton), El Patio Hotel (Ventura), Lachen Tara (Avila Beach), Canyon Creek (Paso Robles), and Los Adobes de Maria II (Santa Maria).

Requested HOME Loan

The proposed \$900,000 HOME loan will have a 30-year term bearing 3 percent interest with a maturity date of 2043. Payments will be due on the loan on a "residual receipts" basis. No payments are due until the net income of the project, after payment of necessary operating expenses, is sufficient to support such payments. Any unpaid balance remaining at the end of the term is due and payable in full. These terms are typical of HOME affordable housing loans.

To satisfy HOME requirements, the proposed \$900,000 loan must be committed by July 30, 2013. Of the total amount committed, \$533,000 must be spent by July 30, 2016 with an initial disbursement prior to June 30, 2014. The project must be completed by June 30, 2017.

Loan Security

Security for the City's HOME loan is the value of the improved property which is estimated to be \$15.9 million. In the unlikely event of default by PSHHC, the City and the tax credit limited partner would have to negotiate paying off the first mortgage loan (\$1,634,072) and replacing the general partner (PSHHC).

Long-term Affordability

The Affordability Control Covenant Imposed on Real Property recorded on this property at the time of acquisition requires that the property remain affordable to low-income residents until the year 2102.

In conjunction with the proposed HOME loan, a revised Affordability Covenant will be recorded to incorporate the required HOME affordability and compliance provisions. The term of the revised Affordability Covenant will be ninety-(90) years.

Community Housing Development Organizations

PSSHC is a qualified Community Housing Development Organizations (CHDO) meeting HUD's requirements pertaining to experience, capacity and board representation. HUD requires that 15 percent of each year's HOME funds be used on affordable housing projects developed by CHDOs. The proposed HOME loan would therefore meet HUD's 15-percent CHDO requirement.

People's Self-Help Housing (PSHHC)

The Mission of Peoples' Self-Help Housing is to provide affordable housing and programs leading to self-sufficiency for low-income families, seniors, and other special needs groups. PSHHC works to create stable, healthy communities and neighborhoods through the provision of affordable housing, combined with resident education, health, and economic development programs. They emphasize self-sufficiency and empowerment of clients. They are experts at rental housing development (both new construction and rehabilitation).

PSHHC is the recipient of numerous local, state and national awards acknowledging its leadership and performance in the affordable housing field. Recently PSHHC was one of only 10 organizations nationally to be awarded the Fannie Mae Foundation's Sustained Excellence Award. PSHHC has completed several award-winning projects on the south Coast, including Dahlia Court Apartments (Carpinteria), Casas las Grandas, Milagro de Ladera Apartments and Victoria Hotel (City of Santa Barbara), Castilian and San Miguel Apartments (Isla Vista), Riverview (Guadalupe) and Storke Ranch Apartments (Goleta). PSHHC has long-term staff with extensive experience in affordable housing development and management.

Closing Summary

High housing prices and high rents combined with a low supply of affordable housing opportunities make this project ideal for the City of Santa Barbara. Both the 2010-2014 Consolidated Plan and the Housing Element state that the City places the highest priority

on supportive affordable housing and emphasize the need for low-income multi-family housing.

According to the Housing Element, a majority of rental units are studio or one-bedroom. Units for large households are hard to find and less affordable. This project would provide a combination of one, two and three bedroom units with a minimum thirty percent (30%) or fifteen of the units containing three bedrooms. In addition, the Housing Element states that approximately 68 percent of the City's housing stock is over 40 years old. This project would provide new housing units to address this issue.

The requested funds for this critical community-serving project result in a local housing subsidy cost per unit of \$61,702 which is lower than the City's typical per unit subsidy of \$120,000.

Staff supports the proposed loan and requests the Finance Committee to recommend that the City Council approve the \$900,000 HOME loan to PSHHC.

BUDGET/FINANCIAL INFORMATION:

This request requires no additional City funding and does not change the terms of the former RDA Acquisition Loan.

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

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: May 21, 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 the Finance Committee hear a report from staff on the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015, including the Recommended Budget for Fiscal Year 2014.

DISCUSSION:

On Tuesday, April 16, 2013, the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015 ("Proposed Plan") was submitted to Council. That day, the Finance Committee approved its budget review schedule for the Proposed Plan and the additional topics that it will review.

At today's meeting, scheduled from 11:00 a.m. to 1:45 p.m., the Committee will receive reports from staff on the following topics:

1. Citywide reserve balances
2. Recap of Citywide unfunded liabilities
3. Changes to unfunded infrastructure over the last 20 years
4. Staff recommended adjustments, if any.

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING May 6, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m.

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.

PUBLIC COMMENT

Speakers: Tom Jacobs.

NOTICES

The City Clerk has on Thursday, May 2, 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

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

Recommendation: That Council hear a presentation from the Public Works Department on its recommended budget as contained in the Proposed Two-Year Financial Plan for Fiscal Years 2014 and 2015.

Documents:

- May 6, 2013, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Public Comment Opened (Continued from May 2, 2013):
2:05 p.m.

Speakers:

- Staff: Public Works Director Christine Andersen, Assistant Public Works Director/City Engineer Pat Kelly, City Administrator James Armstrong, Public Works Business Manager Michele DeCant, Fleet Manager Gary Horwald, Facilities & Energy Manager James Dewey, Transportation Manager Browning Allen.
- Metropolitan Transit District: General Manager Sherrie Fisher.

Councilmember Francisco left the meeting at 2:37 p.m. and returned at 2:47 p.m.

Discussion:

Public Works Director Andersen provided overviews of the Public Works Department and its General Fund expenditures and revenues. Assistant Public Works Director/City Engineer Kelly described the three operational programs of the Engineering Division, and Fleet Manager Horwald summarized the functions of the Fleet Management Division. Facilities & Energy Manager Dewey outlined the programs administered by the Facilities & Energy Management Division, with a focus on the new Facilities Capital Program, created to fund and construct upgrades to City-owned facilities. Transportation Manager Allen discussed the programs of the Transportation Division, including Downtown Parking, Street Sweeping, and Transit Assistance. Councilmembers' questions centered on the funding of the Waterfront Shuttle and on the proposal for a Transit Center Bike Station Module.

Recess: 4:19 p.m. – 4:29 p.m.

(Cont'd)

**Subject: Proposed Two-Year Financial Plan For Fiscal Years 2014 And 2015
(Cont'd)**

Speakers (Cont'd):

- Staff: Water Resources Manager Rebecca Bjork.

Discussion (Cont'd):

Water Resources Manager Bjork presented the proposed Fiscal Year 2014 budget for both Water and Wastewater programs and facilities.

By consensus, the hearing was continued to May 13, 2013, at 2:00 p.m.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:53 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 May 7, 2013 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: 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.

CEREMONIAL ITEMS

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

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

Documents:

May 7, 2013, report from the Assistant City Administrator/Administrative Services Director.

(Cont'd)

1. (Cont'd)

Speakers:

- Staff: City Administrator James Armstrong, Award Recipients Stephen Wiley, Bettie Weiss.
- Member of the Public: Kate Smith.

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

5-Year Pin

Amber Anderson, Fire Department
Brian Baxter, Fire Department
Joshua Brousseau, Fire Department
Andrew Lee, Fire Department
Josef Mairleitner, Fire Department
Paul Spinale, Fire Department
Ernesto Lazaro, Public Works Department
Anthony Trejo, Public Works Department
Edmundo Aguilar, Public Works Department
Seth Gelber, Public Works Department
Laura Condon, Parks and Recreation Department
Jeffrey Langley, Parks and Recreation Department

10-Year Pin

Ramon Bravo, Public Works Department

15-Year Pin

Bruce McDonald, Public Works Department

20-Year Pin

R Patrick Kelly, Public Works Department

30-Year Pin

Stephen Wiley, City Attorney's Office
Bettie Weiss, Community Development Department

2. **Subject: Proclamation Declaring May 2013 As Public Gardens Appreciation Month (120.04)**

Action: Proclamation presented to Joni Kelly.

CHANGES TO THE AGENDA

Item Removed from Agenda

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

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

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

Title: City Attorney

Scheduling: Duration, 40 minutes; anytime

Report: None anticipated

(Continued from April 30, 2013)

PUBLIC COMMENT

Speakers: k8 longstory, Rasta Mom.

Councilmember Francisco left the meeting at 2:21 p.m. and returned at 2:26 p.m.

ITEM REMOVED FROM CONSENT CALENDAR

Councilmembers Hotchkiss and White stated they would abstain from voting on the following item due to conflicts of interest related to their ownership of property located within the Wildland Fire Suppression Assessment District.

8. Subject: Set A Date For Public Hearing Regarding Renewal Of Levy For Fiscal Year 2014 For The Wildland Fire Suppression Assessment (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention to Renew the Wildland Fire Suppression Assessment Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Preliminarily Approving the Updated Engineer's Report; Stating Intention to Levy Assessments for Fiscal Year 2013-2014; and Establishing a Time of 2:00 P.M. on Tuesday, May 21, 2013, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment.

Documents:

- May 7, 2013, report from the Fire Chief.
- Proposed Resolution.

The title of the resolution was read.

Motion:

Councilmembers Rowse/Murillo to approve the recommendation;
Resolution No. 13-028.

Vote:

Unanimous roll call vote (Abstentions: Councilmembers Hotchkiss, White).

CONSENT CALENDAR (Item Nos. 3 – 7, 9 and 10)

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

Motion:

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

Vote:

Unanimous roll call vote.

3. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of April 30, 2013.

Action: Approved the recommendation.

4. Subject: Adoption Of Ordinance For City Consent To Sublease Amendment Between Signature Flight Support Corporation And Coastal Aviation Maintenance, LLC (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving the City's Consent to an Amendment of a Sublease Between Signature Flight Support Corporation, a California Corporation, and Coastal Aviation Maintenance, LLC, a California Limited Liability Company, for the Sublease of a Portion of the Premises Leased to Signature Flight Support in Restated Lease Agreement No. 12037.2 Located at 303 John Donaldson Place.

Action: Approved the recommendation; Ordinance No. 5618; Agreement No. 12,037.3.

5. Subject: Introduction Of Ordinance For Power Purchase Agreement (380.01)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Execution and Delivery of a California Renewable Energy Small Tariff Agreement with Southern California Edison, Inc., for the Purpose of Selling Electricity Generated at the City's Conduit Hydroelectric Plant, and Authorizing Related Actions.

Action: Approved the recommendation (May 7, 2013, report from the Public Works Director; proposed ordinance).

6. Subject: Introduction Of Ordinance For Fire Management Memorandum Of Understanding (440.02)

Recommendation: That Council:

- A. Ratify the Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara Fire Managers Association for the period of July 1, 2012, through June 30, 2015, by introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2012-2015 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer-Paid Member Contributions for Certain Fire Management Association Employees Effective January 12, 2013;
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer-Paid Member Contributions for Certain Fire Management Association Employees Effective June 29, 2013;
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer-Paid Member Contributions for Certain Fire Management Association Employees Effective January 11, 2014; and
- E. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer-Paid Member Contributions for Certain Fire Management Association Employees Effective January 10, 2015.

Action: Approved the recommendations; Resolution Nos. 13-023 – 13-026 (May 7, 2013, report from the Assistant City Administrator; proposed ordinance and resolutions).

7. Subject: Acquisition Of Real Property At 15 And 20 W. Mason Street For The Mason Street Bridge Replacement Project (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Acquire and Accept In Fee the Real Property Interests Located at 15 and 20 W. Mason Street to Accommodate the Mason Street Bridge Replacement Project, and Authorize the Public Works Director to Execute Such Agreements and Documents, to be Approved as to Form by the City Attorney, as Necessary for the Acquisition and Acceptance of Said Real Property Interests, and Record Said Real Property Interests in the Official Records of the County of Santa Barbara.

Action: Approved the recommendation; Resolution No. 13-027; Agreement Nos. 24,493 and 24,494 (May 7, 2013, report from the Public Works Director; proposed resolution).

NOTICES

9. The City Clerk has on Thursday, May 2, 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. Receipt of communications advising of vacancies created on: 1) the Rental Housing Mediation Task Force with the resignation of Pamela McMaster, and 2) the Santa Barbara Youth Council with the resignation of Sami Soto.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to hear Staff recommendations for the proposed refunding of Water Revenue Certificates Of Participation; the Committee approved the recommendations, which will be considered by the full Council as Item No. 11 on this Agenda. The Committee also reviewed proposed fee changes related to the Recommended Budget for Fiscal Year 2014.

FINANCING AUTHORITY REPORTS

11. Subject: 2013 Water Revenue Refunding Certificates Of Participation (240.04)

Recommendation:

- A. That the Board adopt, by reading of title only, A Resolution of the Board of Directors of the Santa Barbara Financing Authority Authorizing the Execution and Delivery by the Santa Barbara Financing Authority of an Installment Sale Agreement and a Trust Agreement in Connection With the Execution and Delivery of City of Santa Barbara Water Revenue Refunding Certificates of Participation, Series 2013, Authorizing the Execution and Delivery of Such Certificates Evidencing Principal in an Aggregate Amount of Not to Exceed \$30,000,000, and Authorizing Related Actions; and
- B. That Council adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Authorizing the Execution and Delivery by the City of an Escrow Agreement in Connection With the Execution and Delivery of City of Santa Barbara Water Revenue Refunding Certificates of Participation, Series 2013, Approving a Notice of Intention to Sell and Authorizing the Distribution of an Official Notice of Sale in Connection with Authorizing the Execution and Delivery of Such Certificates Evidencing Principal in an Aggregate Amount of Not to Exceed \$30,000,000, Authorizing the Distribution of a Preliminary Official Statement in Connection Therewith, and Authorizing Related Actions.

(Cont'd)

11. (Cont'd)

Documents:

- May 7, 2013, report from the Finance Director and the Assistant City Attorney.
- Proposed Resolutions.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions were read.

Speakers:

- Staff: Finance Director Robert Samario.
- KNN (Financial Advisor): Managing Director David Brodsky.

Motion:

Council/Board members House/White to approve the recommendations; Financing Authority Resolution No. FA-008; City Council Resolution No. 13-029; City Council Agreement No. 24,495.

Vote:

Unanimous roll call vote.

SUCCESSOR AGENCY REPORTS

12. Subject: Proposed Approval Of Long-Range Property Management Plan (620.01)

Recommendation: That the Successor Agency to the Redevelopment Agency of the City of Santa Barbara approve the Long-Range Property Management Plan for the Calle Cesar Chavez, Bath Street, Paseo Nuevo, Children's Museum and Railroad Depot properties and request review and approval by the Oversight Board.

Documents:

- May 7, 2013, report from the Assistant City Administrator/Community Development Director.
- Long-Range Property Management Plans for the Calle Cesar Chavez, Railroad Depot Regional Transportation Center and Bath Street parcels, and for the Paseo Nuevo Shopping Center reversionary interest.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Assistant City Administrator Paul Casey, City Attorney Stephen Wiley.

(Cont'd)

12. (Cont'd)

Motion:

Councilmember House to disapprove the Staff recommendation to dispose of the Calle Cesar Chavez parcels through sale, and direct Staff to negotiate with the State for the City's ownership of these properties.

The motion died for lack of a second.

Motion:

Councilmembers Rowse/White to approve the Staff recommendation.

Vote:

Unanimous voice vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

13. Subject: Adoption Of Resolution Of Necessity For The Cota Street Bridge Replacement Project (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of Necessity by the Council of the City of Santa Barbara to Acquire the Real Property Commonly Known as 230 W. Cota Street.

Documents:

- May 7, 2013, report from the Public Works Director.
- Proposed Resolution.

The title of the resolution was read.

Public Comment Opened:

3:29 p.m.

Speakers:

Staff: Principal Engineer John Ewasiuk, City Attorney Stephen Wiley.

Public Comment Closed:

3:39 p.m.

Motion:

Councilmembers Murillo/Rowse to approve the recommendation; Resolution No. 13-030.

Vote:

Unanimous roll call vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at the following events:
1) Cinco de Mayo celebration at Harding School; 2) Puerto Vallarta Sister Cities dinner; and 3) Breakfast at McDonalds, held at the Milpas Street location of the restaurant.
- Councilmember Hotchkiss commented on the Breakfast at McDonalds event.
- Councilmember White also remarked on the Breakfast at McDonalds event, and he reported on his attendance at: 1) the UCSB Economic Forecast presentation; 2) the Courthouse Legacy Foundation gathering at the Courthouse Mural Room; and 3) a panel regarding sustainable tourism, where a speaker outlined strategies used by the State of Hawaii to reduce the impacts of tourism.
- Councilmember Rowse spoke about a proposal by the Downtown Organization Governmental Relations Committee to extend the Downtown Organization Business Improvement District down lower State Street to the beach; he also mentioned his attendance at an awards ceremony sponsored by Safe Launch, an organization which provides youth with opportunities to give written voice to their experiences with addiction.
- Councilmember House reported on his attendance at: 1) the recent meeting of the Community Action Commission, at which the impact of reduced funding for the Commission's services was discussed; and 2) the Teen Leadership Conference.

RECESS

The Mayor recessed the meeting at 3:53 p.m. in order for the Council to reconvene in closed session for Item Nos. 14, 15, and 17; no reportable action is anticipated.

CLOSED SESSIONS

14. Subject: Conference with Legal Counsel - Threatened Litigation (160.03)

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to subsection (b)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

May 7, 2013, report from the City Attorney.

Time:

3:55 p.m. – 4:20 p.m.

No report made.

17. 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 Police Bargaining Unit, Supervisor's Bargaining Unit, and the General Bargaining Unit, and regarding discussions with certain unrepresented managers about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime
Report: None anticipated

Time:

4:20 p.m. – 4:48 p.m.

No report made.

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

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

Title: City Administrator
Scheduling: Duration, 40 minutes; anytime
Report: None anticipated

Documents:

May 7, 2013, report from the Mayor.

Time:

4:48 p.m. – 5:20 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:20 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

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

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

SUBJECT: Records Destruction For Community Development Department

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Community Development Department in the Administration, Housing and Human Services Division.

DISCUSSION:

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

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

The Community Development Director requests the City Council to approve the destruction of the Community Development Department records in the Administration, Housing and Human Services Division listed on Exhibit A of the proposed Resolution, without retaining a copy.

SUSTAINABILITY IMPACT:

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

PREPARED BY: Gabriele Cook, Administrative Specialist

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

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA RELATING TO THE DESTRUCTION OF
RECORDS HELD BY THE COMMUNITY DEVELOPMENT
DEPARTMENT IN THE ADMINISTRATION, HOUSING AND
HUMAN SERVICES DIVISION

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

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

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

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

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

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

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

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

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

COMMUNITY DEVELOPMENT DEPARTMENT
ADMINISTRATION, HOUSING & HUMAN SERVICES DIVISION

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)

<u>Records Series</u>	<u>Date(s)</u>
Community Development Block Grant Files	FY 2007

HUMAN SERVICES

<u>Records Series</u>	<u>Date(s)</u>
Human Services Project Files	FY 2005

REDEVELOPMENT AGENCY

<u>Records Series</u>	<u>Date(s)</u>
Housing Rehabilitation Loan Program Files	2003, 2007, 2008



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013
TO: Mayor and Councilmembers
FROM: Treasury Division, Finance Department
SUBJECT: April 2013 Investment Report

RECOMMENDATION:

That Council accept the April 2013 Investment Report.

DISCUSSION:

The attached investment report includes Investment Activity, Interest Revenue, a Summary of Cash and Investments, and Investment Portfolio detail as of April 30, 2013.

ATTACHMENT: April 2013 Investment Report
PREPARED BY: Genie Wilson, Treasury Manager
SUBMITTED BY: Robert Samario, Finance Director
APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA
Activity and Interest Report
April 30, 2013

INVESTMENT ACTIVITY

PURCHASES OR DEPOSITS

4/4 LAIF Deposit - City	\$ 3,000,000
4/11 LAIF Deposit - City	3,000,000
4/30 LAIF Deposit - City	<u>9,000,000</u>
Total	\$ 15,000,000

SALES, MATURITIES, CALLS OR WITHDRAWALS

4/8 Federal Farm Credit Bank (FFCB) - Maturity	\$ (2,000,000)
4/12 Federal National Mortgage Association (FNMA) - Call	(2,000,000)
4/18 Federal National Mortgage Association (FNMA) - Call	<u>(2,000,000)</u>
Total	\$ (6,000,000)

ACTIVITY TOTAL

\$ 9,000,000

INVESTMENT INCOME

POOLED INVESTMENTS

Interest Earned on Investments	\$ 190,999
Amortization	(24,004)
Interest on UB Accounts	<u>199</u>
Total	\$ 167,194

REDEVELOPMENT SUCCESSOR AGENCY INVESTMENTS

Interest Earned on Investments (LAIF)	<u>\$ (127)</u>
---------------------------------------	-----------------

INCOME TOTAL

\$ 167,067

CITY OF SANTA BARBARA
Investment Portfolio
April 30, 2013

DESCRIPTION	PURCHASE DATE	MATURITY DATE	QUALITY RATING		STATED RATE	YIELD AT 365	FACE VALUE	BOOK VALUE	MARKET VALUE	BOOK GAIN/(LOSS)	COMMENTS
			MOODY'S	S & P							
LOCAL AGENCY INVESTMENT FUNDS											
LOCAL AGENCY INVESTMENT FUND	-	-	-	-	0.264	0.264	41,000,000.00	41,000,000.00	41,000,000.00	0.00	
LOCAL AGENCY INV FUND/RDAS	-	-	-	-	0.264	0.264	0.00	0.00	0.00	0.00	
Subtotal, LAIF							41,000,000.00	41,000,000.00	41,000,000.00	0.00	
CERTIFICATES OF DEPOSIT											
MONTECITO BANK & TRUST	11/18/11	11/18/13	-	-	0.800	0.800	2,000,000.00	2,000,000.00	2,000,000.00	0.00	
UNION BANK	08/31/12	08/31/15	-	-	1.230	1.247	2,000,000.00	2,000,000.00	2,000,000.00	0.00	
UNION BANK	08/31/12	08/31/17	-	-	1.490	1.511	4,000,000.00	4,000,000.00	4,000,000.00	0.00	
Subtotal, Certificates of deposit							8,000,000.00	8,000,000.00	8,000,000.00	0.00	
TREASURY SECURITIES - COUPON											
U S TREASURY NOTE	10/25/12	03/15/15	Aaa	AA+	0.375	0.342	2,000,000.00	2,001,225.24	2,006,100.00	4,874.76	
U S TREASURY NOTE	10/25/12	10/31/15	Aaa	AA+	1.250	0.397	2,000,000.00	2,042,369.29	2,048,760.00	6,390.71	
U S TREASURY NOTE	02/22/13	05/15/16	Aaa	AA+	5.125	0.442	2,000,000.00	2,282,388.05	2,289,680.00	7,291.95	
U S TREASURY NOTE	02/22/13	08/31/16	Aaa	AA+	1.000	0.502	2,000,000.00	2,032,853.32	2,041,400.00	8,546.68	
U S TREASURY NOTE	02/22/13	02/28/17	Aaa	AA+	0.875	0.607	2,000,000.00	2,020,265.00	2,031,560.00	11,295.00	
Subtotal, Treasury Securities							10,000,000.00	10,379,100.90	10,417,500.00	38,399.10	
FEDERAL AGENCY ISSUES - COUPON											
FEDERAL FARM CREDIT BANK	02/10/11	02/10/14	Aaa	AA+	1.375	1.375	2,000,000.00	2,000,000.00	2,019,060.00	19,060.00	
FEDERAL FARM CREDIT BANK	08/15/12	08/15/17	Aaa	AA+	0.980	0.980	2,000,000.00	2,000,000.00	2,005,380.00	5,380.00	Callable 08/15/13, then cont.
FEDERAL FARM CREDIT BANK	02/16/11	02/16/16	Aaa	AA+	2.570	2.570	2,000,000.00	2,000,000.00	2,122,200.00	122,200.00	
FEDERAL FARM CREDIT BANK	09/13/12	09/13/17	Aaa	AA+	1.020	1.020	2,000,000.00	2,000,000.00	2,000,220.00	220.00	Callable, continuous
FEDERAL HOME LOAN BANK	04/15/10	10/15/13	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,017,120.00	17,120.00	
FEDERAL HOME LOAN BANK	08/05/10	09/12/14	Aaa	AA+	1.375	1.375	2,000,000.00	2,000,000.00	2,031,880.00	31,880.00	
FEDERAL HOME LOAN BANK	09/17/09	12/13/13	Aaa	AA+	3.125	2.440	2,000,000.00	2,007,973.12	2,036,860.00	28,886.88	
FEDERAL HOME LOAN BANK	04/05/10	11/29/13	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,021,600.00	21,600.00	
FEDERAL HOME LOAN BANK	01/16/13	01/16/18	Aaa	AA+	1.000	1.000	4,000,000.00	4,000,000.00	4,004,720.00	4,720.00	Callable 07/16/13, then qtrly
FEDERAL HOME LOAN BANK	09/26/11	08/28/13	Aaa	AA+	1.000	0.381	1,000,000.00	1,002,003.54	1,002,890.00	886.46	
FEDERAL HOME LOAN BANK	09/17/09	09/13/13	Aaa	AA+	4.375	2.272	2,000,000.00	2,014,663.40	2,031,260.00	16,596.60	
FEDERAL HOME LOAN BANK	02/22/10	12/13/13	Aaa	AA+	3.125	2.130	2,000,000.00	2,011,720.18	2,036,860.00	25,139.82	
FEDERAL HOME LOAN BANK	02/09/11	01/29/15	Aaa	AA+	1.750	1.750	2,000,000.00	2,000,000.00	2,052,000.00	52,000.00	
FEDERAL HOME LOAN BANK	04/15/11	05/27/15	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,070,180.00	70,180.00	
FEDERAL HOME LOAN BANK	09/26/11	10/30/13	Aaa	AA+	2.000	0.400	1,500,000.00	1,511,872.40	1,513,935.00	2,062.60	
FEDERAL HOME LOAN MTG CORP	01/06/11	02/25/14	Aaa	AA+	1.375	1.375	2,000,000.00	2,000,000.00	2,020,000.00	20,000.00	
FEDERAL HOME LOAN MTG CORP	03/28/12	03/28/17	Aaa	AA+	1.350	1.350	2,000,000.00	2,000,000.00	2,022,960.00	22,960.00	Callable 03/28/14, once
FEDERAL HOME LOAN MTG CORP	02/21/12	02/21/17	Aaa	AA+	1.300	1.300	2,000,000.00	2,000,000.00	2,018,600.00	18,600.00	Callable 02/21/14, once
FEDERAL HOME LOAN MTG CORP	04/23/12	04/17/15	Aaa	AA+	0.500	0.534	2,000,000.00	1,998,672.14	2,009,580.00	10,907.86	

CITY OF SANTA BARBARA

Investment Portfolio

April 30, 2013

DESCRIPTION	PURCHASE DATE	MATURITY DATE	QUALITY RATING MOODY'S	QUALITY RATING S & P	STATED RATE	YIELD AT 365	FACE VALUE	BOOK VALUE	MARKET VALUE	BOOK GAIN/(LOSS)	COMMENTS
FEDERAL HOME LOAN MTG CORP	06/12/12	06/12/17	Aaa	AA+	1.250	1.250	2,000,000.00	2,000,000.00	2,021,060.00	21,060.00	Callable 06/12/14, then qtrly
FEDERAL HOME LOAN MTG CORP	07/24/12	07/24/17	Aaa	AA+	1.125	1.125	2,000,000.00	2,000,000.00	2,004,300.00	4,300.00	Callable 07/24/13, then qtrly
FEDERAL HOME LOAN MTG CORP	05/24/12	05/24/17	Aaa	AA+	1.200	1.200	2,000,000.00	2,000,000.00	2,001,340.00	1,340.00	Callable 05/24/13, then qtrly
FEDERAL HOME LOAN MTG CORP	09/12/12	09/12/17	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	2,004,660.00	4,660.00	Callable 09/12/13, then qtrly
FEDERAL HOME LOAN MTG CORP	01/16/13	01/16/18	Aaa	AA+	1.050	1.050	4,000,000.00	4,000,000.00	4,005,240.00	5,240.00	Callable 07/16/13, then qtrly
FEDERAL HOME LOAN MTG CORP	02/11/11	04/02/14	Aaa	AA+	4.500	1.615	2,000,000.00	2,051,508.40	2,078,380.00	26,871.60	
FEDERAL HOME LOAN MTG CORP	06/07/12	06/07/17	Aaa	AA+	1.300	1.300	2,000,000.00	2,000,000.00	2,002,400.00	2,400.00	Callable 06/07/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	10/28/11	10/28/16	Aaa	AA+	1.500	1.521	2,000,000.00	1,999,508.33	2,012,100.00	12,591.67	Callable 10/28/13, once
FEDERAL NATL MORTGAGE ASSN	01/30/13	01/30/18	Aaa	AA+	1.030	1.030	3,000,000.00	3,000,000.00	3,011,760.00	11,760.00	Callable 01/30/14, then qtrly
FEDERAL NATL MORTGAGE ASSN	11/17/10	11/17/14	Aaa	AA+	1.300	1.300	2,000,000.00	2,000,000.00	2,033,100.00	33,100.00	
FEDERAL NATL MORTGAGE ASSN	06/27/11	06/27/16	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,004,340.00	4,340.00	Callable 06/27/13, once
FEDERAL NATL MORTGAGE ASSN	08/28/12	08/28/17	Aaa	AA+	1.150	1.150	2,000,000.00	2,000,000.00	2,007,100.00	7,100.00	Callable 08/28/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	12/12/12	12/12/17	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	2,002,040.00	2,040.00	Callable 06/12/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	11/08/12	11/08/17	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	2,003,840.00	3,840.00	Callable 05/08/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	11/08/12	11/08/17	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	2,003,840.00	3,840.00	Callable 05/08/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	12/26/12	12/26/17	Aaa	AA+	1.000	1.000	4,000,000.00	4,000,000.00	4,013,800.00	13,800.00	Callable 12/26/13, then qtrly
FEDERAL NATL MORTGAGE ASSN	09/21/10	09/21/15	Aaa	AA+	2.000	2.000	2,000,000.00	2,000,000.00	2,078,780.00	78,780.00	
FEDERAL NATL MORTGAGE ASSN	12/10/10	10/26/15	Aaa	AA+	1.625	2.067	2,000,000.00	1,979,184.62	2,062,660.00	83,475.38	
FEDERAL NATL MORTGAGE ASSN	06/01/12	05/29/15	Aaa	AA+	0.650	0.650	2,000,000.00	2,000,000.00	2,000,600.00	600.00	Callable 05/29/13, once
FEDERAL NATL MORTGAGE ASSN	02/05/13	02/05/18	Aaa	AA+	1.000	1.000	2,000,000.00	2,000,000.00	2,010,480.00	10,480.00	Callable 02/05/15, then qtrly
Subtotal, Federal Agencies							83,500,000.00	83,577,106.13	84,399,125.00	822,018.87	
CORPORATE/MEDIUM TERM NOTES											
BERKSHIRE HATHAWAY FIN	12/15/10	12/15/15	Aa2	AA+	2.450	2.530	2,000,000.00	1,996,066.67	2,099,060.00	102,993.33	
GENERAL ELECTRIC CAPITAL CORP	11/10/10	11/09/15	A1	AA+	2.250	2.250	2,000,000.00	2,000,000.00	2,070,020.00	70,020.00	
GENERAL ELECTRIC CAPITAL CORP	01/07/11	01/07/14	A1	AA+	2.100	2.100	2,000,000.00	2,000,000.00	2,024,680.00	24,680.00	
PROCTOR & GAMBLE	09/20/11	11/15/15	Aa3	AA-	1.800	1.085	2,000,000.00	2,035,398.39	2,063,780.00	28,381.61	
TOYOTA MOTOR CREDIT	09/26/11	09/15/16	Aa3	AA-	2.000	1.800	2,000,000.00	2,012,838.95	2,076,300.00	63,461.05	
Subtotal, Corporate Securities							10,000,000.00	10,044,304.01	10,333,840.00	289,535.99	
SB AIRPORT PROMISSORY NOTE (LT)											
SANTA BARBARA AIRPORT	07/14/09	06/30/29	-	-	7.000	7.000	5,697,948.77	5,697,948.77	5,697,948.77	0.00	
Subtotal, SBA Note							5,697,948.77	5,697,948.77	5,697,948.77	0.00	
TOTALS							158,197,948.77	158,698,459.81	159,848,413.77	1,149,953.96	

Market values have been obtained from the City's safekeeping agent, Union Bank.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Introduction Of Ordinance For The Approval Of Encroachments At 33 West Victoria Street

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Encroachment Permit to Luria - New Vic LLC, a California Limited Liability Company, and Ensemble Theatre Company, Inc., a California Non-Profit Corporation, for the Property Known as 33 West Victoria Street and 1236 Chapala Street, Santa Barbara County Assessor's Parcel Number 039-181-001, Which Is Owned by Child Abuse Listening Mediation, Inc., a California Non-Profit Public Benefit Corporation, for Site Improvements That Will Encroach into the Public Right-of-Way and City Parking Lot No. 5, and Authorizing the City Administrator to Execute Same.

BACKGROUND:

The Victoria Hall Theater (Victoria Theater), located at 33 West Victoria Street, is currently under construction for interior and structural renovations. On August 2, 2011, Council conceptually approved an encroachment permit requested on behalf of Ensemble Theatre Company, Inc., a California Non-Profit Corporation (Ensemble), to relocate the sidewalk along the Victoria Street frontage into the street parking lane in front of the Victoria Theater in order to accommodate a landing, ramp, and stairs within the public right of way which are necessary to comply with building and accessibility codes (Attachments 1 and 2). Council's conceptual approval of these encroachments along the Victoria Street frontage provided the Ensemble with a reasonable expectation that the encroachments would ultimately be approved, subject to certain conditions, prior to expending costly resources to obtain final design plans and Historic Landmarks Commission (HLC) approval. In April 2013, Luria-New Vic LLC, a California Limited Liability Company (Luria), purchased a 99-year lease of Victoria Theater from the property owner, Child Abuse Listening Mediation, Inc. (subject to Ensemble's previously existing lease of the Victoria Theatre). Ensemble and Luria are now jointly pursuing the encroachment permit. Ensemble and Luria are hereinafter referred to collectively as "Permitee."

DISCUSSION:

Since receiving conceptual approval from Council to allow the entryway encroachments within the public right of way, the Permittee has proceeded with obtaining final HLC approval for the encroaching frontage improvements and building permit approval for the interior renovations. The final encroachment permit also includes private improvements to the rear of the building, for a loading dock lift and associated equipment that would be recessed underneath the sidewalk on the southerly side of the building, that encroach into City Parking Lot No. 5 (Lot 5). The loading dock lift would allow for equipment for stage productions to be loaded and unloaded into the rear of the Victoria Theater, and would only operate for short intermittent periods before and after performances. In addition, a new private fire sprinkler water service line is required for fire safety within the theater building. The new fire sprinkler water service line would enter from the existing Chapala Street water main into the Lot 5 entrance, and traverse under the existing sidewalk and landscaped planter to the point of entry into the theater building. These private improvements would be within a portion of the Lot 5 property (Attachment 3) and are included in the Encroachment Permit Agreement.

The City and Ensemble intend to execute a separate operational and maintenance agreement in order to mitigate the impact that productions and events occurring at the Victoria Theater may have on Lot 5. This agreement will be executed by the Public Works Director, subject to approval as to form by the City Attorney.

The final Encroachment Permit Agreement has been approved as to form by the City Attorney and executed by the Permittee. Council approval of the Ordinance being presented will authorize the City Administrator to execute this agreement. If approved, the Encroachment Permit Agreement will be recorded in the Official Records of Santa Barbara County and the terms of the agreement will run with the property and provide constructive notice to all future interested parties concerning the encroachments allowed by the City, including the Permittee's responsibility for maintenance and liability of the encroachments. In addition, the permit will allow for the removal of the improvements and for termination of the encroachment permit with one year's prior notice should the encroachments no longer be necessary by reason of a change of use of the theater building or in the event of a future City project requiring their removal. It is anticipated that these improvements encroaching into the public right of way and the Lot 5 will be long term. Since the encroachments and related Encroachment Permit Agreement are anticipated to exceed a five-year period, the adoption of an ordinance is necessary.

BUDGET/FINANCIAL INFORMATION:

All required City review and permit fees will be paid for by the applicant, and there will be no City costs associated with the alteration of the proposed improvements along the frontage of Victoria Street, or at the rear of the building within Lot 5.

- ATTACHMENT(S):**
1. August 2, 2011 Council Agenda Report, Conceptual Approval Of Encroachments Proposed by Ensemble Theatre Company Fronting Victoria Hall Theater
 2. Encroachment Exhibits for entry at 33 West Victoria Street
 3. Encroachment Exhibits back of building; City Parking Lot No. 5

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Conceptual Approval Of Encroachments Proposed By Ensemble Theatre Company Fronting Victoria Hall Theater

RECOMMENDATION:

That Council conceptually approve an encroachment permit request by the Ensemble Theatre Company (Ensemble Theatre) to move the sidewalk into the parking lane in front of the Victoria Hall Theater (Victoria Hall), located at 33 West Victoria Street, to comply with building and accessibility codes during renovation.

DISCUSSION:

Ensemble Theatre is preparing to renovate Victoria Hall, located at 33 West Victoria Street. Victoria Hall currently has a two-foot elevation difference between the sidewalk in front of the theater and the lobby area, which is accommodated with steps immediately outside the front doors, and no landing. The current building code and Americans with Disabilities Act do not allow for stairs outside the front doors and require that a landing and ramp be provided for safe, accessible operations and emergency exiting. Unfortunately, the limited amount of space between the sidewalk and the front doors of Victoria Hall do not allow for stairs and the required landing and ramp. Ensemble Theatre is, therefore, requesting an encroachment permit to provide the landing, ramp, and stairs within the public right of way (Attachment).

In order to meet the needs of Ensemble Theatre's proposal, the sidewalk in front of Victoria Hall would need to be moved out into the parking lane. This change would also eliminate the possibility of a loading zone directly in front of Victoria Hall. Although a loading zone is desired, providing the landing and ramps is a higher priority to Ensemble Theatre. They suggest that a loading zone be placed just east of Victoria Hall to accommodate this need.

Initially, staff directed the Ensemble Theatre to explore options that would avoid the need for an encroachment. The encroachment could be avoided by adjusting the interior floor elevation of Victoria Hall down two feet. Ensemble Theatre has responded that this option is not financially feasible and would also present some challenges for retaining the historic look of the building.

Staff discussed this request with the Downtown Parking Committee on July 21, 2011, because the proposal would eliminate four to five parking spaces on Victoria Street in front of Victoria Hall. The Committee recommended that City Council approve the conceptual encroachment of the sidewalk into the parking lane for the Ensemble Theatre improvements because of the lack of viable alternatives, the importance to public safety, and to improve the vitality of the Theater District. The vote was six in favor and one abstention.

Staff understands the challenges associated with the renovation of Victoria Hall and supports the encroachment. Although valuable on-street parking would be lost, the need to accommodate the renovation seems to outweigh this loss. The current sidewalk width is about eight feet. The proposed sidewalk will be reduced to about six feet, but will remain adequate for the heavy pedestrian volumes along the south side of Victoria Street. Ensemble Theatre's preliminary design of the landing retains the look and feel of a public space.

Before it expends costly resources to obtain final design plans for full review by City staff and the Historic Landmarks Commission, Ensemble Theatre desires to obtain concept support to allow portions of the entryway improvements to encroach in the public right of way. Preliminary support by Council will provide the reasonable expectation that encroachments shown on preliminary design plans may finally be approved, subject to certain conditions, and subject to the City's issuance of final permits.

If concept approval is given by Council to allow the entryway encroachments, Ensemble Theatre will move to obtain all City approvals required. The final Encroachment Permit Agreement between Ensemble Theatre and the City, based on the approved design plans, will be presented to City Council for approval. If approved, the Encroachment Permit Agreement will be recorded in the Official Records of Santa Barbara County to run with the land and provide constructive notice to all future interested parties concerning the encroachments allowed by the City.

BUDGET/FINANCIAL INFORMATION:

All required City review and permit fees will be paid by the Ensemble Theatre, and there will be no City costs associated with the alteration of the proposed improvements along the frontage of Victoria Street.

ATTACHMENT(S): Letter dated July 18, 2011

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

July 18, 2011

Mr. Don Irelan, Senior Real Property Agent
 City of Santa Barbara
 Public Works Department
 630 Garden Street
 Santa Barbara, CA 93101



Subject: Ensemble Theatre Company
 Victoria Hall Theater Remodel
 33 West Victoria Street.
 APN# 039-181-001
 MST# 200 10-00327
 PMSM #09051.07

Dear Mr. Irelan:

Per our discussions with your department and other City staff, and as a key aspect of our Victoria Theater remodeling project, we are requesting conceptual approval of a proposed Victoria Street encroachment permit to allow construction of an entry landing, a form of which will be required by code.

We believe a design in general conformity with the attached conceptual proposal will be excellent for the theater itself, for the neighboring businesses, for the public, and for street itself. With further guidance from staff and the Council we can refine the design and the dimensions to optimize the final design for the benefit of all.

Ensemble at the New Vic

Ensemble Theatre Company will be relocating to a completely renovated and redesigned Victoria Theater, that will be,

"...A modern, comfortable, well-equipped performance hall, with advanced lighting and sound equipment, flexibly designed to accommodate a rich variety of performing, entertainment arts, and other uses, including music, dance, lectures, and film."

Ensemble has already made significant progress on its *Ensemble at the New Vic* capital campaign and is excited to be bringing to life an important new venue that will complete the City's performing arts district.

Design Status

We have completed a schematic design of the proposed remodel and have introduced the project to lead City departments. We have obtained preliminary comments from the Preliminary Review Team process, review by the City Historian, and preliminary code review by the Building Department. Working with staff we have revised and improved the design to respond to the comments to date.

The Historic Landmarks Committee has provided us very valuable comments on the only two aspects of our proposed project that affect the exterior. In order for us to proceed to the next phase of design we require conceptual approval from the City Council for our proposed solution to the existing code problem at the Victoria Street entry to the building.

Required Entry Landing

The existing Victoria Theater has a long-standing major code deficiency that we must address. The lobby is approximately 2' above the elevation of the sidewalk. There are concrete steps immediately outside the exit doors, running the entire length of the building. (See Exhibit A, attached.) People exiting the building immediately encounter steps down. That is unexpected, unsafe, and violates the building, life and safety code that (very logically) requires a landing outside an exit door so that people can exit a building before encountering steps, as well as a landing at the bottom of steps.

Because Victoria Theater's exit doors are right above the sidewalk, and the existing concrete steps already encroach onto the sidewalk, *any* landing that is built to satisfy code requirements will require a City encroachment permit. *Any* design will have an impact on the existing on-street parking spaces, as it would be undesirable to have on-street parking directly in front of the entrance to the theater.

To address these problems we propose a new entry landing that will also improve the functioning of the theater as a performing arts facility, and that we believe will enhance the entire block of Victoria Street. To avoid having the landing reduce the sidewalk inappropriately, we proposed reconfiguring the sidewalk to the location of the existing on-street parking.

Any solution will require a landing that will encroach on the existing sidewalk. All solutions that meet code requirements and the City's minimum sidewalk and landscaping requirements involve some rerouting of the sidewalk. The conceptual proposal on Exhibit B would meet all code and city requirements and, for the reasons summarized below, offer a number of use, planning and public policy advantages. Although we believe that any satisfactory solution will involve all the design elements reflected on the attached conceptual proposal, the dimensions of the components can be reviewed and adjusted to achieve the optimal design.

We recognize that the encroachment proposal would result in loss of 5 parking spaces. Although loss of on-street spaces is always to be avoided, we think that in this unusual situation, the change is well justified as a result of the following principal factors. Because the renovated Victoria will certainly see a very significant increase in use, standard City practices would undoubtedly argue for white curbing the area directly in front of the entry. So, even without an encroachment, 2-3 spaces will be eliminated directly in front of the theater. But white curbing the area in front does nothing to solve the code and safety requirements with the existing entry. Those problem are only addressed with a code-requiring landing encroachment. The encroachment will eliminate 2-3 additional parking spaces, which is a relatively small number of incremental spaces necessary to address the code and safety concern with the existing building. In addition, of course, we believe the many benefits from the new entry that are summarized in this letter also mitigate in favor of the change. The proposed concept design shows 2 drop-off spaces preserved at the east end of the parking lane encroachment, conveniently located adjacent to the lower landing of the proposed ramp.

Merits of Proposal

We believe that the proposed design, besides being one of the few to meet all code and City requirements, offers very significant benefits to the theater, the performing arts, the business community, and the street itself.

- Adequate gathering, intermission, and post-event socializing space, is a critically aspect of every successful performing arts venue.
- The existing Victoria Theater has an exceedingly limited lobby, and the only exterior space is on the sidewalk itself. The proposal addresses both the code requirement for a landing and the need for audience gathering space, and will be an extremely beneficial feature of the design that will dramatically improve the effectiveness and use of the theater for all types of performing arts and related non-profit uses.
- The landing will create an appropriate separation between venue patrons and those using the sidewalk for unrelated purposes, and will reduce sidewalk congestion during events.
- The design will include a convenient straight path for pedestrians to ascend the landing rather than deviate around it on the sidewalk, which invites pedestrians to shared use of the landing.
- The landing design preserves the existing palms, and incorporates an additional landscape buffer that is aesthetically attractive and functionally important to direct cars past the entry to the passenger drop off location.
- We believe the landing will add an element of architectural interest that will be beneficial for the block and streetscape.

We and representatives of Ensemble look forward to discussing the proposal with you and with the City Council.

Per your suggestion we would like to request a reduced fee for the encroachment permit conceptual review, one half the full amount of \$3,317. A check in the amount of \$1,659 has been submitted.

Please call me or Monisha Adnani at 963-1955 if you have any questions regarding the plans or if you would like to meet to review the plans.

Sincerely,

Jason Currie, Project Manager

Attachments:

Concept design- Cover sheet, 11x17, July 18, 2011

Concept design- Exhibit A photos of existing conditions, 11x17, July 18, 2011

Concept design- Exhibit B proposed concept level site plan and elevation drawings, 11x17, July 18, 2011

VICTORIA HALL THEATER REMODEL



VIEW OF REMODEL VICTORIA HALL BUILDING FROM VICTORIA STREET

ENCROACHMENT PERMIT CONCEPT APPROVAL

PROJECT DESCRIPTION

Victoria Hall is a multi-story building comprising of a Theater Building portion and an Office Building portion. The Office Building portion was originally constructed in approximately 1909 and the Theater Building portion was originally constructed in approximately 1921. The building construction consists of wood framing with exterior plaster, brick veneer, and asphalt shingle roof. The Ensemble Theatre Company plans to relocate to and modernize the Victoria Hall Theater. Ensemble's goal is for the remodeled theater to be:

- a modern, comfortable, well-equipped performance hall with advanced lighting and sound equipment, flexible dance, lectures, and bars.

There is no proposed change in use.

The remodel of the Theater Building portion will include:

- Complete gut remodel of the exterior
- Reconstructed stage house including a proposed increase in height for the fly loft)
- Seismic upgrade
- New electrical, mechanical and plumbing systems
- New fire sprinklers
- New code required landing at Victoria Street entry
- New backstage accessible entrance at east part of site
- Refurbish exterior finishes

The remodel of the Office Building portion will include:

- New fire sprinklers

APPLICABLE CODES

THE INTENT OF THIS PROJECT IS TO COMPLY WITH THE 2010 CALIFORNIA HISTORIC BUILDING CODE (CHBC).

WHERE THE CHBC IS NOT APPROPRIATE, THIS PROJECT COMPLIES WITH THE FOLLOWING CODES:

- 2000 BUILDING STANDARDS ADMINISTRATIVE CODE, PART 1, CBSAC
- 2000 CALIFORNIA BUILDING CODE (CBC), PART 2, CBSAC (2008 IBC (CA APENDMENTS))
- 2000 CALIFORNIA ELECTRICAL CODE (CEC), PART 3, CBSAC (2008 NATIONAL ELECTRICAL CODE (CA APENDMENTS))
- 2000 CALIFORNIA FIRE CODE (CFR), PART 4, CBSAC (2003 INTERNATIONAL FIRE CODE (CA APENDMENTS))
- 2000 CALIFORNIA PLUMBING CODE (CPC), PART 5, CBSAC (2003 INTERNATIONAL PLUMBING CODE (CA APENDMENTS))
- 2000 CALIFORNIA FIRE CODE, PART 1, CBSAC
- 2000 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN), PART 1, CBSAC (2008 UNIFORM GREEN BUILDING STANDARDS (CALGREEN))
- 2000 CALIFORNIA REFERENCED STANDARDS, PART 2, CBSAC

PROJECT STATISTICS

PROJECT NAME: VICTORIA HALL THEATER REMODEL
 PROJECT ADDRESS: 33 BEST VICTORIA STREET, SANTA BARBARA, CA, 93101
 ASSESSOR'S PARCEL NUMBER: 031-00-00
 ZONE: C-3
 TOTAL LOT 8,000 SQ FT
 PROJECT SQUARE FOOTAGES:

AREA	EXISTING	PROPOSED	NET
BUILDINGS			
THEATER BLDG	6500 GSF	4550 GSF	0
GROUND FLR	5300 GSF	2785 GSF	- 2515 GSF
UPPER FLR	1200 GSF	1520 GSF	0
BASEMENT FLR	0	0	0
ADJACENT CONNECTED OFFICE BUILDING			
GROUND FLR	4900 GSF	4900 GSF	0
UPPER FLR	4900 GSF	4900 GSF	0
BASEMENT FLR	4900 GSF	4900 GSF	0
TOTAL OFFICE BLDG	14700 GSF	14700 GSF	0
BUILDINGS TOTAL	21200 GSF	29255 GSF	- 8155 GSF

STEREOWORK

EAST ALLEY PAVING	130 GSF	130 GSF	0
SOUTH SIDEWALK	80 GSF	80 GSF	0
NORTH SIDEWALK	900 GSF	14 G GSF	- 886 GSF
NORTH PATIO	0	1073 GSF	1073 GSF
TOTAL PAVING	2420 GSF	341 G GSF	- 2079 GSF
COURTYARD	1000 GSF	1000 GSF	0
LANDSCAPING			
SOUTH LANDSCAPING	353 GSF	353 GSF	0
SOUTH LANDSCAPING	825 GSF	505 GSF	- 320 GSF
TOTAL LANDSCAPING	1178 GSF	858 GSF	- 320 GSF

PROJECT PARKING

AREA	EXISTING	PROPOSED	NET
VICTORIA ST	1 (YELLOW SPACES)	1 (YELLOW SPACES)	0
SOUTH	2 (YELLOW SPACES)	2 (YELLOW SPACES)	0

ENCROACHMENT STATISTICS

TOTAL AREA OF NEW CONCRETE ENTRY LANDING, PLANTERS, RAMP AND STAIRS OTHER PUBLIC RIGHT OF WAY - 484 SF
 TOTAL AREA OF NEW ENTRY LANDING PLANTERS OTHER PUBLIC RIGHT OF WAY - 504 SF
 AREA OF PARKING LAINE ENCROACHMENT
 AREA OF PARKWAY PLANTERS
 AREA OF NEW SIDEWALK

VICINITY MAP



SHEET LIST

COVER SHEET/ SHEET LIST/ PROJECT STATS
 EXHIBIT - A PHOTOS OF EXISTING CONDITIONS
 EXHIBIT - B PROPOSED ENTRY LANDING, SITE PLAN AND ELEVATION DRAWINGS

ENSEMBLE THEATRE COMPANY
 VICTORIA HALL THEATER REMODEL
 CONCEPT APPROVALS PHASE
 2017.08.28

Exhibit A



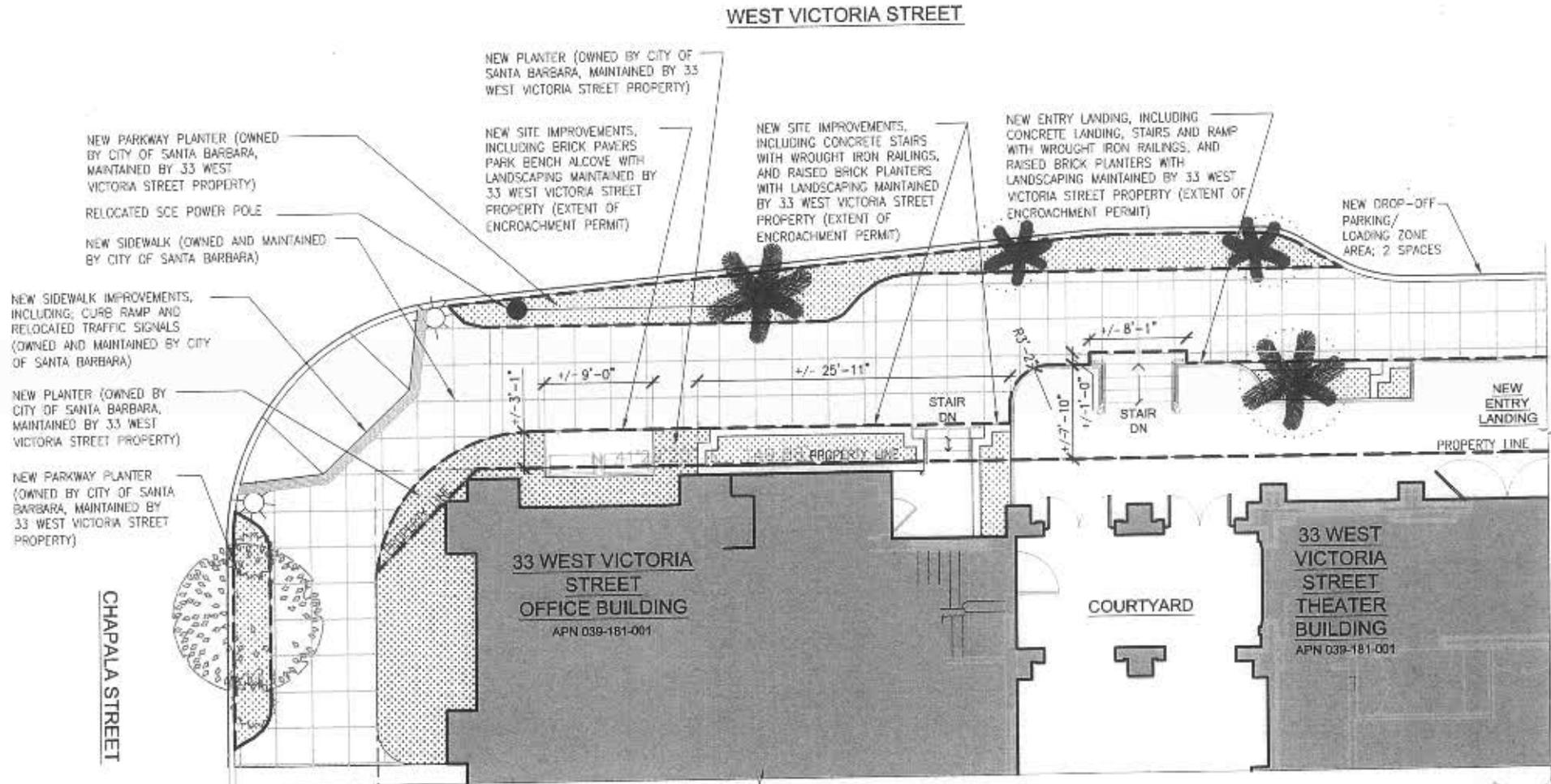
VIEW OF EXISTING VICTORIA STREET SIDEWALK



VIEW OF EXISTING ENTRY AND CONCRETE STAIRS VICTORIA STREET SIDEWALK

PHOTOS OF EXISTING CONDITION
 AT VICTORIA STREET ENTRY EXHIBIT-A
 ENSEMBLE THEATRE COMPANY
 VICTORIA HALL THEATER REMODEL
 CONCEPT APPROVALS PHASE
 2018-19-20

EXHIBIT B-1



PARTIAL SITE PLAN- AREA OF ENCROACHMENT PERMIT- NEW ENTRY LANDING

SHEET 1 OF 5

APRIL 12, 2013

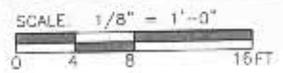
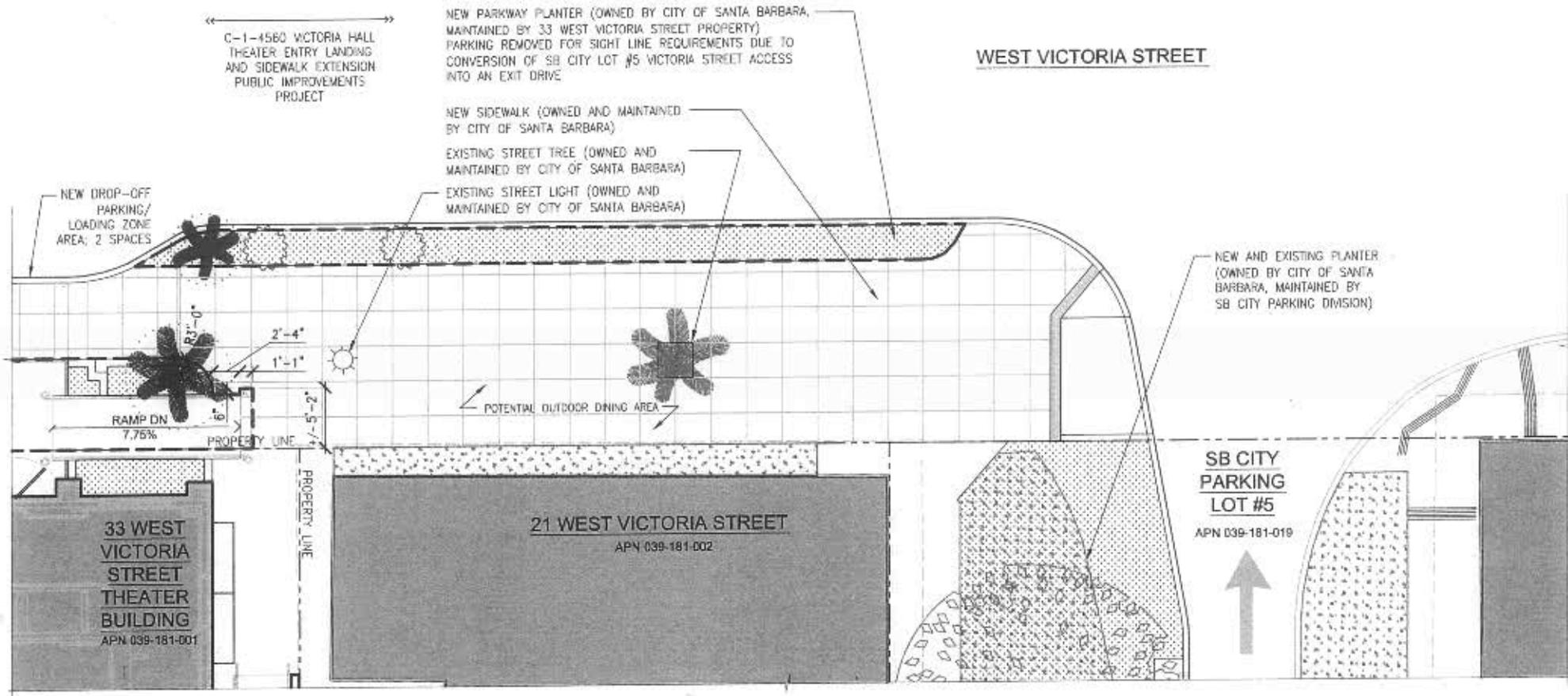
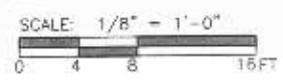


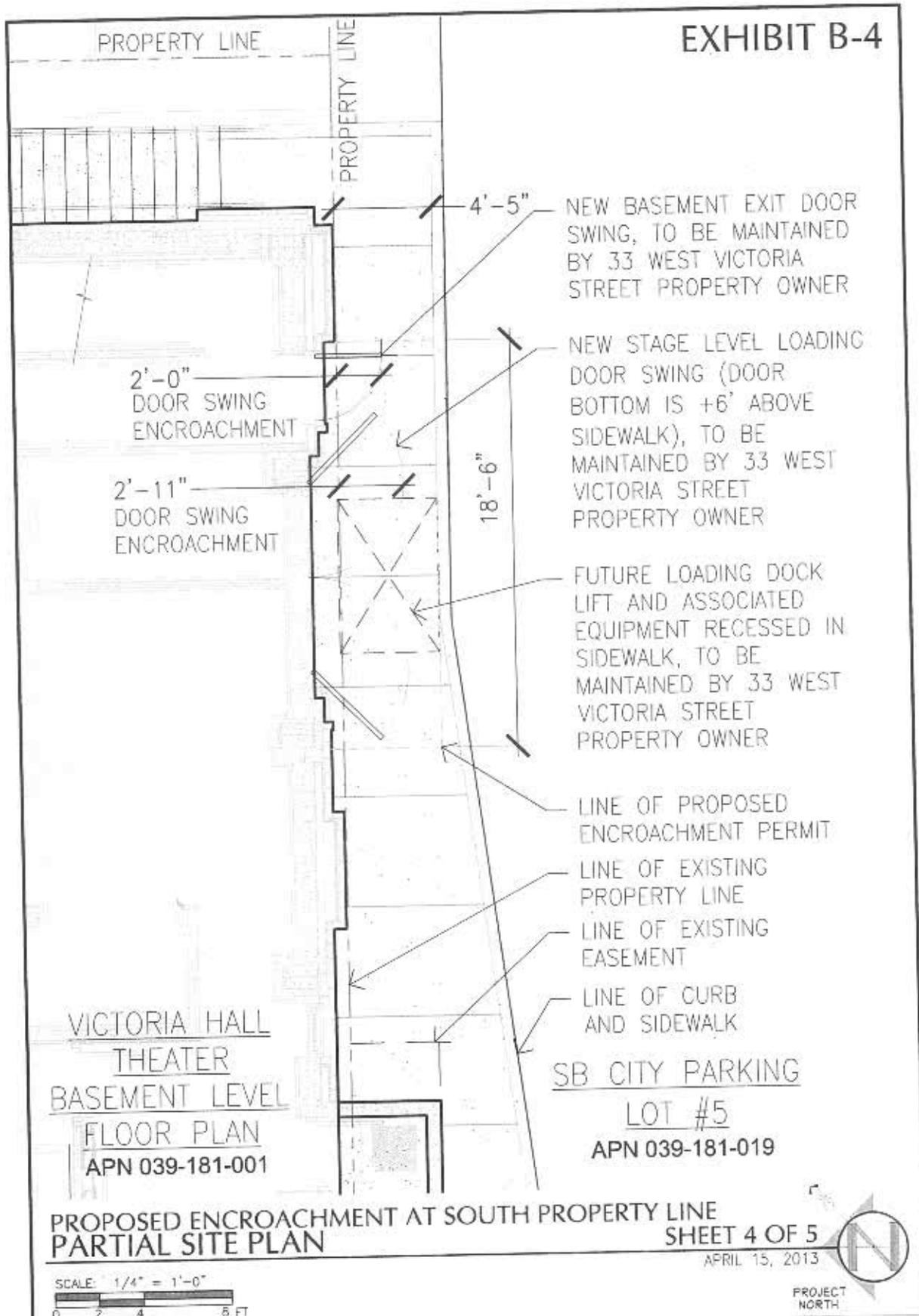
EXHIBIT B-3



PARTIAL SITE PLAN- AREA OF ENCROACHMENT PERMIT- SB CITY LOT #5

SHEET 3 OF 5
APRIL 12, 2013





VICTORIA HALL
THEATER
BASEMENT LEVEL
FLOOR PLAN
APN 039-181-001

SB CITY PARKING
LOT #5
APN 039-181-019

PROPOSED ENCROACHMENT AT SOUTH PROPERTY LINE
PARTIAL SITE PLAN

SHEET 4 OF 5

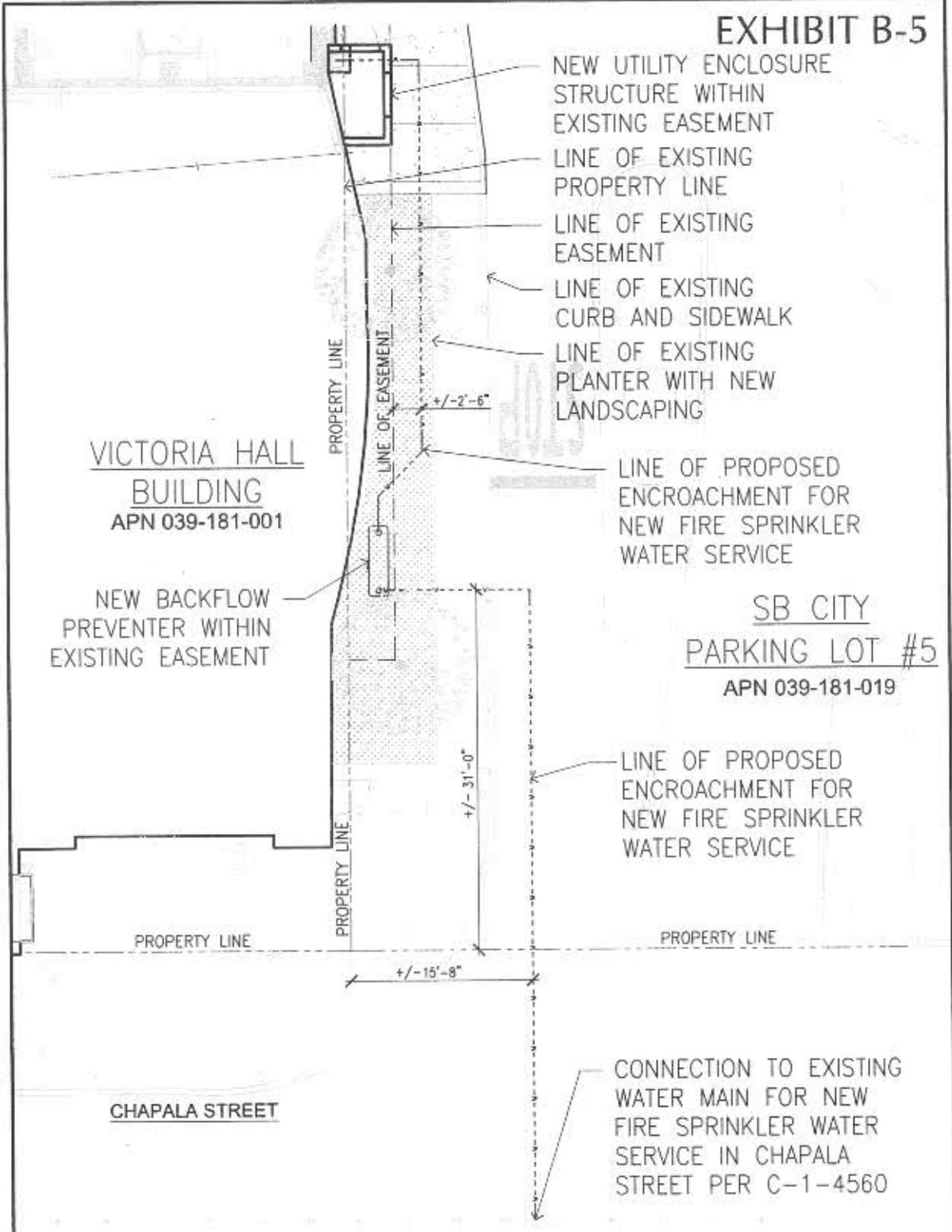
APRIL 15, 2013



PROJECT
NORTH

<p>ARCHITECTS</p> <p>PMSM</p> <p>2000 ALAMANDA VALLE SERRA, SUITE 210 SANTA BARBARA, CA 93101 TEL 805 962 1922 FAX 805 964 8527</p>	PROJECT NAME:	ENSEMBLE THEATRE COMPANY VICTORIA HALL RENOVEL 33 WEST VICTORIA STREET	DRAWING NO.
	REFERENCE NO.:	D-3-1081	<p>B-4</p>
	BLD #:		
	BULLETN. NO.:		
	PHSY JOB NO.:	08051.07	
DATE:		DRAWN BY:	JC

EXHIBIT B-5



PROPOSED ENCROACHMENT AT SOUTH PROPERTY LINE
PARTIAL SITE PLAN SHEET 5 OF 5

SCALE: 1/8" = 1'-0"

APRIL 15, 2013



 2012 PLANNING FACILITY DESIGN, SUITE 207 SANTA CLARA, CA 95051 TEL: 408.553.7863 FAX: 408.554.6646	PROJECT NAME: ENSEMBLE THEATRE COMPANY VICTORIA HALL RENOVEL 35 WEST VICTORIA STREET	DRAWING NO.
	REFERENCE NO. C-1-1081	BLD #
	BULLETH. NO.	PMSM JOB NO. 0905107
	DATE	DRAWN BY: JC

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AN ENCROACHMENT PERMIT TO LURIA - NEW VIC LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AND ENSEMBLE THEATRE COMPANY, INC., A CALIFORNIA NON-PROFIT CORPORATION, FOR THE PROPERTY KNOWN AS 33 WEST VICTORIA STREET AND 1236 CHAPALA STREET, SANTA BARBARA COUNTY ASSESSOR'S PARCEL NUMBER 039-181-001, WHICH IS OWNED BY CHILD ABUSE LISTENING MEDIATION, INC., A CALIFORNIA NON-PROFIT PUBLIC BENEFIT CORPORATION, FOR SITE IMPROVEMENTS THAT WILL ENCROACH INTO THE PUBLIC RIGHT-OF-WAY AND CITY PARKING LOT NO. 5, AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE SAME

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

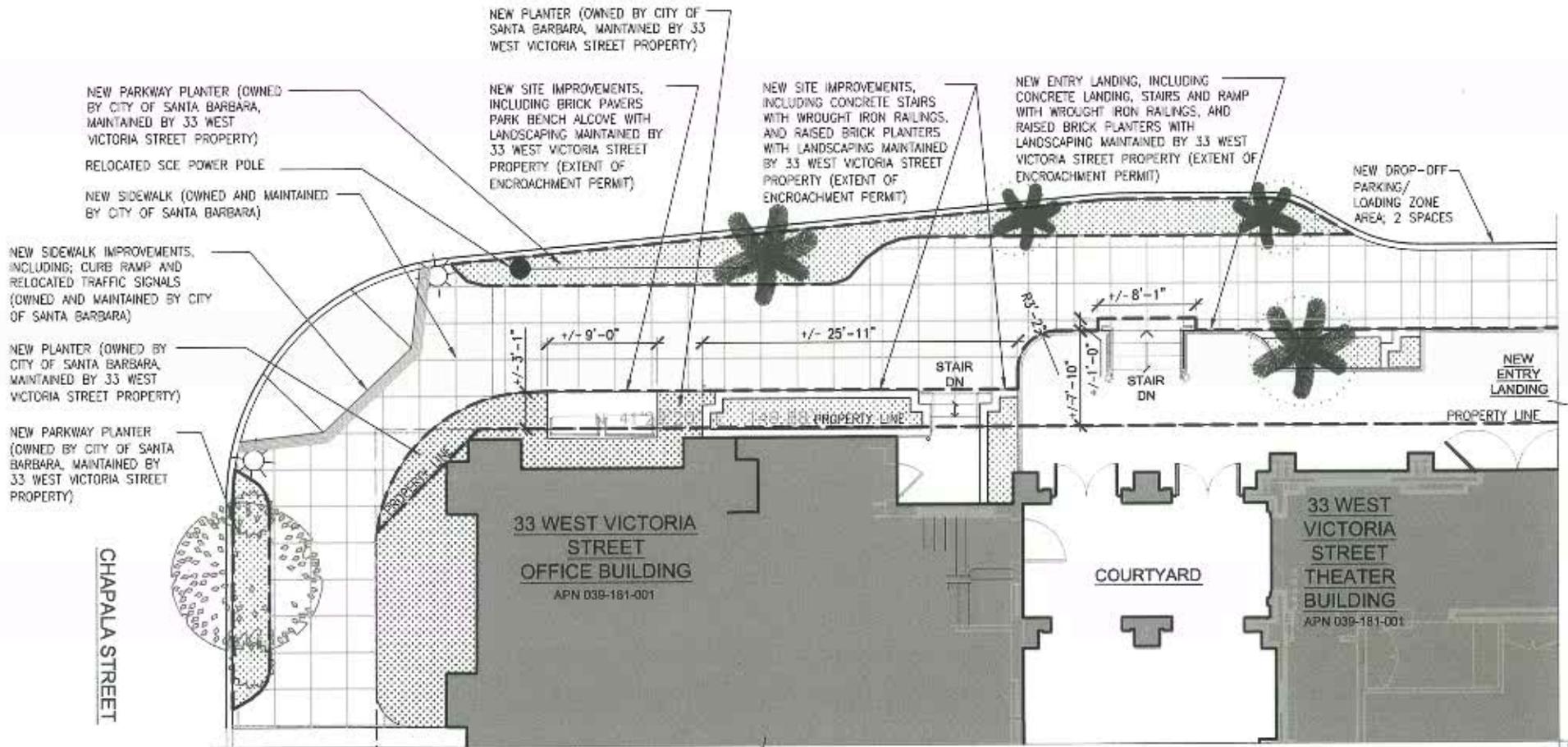
SECTION 1. That the Encroachment Permit, as approved as to form by the City Attorney, to Luria - New Vic LLC, a California limited liability company, and Ensemble Theatre Company, Inc., a California non-profit corporation, for proposed improvements occurring within the City's right of way at Victoria Street and also within Parking Lot 5 is approved pursuant to the City Charter and the City Administrator is authorized to execute the same.

SECTION 2. Said encroachments shall include new concrete entry landing, stairs and ramp with wrought iron railings, raised brick planters with landscaping, brick pavers, park bench alcove, and parkway planters with landscaping within City's right of way at Victoria Street, and recessed loading dock lift and equipments, and new fire sprinkler water service line within City Parking Lot 5 (all as illustrated in the Attachment).

SECTION 3. That upon the effective date of the ordinance, the City Clerk is authorized to record the Encroachment Permit in the Official Records, in the Office of the County Recorder, Santa Barbara County.

EXHIBIT B-1

WEST VICTORIA STREET



PARTIAL SITE PLAN- AREA OF ENCROACHMENT PERMIT- NEW ENTRY LANDING

SHEET 1 OF 5

APRIL 12, 2013

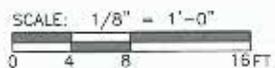
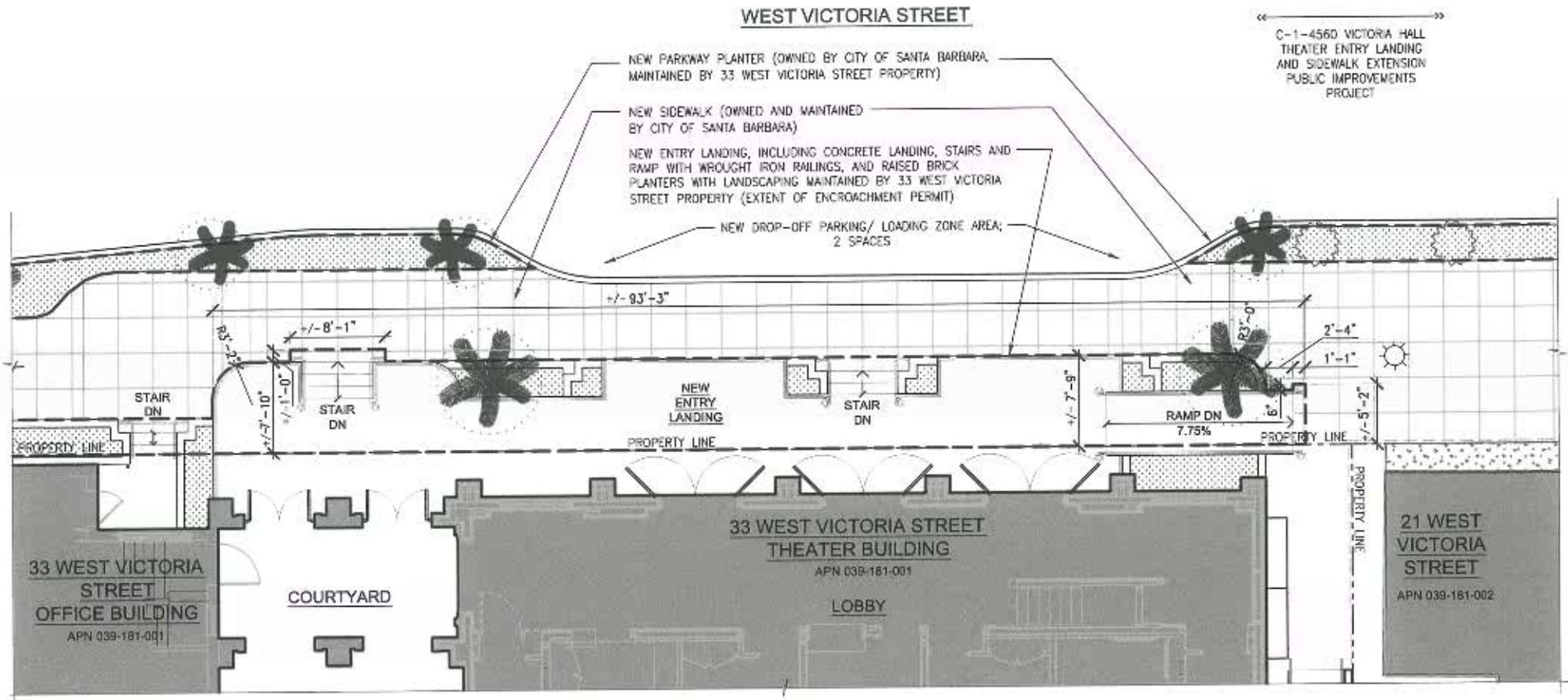


EXHIBIT B-2



PARTIAL SITE PLAN- AREA OF ENCROACHMENT PERMIT- NEW ENTRY LANDING SHEET 2 OF 5

APRIL 12, 2013

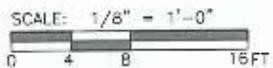
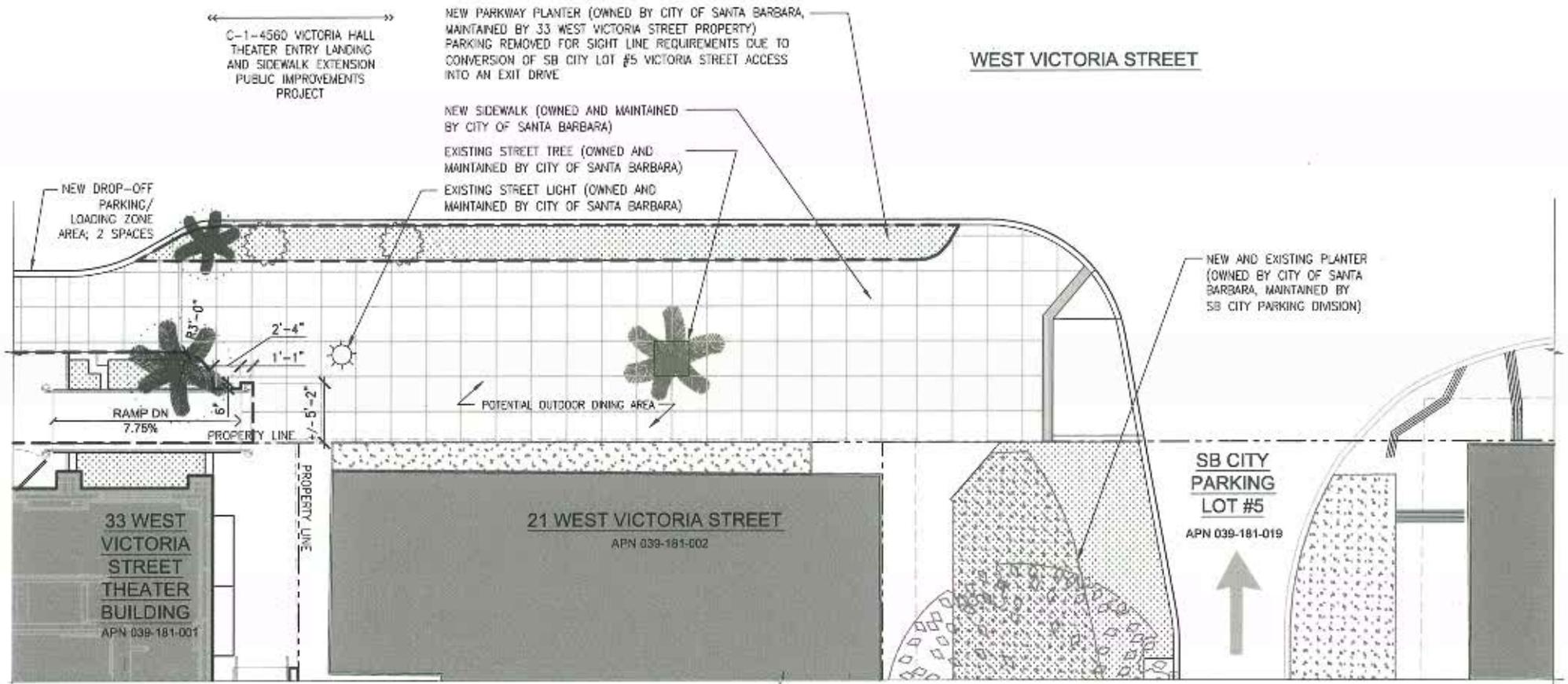


EXHIBIT B-3



PARTIAL SITE PLAN- AREA OF ENCROACHMENT PERMIT- SB CITY LOT #5

SHEET 3 OF 5
APRIL 12, 2013

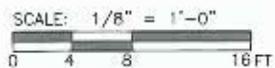
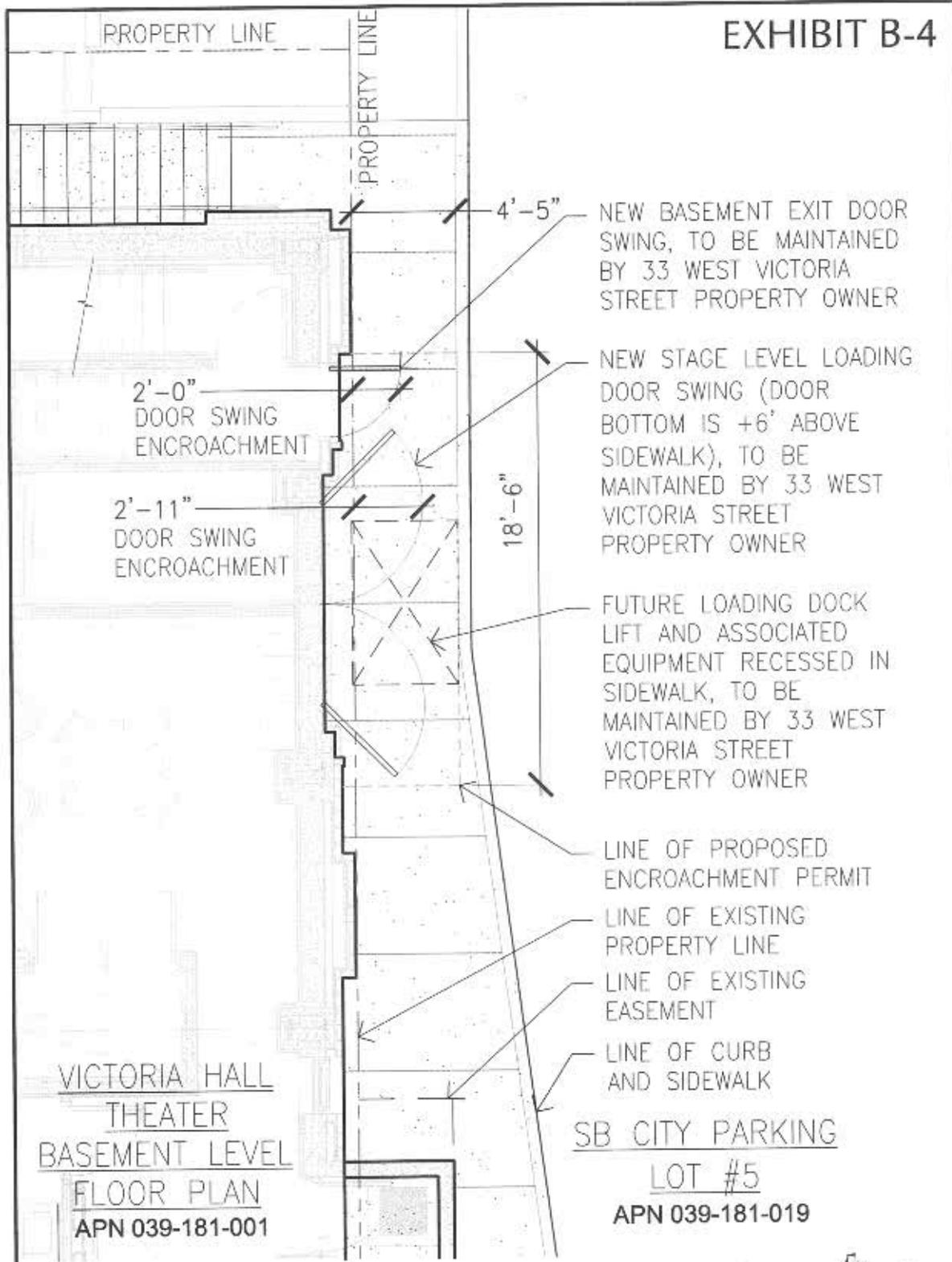


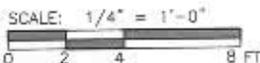
EXHIBIT B-4



PROPOSED ENCROACHMENT AT SOUTH PROPERTY LINE PARTIAL SITE PLAN

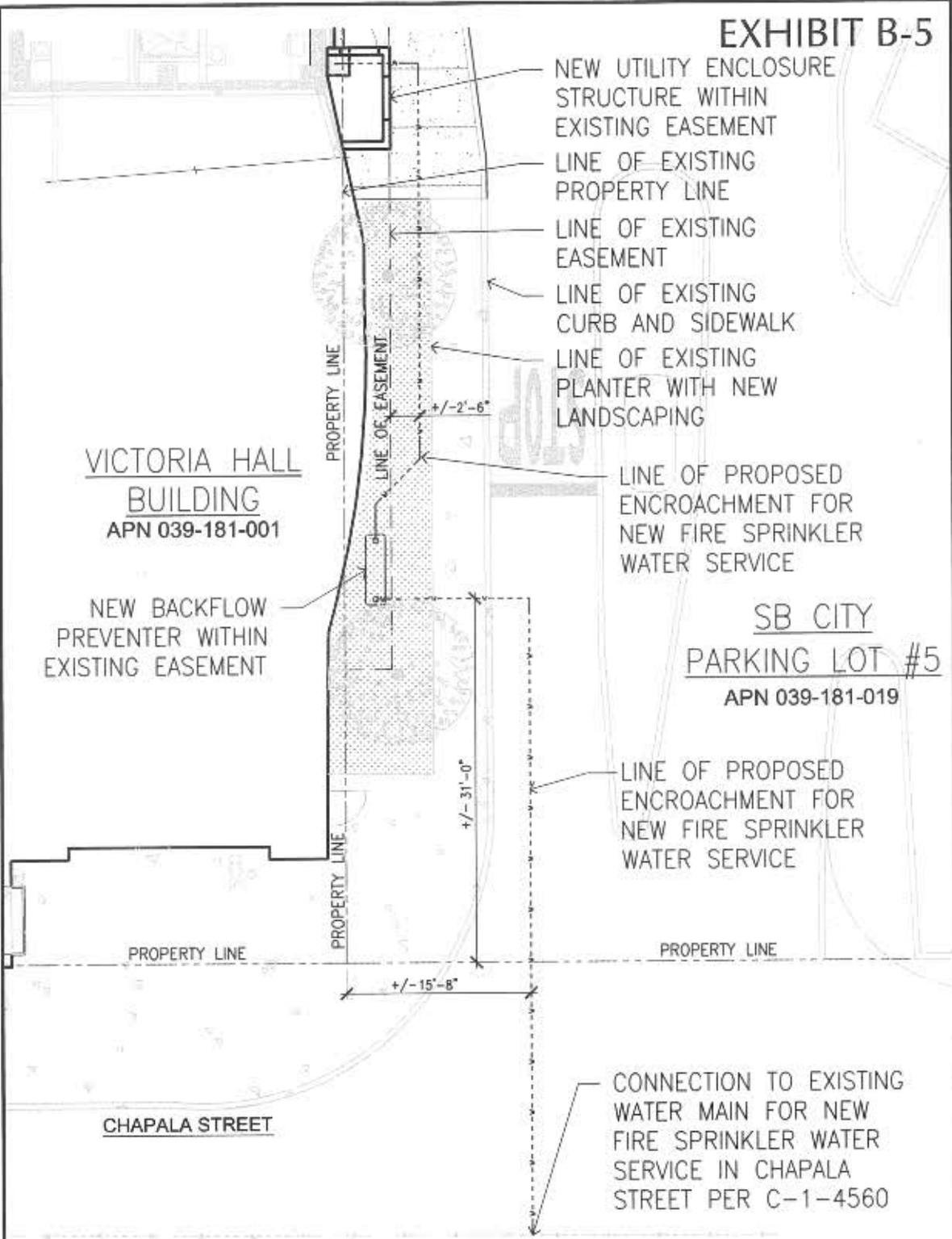
SHEET 4 OF 5

APRIL 15, 2013



ARCHITECTS PMSM <small>2020 ALAMEDA PKWY WHEEL, SUITE 200 SANTA BARBARA, CA 93102 TEL 805 962 1822 FAX 805 962 8197</small>	PROJECT NAME: ENSEMBLE THEATRE COMPANY VICTORIA HALL REDEVELOPMENT 33 WEST VICTORIA STREET	DRAWING NO.
	REFERENCE NO. D-3-1061	B-4
	BLD #	
	BUILDTN. NO.	
	PMSM JOB NO. 09051.07	
DATE	DRAWN BY: JL	

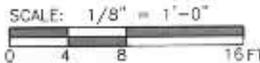
EXHIBIT B-5



**PROPOSED ENCROACHMENT AT SOUTH PROPERTY LINE
PARTIAL SITE PLAN**

SHEET 5 OF 5

APRIL 15, 2013



ARCHITECTS 	PROJECT NAME: ENSEMBLE THEATRE COMPANY VICTORIA HALL RENOVEL 35 WEST VICTORIA STREET	DRAWING NO. B-5
	REFERENCE NO. C-3-1081	
	BLD # _____	
	SHEET NO. 09051.07	
	DATE _____ DRAWN BY: JC	



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction For The Chapala Street Bridge Replacement Project

RECOMMENDATION: That Council:

- A. Award a contract with Granite Construction Company in their low bid amount of \$1,411,510 for construction of the Chapala Street Bridge Replacement Project, Bid No. 3590;
- B. Authorize the Public Works Director to execute the contract in the amount of \$1,411,510 with Granite Construction Company and approve expenditures up to \$141,151 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;
- C. Authorize the Public Works Director to execute a contract with MNS Engineers, Incorporated, in the amount of \$478,596 for construction management services, and approve expenditures of up to \$16,404 for extra services of MNS Engineers that may result from necessary changes in the scope of work;
- D. Authorize the Public Works Director to execute a contract with Drake Haglan and Associates in the amount of \$45,080 for design support services during construction;
- E. Accept Federal Highway Administration Grant funding in the total amount of \$2,188,562 to cover the cost of construction;
- F. Increase appropriations and estimated revenues by \$2,188,562 in the Fiscal Year 2013 Streets Capital Fund for the Chapala Street Bridge Replacement Project funded by the Federal Highway Administration Grant;
- G. Authorize an increase in appropriations of \$50,000 in the Streets Fund from revenues received through the sale of surplus properties acquired for completed bridge replacement projects to cover final City costs for the design and right of way phases of this Project;
- H. Authorize an increase in appropriations of \$24,537 in the Measure A Fund from available Measure A Fund reserves to cover the cost of work not eligible for reimbursement during the construction phase of this Project; and

- I. Increase appropriations and estimated revenues by \$2,000 in the Streets Capital Fund to cover the cost of work not eligible for reimbursement during the construction phase of this Project funded from a fee for granting Crown Castle a utility easement.

EXECUTIVE SUMMARY:

Six bids were received for the Chapala Street Bridge Replacement Project (Project), with the lowest bidder being Granite Construction Company (Granite). To complete the construction phase of the Project, staff recommends that Council authorize the Public Works Director to accept the low bid and enter into a contract with Granite. Staff also recommends that Council authorize the Public Works Director to enter into contracts with MNS Engineers (MNS) and Drake Haglan and Associates (Drake Haglan) for professional services during construction.

DISCUSSION:

PROJECT DESCRIPTION

The work consists of demolishing the existing 4,655-square foot bridge deck at Chapala and Yanonali streets and replacing it with a 2,740 square-foot bridge deck. The south side of the new bridge deck will be supported on piles and a foundation behind the existing sandstone abutment. The north side of the new bridge will be supported by a new abutment that will be located in the same location as the existing sandstone wall. In accordance with Creeks and Transportation staff recommendations, and as approved by the Planning Commission, the new bridge will be reduced in width and still be able to provide one vehicular lane in each direction and a five-foot sidewalk on each side. The Project also includes native landscaping and new street lighting.

The northerly bridge abutment will be immediately adjacent to the proposed Lower Mission Creek Flood Control Project bypass box culvert. The box culvert will be constructed by the Santa Barbara County Flood Control District in 2014.

SCHEDULE AND TEMPORARY TRAFFIC CONTROL

The local utility companies will be performing utility relocations during May 2013, in preparation for the replacement of the bridge.

Construction is scheduled to begin in June 2013, and will be completed by winter 2014. Since the bridge runs across the full width of Chapala Street and Yanonali Street, construction work will require that the intersection be closed to thru-traffic for approximately seven months. Detours for pedestrians, bicycles, and vehicles will be in place.

CONTRACT BIDS

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

	BIDDER	BID AMOUNT
1.	Granite Construction Company Santa Barbara	\$1,411,510.00
2.	Brough Construction, Incorporated Arroyo Grande	\$1,559,635.50*
3.	C.A. Rasmussen, Incorporated Valencia	\$1,583,723.50
4.	Whitaker Construction Group, Incorporated Paso Robles	\$1,665,392.55
5.	Lash Construction, Incorporated Santa Barbara	\$1,695,801.00
6.	Specialty Construction, Incorporated San Luis Obispo	\$2,194,060.00

*corrected bid total

The low bid of \$1,411,510, submitted by Granite, is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$141,151, or 10 percent, is typical for this type of work and size of project.

CONSTRUCTION PHASE CONTRACT SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with MNS in the amount of \$478,596 for construction management services, and approve expenditures of up to \$16,404 for extra services of MNS Engineers that may result from necessary changes in the scope of work. MNS was selected by a Request for Proposals process in which they were ranked the highest, based on their qualifications and experience on similar projects.

Staff recommends that Council authorize the Public Works Director to execute a contract with Drake Haglan in the amount of \$45,080 for design support services during construction. Drake Haglan was the design engineer, and their services will need to be retained during the construction phase.

COMMUNITY OUTREACH

Staff is currently working on a community outreach strategy with Ayars & Associates for the construction phase of the project. Anticipated outreach methods include a preconstruction mailing, a project fact sheet, a preconstruction community meeting, road signs, a project website, a hotline, and a ribbon cutting ceremony for the completed bridge.

FUNDING

Federal Highway Administration (FHWA) grant funds have been authorized to pay for 100 percent of eligible project construction costs, with the City contributing ineligible costs (e.g. utility undergrounding). The FHWA grant is administered through Caltrans.

The construction phase of this project totals \$2,215,099. The FHWA grant will cover eligible costs of \$2,188,562, with the balance of \$26,537 payable by the City for ineligible costs. There is an additional \$50,000 required to cover final City costs not covered by the grant during the design and right of way phases for a total City funding need of \$76,537.

To satisfy the City funding need, staff recommends appropriations of \$50,000 from revenues in the Streets Fund from the sale of surplus property, \$24,537 from Measure A Fund reserves, and \$2,000 from revenues from an easement to be granted to Crown Castle across the Depot Triangle.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Granite	\$1,411,510	\$141,151	\$1,552,661
MNS	\$478,596	\$16,404	\$495,000
Drake Haglan	\$45,080	\$0	\$45,080
TOTAL RECOMMENDED AUTHORIZATION			\$2,092,741

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

ESTIMATED TOTAL PROJECT COST

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

	FHWA Share	City Share	Total Cost
Design (by Contract)	\$513,087	\$66,476	\$579,563
Other Design Costs (by Contract)	\$90,510	\$11,726	\$102,236
City Staff Costs	\$237,438	\$123,950*	\$361,388
Temporary and Permanent Construction Easements	\$7,675	\$0	\$7,675
Permits	\$0	\$7,934	\$7,934
Special Supplies and Expenses	\$0	\$441	\$441
<i>Design Subtotal</i>	\$848,710	\$210,527	\$1,059,237
Construction Contract	\$1,411,510	\$0	\$1,411,510
Construction Change Order Allowance	\$141,151	\$0	\$141,151
Construction Management/Inspection (by Contract)	\$495,000	\$0	\$495,000
Design Support	\$45,080	\$0	\$45,080
<i>Construction Contracts</i>	\$2,092,741	\$0	\$2,092,741
Pre-Construction Services (construction management and community outreach by separate contracts)	\$49,885	\$0	\$49,885
Project Management (by City Staff)	\$45,936	\$11,484	\$57,420
Utility Underground Conduit Installation through Depot Triangle Property (by Purchase Order)	\$0	\$10,053	\$10,053
Miscellaneous Expenses	\$0	\$5,000	\$5,000
<i>Miscellaneous Construction</i>	\$95,821	\$26,537	\$122,358
<i>Construction Subtotal</i>	\$2,188,562	\$26,537	\$2,215,099
TOTAL PROJECT COST	\$3,037,272	\$237,064	\$3,274,336

* Includes \$50,000 in additional City funding need for a total of \$76,537 including construction.

SUSTAINABILITY IMPACT:

The Project was designed to replace the Chapala Street Bridge to provide for all forms of transportation while protecting the historical sandstone channel walls and improving visibility of Mission Creek. The Project also includes the use of native plants that require less water, and street lights that are energy efficient. The concrete, asphalt, and steel that is removed during demolition, will be recycled.

PREPARED BY: Linda Sumansky, Principal Engineer/AH/mj
SUBMITTED BY: Christine F. Andersen, Public Works Director
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction For The Zone 6 (Fiscal Year 2013) Pavement Preparation Project

RECOMMENDATION: That Council:

- A. Award a contract with Granite Construction Company in their low bid amount of \$1,374,015 for construction of the Zone 6 (Fiscal Year 2013) Pavement Preparation Project, Bid No. 3673;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$137,402 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;
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates, Inc. in the amount of \$108,099 for construction support services, and approve expenditures of up to \$10,810 for extra services that may result from necessary changes in the scope of work; and
- D. Accept \$160,000 of State Local Partnership Program (SLPP) funds for the Zone 6 (Fiscal Year 2013) Pavement Preparation Project, and increase estimated revenues and appropriations by \$160,000 in the Streets Capital Fund.

DISCUSSION:

PROJECT DESCRIPTION

The work consists of repairing localized distresses on various roads throughout the City, encompassing streets mainly in Zone 6 (Attachment). In conjunction with the Zone 6 (Fiscal Year 2013) Pavement Preparation Project (Project), parking lots maintained by the following Divisions/Departments will also be included in the work:

- Waterfront Department (Cabrillo East & West Lots)
- Public Works Facilities Division (MacKenzie Park Parking Lot Driveways)

These facilities have been included in the Project on behalf of each department fund manager to take advantage of economies of scale.

CONTRACT BIDS

A total of three bids were received for the subject work, which included the basic contract and additional bid alternatives that could be exercised at the City's option, ranging as follows:

	BIDDER	BID AMOUNT
1.	Granite Construction Company Watsonville, CA	\$1,374,015.00
2.	CalPortland Construction Santa Maria, CA	\$1,567,253.79
3.	Toro General Engineering Oxnard, CA	\$1,570,914.00*

*corrected bid total

The low bid of \$1,374,015, submitted by Granite Construction Company is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$137,402, or ten percent, is typical for this type of work and size of project.

CONSTRUCTION PHASE CONTRACT SERVICES

Staff recommends that Council authorize the Public Works Director to execute a professional service agreement with Flowers & Associates, Inc. (Flowers) in the amount of \$118,909 for construction support services. Flowers is on the City's Prequalified Engineering Services list and is experienced in this type of work.

APPROPRIATION OF STATE LOCAL PARTNERSHIP FUNDS

As a result of cost savings on the City of Santa Maria's Union Valley Parkway Phase III project, remaining State Local Partnership Program (SLPP) funding was made available to other agencies within the County of Santa Barbara by the Santa Barbara County Association of Governments (SBCAG). SBCAG distributed the SLPP funding among the agencies based on a population formula, resulting in \$160,000 in SLPP funding available to the City of Santa Barbara. The California Transportation Commission approved the SLPP allocations on May 7, 2013.

COMMUNITY OUTREACH

Prior to advertising the Project, pre-notification letters were sent to residents and property owners immediately adjacent to the planned work. Following the award of the construction contract, staff will send an additional notification to residents and property owners to give them more detailed information about the upcoming work in their neighborhood. The contractor is required to perform door-to-door outreach to all businesses affected by the work at a minimum of two weeks prior to the scheduled work. The contractor is also required to deliver door hangers to each property adjacent to the work area 72 hours in advance to notify residents of the planned schedule. "No Parking" signs will also be posted by the contractor 72 hours in advance. Staff will place a scroll on City TV 18 with information regarding the upcoming Project.

FUNDING

This Project is primarily funded by Measure A and Utility User Tax funds, along with the SLPP funding and respective Department/Division contributions for their share of the work. There are sufficient appropriated funds within the various programs to cover the cost of this Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Construction Contract	\$1,374,015	\$137,402	\$1,511,417
Consultant Contract	\$108,099	\$10,810	\$118,909
TOTAL RECOMMENDED AUTHORIZATION			\$1,630,326

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

ESTIMATED TOTAL PROJECT COST

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

Design (by Contract)	\$40,240
City Staff Costs	\$16,000
Subtotal	\$56,240
Construction Contract	\$1,374,015
Construction Change Order Allowance	\$137,402
Construction Management/Inspection (by Contract)	\$118,909
Subtotal	\$1,630,326

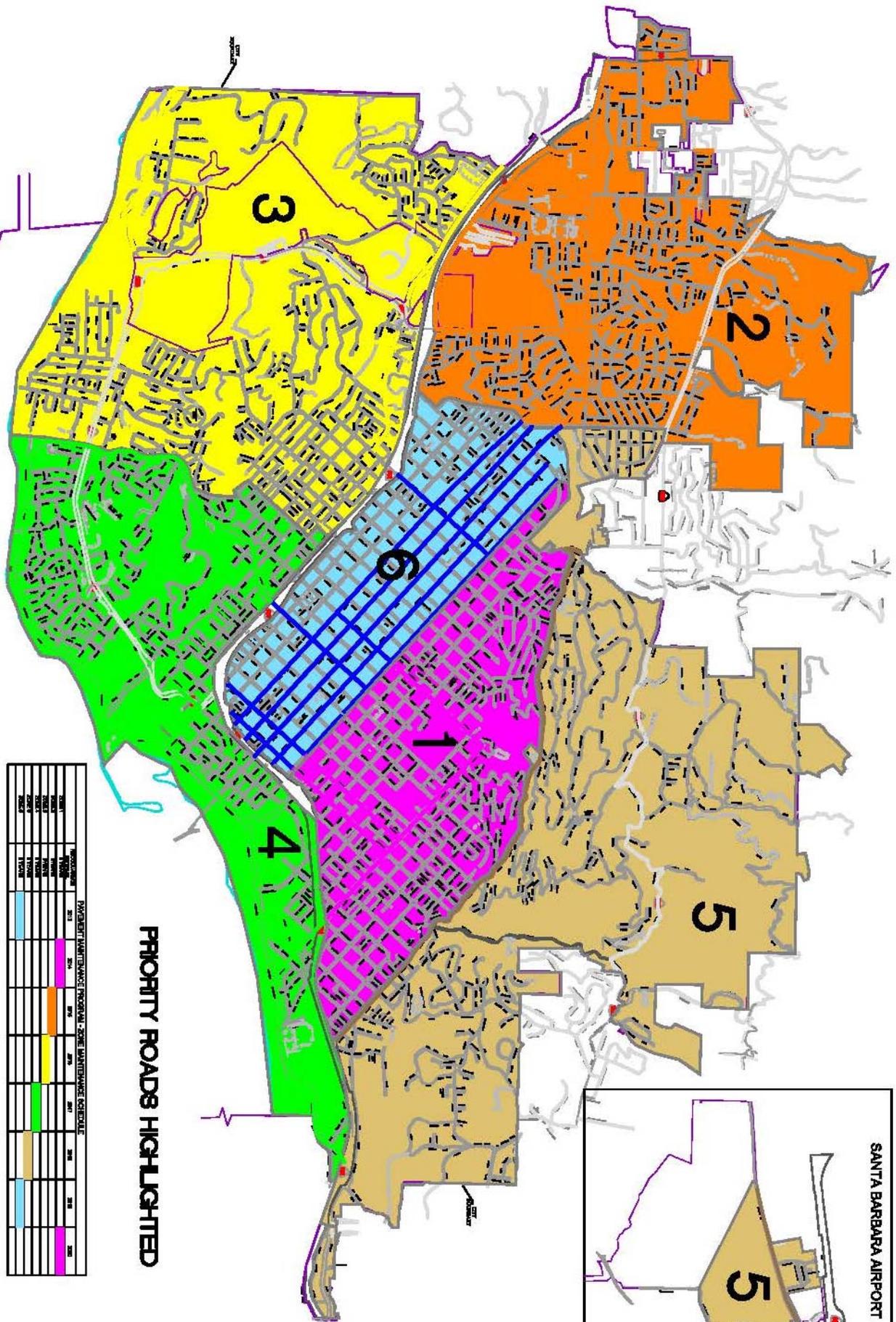
Construction Administration (by City Staff)	\$60,000
<i>Subtotal</i>	\$60,000
TOTAL PROJECT COST	\$1,746,566

ATTACHMENT(S): Pavement Zone Map

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

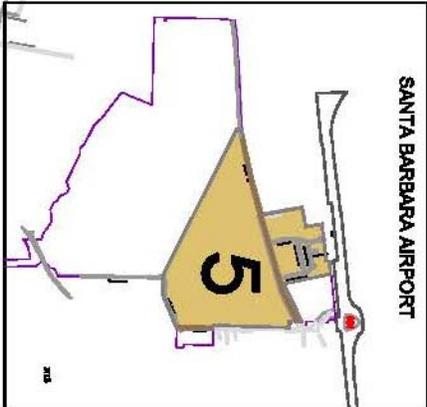
SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



PRIORITY ROADS HIGHLIGHTED

ROAD NAME	MAINTENANCE YEAR	MAINTENANCE TYPE
...	2013	...
...	2014	...
...	2015	...
...	2016	...
...	2017	...
...	2018	...
...	2019	...
...	2020	...
...	2021	...
...	2022	...
...	2023	...
...	2024	...
...	2025	...
...	2026	...
...	2027	...
...	2028	...
...	2029	...
...	2030	...





CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction For The Zone 6 (Fiscal Year 2013) Slurry Seal Project

RECOMMENDATION: That Council:

- A. Award a contract with VSS International, Inc., waiving minor irregularities, in their low bid amount of \$956,356 for construction of the Zone 6 (Fiscal Year 2013) Slurry Seal Project, Bid No. 3674;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$95,636 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;
- C. Authorize the Public Works Director to execute a contract with Flowers & Associates in the amount of \$141,284 for construction support services, and approve expenditures of up to \$14,128 for extra services that may result from necessary changes in the scope of work;
- D. Increase appropriations and estimated revenues by \$101,710 in the Streets Capital Fund for the Zone 6 (Fiscal Year 2013) Slurry Seal Project funded from revenues from SL Residential, Inc. and Global West Network; and
- E. Appropriate \$50,000 from reserves in the Measure A Fund for the Zone 6 (Fiscal Year 2013) Slurry Seal Project.

DISCUSSION:

PROJECT DESCRIPTION

The Zone 6 (Fiscal Year 2013) Slurry Seal Project (Project) consists of re-sealing roadways on various roads throughout the City. It encompasses streets mainly in Zone 6 (Attachment). In conjunction with this Project, parking lots maintained by the following Divisions/Departments will also be included in the work:

- Waterfront Department (Cabrillo East & West Lots)
- Public Works Facilities Division (MacKenzie Park Parking Lot Driveways)

- Public Works Downtown Parking Division (Lots 7 and 13)
- Public Works Water Resources Division (Skofield Park Lot and Laguna Corporation Yard Lot)
- Public Works Wastewater Division (El Estero Wastewater Treatment Plant Parking Lot)

In order to take advantage of economies of scale and reduced administrative costs, these parking lots have been grouped with the annual slurry seal contract on behalf of each department fund manager.

CONTRACT BIDS

A total of seven bids were received for the subject work, which included the basic contract and additional bid alternatives that could be exercised at the City's option, ranging as follows:

	BIDDER	BID AMOUNT
1.	VSS International, Inc. West Sacramento, CA	\$956,356.60*
2.	Intermountain Slurry Seal, Inc. Reno, NV	\$983,491.60*
3.	Pavement Coatings Co. Jurupa Valley, CA	\$1,114,457.80
4.	American Asphalt South Fontana, CA	\$1,177,966.43
5.	Roy Allan Slurry Seal, Inc. Santa Fe Springs, CA	\$1,248,440.75*
6.	Windsor Fuel Co. Pittsburg, CA	\$1,317,550.91*
7.	Central Valley Engineering Roseville, CA	\$1,707,098.80

*corrected bid total

The low bid of \$956,356.60, submitted by VSS International, Inc., is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$95,636, or ten percent, is typical for this type of work and size of project.

CONSTRUCTION PHASE CONTRACT SERVICES

Staff recommends that Council authorize the Public Works Director to execute a professional service agreement with Flowers & Associates, Inc. (Flowers), in the amount of \$155,241, for construction support services. Flowers is on the City's Prequalified Engineering Services list and is experienced in this type of work.

REVENUES RECEIVED FROM SL RESIDENTIAL, INC.

SL Residential, Inc. is a private developer that recently completed the Bella Riviera Project (Cottage Workforce Housing), which caused damage to City streets adjacent to the development due to utility work and construction traffic. SL Residential, Inc. has paid \$18,034 to the City, who will perform the required slurry work on the agreed-upon portions of Arrellaga Street, Micheltorena Street, and Grand Avenue. The cost to SL Residential is the same, whether they perform the work or the City performs the work. A benefit to the City is that the work will be done within the City's control and will coincide with other City scheduled slurry seal work. Appropriation of these funds is necessary to expend the corresponding amount from the Streets Fund expenditure account.

REVENUES RECEIVED FROM GLOBAL WEST NETWORK

The City has recently received a License Agreement payment in the amount of \$83,676 from X2 Acquisition, LLC (doing business as Global West Network), a telecommunications company that owns the fiber optic cable that runs through Santa Barbara. Staff recommends that these funds be appropriated to the Streets Fund to be used toward the Project.

COMMUNITY OUTREACH

Prior to advertising the Project, pre-notification letters were sent to residents and property owners immediately adjacent to the planned work. Following the award of the construction contract, staff will send an additional notification to residents and property owners to give them more detailed information about the upcoming work in their neighborhood. The contractor is required to perform door-to-door outreach with all businesses affected by the work a minimum of two weeks prior to the scheduled work. The contractor is also required to deliver door hangers to each property adjacent to the work area 72 hours in advance to notify residents of the planned schedule. "No Parking" signs will be also be posted by the contractor 72 hours in advance. Staff will place a scroll on City TV 18 with information regarding the upcoming Project.

FUNDING

This Project is primarily funded by Measure A and Utility User Tax funds, along with other respective Department/Division contributions for their share of the work. An increase in appropriations is recommended in the amount of \$101,717 (or \$151,717) for this project. There are sufficient appropriated funds within the various programs to cover the remaining costs of this Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Construction Contract	\$956,356	\$95,636	\$1,051,992
Consultant Contract	\$141,284	\$14,128	\$155,412
TOTAL RECOMMENDED AUTHORIZATION			\$1,207,404

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

ESTIMATED TOTAL PROJECT COST

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

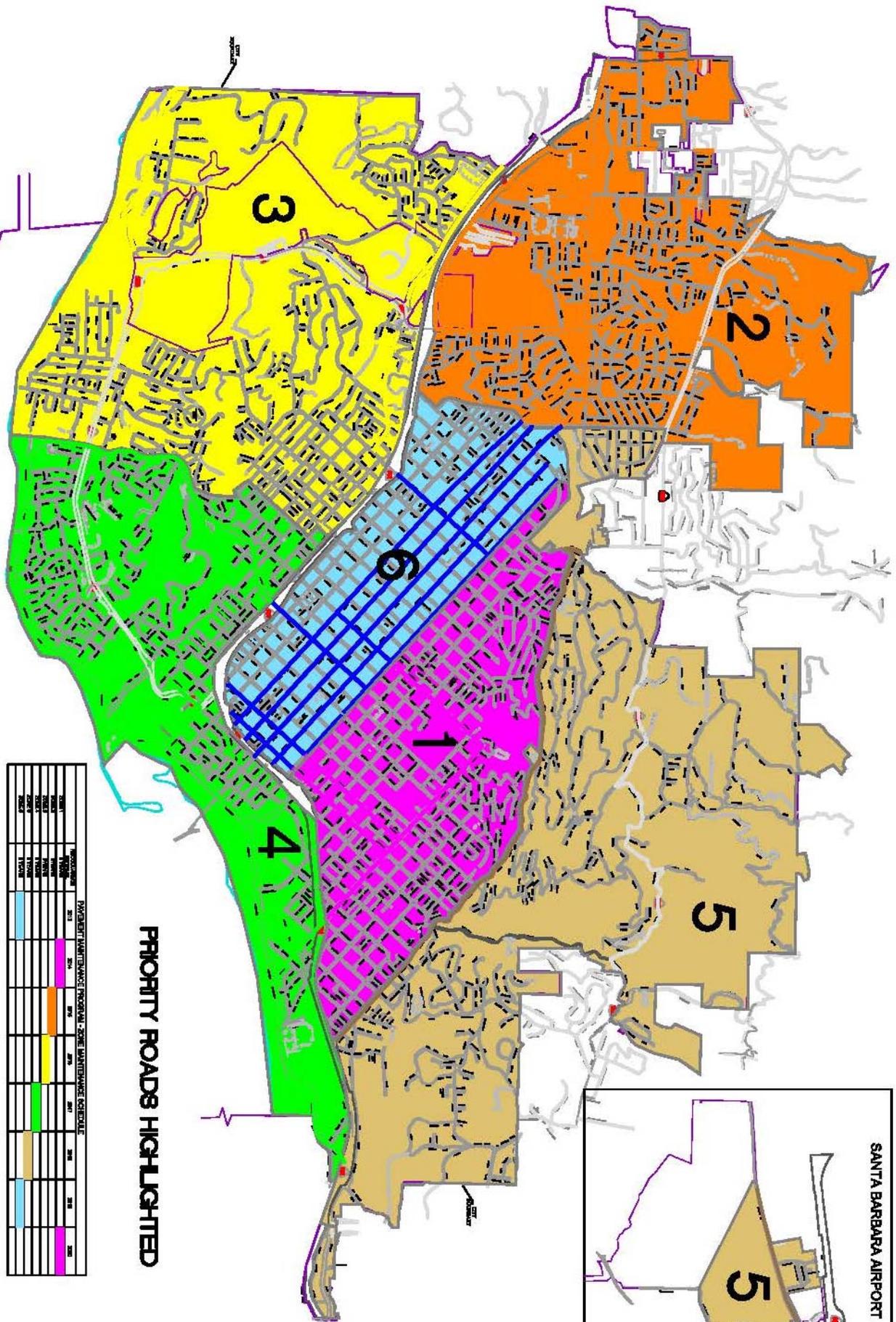
Design (by Contract)	\$40,240
City Staff Costs	\$16,000
Subtotal	\$56,240
Construction Contract	\$956,356
Construction Change Order Allowance	\$95,636
Construction Management/Inspection (by Contract)	\$155,412
Subtotal	\$1,207,404
Construction Management/Inspection (by City Staff)	\$60,000
Subtotal	\$60,000
TOTAL PROJECT COST	\$1,323,644

ATTACHMENT(S): Pavement Zone Map

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

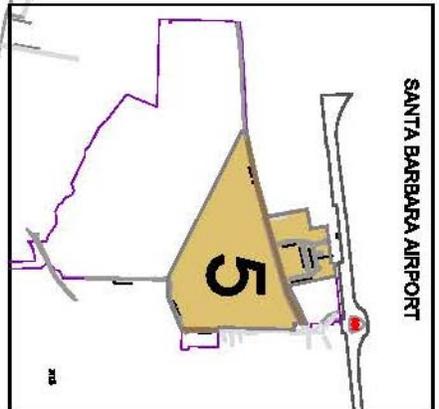
SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



PRIORITY ROADS HIGHLIGHTED

MAINTENANCE ZONE	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Zone 1										
Zone 2										
Zone 3										
Zone 4										
Zone 5										
Zone 6										



CITY OF SANTA BARBARA ROAD MAP 2012
PAVEMENT ZONE MAP
 UPDATED OCTOBER 2011

DATE	DESCRIPTION	BY

SCALE: 1" = 1000'



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Increase In Appraisal Services For The Cabrillo Boulevard Bridge Replacement Project

RECOMMENDATION:

That Council authorize an increase in the extra services amount with Schott & Company, for real estate appraisal services for the Cabrillo Boulevard Bridge Replacement Project, Contract No. 388,237 in the amount of \$15,000, for a total project expenditure authority of \$40,000.

DISCUSSION:

BACKGROUND

The Cabrillo Boulevard Bridge Replacement Project (Project) involves the replacement of the structurally deficient bridge over Mission Creek, which requires the removal of a portion of the restaurant located at 15 East Cabrillo Boulevard (also known as 13 East Cabrillo Boulevard).

On October 16, 2012, the City Administrator authorized an appraisal contract (Contract No. 388,237) with Schott & Company (Schott) in the amount of \$25,000, to provide appraisal services.

Schott completed the appraisal assignment in December 2012. Staff reviewed the report and submitted it to Caltrans for its review on December 14, 2012, and Caltrans provided staff with comments on April 19, 2013. Caltrans is requiring additional information from the appraiser before completing the review of the appraisal report. The increase in extra services with Schott in the amount of \$15,000 is necessary to cover the cost of the additional scope of work to address Caltrans' questions. This will provide some allowance for extra services for any other information and/or changes that Caltrans may require and will result in a total contract expenditure of \$40,000.

BUDGET/FINANCIAL INFORMATION:

FUNDING

The following summarizes the expenditures recommended in this report:

APPRAISAL SERVICES CONTRACT FUNDING SUMMARY

	Base Contract	Change Order	Total
Initial Contract Amount	\$25,000	\$0	\$25,000
Proposed Increase		\$15,000	\$15,000
Total	\$25,000	\$15,000	\$40,000

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

ESTIMATED TOTAL PROJECT COST

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

	City Share	FHWA Share	Total Project
Design	\$776,868	\$2,640,000	\$3,416,868
Right of Way			
Appraisal Services by Schott & Co	\$2,868	\$22,132	\$25,000
Increased Costs by Schott & Co	\$1,720	\$13,280	\$15,000
Other Appraisals & Administration Costs	\$162,418	\$404,582	\$567,000
Purchase Costs	\$380,139	\$2,934,061	\$3,314,200
Relocation Assistance	\$21,311	\$164,489	\$185,800
Subtotal Right of Way Phase	\$568,456	\$3,538,544	\$4,107,000
Construction	\$1,974,423	\$15,239,377	\$17,213,800
PROJECT TOTAL	\$3,319,747	\$21,417,921	\$24,737,668

If the recommendation is approved, the total appraisal services contract expenditure authority will be increased to \$40,000.

There are sufficient appropriated funds in the Streets Capital Fund to cover the increased costs of the appraisal services.

PREPARED BY: Linda Sumansky, Principal Civil Engineer/MAW/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Police Department, Patrol Division

SUBJECT: Service Agreement With Thresholds To Recovery, Inc. To Operate The Sobering Center

RECOMMENDATION:

That Council approve and authorize the Chief of Police to negotiate and execute a service agreement with Thresholds to Recovery, Inc. to operate the Sobering Center in Fiscal Year 2014 with annual fees not to exceed \$202,800 and in a form approved by the City Attorney.

DISCUSSION:

The City has used Thresholds to Recovery, Inc. to operate the Sobering Center at the Faulding Hotel since its inception in 1994. The purpose of the Sobering Center is to provide an opportunity for public inebriates to voluntarily get sober in a safe, alcohol-free environment, as opposed to being arrested and booked into Santa Barbara County Jail. In addition to introducing the inebriate to an alcohol-free environment, the officer turnaround time is considerably less and the officer is allowed to remain in the City on patrol.

From May 1, 2012, to April 25, 2013, Thresholds to Recovery, Inc. processed 633 first-time offenders and 383 repeat offenders, for a total of 1,016 admissions. Since the opening of the center in 1994, Thresholds to Recovery, Inc. has processed 13,057 first-time offenders and 20,233 total admissions, including repeat offenders.

Thresholds to Recovery, Inc. personnel are experts in the field of drug and alcohol programs, working with low-income clients and providing a long-term treatment network for first-time offenders. The program is evaluated annually and continued success is anticipated. The Sobering Center and the services provided by Thresholds to Recovery, Inc. are a valuable resource to the Police Department and the community.

BUDGET/FINANCIAL INFORMATION:

Funds to operate the Sobering Center come from monies previously allocated to pay for the public inebriates' jail booking fees. Thresholds to Recovery, Inc. has agreed to operate the sobering center for \$202,800 in Fiscal Year 2014. This amount represents an increase of 2.99% in total operating costs when compared to Fiscal Year 2013. Funding for this contract is included in the Police Department's Fiscal Year 2014 budget.

PREPARED BY: Brent Mandrell, Police Lieutenant

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Community and Media Relations, Police Department

SUBJECT: Santa Barbara Police Activities League Donation For The Police Department Youth Explorer Program

RECOMMENDATION: That Council:

- A. Accept a donation of \$5,516 from the Santa Barbara Police Activities League for the Police Department Explorer Program; and
- B. Increase appropriations and estimated revenues in the Police Department Miscellaneous Grants Fund for the Explorer Program

DISCUSSION:

On March 10, 2013, the Santa Barbara Police Department's Youth Explorer Program, with assistance from the Santa Barbara Police Activities League, held the 1st Annual Menudo Festival to raise funds for the Explorer Program. A total of \$5,516 was earned from ticket, t-shirt, and beverage sales. This money will be used to purchase uniforms and equipment; and also to pay for travel and expenses associated with the Explorers' participation in multi-agency competitions and attendance at an Explorer Academy.

The Santa Barbara Police Department's Explorer Post currently has 21 Police Explorers, ages 14 -20, preparing for careers in law enforcement.

BUDGET/FINANCIAL INFORMATION:

The funds will be used to cover costs associated with the Explorer Program.

PREPARED BY: Sergeant Riley Harwood, Community and Media Relations

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Parking And Business Improvement Area Annual Assessment Report
For Fiscal Year 2014 – Intention To Levy

RECOMMENDATION: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report for Fiscal Year 2014; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2014 Fiscal Year, at a Public Hearing to be Held on June 4, 2013, at 2:00 p.m.

DISCUSSION:

The governing body of the Parking and Business Improvement Area (PBIA) requires the preparation and adoption of an annual report describing any proposed changes to the PBIA District's boundaries, benefit zones, business classification, and method and basis of levying assessments.

For Fiscal Year 2014, there are no proposed changes to the PBIA boundaries, benefit zones, business classifications, or assessment levels. The Annual Report must be prepared prior to the beginning of each fiscal year. On April 11, 2013, the Downtown Parking Committee, serving as the PBIA Advisory Board, recommended approval of the PBIA Annual Report for Fiscal Year 2014. The Downtown Parking Committee also recommended that the City take the steps required by the state Streets and Highways code in order to implement the process to require the payment of the PBIA assessment by certain entities in the PBIA area that are not currently paying into the PBIA. These entities include performing arts theaters, museums, and non-profit business offices. Staff will be requesting Council direction regarding the subject at the June 4, 2013 PBIA Public Hearing.

The PBIA is the assessment mechanism that allows the City of Santa Barbara (City) to provide a period of free parking and affordable hourly parking rates to retail customers and clients of the Downtown area. The Downtown Parking budget is funded primarily

by hourly parking revenues, and to a lesser extent, by PBIA assessments and monthly parking permit sales. The PBIA revenues are directed solely towards downtown parking employee salaries and utility costs. These funds partially finance the operation and maintenance of the parking lots and offset the cost of offering a free 75-minute parking period. This 40-year partnership between the Downtown business community and the Downtown Parking Program has helped to keep Santa Barbara's downtown viable as a regional retail, arts, and entertainment center.

Approximately 4.3 million customer transactions were processed last year. Each one of those patrons benefited from the free parking period. Last year's business-paid PBIA assessments contributed approximately \$.20 per ticket to the maintenance and operation of public parking lots, and to the free period.

BUDGET/FINANCIAL INFORMATION:

The revenue generated from the PBIA is \$840,000 or approximately 12.5% of the Parking Budget. If the PBIA Annual Report is not approved, options such as charging for all parking, even the short-term parking, will need to be considered.

PREPARED BY: Browning Allen, Transportation Manager/kts

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DECLARING COUNCIL'S INTENTION TO LEVY PARKING AND BUSINESS IMPROVEMENT AREA ASSESSMENT RATES FOR THE 2014 FISCAL YEAR, AT A PUBLIC HEARING TO BE HELD ON JUNE 4, 2013, AT 2:00 P.M.

WHEREAS, pursuant to Section 36534 of the California Streets and Highways Code, it is the intention of the Council of the City of Santa Barbara to conduct a public hearing to determine whether to fix and assess a Fiscal Year 2014 Downtown Parking and Business Improvement Area (hereinafter referred to as PBI), as such benefit assessment area has been established by Chapter 4.37 of the Santa Barbara Municipal Code, adopted on September 10, 1991;

WHEREAS, upon the completion of a public hearing, it shall be the intention of the City Council to Levy and Collect a benefit assessment within the PBI as that area is described in the Final Engineer's Report, approved by the City Council on October 5, 1999, and in the 1999 PBI Area Map, on file with the City Clerk of the City of Santa Barbara;

WHEREAS, for Fiscal Year 2014, the improvements and activities to be provided shall consist of a transfer to the City's Transportation Division, which shall be exclusively used to support the maintenance of the low hourly parking rates to all persons who park automobiles within the City-owned or operated hourly public parking lots within the PBI area; and

WHEREAS, a more detailed description of the improvements and activities to be provided to the Downtown area of Santa Barbara and the benefit to the assessed businesses may be found in the Final Engineer's Report, the Addendum to the Final Engineer's Report of Formula and Methodology of Assessments dated April 7, 2010, and the 2014 PBI Annual Assessment Report (hereinafter referred to as Report) (attached as Exhibit), which was reviewed and approved by the City's Downtown Parking Committee as required by Section 4.37.145 of the Santa Barbara Municipal Code, and which Report is on file with the City Clerk and available for review or copying by the public.

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

SECTION 1. It is the intention of the City Council to levy and collect assessments with the PBI for the Fiscal Year of 2014, within the boundaries of the PBI, as such boundaries were established upon the enactment of Chapter 4.37 of the Santa Barbara Municipal Code on September 10, 1991, as amended by the City Ordinance No. 5126, adopted October 5, 1999, and by the approval of the related map on file with the City

Clerk. It is also the City Council's intention to confirm the method and basis of assessment as established by the City Council upon the enactment of Santa Barbara Municipal Code Chapter 4.37, and as described in the Report.

SECTION 2. The proposed improvements and activities to be provided within the Downtown PBIA for Fiscal Year 2014 will consist of a subsidy of a free parking period of 75 minutes, and the maintenance of the low hourly parking rates for those persons using the City Downtown public off-street parking facilities, as more fully described in the Report.

The actual assessments to be levied and collected are described in more detail in the Final Engineer's Report, approved by the City Council on October 5, 1999, and the Addendum to the Final Engineer's Report of Formula and Methodology of Assessments, approved by the City Council on May 25, 2010.

SECTION 3. Time and place for the public hearing to consider the intention of the City Council shall be during the 2:00 p.m. session of the Council's regularly scheduled meeting of June 4, 2013, in the City Council Chambers, located at the Santa Barbara City Hall.

SECTION 4. Written and oral protests to the proposed 2014 Downtown PBIA Annual Assessments, as described in the Report, may be made at the above-described public hearing provided that such protests are in the form and manner required by Sections 36524 and 36525 of the California Streets and Highways Code.

SECTION 5. The City Clerk shall give notice of the above-described public hearing by causing a copy of this resolution of intention to be published in a newspaper or general circulation in the City, no less than seven (7) days prior to June 4, 2013.

Draft

City of Santa Barbara

**Parking and Business
Improvement Area
(PBIA)**

**ANNUAL
ASSESSMENT
REPORT**

Fiscal Year 2014

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INTRODUCTION

This report, filed annually as required by the California Parking and Business Improvement Law of 1989, will provide an explanation of any proposed changes, including, but not limited to the boundaries of the adopted City of Santa Barbara Downtown Parking and Business Improvement Area (PBIA) or any benefit zones within the area, the basis for levying the assessments and any changes in the classifications of businesses.

Santa Barbara's Downtown Parking Management Program operates and maintains seven public parking lots and five structures in the Downtown business core area, providing a total of 3,234 parking spaces. The program is oriented towards clients and shoppers, and is directed by the City's Circulation Element to increase the public parking available and reduce the need for employee parking in the Downtown Core. Employee parking is mitigated by Alternative Transportation initiatives to increase carpooling, bicycling, and mass transit programs. The Downtown Parking budget is funded primarily by Hourly Parking Revenues, and to a much lesser extent, by the PBIA and parking permits. The PBIA revenues are directed solely towards employee salaries and utility costs in support of the operation and maintenance of the parking lots. Revenues derived from Hourly Parking charges and permits support the balance of expenses remaining from the PBIA assessment and Alternative Transportation programs designed to reduce employee parking in the Downtown Core.

Attached hereto and incorporated by reference is the "Addendum to the Parking and Business Improvement Area Final Engineer's Report of Formula and Methodology of Assessment dated October 5, 1999" (Addendum), which is on file at the City Clerk's Office, and which shall form the basis of the Annual Report.

I. PROPOSED CHANGES

For Fiscal Year 2014, there are no changes to the PBIA benefit zones, the basis for levying the assessments or any changes in the classifications of businesses.

II. IMPROVEMENTS AND ACTIVITIES

A parking rate, designed to promote short-term customer/client parking, including 75 minutes of free parking, is currently in effect in all City-operated Downtown Parking facilities. These facilities are maintained and operated by the City's Downtown Parking Program.

III. ESTIMATED OPERATING COSTS OF THE CITY'S DOWNTOWN PARKING PROGRAM FOR 2014

Expenses	PBIA	Parking Program	Total
Salaries and Benefits	1,671,071	2,383,477	4,054,548
Materials, Supplies & Services, Equipment/Minor Capital	200,000	655,539	855,539
Allocated Costs	6,809	546,579	553,388
Insurance/Overhead		829,333	829,333
Downtown Organization Maintenance Transfer		303,063	303,063
Bicycle Station		20,000	20,000
New Beginnings Contract		43,500	43,500
MTD Downtown Shuttle Support, Enhanced Transit		394,726	394,726
Employee Bus Pass Program		42,000	42,000
Total Operating Expenses	\$1,877,880	\$5,218,217	\$7,096,097
Capital Program Expenses		1,458,750	1,458,750
<u>Total Expenses</u>	<u>\$1,877,880</u>	<u>\$6,676,967</u>	<u>\$8,554,847</u>

IV. PROJECTED DOWNTOWN PARKING PROGRAM REVENUES DERIVED

Revenues:	Hourly Parking.....	\$4,700,000
	Other Parking Fees	1,055,000
	Leased Property - MTC	268,084
	Interest Income.....	98,200
	Commuter Parking Lots.....	280,000
	GreyHound Lease (Depot Lot)	48,000
	TMP/Rents	40,925
	New Beginnings Contract (pass through)	43,500
	Special Parking/Misc.	11,000
	EV Charging Fees.	1,000
	Subtotal	\$6,545,709
	*PBIA ASSESSMENT (Anticipated 2013-2014 collections)	<u>\$875,000</u>
	Total Revenues	\$7,420,709

Revenues collected from the PBIAs subsidized approximately \$0.20 of the cost of providing parking for each vehicle parked within the Downtown Parking System.

V. REVENUE CARRYOVERS

No excess PBIAs revenues will be carried over from the 2013 Operating Budget.

VI. PBIAs RATES

A more detailed basis for levying the assessment is explained in the Addendum to the 1999 Engineer's Report.

I. Retail and/or Wholesale Businesses (Including Restaurants):

Group A: Average sale of less than \$20, \$.56 per \$100 of gross sales.

Group B: Average sale between \$20 and \$100, \$.29 per \$100 of gross sales.

Group C: Average sale of more than \$100, \$.16 per \$100 of gross sales.

Group D: Movie theaters only, \$.16 per \$100 of gross sales.

Group E: Fitness Facilities/Health Clubs, \$.29 per \$100 of gross sales.

Average sale is computed by dividing the total gross sales for the year by the number of sales transactions.

II. Financial Institutions:

\$.48* per square foot of usable space.

III. Stock and Bond Brokerage Offices:

\$81.30* per broker.

IV. Bus Depots:

\$.06* cents per square-foot of usable building space.

V. Professional:

\$32.50* per person practicing the profession, and \$16.30* for each non-professional.

VI. All Categories Not Otherwise Provided For:

Group A: Educational Facilities (non-public) - \$.19* per square foot of usable building space.

Group B: Miscellaneous: \$.19* per square foot of usable space.

VII. Hotel and Motels

of assessed rooms x \$1.50/day x 30 days x 3 months x .50 occupancy = quarterly charges

Assessed rooms = # of rooms (-) on-site parking spaces provided

No patron parking credit would be offered as it is part of the calculation.

*Rates for these categories are shown for annual assessment. To determine quarterly payments, divide rates by four.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Fire Prevention Division, Fire Department

SUBJECT: Renewal Of Levy For Fiscal Year 2014 For The Wildland Fire Suppression Assessment District

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2014.

DISCUSSION:

On July 11, 2006, the City Council adopted Resolution 06-064 which declared the Council's intention to order expansion of vegetation road clearance, implementation of a defensible space inspection and assistance program, and implementation of a vegetation management program within the Foothill and Extreme Foothill Zones. The Resolution described the special benefit to be assessed and approved an Engineer's Report, confirmed the diagram and assessment, and ordered a levy of the Wildland Fire Suppression Assessment District for Fiscal Year 2007. As required by the Resolution, the Assessment must be renewed annually by the Council. The City has renewed the Wildland Fire Suppression Assessment for the past five years.

Assessment funds continue to reduce the risk and severity of wildland fires through the reduction of flammable vegetation. The assessment provides three primary services:

Vegetation Road Clearance: Each year the assessment provides approximately 14 miles of road clearance in the Foothill and Extreme Foothill Zones. The frequency is such that most roads in the District are cleared of impeding vegetation every three years. Clearing vegetation from the roadways is required of property owners by law and allows for safer

egress of residents and ingress of first responders during an emergency. In Fiscal Year 2013, 15 miles of roadway were cleared to benefit the District.

Defensible Space Inspection and Assistance: This element of the assessment provides assistance to property owners in creating defensible space around their homes. Defensible space is a key element in preventing the ignition of homes during a wildfire by reducing the exposure of the home to burning vegetation. Defensible space assistance will again involve scores of site visits to assist homeowners. In addition, the assessment provides chipping services to residents of the District after the vegetation has been cut. Chipping services provides a cost effective way for homeowners to dispose of cut material. The chipped vegetation may be reused as a ground cover in landscaping.

Vegetation Management: Vegetation Management is the selective removal of flammable vegetation in open land outside of property owners' defensible space. The goal is to lessen the severity of a fire, in the event that one occurs, by depriving the fire of large amounts of fuel. This is accomplished by preferentially removing exotic plants; thinning, pruning and limbing vegetation to remove fire ladders; limbing up the canopy; and, pruning out dead material. Vegetation management retains the overall look of wildland areas and minimizes impacts to natural resources while reducing the amount of flammable vegetation. Vegetation management was successfully completed on 16 acres this year. This project required staff to strengthen the public-private relationship by working with multiple individual property owners and contract crews to link individual parcels across large areas of adjacent land. Working with multiple property owners results in a greater reduction to the community threat from wildfire. In addition to vegetation removal, this project also accomplished education, provided protection of natural resources unique to the area, and outlined individual maintenance programs. The project areas are identified in the Wildland Fire Plan.

ANNUAL LEVY:

The Wildland Fire Assessment may be annually increased by the Consumer Price Index (CPI) in an amount not to exceed four percent per year. In adjusting for the Consumer Price Index, the allowable increase is calculated using the CPI from the past year plus any deferred increases from previous years. For Fiscal Year 2014, staff and the Assessment Engineer propose a CPI increase of 1.93 percent. The rate for Fiscal Year 2014 as suggested in the Engineer's Report will therefore be set at \$75.14 per single family home in the Foothill Zone and \$93.17 per single family home in the Extreme Foothill Zone. The total revenue from the assessment is estimated at \$245,287.

The Fiscal Year 2013 rates were \$73.72 and \$91.41 for a single family home in the Foothill Zone and for a single family home in the Extreme Foothill Zone, respectively, for a total assessment of \$239,133. The increase for Fiscal Year 2014 will allow staff to provide the same level of service as in previous years.

As required in Resolution 06-064, an updated Engineer's Report has been prepared and includes the proposed budget and assessment rate. The updated Engineer's Report must be considered by the City Council at a noticed public hearing and serves as the basis for the continuation of the assessment. The updated Engineer's Report is available for review by the public at Fire Department Administration, 925 Chapala Street and the City Clerk's Office at City Hall at 735 Anacapa Street.

Hearing

On May 7, 2013, the Council adopted Resolution No. 13-028 to declare its intent to renew the Wildland Fire Suppression Assessment District within the Foothill and Extreme Foothill Zones and to set a time of 2:00 p.m. on Tuesday, May 21, 2013, in the City Council Chambers for a public hearing on the Wildland Fire Suppression Assessment District. Staff recommends that the Wildland Fire Suppression Assessment District be continued for Fiscal Year 2014 to fund and deliver these successful mitigation programs.

BUDGET/FINANCIAL INFORMATION:

The estimated \$245,287 cost of providing services in Fiscal Year 2014 is recovered through the resident-approved Wildland Fire Suppression Assessment levied on the annual property tax bills of property owners within the Assessment district boundaries. Both the cost of providing the services and the assessment district revenue have been included in the Wildland Fire Assessment District Fund budget for Fiscal Year 2014. No additional budget appropriations are necessary.

SUSTAINABILITY IMPACT:

Vegetation removed through vegetation road clearance and the defensible space chipping assistance program is chipped and spread back on to the ground or in areas of local parks where feasible. The goal is reuse at least 80% of all chipped material locally avoiding the cost of disposal fees, extra vehicle trips and landfill use. Non-native pest plants are not chipped, but rather hauled off-site to be disposed of properly. In 2013, staff exceeded that goal, achieving 99%.

ATTACHMENT: Engineer's Report
PREPARED BY: Joe Poiré, Fire Marshal
SUBMITTED BY: Patrick McElroy, Fire Chief
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA
WILDLAND FIRE SUPPRESSION ASSESSMENT

FINAL ENGINEER'S REPORT

MAY 2013

PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 50078 *ET SEQ.*, AND
ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:

SCI Consulting Group
4745 MANGELS BOULEVARD
FAIRFIELD, CALIFORNIA 94534
PHONE 707.430.4300
FAX 707.430.4319
WWW.SCI-CG.COM

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CITY OF SANTA BARBARA

CITY COUNCIL

Helene Schneider, Mayor
Harwood "Bendy" White, Councilmember
Dale Francisco, Councilmember
Frank Hotchkiss, Councilmember
Grant House, Councilmember
Randy Rowse, Councilmember
Cathy Murillo, Councilmember

FIRE PREVENTION BUREAU

Patrick McElroy, Fire Chief
Joe Poire, Fire Marshal
Chris Braden, Fire Services Specialist

CITY ATTORNEY'S OFFICE

Stephen P. Wiley, City Attorney
Sarah Knecht, Assistant City Attorney

ENGINEER OF WORK

SCI Consulting Group

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INTRODUCTION

The City of Santa Barbara is located about 100 miles northwest of Los Angeles, largely on the slopes between the Pacific Ocean and the Santa Ynez Mountains. The City of Santa Barbara provides fire services throughout the City limits. Fire services include fire suppression, protection, prevention, evacuation planning, and education.

Due to topography, location, climate and infrastructure, the Santa Barbara community has a relatively high inherent risk of wildland fires. Listed below are some of the major wildland fires that have occurred in Santa Barbara County since 1970:

FIGURE 1 – WILDLAND FIRE HISTORY IN SANTA BARBARA COUNTY

Year	Fire Name	Acres	Homes Lost
1971	Romero Canyon Fire	14,538	4
1977	Sycamore Canyon Fire	805	234
1977	Hondo Canyon Fire	10,000	0
1979	Eagle Canyon Fire	4,530	5
1990	Painted Cave Fire	4,900	524
1993	Marre Fire	43,864	0
2002	Sudden Fire	7,160	0
2004	Gaviota Fire	7,440	1
2007	Zaca Fire	240,207	0
2008	Gap Fire	9,443	0
2008	Tea Fire	1,940	210
2009	Jesusita Fire	8,733	80

In response to the considerable wildland fire risk in the area, the City of Santa Barbara Fire Department prepared a Wildland Fire Plan in January, 2004, in which it identified four High Fire Hazard Zones: The Coastal Zone, the Coastal Interior Zone, the Foothill Zone, and the Extreme Foothill Zone. The two Zones with the highest wildland fire risk are the Foothill and Extreme Foothill Zones (the “Zones”), and these are the Zones that are included in this assessment.

These Zones are at a high risk of wildland fires due to the following factors:

- **Climate.** The climate consists of cool, moist winters and hot, dry summers. The low humidity and high summer temperatures increase the likelihood that a spark will ignite a fire in the area, and that the fire will spread rapidly.
- **Topography.** Periodic wind conditions known as “Sundowner” and “Santa Ana” winds interact with the steep slopes in the Santa Ynez Mountains and the ocean influence, resulting in an increase in the speed of the wind to severe levels. These two types of wind conditions increase the likelihood that fires will advance

downslope towards the Foothill and Extreme Foothill Zones. In addition, these winds can greatly increase the rate at which a fire will spread.

- **Chaparral.** Much of the undeveloped landscape is covered with chaparral. Chaparral sheds woody, dead, and organic materials rich in flammable oils, which accumulate over time. Areas covered with chaparral typically experience wildland fires which burn the accumulated plant materials, and renew the chaparral for its next cycle of growth. Therefore, areas of chaparral which are not thinned, and from which the dead plant materials are not removed or burned off in prescribed fires, provide ample opportunities for wildland fires to occur and to spread.
- **Road Systems.** Many of the roads in the Foothill and Extreme Foothill Zones do not meet current Fire Department access and vegetation road clearance standards, and many are made even more narrow due to the encroachment of vegetation. A number of the bridges have weight requirements that are below Fire Department weight standards. In addition, many driveways are long and steep, posing a safety hazard. All of these factors make it more difficult and more hazardous for the Fire Department to provide fire suppression services in these areas.
- **Water Supply.** In the Extreme Foothill Zone, the City water supply is limited in some areas, and not available in others. These factors increase the risks associated with fires, due to the reduced availability of water to fight any fires that occur.
- **Fire Response Time.** Much of the Extreme Foothill Zone, and some of the Foothill Zone, is outside the City's 4 minute Fire Department response time. As a result, fires in these areas may have more time to spread and to increase in severity before fire suppression equipment can reach them.
- **Proximity to the Los Padres National Forest.** The Los Padres National Forest (LPNF) is a large forest to the north of the Foothill and Extreme Foothill zones. The LPNF provides a great deal of potential fuel for any wildland fire in the area. Wildland fires that start in the LPNF have the potential to move south toward the Foothill and Extreme Foothill zones.

This Engineer's Report (the "Report") was prepared to: 1) contain the information required by Government Code Section 50078.4, including a) a description of each lot or parcel of property to be subject to the assessment, b) the amount of the assessment for each lot or parcel for the initial fiscal year, c) the maximum amount of the assessment which may be levied for each lot or parcel during any fiscal year, d) the duration of the assessment, e) the basis of the assessment, f) the schedule of the assessment, and g) a description specifying the requirements for protest and hearing procedures for the assessment pursuant to Section 50078.6; 2) establish a budget to provide services to reduce the severity and damage from wildland fires (the "Services") that will be funded by the 2013-14

assessments; 3) determine the benefits received from the Services by property within the City of Santa Barbara Wildland Fire Suppression Assessment District (the "Assessment District") and; 4) assign a method of assessment apportionment to lots and parcels within the Assessment District. This Report and the assessments have been made pursuant to the California Government Code Section 50078 et. seq. (the "Code") and Article XIID of the California Constitution (the "Article").

In Fiscal Year 2006-07, the City of Santa Barbara City Council (the "Council") by Resolution called for an assessment ballot proceeding and public hearing on the then-proposed establishment of a wildland fire suppression assessment.

On May 5, 2006 a notice of assessment and assessment ballot was mailed to property owners within the proposed Assessment District boundaries. Such notice included a description of the Services to be funded by the proposed assessments, a proposed assessment amount for each parcel owned, and an explanation of the method of voting on the assessments. Each notice also included a postage prepaid ballot on which the property owner could mark his or her approval or disapproval of the proposed assessments as well as affix his or her signature.

After the ballots were mailed to property owners in the Assessment District, the required minimum 45 day time period was provided for the return of the assessment ballots. Following this 45 day time period, a public hearing was held on June 20, 2006 for the purpose of allowing public testimony regarding the proposed assessments. At the public hearing, the public had the opportunity to speak on the issue. After the conclusion of the public input portion of the hearing, the hearing was continued to July 11, 2006 to allow time for the tabulation of ballots.

With the passage of Proposition 218 on November 6, 1996, The Right to Vote on Taxes Act, now Article XIIC and XIID of the California Constitution, the proposed assessments could be levied for fiscal year 2006-07, and continued in future years, only if the ballots submitted in favor of the assessments were greater than the ballots submitted in opposition to the assessments. (Each ballot is weighted by the amount of proposed assessment for the property that it represents).

After the conclusion of the public input portion of the Public Hearing held on June 20, 2006, all valid received ballots were tabulated by the City of Santa Barbara Clerk. At the continued public hearing on July 11, 2006, after the ballots were tabulated, it was determined that the assessment ballots submitted in opposition to the proposed assessments did not exceed the assessment ballots submitted in favor of the assessments (weighted by the proportional financial obligation of the property for which ballots are submitted).

As a result, the Council gained the authority to approve the levy of the assessments for fiscal year 2006-07 and to continue to levy them in future years. The Council took action, by a Resolution passed on July 31, 2006, to approve the first year levy of the assessments for fiscal year 2006-07.

The authority granted by the ballot proceeding was for a maximum assessment rate of \$65.00 per single family home, increased each subsequent year by the Los Angeles Area Consumer Price Index (CPI) not to exceed 4% per year. In the event that the annual change in the CPI exceeds 4%, any percentage change in excess of 4% can be cumulatively reserved and can be added to the annual change in the CPI for years in which the CPI change is less than 4%.

In each subsequent year for which the assessments will be continued, the Council must preliminarily approve at a public meeting a budget for the upcoming fiscal year's costs and services, an updated annual Engineer's Report, and an updated assessment roll listing all parcels and their proposed assessments for the upcoming fiscal year. A new Engineer's Report is prepared each year in order to establish the CPI adjustment for that year; the new maximum authorized assessment rate for that year; the budget for that year; and the amount to be charged to each parcel in the District that year, subject to that year's assessment rate and any changes in the attributes of the properties in the District, including but not limited to use changes, parcel subdivisions, and/or parcel consolidations. At this meeting, the Council will also call for the publication in a local newspaper of a legal notice of the intent to continue the assessments for the next fiscal year and set the date for the noticed public hearing. At the annual public hearing, members of the public can provide input to the Council prior to the Council's decision on continuing the services and assessments for the next fiscal year.

If the assessments are so confirmed and approved, the levies will be submitted to the Santa Barbara County Auditor/Controller for inclusion on the property tax roll for Fiscal Year 2013-14. The levy and collection of the assessments will continue year-to-year until terminated by the City Council.

If the City Council approves this Engineer's Report for fiscal year 2013-14 and the assessments by Resolution, a notice of assessment levies must be published in a local paper at least 10 days prior to the date of the public hearing. Following the minimum 10-day time period after publishing the notice, a public hearing will be held for the purpose of allowing public testimony about the proposed continuation of the assessments for fiscal year 2013-14.

A Public Hearing is scheduled for May 21, 2013. At this hearing, the Council will consider approval of a resolution confirming the assessments for fiscal year 2013-14. If so confirmed and approved, the assessments will be submitted to the Santa Barbara County Auditor/Controller for inclusion on the property tax rolls for Fiscal Year 2013-14.

The Assessment District is narrowly drawn to include only properties that benefit from the additional fire protection services that are provided by the assessment funds. The Assessment Diagram included in this report shows the boundaries of the Assessment District.

In 2008 per California Public Resource Code 4201-4204 and Government Code 51175 - 89, the Office of the State Fire Marshal (OSFM) completed an analysis to identify Local Responsibility Area areas of Very High Fire Hazard Severity Zones (VHFHSZ) within the City of Santa Barbara. Discussions between OSFM and the City of Santa Barbara Fire Department were concluded in 2010. As a result additional parcels have been added to the 2004 City of Santa Barbara high fire hazard area, Foothill Zone. These additional parcels are not included in the Wildland Fire Suppression Assessment District at this time, and Services provided to these parcels are not funded from this assessment.

PROPOSITION 218

This assessment was formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIIC and XIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including a property-owner balloting, for the formation and continuation of assessments, and these requirements were satisfied by the process used to establish this assessment.

SILICON VALLEY TAXPAYERS ASSOCIATION, INC. V SANTA CLARA COUNTY OPEN SPACE AUTHORITY

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority (“SVTA vs. SCCOSA”) case. This ruling is the most significant legal decision clarifying Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general benefit
- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the Assessment District

This Engineer’s Report is consistent with the SVTA vs. SCCOSA decision and with the requirements of Article XIIC and XIID of the California Constitution because the Services to be funded are clearly defined; the Services are available to all benefiting property in the Assessment District, the benefiting property in the Assessment District will directly and tangibly benefit from improved protection from fire damage, increased safety of property and other special benefits and such special benefits provide a direct advantage to property in the Assessment District that is not enjoyed by the public at large or other property. There have been a number of clarifications made to the analysis, findings and supporting text in this Report to ensure that this consistency is well communicated.

DAHMS V. DOWNTOWN POMONA PROPERTY

On June 8, 2009, the Court of Appeal for the Second District of California amended its original opinion upholding a benefit assessment district for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review and the court's decision in Dahms became binding precedent for assessments. In Dahms, the court upheld an assessment that conferred a 100% special benefit to the assessed parcels on the rationale that the services and improvements funded by the assessments were provided directly and only to property in the assessment district over and above those services or improvements provided by the city generally.

BONANDER V. TOWN OF TIBURON

On December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments on the ground that the assessments had been apportioned to assessed property based, in part, on relative costs within sub-areas of the assessment district instead of proportional special benefits.

BEUTZ V. COUNTY OF RIVERSIDE

On May 26, 2010 the 4th District Court of Appeals issued a decision on the Steven Beutz v. County of Riverside ("Beutz") appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

GOLDEN HILL NEIGHBORHOOD ASSOCIATION V. CITY OF SAN DIEGO

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in Beutz, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

COMPLIANCE WITH CURRENT LAW

This Engineer's Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the SVTA decision because the Services to be funded are clearly defined; the Services are available to and will be directly provided to all benefiting property in the Assessment District; and the Services provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer's Report is consistent with Dahms because, similar to the Downtown Pomona assessment validated in Dahms, the Services will be directly provided to property

in the Assessment District. Moreover, while Dahms could be used as the basis for a finding of 0% general benefits, this Engineer's Report establishes a more conservative measure of general benefits.

The Engineer's Report is consistent with Bonander because the Assessments have been apportioned based on the overall cost of the Services and proportional special benefit to each property. Finally, the Assessments are consistent with Buetz because the general benefits have been explicitly calculated and quantified and excluded from the Assessments.

DESCRIPTION OF SERVICES

The City of Santa Barbara Fire Department provides a range of fire protection, prevention, and educational services to the City and its residents.

The following is a description of the wildland fire suppression Services that are provided for the benefit of property within the Assessment District. Prior to the passage of the assessment in 2006, the baseline level of service was below the standard described in the City's 2004 Wildland Fire Plan. Due to inadequate funding, the level of service continued to diminish and would have diminished further had this assessment not been instituted. With the passage of this assessment, the services were enhanced significantly. The formula below describes the relationship between the final level of improvements, the baseline level of service (pre 2006) had the assessment not been instituted, and the enhanced level of improvements funded by the assessment.

Final Level of Service	=	Baseline Level of Service	+	Enhanced Level of Service
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Baseline level of service is pre-2006.

The services (the "Services") undertaken by the City of Santa Barbara Fire Department and the cost thereof paid from the levy of the annual assessment provide special benefit to Assessor Parcels within the Assessment District as defined in the Method of Assessment herein. In addition to the definitions provided by the California Government Code Section 50078 et. seq., (the "Code") the Services are generally described as follows:

- Expansion of the vegetation road clearance program to cover all public roads within the Foothill and Extreme Foothill Zones. This program reduces fuel, enhance evacuation routes, and decrease fire response times
- Implementation of a defensible space and fire prevention inspection and chipping assistance program for all properties in the Foothill and Extreme Foothill Zones
- Implementation of a vegetation management program in the Foothill and Extreme Foothill Zones

As applied herein, "vegetation road clearance" means the treatment, clearing, reducing, or changing of vegetation near roadways in the Foothill and Extreme Foothill Zones where vegetation poses a fire hazard and does not meet Fire Department Vegetation Road Clearance Standards within the high fire hazard area (As provided in Santa Barbara Municipal Code Section 8.04).

"Defensible space" is a perimeter created around a structure where vegetation is treated, cleared or reduced to slow the spread of wildfire towards a structure, reduce the chance of

a structure fire burning to the surrounding area, and provides a safe perimeter for firefighters to protect a structure (As provided in Chapter 49 of the California Fire Code, as adopted by the City of Santa Barbara pursuant to Santa Barbara Municipal Code Section 8.04).

“Vegetation management” means the reduction of fire hazard through public education, vegetation hazard reduction, and other methods as needed to manage vegetation in areas with unique hazards such as heavy, flammable vegetation, lack of access due to topography and roads, and/or firefighter safety.

COST AND BUDGET

FIGURE 2 - COST AND BUDGET FY 2013-2014

CITY OF SANTA BARBARA	
Wildland Fire Suppression Assessment	
Estimate of Costs	
	<i>Total Budget</i>
Services Costs	
Evacuation Planning - Evacuation Roadway Clearing	
Staffing	\$43,000
Materials	\$4,000
Project Costs	\$45,000
Defensible Space	
Staff	\$36,000
Materials	\$6,000
Chipping Program	\$36,000
Vegetation Management	
Staffing	\$40,534
Project	\$44,000
Totals for Installation, Maintenance and Servicing	\$254,534
Less: District Contribution for General Benefits	(\$18,887)
Net Cost of Installation, Maintenance and Servicing to Assessment District	\$235,647
Incidental Costs:	
District Administration and Project Management	\$6,150
Allowance for County Collection	\$3,490
Subtotals - Incidentals	\$9,640
Total Wildland Fire Suppression District Budget (Net Amount to be Assessed)	\$245,287
Assessment District Budget Allocation to Parcels	
Total Assessment Budget	\$245,287
Single Family Equivalent Benefit Units in District	3,264
Assessment per Single Family Equivalent Unit (SFE)	\$ 75.14

METHOD OF APPORTIONMENT

METHOD OF APPORTIONMENT

This section includes an explanation of the special benefits derived from the Services, the criteria for the expenditure of assessment funds and the methodology used to apportion the total assessments to properties within the Assessment District.

The Assessment District area consists of all Assessor Parcels within the Foothill and Extreme Foothill zones of the High Fire Hazard Area as defined by the 2004 Wildland Fire Plan. The method used for apportioning the assessment is based upon the proportional special benefits from the Services derived by the properties in the assessment area over and above general benefits conferred on real property or to the public at large. Special benefit is calculated for each parcel in the Assessment District using the following process:

1. Identification of all benefit factors derived from the Improvements
2. Calculation of the proportion of these benefits that are general
3. Determination of the relative special benefit within different areas within the Assessment District
4. Determination of the relative special benefit per property type
5. Calculation of the specific assessment for each individual parcel based upon special vs. general benefit; location, property type, property characteristics, improvements on property and other supporting attributes

DISCUSSION OF BENEFIT

California Government Code Section 50078 et. seq. allows agencies which provide fire suppression services, such as the Santa Barbara Fire Department, to levy assessments for fire suppression services. Section 50078 states the following:

"Any local agency which provides fire suppression services directly or by contract with the state or a local agency may, by ordinance or by resolution adopted after notice and hearing, determine and levy an assessment for fire suppression services pursuant to this article."

In addition, California Government Code Section 50078.1 defines the term "fire suppression" as follows:

"(c) "Fire suppression" includes firefighting and fire prevention, including, but not limited to, vegetation removal or management undertaken, in whole or in part, for the reduction of a fire hazard."

Therefore, the Services provided by the Assessment District fall within the scope of services that may be funded by assessments under the Code.

The assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's specific use of the Services or a property owner's specific demographic status. With reference to the requirements for assessments, Section 50078.5 of the California Government Code states:

"(b) The benefit assessment shall be levied on a parcel, class of improvement to property, or use of property basis, or a combination thereof, within the boundaries of the local agency, zone, or area of benefit."

"The assessment may be levied against any parcel, improvement, or use of property to which such services may be made available whether or not the service is actually used."

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

Since assessments are levied on the basis of special benefit, they are not a tax and are not governed by Article XIII A of the California Constitution.

The following section describes how and why the Services specially benefit properties. This benefit is particular and distinct from its effect on property in general or the public at large.

BENEFIT FACTORS

In order to allocate the assessments, the Engineer identified the types of special benefit arising from the Services that are provided to property in the Assessment District. These benefit factors confer a direct advantage to the assessed properties; otherwise they would be general benefit.

The following benefit categories have been established that represent the types of special benefit conferred to residential, commercial, industrial, institutional and other lots and parcels resulting from the services to reduce the severity and damage from wildland fires that are provided in the Assessment District. These categories of special benefit are derived from the statutes passed by the California Legislature and other studies, which describe the types of special benefit received by property from the Services of the Assessment District. These types of special benefit are summarized as follows:

INCREASED SAFETY AND PROTECTION OF REAL PROPERTY ASSETS FOR ALL PROPERTY OWNERS WITHIN THE ASSESSMENT DISTRICT.

As summarized previously, properties in the Assessment District are currently at higher risk for wildland fires. Uncontrolled fires would have a devastating impact on all properties within the Assessment District. The assessments fund an increase in services to mitigate the wildland fire threat, and thereby can significantly reduce the risk of property damage associated with fires. Clearly, fire mitigation helps to protect and specifically benefits both improved properties and vacant properties in the Assessment District.

*"Fire is the largest single cause of property loss in the United States. In the last decade, fires have caused direct losses of more than \$120 billion and countless billions more in related cost."*¹

*"Over 140,000 wildfires occurred on average each year, burning a total of almost 14.5 million acres. And since 1990, over 900 homes have been destroyed each year by wildfires."*²

*"A wildfire sees your home as just another fuel source. The survivable space you construct around your home will keep all but the most ferocious wildfires at bay."*³

*"A reasonably disaster-resistant America will not be achieved until there is greater acknowledgment of the importance of the fire service and a willingness at all levels of government to adequately fund the needs and responsibilities of the fire service."*⁴

*"The strategies and techniques to address fire risks in structures are known. When implemented, these means have proven effective in the reduction of losses."*⁵

*"Statistical data on insurance losses bears out the relationship between excellent fire protection...and low fire losses."*⁶

PROTECTION OF VIEWS, SCENERY AND OTHER RESOURCE VALUES, FOR PROPERTY IN THE ASSESSMENT DISTRICT

The Assessment District provides funding for the mitigation of the wildland fire threat to protect public and private resources in the Assessment District. This benefits even those properties that are not directly damaged by fire by maintaining and improving the aesthetics and attractiveness of public and private resources in the community, as well as ensuring that such resources remain safe and well maintained.

*"Intensely burned forests are rarely considered scenic."*⁷

*"Smoke affects people...for example; in producing haze that degrades the visual quality of a sunny day...The other visual quality effect is that of the fire on the landscape. To many people, burned landscapes are not attractive and detract from the aesthetic values of an area."*⁸

*"A visually preferred landscape can be the natural outcome of fuels treatments."*⁹

ENHANCED UTILITY AND DESIRABILITY OF THE PROPERTIES IN THE ASSESSMENT DISTRICT.

The assessments fund Services to reduce the severity and damage from wildland fires in the Assessment District. Such Services enhance the overall utility and desirability of the properties in the Assessment District.

*"Residential satisfaction surveys have found that having nature near one's home is extremely important in where people choose to live...This is especially true at the wildland-urban interface where some of the most serious fuels management must occur."*¹⁰

*"People are coming to the [Bitterroot] valley in part because of its natural beauty which contributes to the quality of life that so many newcomers are seeking."*¹¹

BENEFIT FINDING

In summary, real property located within the boundaries of the Assessment District distinctly and directly benefits from increased safety and protection of real property, increased protection of scenery and views, and enhanced utility of properties in the Assessment District. These are special benefits to property in much the same way that sewer and water facilities, sidewalks and paved streets enhance the utility and desirability of property and make them more functional to use, safer and easier to access.

GENERAL VERSUS SPECIAL BENEFIT

Article XIII C of the California Constitution requires any local agency proposing to increase or impose a benefit assessment to "separate the general benefits from the special benefits conferred on a parcel." The rationale for separating special and general benefits is to ensure that property owners subject to the benefit assessment are not paying for general benefits. The assessment can fund special benefits but cannot fund general benefits. Accordingly, a separate estimate of the special and general benefit is given in this section.

In other words:

Total Benefit	=	General Benefit	+	Special Benefit
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There is no widely-accepted or statutory formula for general benefit. General benefits are benefits from improvements or services that are not special in nature, are not "particular and distinct" and are not "over and above" benefits received by other properties. SVTA vs. SCCOSA provides some clarification by indicating that general benefits provide "an indirect, derivative advantage" and are not necessarily proximate to the improvements.

The starting point for evaluating general and special benefits is the pre 2006 baseline level of service, had the assessment not been approved by the community. The assessment

will fund Services “over and above” this general, baseline level and the special benefits estimated in this section are over and above the baseline.

A formula to estimate the general benefit is listed below:

General Benefit	=	Benefit to real property outside of improvement district	+	Benefit to real property inside of improvement district	+	Benefit to public at large
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Special benefit, on the other hand, is defined in the state constitution as “a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large.” The *SVTA v. SCCOSA* decision indicates that a special benefit is conferred to a property if it “receives a direct advantage from the improvement (e.g., proximity to a park).” In this assessment, as noted, the improved Services are available when needed to all properties in the Assessment District, so the overwhelming proportion of the benefits conferred to property is special, and are only minimally received by property outside the Assessment District or the public at large.

Proposition 218 twice uses the phrase “over and above” general benefits in describing special benefit. (Art. XIID, sections 2(i) & 4(f).) Arguably, all of the Services being funded by the assessment would be a special benefit because the Services particularly and distinctly benefit the properties in the Assessment District over and above the baseline benefits.

Nevertheless, arguably some of the Services benefit the public at large and properties outside the Assessment District. In this report, the general benefit is conservatively estimated and described, and then budgeted so that it is funded by sources other than the assessment.

(In the 2009 *Dahms* case, the court upheld an assessment that conferred a 100% special benefit to the assessed parcels on the rationale that the services and improvements funded by the assessments were provided directly and only to property in the assessment district over and above those services or improvements provided by the city generally. Similarly, the Assessments described in this Engineer’s Report fund wildland fire services directly and only to the assessed parcels located within the assessment area. Moreover, every property within the Assessment District will receive the Services. While the *Dahms* decision would permit an assessment based on 100% special benefit and zero or minimal general benefits, in this report, the general benefit is estimated and described and budgeted so that it is funded by sources other than the Assessment.)

CALCULATING GENERAL BENEFIT

This section provides a measure of the general benefits from the assessments

BENEFIT TO PROPERTY OUTSIDE THE ASSESSMENT DISTRICT

Properties within the Assessment District receive almost all of the special benefits from the Services because the Services will be provided solely in the Assessment District boundaries. Properties proximate to, but outside of, the boundaries of the Assessment District receive some benefit from the Services due to some degree of indirectly reduced fire risk to their property. These parcels that are proximate to the boundaries of the Assessment District are estimated to receive less than 50% of the benefits relative to parcels within the Assessment District because they do not directly receive the improved fire protection resulting from the Services funded by the Assessments.

At the time the Assessment District was formed, there were approximately 550 of these “proximate” properties.

Assumptions:

550 parcels outside the district but proximate to the District Boundaries

3,550 parcels in the Assessment District.

50% relative benefit compared to property within the Assessment District.

Calculation:

General Benefit to property outside the Assessment District

$$= (550/(550+3,550))*0.5=6.7\%$$

Although it can reasonably be argued that properties protected inside, but near the Assessment District boundaries are offset by similar fire protection provided outside, but near the Assessment District's boundaries, we use the more conservative approach of finding that 6.7% of the Services may be of general benefit to property outside the Assessment District.

BENEFIT TO PROPERTY *INSIDE* THE DISTRICT THAT IS *INDIRECT AND DERIVATIVE*

The “indirect and derivative” benefit to property within the Assessment District is particularly difficult to calculate. A solid argument can be presented that all benefit within the Assessment District is special, because the Services are clearly “over and above” and “particular and distinct” when compared with the pre-2006 baseline level of Services, had the assessment district not passed.

In determining the Assessment District boundaries, the District has been careful to limit it to an area of parcels that will directly receive the benefit of the improved Services. All

parcels will directly benefit from the use of the improved Services throughout the Assessment District in order to achieve the desired level of wildland fire suppression and protection throughout the Assessment District. Fire protection and suppression will be provided as needed throughout the area.

The SVTA vs. SCCOSA decision indicates that the fact that a benefit is conferred throughout the Assessment District area does not make the benefit general rather than special, so long as the Assessment District is narrowly drawn and limited to the parcels directly receiving shared special benefits from the service. This concept is particularly applicable in situations involving a landowner-approved assessment-funded extension of a local government service to benefit lands previously not receiving that particular service. The Fire Department therefore concludes that, other than the small general benefit to properties outside the Assessment District (discussed above) and to the public at large (discussed below), all of the benefits of the Services to the parcels within the Assessment District are special benefits and it is not possible or appropriate to separate any general benefits from the benefits conferred on parcels in the Assessment District.

BENEFIT TO THE PUBLIC AT LARGE

With the type and scope of Services provided to the Assessment District, it is very difficult to calculate and quantify the scope of the general benefit conferred on the public at large. Because the Services directly serve and benefit all of the property in the Assessment District, any general benefit conferred on the public at large would be small. Nevertheless, there may be some indirect general benefit to the public at large.

The public at large uses the public highways and other regional facilities when traveling in and through the Assessment District and they may benefit from the services without contributing to the assessment. Although the protection of this critical infrastructure is certainly a benefit to all the property within the Assessment District, it is arguably “indirect and derivative” and possibly benefits people rather than property. A fair and appropriate measure of the general benefit to the public at large therefore is the amount of highway, and regional facilities within the Assessment District relative to the overall land area. An analysis of maps of the Assessment District shows that less than 1.0% of the land area in the Assessment District is covered by highways and regional facilities. This 1.0% therefore is a fair and appropriate measure of the general benefit to the public at large within the Assessment District

SUMMARY OF GENERAL BENEFITS

Using a sum of the measures of general benefit for the public at large and land outside the Assessment District, we find that approximately 7.7% of the benefits conferred by the Assessment District may be general in nature and should be funded by sources other than the assessment.

General Benefit Calculation

6.7%	(Outside the Assessment District)
+ 0.0%	(Inside the district – indirect and derivative)
+ 1.0%	(Public at Large)
= 7.7%	(Total General Benefit)

The Assessment District's total budget for 2013-14 is \$245,287. The Assessment District must obtain funding from sources other than the assessment in the amount of approximately \$18,887 ($\$245,287 \times 7.7\%$) to pay for the cost of the general benefits. This is because the assessments levied by the Fire Department may not exceed the special benefits provided by the Services, and the Assessment Engineer concluded that a combined total of 7.7% of the cost of Services provide a general benefit to properties outside the Assessment District and a benefit to the public at large. For Fiscal Year 2013-14, the City will contribute at least \$18,887, or 7.7% of the total Assessment District budget, to the Assessment District from sources other than this assessment. This contribution constitutes more than the 7.7% general benefits estimated by the Assessment Engineer.

ZONES OF BENEFIT

Initially, the Fire Department evaluated the geographic area within and around the City limits (including the City of Santa Barbara, Santa Barbara County, Montecito and National Forest lands) based upon three fire hazard risk variables: vegetation (fuel), topography and weather. This analysis was used to narrowly determine the boundaries of the "high fire hazard area." Further, zones were narrowly drawn within the high fire hazard area and graded "extreme," "high," "moderate" or "low". Next, the Fire Department evaluated the roof type, proximity of structures, road systems, water supply, fire response times and historic fire starts within the high fire hazard area and developed 4 specific zones:

- Extreme Foothill Zone
- Foothill Zone
- Coastal Zone
- Coastal Interior Zone

These zones were used to apply appropriate policies and actions based upon hazard and risk. The results of this analysis were tabulated and presented in Tables 2 through 4 in the 2004 Wildland Fire Plan.

Accordingly, "Zones of Benefit" corresponding to the fire risk zones are used to equitably assign special benefit, and are used for the basis of the "Fire Risk Factors" discussed below. Each zone was narrowly drawn, and has been given a score, based upon the

evaluated risk criteria, as shown in Figure 3. (The assessment provides Services in the Extreme Foothill Zone and the Foothill Zone only.)

FIGURE 3 - RELATIVE HAZARD/RISK SCORING FOR HIGH FIRE HAZARD AREA ZONES

Hazard/Risk Attribute	Extreme Foothill Zone	Foothill Zone	Coastal Zone	Coastal Interior Zone
Combined Hazard Assessment - vegetation (fuel), topography, weather*	40	30	20	10
Roof Type**	1	2	2	3
Proximity	1	3	1	3
Road	3	3	1	1
Water	3	1	1	1
Response	3	2	2	2
Ignitions	1	1	1	1
Total Score	52	42	28	21

* The Hazard Assessment element of this analysis is the most significant. Scores have been "weighted" by a factor of 10.

** In the Extreme Foothill Zone fire retardant roofing materials are more prevalent, resulting in lower risk in this area.

Figure 4 shows the numeric scoring system used to develop the relative total scores.

FIGURE 4 - SCORING SYSTEM

Qualitative Score	Numeric Score
Very High	4
High	3
Moderate	2
Low	1

The total relative scores for each zone are tabulated and normalized, based up the Foothill Zone, and shown in Figure 5.

FIGURE 5 - WILDLAND FIRE RISK FACTORS

Zone	Raw Score	Wildland Fire Risk Factor
Extreme Foothill Zone	52	1.24
Foothill Zone	42	1.00
Coastal Zone**	28	.67
Coastal Interior Zone**	21	.50

**Coastal Zone and Coastal Interior Zone are included in this analysis for clarity; however these zones are not included in the Assessment District.

ASSESSMENT APPORTIONMENT

In the process of determining the appropriate method of assessment, the Assessment Engineer considered various alternatives. For example, an assessment only for all residential improved property was considered but was determined to be inappropriate because vacant, commercial, industrial and other properties also receive special benefits from the assessments.

Moreover, a fixed or flat assessment for all properties of similar type was deemed to be inappropriate because larger commercial/industrial properties and residential properties with multiple dwelling units receive a higher degree of benefit than other similarly used properties that are significantly smaller. For two properties used for commercial purposes, there clearly is a higher benefit provided to the larger property in comparison to a smaller commercial property because the larger property generally supports a larger building and has higher numbers of employees, customers and guests that benefit from reduced wildland fire risk. This benefit ultimately flows to the property. Larger parcels, therefore, receive an increased benefit from the assessments.

The Assessment Engineer determined that the appropriate method of assessment should be based on the type of property, the relative size of the property and the potential use of property by residents and employees. This method is further described below.

METHOD OF ASSESSMENT

The next step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a "benchmark" property, a single family detached dwelling on one parcel of one acre or less in the Foothill Zone (one "Single Family Equivalent Benefit Unit" or "SFE"). This SFE methodology is commonly used to distribute assessments in proportion to estimated special benefits and is generally recognized as providing the basis for a fair and appropriate distribution of assessments. In this Engineer's Report, all

properties are assigned an SFE value, which is each property's relative benefit in relation to a single family home on one parcel.

The relative benefit to properties from fire related Services is:

EQUATION 1 – RELATIVE BENEFIT TO PROPERTIES

$\mathbf{Benefit} \approx \sum (\mathbf{Fire\ Risk\ Factors}) * \sum (\mathbf{Structure\ Value\ Factors})$
--

That is, the benefit conferred to property is the “sum” the risk factors multiplied by the “sum” of the structure values factors.

FIRE RISK FACTORS

Typical fire assessments (non-wildland) are evaluated based upon the fire risk of a certain property type. These evaluations consider factors such as use of structure (e.g. used for cooking), type of structure (centralized heating), etc.

Wildland fires, on the other hand, are initiated largely from external ignitions and are far less affected by structural, mechanical and electrical systems inherent to the building (except roof type). The principle Wildland fire risk factors are:

- Vegetation (fuel)
- Topography
- Weather
- Roof type
- Proximity of Structure
- Road Systems
- Water Supply
- Response
- Ignitions

These factors were fully evaluated in the 2004 Wildland Fire Plan and are manifested in the relative zone scores as shown in Figures 3, 4 and 5, above. Hence, the Fire Risk Factor for all properties within the Foothill Zone is 1.00 and the Fire Risk Factor for all properties in the Extreme Foothill Zone is 1.24.

STRUCTURE VALUE FACTORS

The relative value of different property types was evaluated within the high fire hazard area to determine the Structure Value Factor according to the following formula:

EQUATION 2 - STRUCTURE VALUE FACTORS

Σ (Structure Value Factors)	\approx	(Structure Weighting Factor $*$ Average Improved Value)	$*$	(Land Weighting Factor $*$ Average Total Value)	$*$	(Unit Density Factor)
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Where:

“Structure Weight Factor” = 10 to “weight” relative importance of structure over land.

“Average Improved Value” is average of value of all improvements (e.g. structures), per property type, as provide by County Assessor records.

Land Weighting Factor = 1

“Average Total Value” is average of value of all land + improvements (e.g. structures), per property type, as provide by County Assessor records. County assessor land values were not used directly because experience has shown total values to be more comprehensive.

Unit Density Factor corresponds values with units (i.e. “per residential unit” or “per acre”) based upon effective density of structure on parcel.

Figure 6 below is a tabulation of the Structure values for each property type as defined by Equation 2, above.

FIGURE 6 – STRUCTURE VALUE FACTORS

Property Type	Structure Value Factor	Unit
Single Family	1.0000	per each*
Multi-Family	0.3683	per res. unit
Commercial/Industrial	0.8187	per acre
Office	0.7058	per acre
Institutional	0.3841	per each
Storage	0.0952	per acre
Agricultural	0.0809	per acre
RangeLand	0.0181	per acre
Vacant	0.0324	per each

*for homes on an ac re or less. For homes on more than one acre, the Structure Value Factor is increased by 0.0809 per acre

RESIDENTIAL PROPERTIES

All improved residential properties with a single residential dwelling unit on one acre or less are assigned one Single Family Equivalent or 1.0 SFE in the Foothill Zone. In the Extreme Foothill Zone, all improved residential properties on one a cre or less are assessed 1.24 SFEs (See Table 5). Residential properties on parcels that are larger than 1 acre receive additional benefit and are assigned additional SFEs on a “per acre” basis. Detached or attached houses, zero-lot line houses and town homes are included in this category.

Properties with more than one residential unit are designated as multi-family residential properties. These properties benefit from the Services in proportion to the number of dwelling units that occupy each property. The relative benefit for multi-family properties was determined as per Equation 1 to be 0.3683 SFEs per residential unit in the Foothill Zone and 0.4567 per residential unit in the Extreme Foothill Zone. This rate applies to condominiums as well.

COMMERCIAL/INDUSTRIAL & OFFICE PROPERTIES

Commercial and industrial properties are assigned benefit units per acre, since there is a relationship between parcel size, structure size and relative benefits. The relative benefit for commercial and industrial properties was determined as per Equation 1 to be 0.8187 SFEs per acre in the Foothill Zone and 1.0151 per acre in the Extreme Foothill Zone. The relative benefit for office properties was determined as per Equation 1 to be 0.7058 SFEs per acre in the Foothill Zone and 0.8751 per acre in the Extreme Foothill Zone.

VACANT/UNDEVELOPED, OPEN SPACE AND AGRICULTURAL PROPERTIES

The relative benefit for vacant properties was determined as per Equation 1 to be 0.0324 SFEs per parcel in the Foothill Zone and 0.04012 per parcel in the Extreme Foothill Zone. Open space and agricultural land have minimal improvements and few, if any; structures that require defensible space, and are assigned benefit “per acre.” The relative benefit for

open space properties was determined as per Equation 1 to be 0.0181 SFEs per acre in the Foothill Zone and 0.0224 per acre in the Extreme Foothill Zone. The relative benefit for agricultural properties was determined as per Equation 1 to be 0.0809 SFEs per acre in the Foothill Zone and 0.1002 per acre in the Extreme Foothill Zone.

OTHER PROPERTIES

Institutional properties, such as publicly owned properties (and are used as such), for example, churches, are assessed at 0.3841 per parcel in the Foothill zone and 0.4762 per Parcel in the Extreme Foothill zone. The relative benefit for storage properties was determined as per Equation 1 to be 0.0952 SFEs per acre in the Foothill Zone and 0.1180 per acre in the Extreme Foothill Zone.

Article XIID, Section 4 of the California Constitution states that publicly owned properties shall not be exempt from assessment unless there is clear and convincing evidence that those properties receive no special benefit.

All public properties that are specially benefited are assessed. Publicly owned property that is used for purposes similar to private residential, commercial, industrial or institutional uses is benefited and assessed at the same rate as such privately owned property.

SUMMARY OF BENEFITS FOR EACH PROPERTY TYPE

Figure 7 summarizes the relative benefit for each property type.

FIGURE 7 - RELATIVE BENEFIT FACTORS FOR FOOTHILL AND EXTREME FOOTHILL ZONES

Property Type	Foothill Zone		Extreme Foothill Zone	
	Benefit Factors (SFEs)	Unit	Benefit Factors (SFEs)	Unit
Single Family	1.0000	per each	1.2400	per each
Multi-Family	0.3683	per unit	0.4567	per unit
Commercial/Industrial	0.8187	per acre	1.0152	per acre
Office	0.7058	per acre	0.8752	per acre
Institutional	0.3841	per each	0.4763	per each
Storage	0.0952	per acre	0.1181	per acre
Agricultural	0.0809	per acre	0.1003	per acre
RangeLand	0.0181	per acre	0.0225	per acre
Vacant	0.0324	per each	0.0402	per each

APPEALS OF ASSESSMENTS LEVIED TO PROPERTY

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the Fire Chief of the City of Santa Barbara Fire

Department or his or her designee. Any such appeal is limited to correction of an assessment during the then current fiscal year. Upon the filing of any such appeal, the Chief or his or her designee will promptly review the appeal and any information provided by the property owner. If the Chief or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the Chief or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the Chief or his or her designee shall be referred to the City Council and the decision of the Council shall be final.

ADDITIONAL BACKGROUND ON RELATIVE BENEFIT

In essence, when property owners are deciding how to cast their ballot for a proposed assessment, each property owner must weigh the perceived value of the Services proposed to them and their property with the proposed cost of the assessment to their property. If property owners of a certain type of property are either opposed or in support of the assessment in much greater percentages than owners of other property types, this is an indication that, as a group, these property owners perceive that the proposed assessment has relatively higher or lower “utility” or value to their property relative to owners of other property types. One can also infer from these hypothetical ballot results, that the apportionment of benefit (and assessments) was too high or too low for that property type. In other words, property owners, by their balloting, ultimately indicate if they perceive the special benefits to their property to exceed the cost of the assessment, and, as a group, whether the determined level of benefit and proposed assessment (the benefit apportionment made by the Assessment Engineer) is consistent with the level of benefits perceived by the owners of their type of property relative to the owners of other types of property.

DURATION OF THE ASSESSMENT

The duration of the assessment is one year, and may be continued each year by a vote of the City Council. The assessment cannot be increased in future years without approval from property owners in another assessment ballot proceeding, except for an annual adjustment tied to the change in the Los Angeles-Riverside-Orange County Area Consumer Price Index, not to exceed 4% per year.

CRITERIA AND POLICIES

This sub-section describes the criteria that shall govern the expenditure of assessment funds and ensures equal levels of benefit for properties of similar type. The criteria established in this Report, as finally confirmed, cannot be substantially modified; however, the Council may adopt additional criteria to further clarify certain criteria or policies established in this Report or to establish additional criteria or policies that do not conflict with this Report.

ASSESSMENT FUNDS MUST BE EXPENDED WITHIN THE FOOTHILL AND EXTREME FOOTHILL ZONES

The net available assessment funds, after incidental, administrative, financing and other costs, shall be expended exclusively for Services within the boundaries of the Assessment District, namely, the Foothill and Extreme Foothill Zones.

EXISTING GENERAL FUNDS

Prior to formation, Wildland Fire Services were funded with approximately \$200,000 from the City of Santa Barbara general fund. The intent of the program is that this general fund revenue will be maintained by the City to the extent feasible and the assessment will augment the current funding and services. Further, a portion of the general fund revenue is needed to pay for any and all general benefits from the wildland fire Services, as described above.

ASSESSMENT

WHEREAS, the City Council of the City of Santa Barbara is proceeding with the proposed levy of assessments under California Government Code sections 50078 et seq. (the "Code") and Article XIID of the California Constitution (the "Article");

WHEREAS, the undersigned Engineer of Work has prepared and filed a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Services upon all assessable parcels within the Assessment District;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Code and Article and the order of the Council of said City, hereby make the following assessment to cover the portion of the estimated cost of said Services, and the costs and expenses incidental thereto to be paid by the Assessment District.

The amount to be paid for said Services and the expense incidental thereto, to be paid by the Assessment District for the fiscal year 2013-14 is generally as follows:

SUMMARY COST ESTIMATE FY 2013-14

	Budget
Evacuation Planning – Evacuation Roadway Clearing	\$96,000
Defensible Space	\$78,000
Vegetation Management	\$80,534
Total for Installation, Maintenance and Servicing	\$254,534
Less: Contribution for General Benefits	(\$18,887)
Incidental Costs:	
Administration and Project Management	\$6,150
Allowance for County collection	\$3,490
Subtotal – Incidentals	\$9,640
Total Wildland Fire Suppression Assessment Budget	\$245,287

An Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Assessment District. The distinctive number of each parcel or lot of land in said Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion said net amount of the cost and expenses of said Services, including the costs and expenses incident thereto, upon the parcels and lots of land within said Assessment District, in accordance with the special benefits to be received

by each parcel or lot, from the Services, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The assessment is subject to an annual adjustment tied to the annual change in the Consumer Price Index for the Los Angeles-Riverside-Orange County Area as of January of each succeeding year, with the maximum annual adjustment not to exceed 4%.

In the event that the actual assessment rate for any given year is not increased by an amount equal to the maximum of 4% or the yearly CPI change plus any CPI change in previous years that was in excess of 4%, the maximum authorized assessment shall increase by this amount. In such event, the maximum authorized assessment shall be equal to the base year assessment as adjusted by the increase to the CPI, plus any and all CPI adjustments deferred in any and all prior years. The CPI change above 4% can be used in a future year when the CPI adjustment is below 4%. For 2013-14, the allowable CPI increase is 1.93%.

Hence, the proposed rates for 2013-14 will increase by 1.93% from the 2012-13 rates – from \$73.72 to \$75.14 per single family home in the Foothill Zone and from \$91.41 to \$93.17 per single family home in the Extreme Foothill Zone. The total revenue derived from the assessment is \$245,287 for 2013-14.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the City of Santa Barbara for the fiscal year 2013-14. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of Santa Barbara County.

I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2013-14 for each parcel or lot of land within the said Assessment District.

Dated: May 21, 2013

Engineer of Work

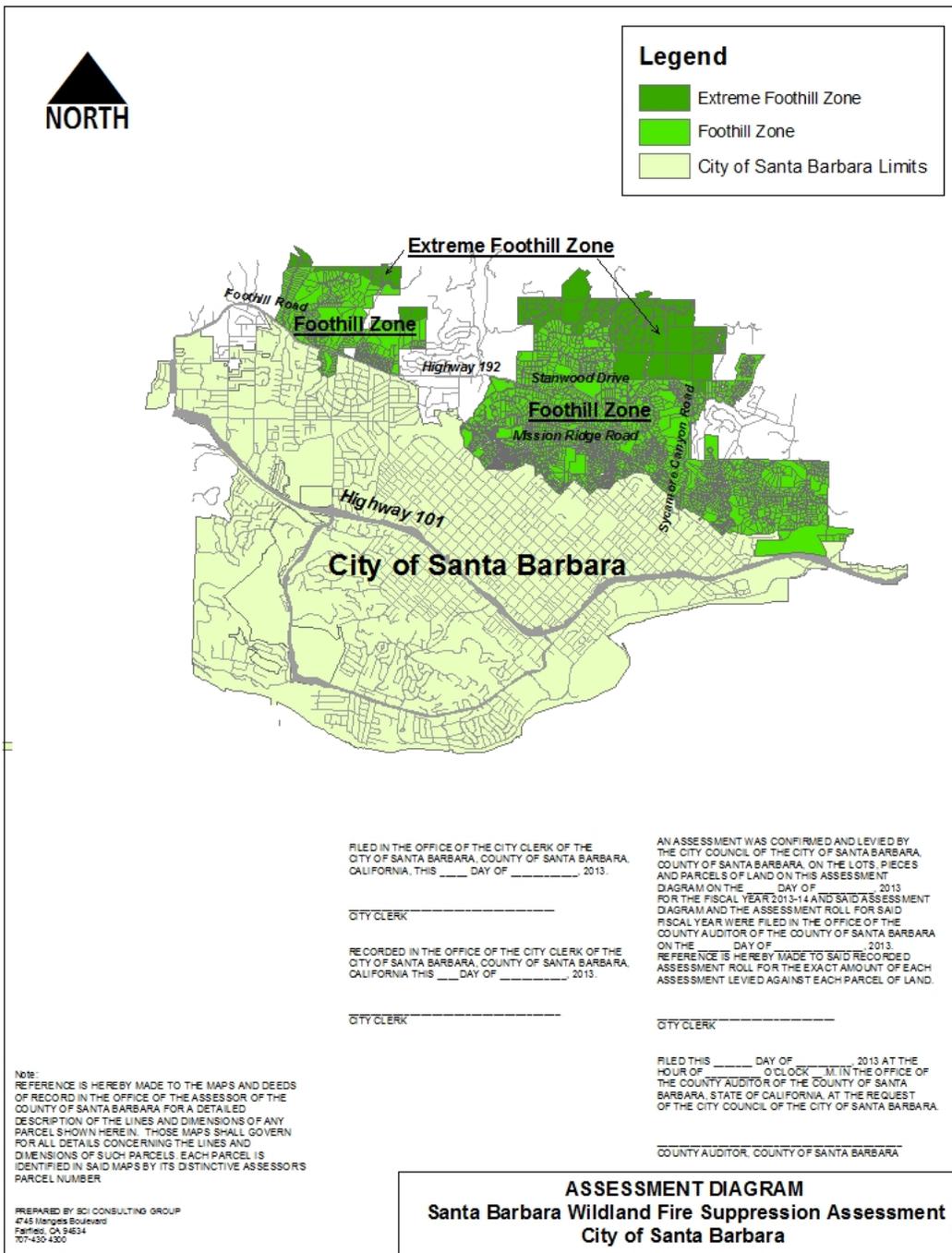


By

John W. Bliss, License No. C052091

ASSESSMENT DIAGRAM

The Assessment District includes all properties within the boundaries of the Wildland Fire Suppression District. The boundaries of the Assessment District are displayed on the following Assessment Diagram. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Santa Barbara, for fiscal year 2013-14, and are incorporated herein by reference, and made a part of this Diagram and this Report.



APPENDICES

APPENDIX A – ASSESSMENT ROLL, FY 2013-14

The Assessment Roll is made part of this report and is available for public inspection during normal office hours. Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor records and these records are, by reference, made part of this report. These records shall govern for all details concerning the description of the lots of parcels.

APPENDIX B – CALIFORNIA GOVERNMENT CODE SECTION 50078 ET. SEQ.

50078. Any local agency which provides fire suppression services directly or by contract with the state or a local agency may, by ordinance or by resolution adopted after notice and hearing, determine and levy an assessment for fire suppression services pursuant to this article. The assessment may be made for the purpose of obtaining, furnishing, operating, and maintaining fire suppression equipment or apparatus or for the purpose of paying the salaries and benefits of firefighting personnel, or both, whether or not fire suppression services are actually used by or upon a parcel, improvement, or property.

50078.1. As used in this article:

(a) "Legislative body" means the board of directors, trustees, governors, or any other governing body of a local agency specified in subdivision (b).

(b) "Local agency" means any city, county, or city and county, whether general law or chartered, or special district, including a county service area created pursuant to the County Service Area Law, Chapter 2.2 (commencing with Section 25210.1) of Part 2 of Division 2 of Title 3.

(c) "Fire suppression" includes firefighting and fire prevention, including, but not limited to, vegetation removal or management undertaken, in whole or in part, for the reduction of a fire hazard.

50078.2. (a) The ordinance or resolution shall establish uniform schedules and rates based upon the type of use of property and the risk classification of the structures or other improvements on, or the use of, the property. The risk classification may include, but need not be limited to, the amount of water required for fire suppression on that property, the structure size, type of construction, structure use, and other factors relating to potential fire and panic hazards and the costs of providing the fire suppression by the district to that property. The assessment shall be related to the benefits to the property assessed.

(b) The benefit assessment levies on land devoted primarily to agricultural, timber, or livestock uses, and being used for the commercial production of agricultural, timber, or livestock products, shall be related to the relative risk to the land and its products. The amount of the assessment shall recognize normal husbandry practices that serve to mitigate risk, onsite or proximate water availability, response time, capability of the fire suppression service, and any other factors which reflect the benefit to the land resulting from the fire suppression service provided. A benefit assessment shall not be levied for wildland or watershed fire suppression on land located in a state responsibility area as defined in Section 4102 of the Public Resources Code. This subdivision is not applicable to any benefit assessment levied prior to January 1, 1984, on land devoted primarily to agricultural, timber, or livestock uses.

50078.3. Any ordinance or resolution adopted by a local agency pursuant to this article establishing uniform schedules and rates for assessments for fire suppression services

which substantially conforms with the model ordinance which the State Fire Marshal is authorized to adopt pursuant to Section 13111 of the Health and Safety Code shall be presumed to be in compliance with the requirements of Section 50078.2.

50078.4. The legislative body of the local agency shall cause to be prepared and filed with the clerk of the local agency a written report which shall contain all of the following:

- (a) A description of each lot or parcel of property proposed to be subject to the assessment.
- (b) The amount of the assessment for each lot or parcel for the initial fiscal year.
- (c) The maximum amount of the assessment which may be levied for each lot or parcel during any fiscal year.
- (d) The duration of the assessment.
- (e) The basis of the assessment.
- (f) The schedule of the assessment.
- (g) A description specifying the requirements for protest and hearing procedures for the proposed assessment pursuant to Section 50078.6.

50078.5. (a) The legislative body may establish zones or areas of benefit within the local agency and may restrict the imposition of assessments to areas lying within one or more of the zones or areas of benefit established within the local agency.

(b) The benefit assessment shall be levied on a parcel, class of improvement to property, or use of property basis, or a combination thereof, within the boundaries of the local agency, zone, or area of benefit. The assessment may be levied against any parcel, improvement, or use of property to which such services may be made available whether or not the service is actually used.

50078.6. The clerk of the local agency shall cause the notice, protest, and hearing procedures to comply with Section 53753. The mailed notice shall also contain the name and telephone number of the person designated by the legislative body to answer inquiries regarding the protest proceedings.

50078.13. The local agency shall pay the county for costs, if any, incurred by the county in conducting the election. An election called by a legislative body pursuant to this article is subject to all provisions of the Elections Code applicable to elections called by the local agency. The local agency may recover the costs of the election and any other costs of preparing and levying the assessment from the proceeds of the assessment.

50078.16. The legislative body may provide for the collection of the assessment in the same manner, and subject to the same penalties as, other fees, charges, and taxes fixed and collected by, or on behalf of the local agency. If the assessments are collected by the county, the county may deduct its reasonable costs incurred for that service before remittal of the balance to the local agency's treasury.

50078.17. Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure applies to any judicial action or proceeding to validate, attack, review, set aside, void, or annul an ordinance or resolution levying an assessment or modifying or amending an existing ordinance or resolution. If an ordinance or resolution provides for an automatic adjustment in an assessment, and the automatic adjustment results in an increase in the amount of an assessment, any action or proceeding to attack, review, set aside, void, or annul the increase shall be commenced within 90 days of the effective date of the increase. Any appeal from a final judgment in the action or proceeding brought pursuant to this section shall be filed within 30 days after entry of the judgment.

50078.19. This article does not limit or prohibit the levy or collection of any other fee, charge, assessment, or tax for fire suppression services authorized by any other provisions of law.

50078.20. Any fire protection district may specifically allocate a portion of the revenue generated pursuant to this article to pay the interest and that portion of the principal as will become due on an annual basis on indebtedness incurred pursuant to Section 8589.13 of this code and Section 13906 of the Health and Safety Code.

APPENDIX C – ARTICLE XIIID OF THE CALIFORNIA CONSTITUTION

Proposition 218 was approved by voters as a Constitutional Amendment on November 6, 1996. It became Article XIIIC and Article XIIID of the California State Constitution and has imposed additional requirements for assessment districts. Following is a summary of the Article.

SEC.1. Application. Notwithstanding any other provision of law, the provisions of this article shall apply to all assessments, fees and charges, whether imposed pursuant to state statute or local government charter authority. Nothing in this article or Article XIIIC shall be construed to:

- (a) Provide any new authority to any agency to impose a tax, assessment, fee, or charge.
- (b) Affect existing laws relating to the imposition of fees or charges as a condition of property development.
- (c) Affect existing laws relating to the imposition of timber yield taxes.

SEC. 2. Definitions. As used in this article:

- (a) "Agency" means any local government as defined in subdivision (b) of Section 1 of Article XIIIC.
- (b) "Assessment" means any levy or charge upon real property by an agency for a special benefit conferred upon the real property. "Assessment" includes, but is not limited to, "special assessment," "benefit assessment," "maintenance assessment" and "special assessment tax."
- (c) "Capital cost" means the cost of acquisition, installation, construction, reconstruction, or replacement of a permanent public improvement by an agency.
- (d) "District" means an area determined by an agency to contain all parcels which will receive a special benefit from a proposed public improvement or property-related service.
- (e) "Fee" or "charge" means any levy other than an ad valorem tax, a special tax, or an assessment, imposed by an agency upon a parcel or upon a person as an incident of property ownership, including a user fee or charge for a property related service.
- (f) "Maintenance and operation expenses" means the cost of rent, repair, replacement, rehabilitation, fuel, power, electrical current, care, and supervision necessary to properly operate and maintain a permanent public improvement.
- (g) "Property ownership" shall be deemed to include tenancies of real property where tenants are directly liable to pay the assessment, fee, or charge in question.

(h) "Property-related service" means a public service having a direct relationship to property ownership.

(i) "Special benefit" means a particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute "special benefit."

SEC. 3. Property Taxes, Assessments, Fees and Charges Limited.

(a) No tax, assessment, fee, or charge shall be assessed by any agency upon any parcel of property or upon any person as an incident of property ownership except: (1) The ad valorem property tax imposed pursuant to Article XIII and Article XIII A. (2) Any special tax receiving a two-thirds vote pursuant to Section 4 of Article XIII A. (3) Assessments as provided by this article. (4) Fees or charges for property related services as provided by this article.

(b) For purposes of this article, fees for the provision of electrical or gas service shall not be deemed charges or fees imposed as an incident of property ownership.

SEC. 4. Procedures and Requirements for All Assessments.

(a) An agency which proposes to levy an assessment shall identify all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed. The proportionate special benefit derived by each identified parcel shall be determined in relationship to the entirety of the capital cost of a public improvement, the maintenance and operation expenses of a public improvement, or the cost of the property related service being provided. No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel. Only special benefits are assessable, and an agency shall separate the general benefits from the special benefits conferred on a parcel. Parcels within a district that are owned or used by any agency, the State of California or the United States shall not be exempt from assessment unless the agency can demonstrate by clear and convincing evidence that those publicly owned parcels in fact receive no special benefit.

(b) All assessments shall be supported by a detailed engineer's report prepared by a registered professional engineer certified by the State of California.

(c) The amount of the proposed assessment for each identified parcel shall be calculated and the record owner of each parcel shall be given written notice by mail of the proposed assessment, the total amount thereof chargeable to the entire district, the amount chargeable to the owner's particular parcel, the duration of the payments, the reason for the assessment and the basis upon which the amount of the proposed assessment was calculated, together with the date, time, and location of a public hearing on the proposed assessment. Each notice shall also include, in a conspicuous place thereon, a summary of

the procedures applicable to the completion, return, and tabulation of the ballots required pursuant to subdivision (d), including a disclosure statement that the existence of a majority protest, as defined in subdivision (e), will result in the assessment not being imposed.

(d) Each notice mailed to owners of identified parcels within the district pursuant to subdivision (c) shall contain a ballot which includes the agency's address for receipt of the ballot once completed by any owner receiving the notice whereby the owner may indicate his or her name, reasonable identification of the parcel, and his or her support or opposition to the proposed assessment.

(e) The agency shall conduct a public hearing upon the proposed assessment not less than 45 days after mailing the notice of the proposed assessment to record owners of each identified parcel. At the public hearing, the agency shall consider all protests against the proposed assessment and tabulate the ballots. The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

(f) In any legal action contesting the validity of any assessment, the burden shall be on the agency to demonstrate that the property or properties in question receive a special benefit over and above the benefits conferred on the public at large and that the amount of any contested assessment is proportional to, and no greater than, the benefits conferred on the property or properties in question.

(g) Because only special benefits are assessable, electors residing within the district who do not own property within the district shall not be deemed under this Constitution to have been deprived of the right to vote for any assessment. If a court determines that the Constitution of the United States or other federal law requires otherwise, the assessment shall not be imposed unless approved by a two-thirds vote of the electorate in the district in addition to being approved by the property owners as required by subdivision (e).

SEC. 5. Effective Date.

Pursuant to subdivision (a) of Section 10 of Article II, the provisions of this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article. Notwithstanding the foregoing, the following assessments existing on the effective date of this article shall be exempt from the procedures and approval process set forth in Section 4:

(a) Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.

(b) Any assessment imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment is initially imposed. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4.

(c) Any assessment the proceeds of which are exclusively used to repay bonded indebtedness of which the failure to pay would violate the Contract Impairment Clause of the Constitution of the United States.

(d) Any assessment which previously received majority voter approval from the voters voting in an election on the issue of the assessment. Subsequent increases in those assessments shall be subject to the procedures and approval process set forth in Section 4.

END NOTES

- ¹ Insurance Services Offices Inc.
<http://www.rockwall.com/FireDepartment/Insurance%20Services%20Office%20Rating%20Information.pdf>
- ² Institute for Business & Home Safety, "Protect Your Home Against Wildfire Damage,"
<http://www.ibhs.org/publications/view.asp?id=125>
- ³ Institute for Business & Home Safety, "Is Your Home Protected from Wildfire Damage? A Homeowner's Guide to Retrofit," <http://www.ibhs.org/publications/view.asp?id=130>
- ⁴ U.S. Fire Administration, Department of Homeland Security, "America Burning, Recommissioned: Principal Findings and Recommendations," p.1,
<http://www.usfa.fema.gov/downloads/pdf/abr-rep.PDF>
- ⁵ U.S. Fire Administration, Department of Homeland Security, "America Burning, Recommissioned: Principal Findings and Recommendations," p.2,
<http://www.usfa.fema.gov/downloads/pdf/abr-rep.PDF>
- ⁶ Insurance Services Offices Inc., p. 1,
<http://www.rockwall.com/FireDepartment/Insurance%20Services%20Office%20Rating%20Information.pdf>
- ⁷ Renewable Natural Resources Foundation, "Workshop on National Parks Fire Policy: Goals, Perceptions, and Reality," Renewable Resources Journal, Volume 11, Number 1, Spring 1993, p. 6
- ⁸ Weldon, Leslie A. C., "Dealing with Public Concerns in Restoring Fire to the Forest," General Technical Report INT-GTR-341 The Use of Fire in Forest Restoration, U.S. Forest Service, June 1996, p. 3
- ⁹ U.S. Forest Service, Department of Agriculture, "Social Science to Improve Fuels Management: A Synthesis of Research on Aesthetics and Fuels Management," p. 1,
http://ncrs.fs.fed.us/pubs/gtr/gtr_nc261.pdf
- ¹⁰ U.S. Forest Service, Department of Agriculture, "Social Science to Improve Fuels Management: A Synthesis of Research on Aesthetics and Fuels Management," p. 25,
http://ncrs.fs.fed.us/pubs/gtr/gtr_nc261.pdf

¹¹ Weldon, Leslie A. C., "Dealing with Public Concerns in Restoring Fire to the Forest," General Technical Report INT-GTR-341 The Use of Fire in Forest Restoration, U.S. Forest Service, June 1996, p. 2

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DECLARING ITS INTENTION TO CONTINUE VEGETATION ROAD CLEARANCE, IMPLEMENTATION OF A DEFENSIBLE SPACE INSPECTION AND ASSISTANCE PROGRAM, AND IMPLEMENTATION OF A VEGETATION MANAGEMENT PROGRAM WITHIN THE FOOTHILL AND EXTREME FOOTHILL ZONES; DECLARING THE WORK TO BE OF MORE THAN GENERAL OR ORDINARY BENEFIT AND DESCRIBING THE DISTRICT TO BE ASSESSED TO PAY THE COSTS AND EXPENSES THEREOF; APPROVING THE ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT, AND ORDERING CONTINUATION OF THE WILDLAND FIRE SUPPRESSION ASSESSMENT DISTRICT FOR FISCAL YEAR 2013-14

WHEREAS, on July 11, 2006, by its Resolution No. 06-064, after receiving a weighted majority of ballots in support of the proposed assessment, this Council ordered the formation of and levied the first assessment within the City of Santa Barbara Wildland Fire Suppression Assessment, pursuant to the authority provided in California Government Code Section 50078 et seq. and Article XIID of the California Constitution, and

WHEREAS, although the methodology by which the assessments are applied to properties in the District does not change from year to year, a new Engineer's Report is prepared each year in order to establish the CPI adjustment for that year; the new maximum authorized assessment rate for that year; the budget for that year; and the amount to be charged to each parcel in the District that year, subject to that year's assessment rate and any changes in the attributes of the properties in the District, including but not limited to use changes, parcel subdivisions, and/or parcel consolidations; and

WHEREAS, it is the intention of this Council to continue to levy and collect assessments for the Wildland Fire Suppression Assessment for Fiscal Year 2013-14. Within the Assessment District, the proposed services to be funded by the assessments ("Services") are generally described as including but not limited to, the following: (1) continuation of the vegetation road clearance program to cover all public roads within the Foothill and Extreme Foothill Zones, continuing this program will reduce fuel, enhance evacuation routes, and decrease fire response times; (2) enhancing the defensible space fire prevention inspection and assistance program for all properties in the Foothill and Extreme Foothill Zones; and (3) implementation of a vegetation management program in the Foothill and Extreme Foothill Zones. As applied herein, "vegetation road clearance" means the treatment, clearing, reducing, or changing of vegetation near roadways in the Foothill and Extreme Foothill Zones where vegetation poses a fire hazard and does not meet Fire Department Vegetation Road Clearance

Standards within the high fire hazard area (As provided in Santa Barbara Municipal Code Section 8.04.020.M). "Defensible space" is a perimeter created around a structure where vegetation is treated, cleared or reduced to slow the spread of wildfire towards a structure, reduce the chance of a structure fire burning to the surrounding area, and provides a safe perimeter for firefighters to protect a structure (As provided in Chapter 47 of the California Fire Code, as adopted by the City of Santa Barbara pursuant to Santa Barbara Municipal Code Section 8.04). "Vegetation management" means the reduction of fire hazard through public education, vegetation hazard reduction, and other methods as needed to manage vegetation in areas with unique hazards such as heavy, flammable vegetation, lack of access due to topography and roads, and/or firefighter safety; and

WHEREAS, by Resolution No. 2013-028 the City Council preliminarily approved the Engineer's Report for said District and set a date for a Public Hearing; and

WHEREAS, the Public Hearing was held on May 21, 2013; and

WHEREAS, said report was duly made and filed with the City Clerk and duly considered by this Council and found to be sufficient in every particular, whereupon it was determined that the report should stand as the Engineer's Report for all subsequent proceedings under and pursuant to the aforesaid resolution, and that May 21, 2013, at the hour of 2:00 p.m. in the Council Chambers, City Hall, 735 Anacapa Street, Santa Barbara, was appointed as the time and place for a hearing by this Council on the question of the levy of the proposed assessment, notice of which hearing was given as required by law; and

WHEREAS, at the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the levy were fully heard and considered by the Council, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this council thereby acquired jurisdiction to order the levy and the confirmation of the diagram and assessment prepared by and made a part of the Engineer's Report to pay the costs and expenses thereof.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The public interest, convenience and necessity require that the levy be made.

SECTION 2. The Assessment District benefited by the fire suppression services and assessed to pay the costs and expenses thereof, and the exterior boundaries thereof, are as shown by a map thereof filed in the office of the City Clerk, which map is made a part hereof by reference thereto.

SECTION 3. The Engineer's Report as a whole and each part thereof, to wit:

- (a) the Engineer's estimate of the itemized and total costs and expenses of the fire suppression services and of the incidental expenses in connection therewith;
- (b) the diagram showing the assessment district, plans and specifications for the fire suppression services and the boundaries and dimensions of the respective lots and parcels of land within the Assessment District; and
- (c) the assessment of the total amount of the cost and expenses of the proposed fire suppression services upon the several lots and parcels of land in the Assessment District in proportion to the estimated special benefits to be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto; are finally approved and confirmed.

SECTION 4. Final adoption and approval of the Engineer's Report as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagram and the assessment, as contained in the report as hereinabove determined and ordered, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this Council.

SECTION 5. The assessments for fiscal year 2013-14 shall be levied at the rate of rate of SEVENTY FIVE DOLLARS AND FOURTEEN CENTS (\$75.14) per single-family equivalent benefit unit in the Foothill Zone and NINETY THREE DOLLARS AND SEVENTEEN CENTS (\$93.17) per single family equivalent benefit unit in the Extreme Foothill Zone. The estimated fiscal year 2013-14 cost of providing the Services is \$245,287; and

SECTION 6. The assessment to pay the costs and expenses of the fire suppression services for fiscal year 2013-14 is hereby continued.

SECTION 7. Based on the oral and documentary evidence, including the Engineer's Report, offered and received at the hearing, this Council expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the fire suppression services at least in the amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.

SECTION 8. Immediately upon the adoption of this resolution, but in no event later than the third Monday in August following such adoption, the City Clerk shall file a certified copy of the diagram and assessment and a certified copy of this resolution with the Auditor of the County of Santa Barbara. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of

assessment thereupon as shown in the assessment. The assessments shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments, After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the City of Santa Barbara Wildland Fire Suppression Assessment District.

SECTION 9. Upon receipt of the moneys representing assessments collected by the County, the County shall deposit the moneys in the City Treasury to the credit of the improvement fund previously established under the distinctive designation of the Assessment District. Moneys in the improvement fund shall be expended only for the maintenance, servicing, construction or installation of the fire suppression services.

SECTION 10. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: State Route 225 Relinquishment Authorizations

RECOMMENDATION: That Council:

- A. Receive an update on the State Route 225 Relinquishment;
- B. Authorize the City Administrator to execute a relinquishment agreement between the State of California Department of Transportation and the City of Santa Barbara for the relinquishment to the City of the portion of State Route 225 on Las Positas Road, Cliff Drive, and Castillo Street, subject to terms and conditions acceptable to the City Administrator and approval as to form of the agreement by the City Attorney; and
- C. Authorize the City Administrator to execute freeway maintenance agreements between the State of California Department of Transportation and the City of Santa Barbara for the Las Positas Road Overcrossing and the Castillo Street Undercrossing, subject to terms and conditions acceptable to the City Administrator and approval as to form of the agreement by the City Attorney.

EXECUTIVE SUMMARY:

As directed by Council on May 21, 2012, City staff has continued to work with Caltrans staff on the process of relinquishing State Route 225 (SR 225) from the State to the City of Santa Barbara (Attachment 1). Staff has also moved forward in evaluating the City records for the accident history of SR 225 and identifying needs and implementation options for traffic safety improvements along the SR 225 corridor (Attachment 2) that may be necessary.

City staff has continued to review the required draft documents submitted by Caltrans that outline the terms of the relinquishment. These documents include the Draft Project Scope Summary Report (PSSR), Draft Relinquishment Agreement, and Draft Freeway Maintenance Agreements (FMAs).

On March 15, 2013, Caltrans sent a letter to the City (Attachment 3) stating that in order to retain this year's State budgetary funding of \$819,000 for the relinquishment, it was

necessary for the City Council to approve the Relinquishment Agreement as presented by Caltrans, by April 30, 2013. However, City staff had identified several outstanding unresolved concerns with the proposed relinquishment that were not addressed in the draft documents provided by Caltrans, including the draft Relinquishment Agreement that Caltrans staff was asking Council to take formal action on.

During a conference call with Caltrans staff on April 19, 2013, City and Caltrans staff reached an understanding of how the previously identified outstanding issues will be addressed as the relinquishment process moves forward. Caltrans also agreed upon an extension of 30 days for Council action. This mutually agreed-upon understanding was memorialized in a letter addressed to Aileen Loe, Deputy District Director, dated May 7, 2013 (Attachment 4). City staff is recommending that Council authorize City Administrator to execute a relinquishment agreement and direct the City Administrator to negotiate the terms and conditions of such a relinquishment agreement and associated freeway maintenance agreements, subject to satisfactory resolution of the previously identified issues outlined in the City's May 7, 2013 letter.

DISCUSSION:

Background

On May 21, 2012, staff provided Council with an update on the SR 225 Relinquishment (Attachment 1). Council directed staff to move forward with the relinquishment process in parallel with preparation of a work plan to identify the locations, cost estimates, and timelines for the safety-oriented improvements that may be needed on the SR 225 corridor.

Updated Relinquishment Information

At the time of Council's last action on this item, the next steps in the relinquishment process were identified as follows:

- Caltrans initiates the PSSR;
- Caltrans submits the PSSR outlining relinquishment terms;
- City and Caltrans finalize the Relinquishment Agreement;
- City passes a resolution approving the Relinquishment Agreement accepting SR 225; and
- The California Transportation Committee (CTC) approves the relinquishment and transfer of funds.

Since May 2012, Caltrans has submitted to the City a Draft PSSR, which is intended to evaluate the existing condition of SR 225, determine what repairs are required to attain a state of good repair, establish the basis for the negotiation for funds provided to the City, and provide a cost benefit analysis to determine if the relinquishment is in the best interest of the State. The Draft PSSR includes several attachments, including two key documents that establish the terms of the relinquishment:

- Draft Relinquishment Agreement
- Draft FMAs for Las Positas Road overcrossing and Castillo Street undercrossing

In a letter to Christine F. Andersen, Public Works Director, dated March 15, 2013, (Attachment 3), Caltrans stated that the City needed to take formal action by April 30, 2013, in order for Caltrans to retain this year's funding for the relinquishment. Originally, this formal action was to include Council approval of a Resolution authorizing acceptance of the relinquishment of SR 225 based on the Relinquishment Agreement. Until receipt of this letter, City staff had not been informed of the April 30, 2013, deadline for Council action in order to secure the relinquishment funding. Due to several unresolved issues, City and Caltrans staff were unable to finalize the Relinquishment Agreement prior to the April 30, 2013, deadline.

On April 19, 2013, a conference call was held with Caltrans staff to discuss how to proceed with the relinquishment process given the outstanding issues. During that conference call, City and Caltrans staff reached an understanding of how the previously identified outstanding issues will be addressed, as memorialized in a letter addressed to Aileen Loe, Deputy District Director, dated May 7, 2013 (Attachment 4).

Below is a summary of the previously identified unresolved issues and how City and Caltrans staff have agreed to resolve each issue.

1. Draft SR 225 Relinquishment Agreement

- a. Issue: Las Positas Retaining Wall Repair – Although Caltrans has agreed to repair the existing 195-foot long retaining wall along the west side of Las Positas Road that is in need of structural rehabilitation, as identified in previous documents, no language had been included in the Draft PSSR or Draft Relinquishment Agreement to clarify responsibility for those repairs.

Resolution: Caltrans will exclude the wall from the relinquishment by easement. The City will take ownership of the wall only upon satisfactory completion of the repairs by Caltrans.

- b. Issue: Traffic Collision Data and Identified Safety Improvements – Neither the Draft PSSR or the Draft Relinquishment Agreement addressed additional traffic collision data provided by the City to Caltrans, or any proposed improvements, which City staff has determined to be necessary based on the collision history along the corridor. Caltrans has stated that they will not complete their review and analysis of the traffic collision data until July 2013.

Resolution: Based on their preliminary assessment of the data, Caltrans has been clear with the City that they do not anticipate that the City SR 225 accident data will meet State criteria for action based on their standard State "cost benefit analysis." If upon completion of a full accident

data analysis in July 2013, Caltrans determines that a project is warranted, Caltrans will complete improvements at no cost to the City. If Caltrans determines that no improvements are warranted (which is likely), the City would have to identify City funding for the identified improvements upon relinquishment of SR 225 to the City. However, Caltrans has agreed to address several minor, low-cost improvements, such as striping changes and vegetation trimming, along the corridor that were identified by the City's Traffic Engineer.

- c. Issue: CTC Approval Language – The Draft Relinquishment Agreement includes language that stated that the City would “accept and assume full maintenance ownership, responsibility, control and liability...in exchange for the payment of \$819,000 *or some other allocation made by CTC* deemed to be in the best interest for...” City staff was concerned that this language would bind the City to accepting the relinquishment even if the CTC did not approve the full agreed-upon payment amount of \$819,000.

Resolution: Caltrans staff has provided revised language to approve the full agreed-upon payment amount of \$819,000.

- d. Issue: Contamination Sites – Because the relinquishment is subject to the California Environmental Quality Act (CEQA), Caltrans has completed its CEQA review with a Categorical Exemption. Included as part of the Categorical Exemption is a memorandum dated March 15, 2013, disclosing potential contamination sites along the SR 225 corridor. The Draft Relinquishment Agreement did not address future liability for existing contamination upon relinquishment of SR 225 to the City.

Resolution: Caltrans and City attorneys will discuss a consensus to clarify potential City liability for soil and underground utility contaminations within the SR 225 right-of-way after relinquishment.

2. Freeway Maintenance Agreements

- a. Issue: Las Positas Road Overpass – As part of the SR 225 Relinquishment to the City, the Las Positas Road interchange will become an overpass of a City street through State right of way, which triggers the need for a Freeway Maintenance Agreement (FMA). The State will retain maintenance responsibility of the two structures associated with the interchange: 1) Highway 101 overcrossing through State Highway 101 right of way and 2) Union Pacific Railroad (UPRR) overhead through UPRR right of way. The State's maintenance responsibilities will include the structure below the deck surface, while the City will be responsible for maintaining the roadway surface, drainage system, lighting, as well as traffic service facilities (sidewalks, signs, pavement markings, etc.). As written, the current draft FMA transfers maintenance responsibility of the

bridge rails to the City; however, City staff believes that the bridge rails are integral to the bridge structure and should remain the maintenance responsibility of Caltrans. City staff requested that language be added to clarify that the City does not inherit maintenance responsibility for the adjacent railroad bridge structure. City staff also requested that language be added to state that the City's maintenance responsibility for the Las Positas Road overpass will not commence until Caltrans has brought the pavement surface up to a state of good repair.

Resolution: Caltrans has agreed to complete pavement resurfacing on the Las Positas overpass and other adjacent areas within the State right of way that need pavement maintenance, including pavement work on Modoc Road just east of Las Positas Road. Language has been included in the FMA to clarify that maintenance responsibility for the railroad overhead structure remains with the State upon relinquishment of SR 225 to the City. City staff will continue to work with Caltrans to reach a consensus related to maintenance of the bridge rails.

- b. Issue: Castillo Street Underpass – As part of the SR 225 Relinquishment to the City, the Castillo Street interchange will revert to an undercrossing of a City street through State right of way, which triggers the need for an FMA. Due to existing structural failures and ongoing problems with groundwater intrusion at this underpass, City staff has significant concerns about accepting any City ownership interest in the Castillo undercrossing or maintenance responsibility for any portion of the Castillo underpass. Due to these significant concerns, City staff has expressed to Caltrans the City's willingness to accept only maintenance associated with graffiti removal at the Castillo undercrossing.

Resolution: While verbal agreement to limit City responsibility to graffiti removal only was reached during the April 19, 2013 conference call with Caltrans staff, Caltrans' latest revision to the FMA reflects that the City will be responsible for graffiti removal, drainage and lighting installations, and other "traffic service facilities" on the Castillo underpass. City staff is continuing to work with Caltrans to reach a consensus on language clarifying that the maintenance responsibilities of the City at the Castillo Undercrossing are limited to graffiti abatement only.

Staff Response to Council Direction

At the May 21, 2012, City Council meeting, there was significant discussion about safety concerns and potential safety improvements along the SR 225 corridor. Council directed staff to complete a work plan to address the key safety-related issues, which has been completed through the preparation of a Traffic Operations Review, which addresses the following issues related to the SR 225 corridor:

- Overall corridor safety and opportunities for improvement,
- The effects of recent corridor changes (road diet) on traffic operations,
- A plan for phased pedestrian improvements, and
- Conceptual corridor alternatives and the effect on traffic operations.

Corridor Safety Review by City Staff

Staff performed a comprehensive crash analysis for the SR 225 corridor utilizing both the statewide crash database and local police records over the past ten years. The process of compiling all of the crash data along the SR 225 corridor was very time-consuming because of street naming/nomenclature discrepancies among the crash records (i.e., Highway 225 vs. Cliff Drive). Due to these reporting discrepancies, City staff identified significantly more crashes than Caltrans had identified as part of their initial study. For example, according to the Caltrans Draft PSSR, 69 crashes occurred along SR 225 between 2008 and 2010, while City staff identified 146 crashes during the same time frame.

In January and February 2013, City staff sent Caltrans a total of approximately 600 accident reports that Caltrans did not previously have in their records. Caltrans informed the City that they would need six months to complete their own crash analysis, which is currently scheduled to be completed in July. Caltrans has indicated that they will perform safety improvements only if the benefit to cost ratio is high enough to justify the expense, and if the safety improvements rank well among other competing State needs.

City staff found that the corridor as a whole has a crash rate that is consistent with statewide averages for similar facilities in California, with the exception of the section of Cliff Drive near the entrance to Santa Barbara City College. This segment has crash rates that are much higher than the statewide average, and will require expensive improvements to improve vehicular and pedestrian traffic movements. In addition, some other minor operational improvements were identified that can be corrected with less effort.

Specific safety needs identified by City staff includes the following:

- New traffic signal at Cliff Drive and the City College West Campus driveway,
- Improvements to the City College East Campus driveway (such as a roundabout, traffic signal, or turn restrictions), and
- Improvements to the section of Montecito Street between Cliff Drive and Rancheria Street.

City staff also completed a before and after crash analysis of the section of Cliff Drive that was given a road diet in August 2011 (Lighthouse Road to Weldon Road). There is a limited amount of "after" data available, but based on the available data, the restriping has resulted in improved safety. The average number of crashes per year in this segment was reduced from 5.83 to 1.33. A spot speed study was performed, and

results suggest that prevailing speeds continue to reflect the posted speed limit of 40 mph, which was last certified by Caltrans in 2007.

The Mesa community has also expressed a desire for other corridor improvements, such as improved pedestrian crossings, a pedestrian scramble (pedestrian only phase) at the Cliff Drive and Meigs Road intersection, and the extension of the road diet to the west. These other corridor improvement opportunities are described in detail in Attachment 2.

Steps to Affect Relinquishment

The relinquishment process as proposed includes the following steps:

- Council authorizes the City Administrator to execute a relinquishment agreement and related freeway maintenance agreements, subject to final negotiation of terms acceptable to the City Administrator and approval as to form of agreement by the City Attorney;
- City and Caltrans finalize PSSR, Relinquishment Agreement and FMAs, and City Administrator executes the agreements;
- The CTC approves the relinquishment and transfer of funds; and
- The CTC Resolution is recorded with the County Recorder's Office.

Summary

Staff seeks Council direction to authorize the City Administrator to negotiate the terms and conditions of a relinquishment agreement and authorize the City Administrator to sign the relinquishment agreement and freeway maintenance agreements, subject to final negotiation of terms acceptable to the City Administrator and approval as to form by the City Attorney.

ATTACHMENTS:

1. State Route 225 Relinquishment Update CAR, May 21, 2012
2. State Route 225 Traffic Operations Review, April 2, 2013
3. March 15, 2013, letter from Caltrans without attachments
4. Letter to Aileen Loe, Deputy District Director, May 7, 2013

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2012

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: State Route 225 Relinquishment Update

RECOMMENDATION: That Council:

- A. Receive an update on the State Route 225 Relinquishment; and
- B. Provide direction to City staff and the City Attorney regarding the State Route 225 Relinquishment and negotiations with Caltrans for the transfer of State Route 225 to the City.

DISCUSSION:

Background

On May 1, 2012, staff provided Council with an update on the State Route 225 (SR 225) Relinquishment (attached). Council directed staff to return to them within the month of May with an outline of a work plan and budget target to address the following issues:

- Identify trends and patterns of accident history to determine critical targets for safety improvements.
- Identify potential phased safety oriented improvements along SR 225 that are viable upon a future relinquishment of SR 225 to the City, including cost estimates and expected timelines.
- Report on how traffic operations have changed/improved since implementation of re-striping of Cliff Drive, which was completed by Caltrans last summer, including speed analysis.
- Additional analysis of accident claim history and related issues.

SR 225 Liability and Litigation Concerns

At the May 1, 2012 Council hearing on this subject, the City Attorney continued to express concern about the City's potential tort liability if the City were to unconditionally accept the relinquishment of SR 225 from Caltrans, in particular with respect to certain SR 225 intersections which, according to state records, have a high rate of injury

accidents. However, at the May 1, 2012, Council hearing, Caltrans representative Aileen Loe, Deputy District Director, reiterated that Caltrans is unwilling to consider any commitment to fund a reserve amount for such potential liability or to indemnify the City from SR 225 claims or litigation. As a result, the City Council asked Public Works staff to provide Council with a more comprehensive discussion of possible future risks, and directed staff to do further specific analysis of areas of SR 225 where potential traffic safety concerns are apparent.

Staff Response to Council Direction

Staff is proposing the following outline of a scope of work that will be presented and discussed at the May 21, 2012 Council meeting. The scope of work outline includes:

- An updated summary and analysis of accident data on SR 225, including key locations of highest accident occurrences.
- Identification of potential phased safety oriented improvements along SR 225 that are viable upon a future relinquishment of SR 225 to the City.
- Cost estimates and expected timelines of the potential phased improvements.

The work plan is expected to take six to nine months to complete and is estimated to cost between \$15,000 and \$30,000. The work plan is not expected to include a Public Outreach element in order to more quickly develop the data requested and in recognition of the fact that, if relinquishment were to occur, the involvement of the public in the development of an implementation strategy would follow.

BUDGET/FINANCIAL INFORMATION:

If directed by Council to proceed with the work plan, there are sufficient funds in the Streets Fund to cover these costs.

SUMMARY:

The SR 225 Relinquishment issues and updated information, as identified in previous Council Agenda Reports, form the basis for subsequent agreements between Caltrans and the City to accomplish the relinquishment.

Staff seeks Council direction for one of the following:

1. Move forward with the relinquishment without preparation of the proposed work plan identified above.
2. Move forward with relinquishment in parallel with preparation of the work plan.
3. Move forward with preparation of the work plan and return to Council for direction on how to proceed with the relinquishment.
4. Postpone the relinquishment until there is a better economic outlook for achieving community goals.
5. Table the relinquishment for future action.

ATTACHMENT: Council Agenda Report dated May 1, 2012, Item No. 13

PREPARED BY: John Ewasiuk, Principal Engineer/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 1, 2012
TO: Mayor and Councilmembers
FROM: Engineering Division, Public Works Department
SUBJECT: State Route 225 Relinquishment Update

RECOMMENDATION: That Council:

- A. Receive an update on the State Route 225 Relinquishment; and
- B. Provide direction to City staff and the City Attorney regarding the State Route 225 Relinquishment and negotiations with Caltrans for the transfer of State Route 225 to the City.

EXECUTIVE SUMMARY:

Pursuant to Council direction, Public Works staff and Caltrans have been working for several years on issues related to relinquishing State Route 225 (SR 225) from Caltrans to the City. SR 225 consists of approximately 4.6 miles of roadway from the intersection of Castillo and Montecito Streets, west along Cliff Drive, then north along Las Positas Road to where it intersects US Highway 101 (see Attachment 1).

DISCUSSION:

Background

On January 24, 2012, staff provided Council with an update on the SR 225 Relinquishment. As reported in the January 24, 2012, meeting minutes, Council directed staff to move forward with the SR 225 Relinquishment subject to the following conditions:

- 1) Resolution of the City Attorney's concerns with liability and litigation related to the roadway;
- 2) Caltrans' completion of required drainage improvements or agreement to fund the City's estimate for this work;
- 3) Satisfactory negotiation with Caltrans on the assessment of the Las Positas Bridge overcrossing and the completion of needed repairs to this structure; and
- 4) That staff would return to Council for additional direction if necessary.

Generally, the meeting included discussion regarding the apparent financial and legal concerns including one-time and ongoing costs, and liability issues.

SR 225 Liability and Litigation Concerns

The City Attorney continues to have a concern about City tort liability regarding the City's acceptance of the relinquishment of SR 225 from Caltrans, in particular with respect to certain SR 225 intersections which, according to City records, have a high rate of accidents. As a result, the City Attorney's Office has recommended that the relinquishment of SR 225 to the City be expressly conditioned upon either the State agreeing to defend and indemnify the City with respect to those accidents or Caltrans agreeing to fund a reserve amount to cover the potential tort liability which would accrue to the City in taking title to SR 225. In addition, the City Attorney's Office suggests that Caltrans should agree to cooperate with the City in preserving the original Caltrans SR 225 design and maintenance records, which records will be necessary for the City to substantiate any design immunity defense applicable under the Government Tort Claims Act in the event of a lawsuit involving a serious accident on SR 225. However, to date Caltrans has responded that they are unwilling to consider any commitment to indemnify the City from SR 225 claims or litigation. As a result, the City Attorney is recommending that the City Council direct City staff and the City Attorney's office to continue their discussions with Caltrans for an appropriate form of indemnification of the City and concerning the transfer of SR 225 tort claim and litigation history records, as well as design and maintenance records to the City.

Updated Relinquishment Information

Following the Council meeting of January 24, 2012, there have been some significant developments as identified below:

On February 24, 2012, a meeting was held that included City staff, Mayor Schneider, Assemblyman Das Williams, and the Caltrans District 5 Director and members of his staff, to discuss the key SR 225 Relinquishment issues. The meeting proved very productive and subsequently, Caltrans updated and increased their drainage repairs estimate. Staff and Caltrans mutually agreed on a drainage repair estimate of \$819,000 (Attachment 2). The 2011 City estimate was \$804,075. Further, in a letter dated March 8, 2012, Caltrans notified the City that they would retain the Las Positas Road railroad bridge within their jurisdiction and it would not be included in the SR 225 Relinquishment boundaries (Attachment 3).

Additional City Improvements and Cost Considerations

As previously identified in the Council Agenda Report of January 24, 2012, if relinquishment were to occur, additional currently unfunded future costs are anticipated to be incurred by the City as described in detail in prior reports to Council.

- 1.) One Time City Expense for Traffic Signal Controller Conversion is approximately \$112,300.
- 2.) Ongoing Annual SR 225 Maintenance is approximately \$367,000 per year.
 - Street Infrastructure Maintenance (excluding Pavement Maintenance) is approximately \$159,000 per year.
 - Pavement Maintenance is approximately \$165,000 per year.
 - Traffic Signal Control System Maintenance is approximately \$43,000 per year.

No additional Street Fund revenues are projected as part of the relinquishment, so the impact of additional ongoing pavement maintenance for SR 255 would result in reduced street maintenance in other areas of the City.

Based on past public comment, there is an expectation that the City will provide other public improvements soon after relinquishment. The cost of these additional improvements is difficult to estimate, but an estimate of \$11.5 million is reflected in the City's Six-Year CIP category of unfunded projects.

Relinquishment Cost Estimate Summary

As previously indicated, staff and Caltrans have mutually agreed upon the \$819,000 for the drainage improvements and repairs; increasing their drainage repair estimate from \$697,000. This amount would be paid to the City as part of the relinquishment City/Caltrans Cooperative Agreement.

BUDGET/FINANCIAL INFORMATION:

If relinquishment is completed, the annual maintenance costs would come out of the City Streets Funds, which is expected to result in less pavement maintenance funding available to maintain the rest of the City's roadways. Other than the \$819,000 for the drainage repairs, the City will not receive any additional funding from Caltrans if this route is relinquished. If the City accepts SR 225, the cost for rectifying existing and future infrastructure deficiencies and additional ongoing repair, maintenance, and liability responsibilities, will be incurred by the City. Any additional proposed City improvements on Cliff Drive and Las Positas Road will compete with other City Capital funding priorities. Future improvements would be implemented over time, as funding is identified.

STEPS TO AFFECT RELINQUISHMENT

The relinquishment process, if approved, is anticipated to take 14 to 18 months and includes the following steps:

- Caltrans initiates the Project Scope Summary Report (PSSR),
- Caltrans submits the PSSR outlining relinquishment agreement terms,
- City and Caltrans finalize the Cooperative Agreement,
- City passes a resolution approving Cooperative Agreement accepting SR 225, and
- The California Transportation Committee approves the relinquishment and transfer of funds.

SUMMARY

The SR 225 Relinquishment issues, as identified in this report, form the basis for subsequent agreements between Caltrans and the City to accomplish the relinquishment.

Staff seeks Council direction to either:

- A. Move forward with relinquishment; or
- B. Postpone the relinquishment until there is a better economic outlook for achieving community goals; or
- C. Table the relinquishment for future action.

ATTACHMENTS:

1. Highway SR 225 Vicinity Map
2. 2012 Caltrans Drainage Repair Estimate
3. Caltrans Letter dated March 8, 2012

PREPARED BY: John Ewasiuk, Principal Engineer/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



City of Santa Barbara
Public Works Department

Interoffice Memorandum

DATE: April 2, 2013

TO: Christine F. Andersen, Public Works Department Director

VIA: Pat Kelly, Assistant Public Works Director/City Engineer *PK*

FROM: Derrick Bailey, Supervising Transportation Engineer *DB*

SUBJECT: State Route 225 Traffic Operations Review

At its May 21, 2012, meeting, City Council directed staff to study State Route 225 (SR 225) to identify potential traffic and safety operational issues that the City may be faced with upon completion of the relinquishment process.

Council directed staff to address several areas, including:

- Overall corridor safety and opportunities for improvement,
- The effects of recent corridor changes (road diet) on traffic operations,
- A plan for phased pedestrian improvements, and
- Conceptual corridor alterations and the effect on traffic operations.

In addition to these areas, this memo also addresses:

- Other considerations and anticipated needs, and
- Traffic signal warrant analyses.

Figure 1, attached, shows the corridor along with traffic volumes and posted speed limits.

Executive Summary

A crash review of the corridor for the past 10 years revealed that most of the corridor's crash rates are consistent with statewide averages, with the exception of the section between Loma Alta Drive and Rancheria Street, which is much higher than the statewide average.

Six short term safety improvements, illustrated in *Figure 2*, and summarized in *Table 1*, below, are recommended.

Table 1: Recommended Short Term SR 225 Traffic Safety Improvements

Location	Issue	Recommendation	Estimated Cost
Las Positas and Modoc Roads	Broadside crashes (southbound traffic signal violations due to roadway curvature). Poor visibility.	Traffic signal modifications (add southbound far side indication). Vegetation removal (NWC).	\$5,000
NB Las Positas Road at Las Positas Place	No left turn lane on high speed roadway	Restripe to include left turn lane	\$15,000
NB Las Positas Road at Jerry Harwin Parkway	Incorrect bike lane striping	Correct bike lane striping (bike lane to the right of a right turn lane)	\$15,000
Cliff Drive and City College (West) driveway	High side street traffic volumes and delays.	Install traffic signal.	\$300,000
Cliff Drive and City College (East) driveway	High crash location	Turn prohibition, traffic signal, or roundabout. Traffic signal could be built in combination with roundabout at Loma Alta.	\$1,000 to \$1.8 million (very rough estimate)
Montecito and Rancheria Streets	Rear end crashes (eastbound due to roadway curvature). Poor signal visibility.	Traffic signal modifications (add eastbound indication). Vegetation removal.	\$5,000
NB Las Positas at Veronica Springs	Traffic Signal Visibility	Vegetation removal	-
Montecito Street between Cliff Drive and Rancheria Street.	Rear end crashes, left turn crashes	Study alternatives, including EB left turn lane at Rancheria, turn prohibitions at Cliff/Montecito, and lane reconfiguration.	\$50,000 to \$100,000
Total Potential Costs			\$391,000 to \$2,240,000 (Depending on City College East Driveway solution)

In August 2011, a road diet was applied to SR 225 between Meigs Road and Loma Alta Drive. Historically, this section of SR 225 has seen a high number of single vehicle crashes and crashes involving parked vehicles. Although there is a limited amount of “after” data, it appears as though the crash and injury rates have decreased. A spot speed study performed by staff suggests that prevailing speeds continue to reflect the posted speed limit (40 mph).

The community has expressed a desire for improved pedestrian crossing conditions. Due to high operating speeds, inexpensive treatments such as signs and markings will not be effective. More substantial improvements that include curb extensions, median refuge islands, pedestrian activated flashers, and pedestrian hybrid beacons will be required to provide improved pedestrian crossing conditions. The cost per location will be between \$160,000 and \$300,000, depending on site specific configuration. Five new installations, when combined with existing traffic signals, would result in one-quarter mile crossing spacing and would cost about \$900,000.

The community has also expressed a desire for other improvements to Cliff Drive, including a pedestrian scramble crossing at Meigs Road, and extending the road diet west past Mesa Lane. The pedestrian scramble crossing will cause most traffic movements to operate at a level of service “F”, and actually increase delay for pedestrians. Extending the road diet is possible, but will require traffic signal phasing and striping changes at Meigs Road to mitigate delays caused by the loss of a traffic lane. Extending the road diet though Mesa Lane would cause significant delay to east and westbound movements during peak periods.

Other operational issues and potential future expenditures have been identified, including:

- A guard rail may need to be installed in the future on Las Positas Road. There currently does not appear to be a vehicle departure crash problem on Las Positas Road; however, in January 2012, there was a fatal single vehicle crash where the vehicle crashed into a tree. Another crash of this type could indicate the beginning of a trend. A 500-foot long guard rail would cost about \$60,000.
- At some point in the future, the City will be responsible for adding bicycle detection equipment at the seven signalized intersections, at a cost of about \$20,000 per intersection (\$140,000 total).
- The City may receive requests for pedestrian countdown timers. Installation cost would be about \$14,000.
- Several years ago, CalTrans installed ADA access ramps along the corridor. However, sidewalk-driveway crossings were not addressed. The City has identified about 95 potential driveways that do not meet ADA cross slope requirements. These driveways will have to be upgraded as part of the next full depth overlay, or added to the City’s backlog. The cost per driveway upgrade will be about \$5,000.

Analysis

Crash Analysis

The crash and injury rates for SR 225, in its entirety, are higher than the statewide average for similar facilities. Those corridor rates are skewed by the high rates between Loma Alta Drive and Rancheria Street. *Table 2*, below, presents some high level statistics on crash data over the last ten years. Caution should be used in interpreting these results. In urban areas, a higher than average crash rate does not mean the entire corridor experiences operational issues. In order to identify and address specific crash problems, patterns must be identified, typically at specific locations.

Table 2: State Route 225 Summary Crash Data

	10 Year (05/02 to 04/12)	3 year (05/09 to 04/12)	1 year (05/11 to 04/12)	Statewide Average*
Crash Rate (per million vehicle miles)	2.28	2.10	2.28	1.35 to 1.89
Injury Rate (per million vehicle miles)	1.59	1.36	1.40	.56 to .79
Total Crashes	540	149	54	-
Total Injuries	374	98	32	-
Total Fatalities	5	1	1	-

* Depending on segment.

Tables 3 and 4, below, break down the crash rates by segment and by intersection. *Tables 5 and 6*, below, show types of crashes and crash characteristics. Most segments and major intersections are at or below the statewide average. The only significant exception is the segment from Loma Alta Drive to Rancheria Street, which is much higher than the statewide crash rate average.

There have been 146 single vehicle crashes in the last 10 years (59 of which involved crashing into parked vehicles), accounting for over one-quarter of the total crashes. The road diet between Meigs Road and Loma Alta Drive appears to have improved conditions in that section, but additional time and crash data is necessary to make a conclusive decision. Extending the road diet west of Meigs Road is one alternative to reduce single vehicle crashes in that section of the road.

Table 3: State Route 225 Segment Crash Data

From	To	10 yr (05/02 - 04/12)		3 yr (05/09 - 04/12)		1yr (05/09 - 04/12)		Statewide Average	
		Crash Rate	Injury Rate	Crash Rate	Injury Rate	Crash Rate	Injury Rate	Crash Rate	Injury Rate
Rancheria	Loma Alta	14.3	9.42	15.2	3.25	26.0	26.0	1.89	.75
Loma Alta	Meigs	2.21	1.61	1.71	1.18	1.77	0.89	1.89/1.35*	0.75/0.56*
Meigs	Mesa Lane	1.82	1.08	1.42	0.77	2.71	0.77	1.89	0.75
Cliff Drive	Portesuello	0.1	0.2	0.3	0.5	0.75	0.5	1.35	0.56
Portesuello	Modoc	0.1	0.2	0.2	0.3	0.5	0.75	1.35	0.56

*Higher number for four lane configuration (pre August, 2011), and lower number for three lane configuration (post August, 2011)

Table 4: State Route 225 Intersection Crash Data

Intersection	10 yr (05/02 - 04/12)		3 yr (05/09 - 04/12)		1yr (05/09 - 04/12)		Statewide Average	
	Crash Rate	Injury Rate	Crash Rate	Injury Rate	Crash Rate	Injury Rate	Crash Rate	Injury Rate
Castillo/Montecito	.43	.23	.44	.08	.14	.007	.55	.19
Rancheria	.42	.27	.21	.04	.12	.01	.55	.19
Loma Alta	.60	.34	.48	.14	.57	.07	.55	.19
Meigs	.60	.37	.57	.12	.16	.06	.55	.19
Mesa Lane/Flora Vista	.45	.36	.41	.03	.15	0	.55	.19
Cliff Drive/Las Positas	.30	.10	.48	.03	.24	0	.25	.08
Portesuello	.26	.21	.35	.09	.17	0	.55	.19
Modoc	.59	.42	.57	.10	.45	0	.55	.19

Table 5: Types of Crashes

Type of Crash	10 yr (05/02 - 04/12)	3 yr (05/09 – 04/12)	1 yr (05/09 – 04/12)
Broadside	149	43	14
Head On	53	14	10
Other	28	8	3
Single Vehicle into Parked Vehicle	59	11	6
Rear End	121	41	8
Side Swipe	43	22	10
Single Vehicle/Hit Object	87	22	10
Total	540	161	61

Table 6: Crash Characteristics

Type of Crash	10 yr (05/02 - 04/12)	3 yr (05/09 – 04/12)	1 yr (05/09 – 04/12)
DUI Related	82	14	3
Pedestrian Involved	13	6	4
Bicycle Involved	35	10	1

Specific Traffic Safety Improvement Opportunities Identified

Loma Alta Drive to Rancheria Street (including City College East driveway)

There are three types of crashes that are happening in this segment contributing to the high overall numbers:

- Angle (broadside) and left turn-head on type crashes at the City College east campus driveway,
- Single vehicle and sideswipe type crashes through the curved section, and
- Angle (broadside) and left turn-head on type crashes at Montecito Street.

If the City takes over SR 225, the City will need to address the Cliff Drive and City College (East) driveway, which lies within this high crash section of SR 225. This driveway is in the middle of a horizontal and vertical curve in the roadway that makes judging gaps in traffic difficult and entering the traffic stream awkward. Based on the crash experience warrant of the CA MUTCD, this location warrants a traffic signal, as 5 correctable type crashes occurred during a recent 12-month period (October 2010 to August 2011).

There are several alternatives to address the crash problems at this location:

- Prohibit egress left turns from City College. This would force all traffic east towards Castillo Street, which creates circulation issues for those drivers that want to travel west.
- Construct a roundabout. The footprint of a multi lane roundabout is large, and constructing a roundabout would be difficult and expensive due to the topography.
- Install a traffic signal. The spacing from Loma Alta is only 300-feet. Good traffic signal spacing on higher speed arterials is at least 800 feet, preferably more. Tightly spaced signals create traffic signal timing challenges, potential for spillback from one intersection to the next, and can confuse drivers because there are too many decisions to make in a short amount of time. The cost of a traffic signal would be much less than a roundabout. One alternative would be to install a roundabout at Loma Alta, and a traffic signal at the City College East driveway. This would likely improve performance at Loma Alta, and would maintain full access at the driveway.

Montecito Street, from Rancheria Street to Cliff Drive, should be studied in further detail. Existing crash patterns include eastbound rear ends, and left turn crashes to/from Montecito Street from Cliff Drive. Possible solutions include creating an eastbound left turn lane at Rancheria Street, which could include lane reconfiguration or spot widening to create room for a left turn lane, and prohibiting left turn access at Cliff Drive/Montecito Street. Because a turn prohibition would result in traffic being forced to use the Montecito Street and Rancheria

Street intersection, the safety impact of the additional traffic to that intersection will have to be further evaluated.

City College West Campus Driveway

Traffic volumes exiting the City College west campus driveway are very high, and side street queues and delays are long during peak periods. A traffic signal would improve operations, improve safety and provide a crossing location for pedestrians. A traffic signal warrant analysis is discussed later in this memo.

Las Positas Road and Modoc Road

At Las Positas Road and Modoc Road, there have been 16 angle crashes involving southbound vehicles, and three involving northbound vehicles in the past 10 years. Due to the curvature in the road, indications may be difficult to see. Far side indications, and a southbound traffic signal warning sign will provide earlier warning to approaching drivers.

A significant amount of vegetation on the northwest corner should be removed. This will improve southbound traffic signal visibility. This vegetation currently blocks the view of southbound to westbound right turners looking at southbound pedestrians stepping off the curb.

Montecito Street and Rancheria Street

At Montecito Street and Rancheria Street, there have been six rear end collisions and seven left turn head-on crashes involving eastbound vehicles in the past 10 years. An additional far side indication will improve signal visibility at the curve. Ultimately, an eastbound left turn lane would be the most preferable alternative.

Vegetation trimming is required on the northeast corner. This will improve visibility of the westbound traffic signal indications.

Las Positas Road and Jerry Harwin Parkway

CalTrans has placed a bike lane to the right of the northbound right turn lane, which creates a conflict point. The MUTCD prohibits this configuration. This striping should be changed to reduce liability exposure for the City.

Las Positas Road and Las Positas Place

At this location, there is no dedicated northbound left turn lane. Left turning traffic must wait for a gap in oncoming traffic in the northbound through lane. With a speed limit of 55mph, this creates the potential for severe rear end crashes. There appears to be enough room to stripe a short northbound left turn lane, removing this conflict.

Vegetation Removal

In addition to the recommended vegetation removal at Las Positas and Modoc Roads, and Montecito and Rancheria Streets, vegetation should be trimmed back on northbound Las Positas Road at Veronica Springs to improve traffic signal visibility.

Road Diet Before/After Comparison

In August 2011, a road diet was applied to SR 225 between Meigs Road and Loma Alta Drive. Historically, this section of SR 225 has seen a high number of single vehicle crashes, and crashes involving parked vehicles. A limited amount of post-road diet crash data is available, and it is too early to determine if the road diet will have a lasting effect on safety. However, early results are encouraging. *Table 7*, below, presents crash data for pre- and post-road diet implementation.

A spot speed study performed by staff suggests that prevailing speeds continue to reflect the posted speed limit (40 mph), which was last certified by CalTrans in 2007.

Table 7: State Route 225 Road Diet Analysis (Meigs Road to Loma Alta Drive)

	Pre-Road Diet (05/02 to 07/11)	Post-Road Diet (08/11 to 04/12)
Crash Rate (per million vehicle miles)	2.31	.94
Injury Rate (per million vehicle miles)	1.72	.23
Total Single Vehicle Crashes	54	1
Average Annual Single Vehicle Crashes	5.83	1.33

Pedestrian Enhancement Treatment Analysis

City Council directed staff to identify phased pedestrian crossing enhancements. The community has called for these improvements, particularly in the segment between Mesa Lane and Loma Alta Drive. Providing safe pedestrian crossing locations are particularly challenging on wide, high speed facilities such as SR 225.

Traffic engineering staff analyzed existing traffic speeds on this segment of SR 225, and found that 85th percentile speeds are about 45 mph. Considering these traffic speeds, extreme caution should be taken before establishing new pedestrian crossing locations because of the following:

- At 45mph, it takes drivers 360' to stop their vehicle.
- At 45mph, pedestrians are not likely to survive a collision. Establishing a crosswalk encourages pedestrian movements across vehicle paths.
- At 45mph, drivers can travel almost one-quarter mile in the same time it takes a pedestrian to cross Cliff Drive.
- At 45mph, a driver's cone of vision tends to narrow, and instead of focusing on side street traffic and pedestrians, drivers are focused further down the road. At slower speeds, drivers are much more likely to notice activity adjacent to the street.

To provide enhanced pedestrian crossing locations, there are limited alternatives available due to traffic speeds. These include:

- Pedestrian hybrid beacons (also known as HAWK's) can be used at mid-block locations only, and with locations that have expected usage of at least 20 pedestrians during peak hours.
- A combination of enhanced crosswalk features to increase driver awareness of the crossing location, control traffic speeds, and reduce pedestrian exposure to traffic. This type of treatment would include curb extensions, a median refuge island, and pedestrian activated flashers (at crosswalk and in advance).

Lower cost alternatives such as signs and pavement markings alone will not be effective in improving pedestrian crossing safety given the high traffic speeds.

Three concepts for pedestrian crossing treatments are attached in *Figures 3* through *5*. The community will likely have suggestions for the best place to locate enhanced crossings. Based on observations done while performing this review, the highest pedestrian crossing demand appears to be the area just west of City College.

Figure 3 illustrates a mid block crossing, utilizing curb extensions, a median refuge island, and a pedestrian hybrid beacon. Pedestrian hybrid beacons are only approved for use at

mid-block locations (not near side streets or major driveways). The estimated cost per installation is \$300,000.

Figures 4 and 5 illustrate enhanced pedestrian crossing concepts for Santa Cruz Boulevard and Oliver Road. Other locations may be more preferable. These crossing concepts include curb extensions, a median refuge island, and pedestrian activated flashers. Due to potential conflicts with driveways and left turn access, not all intersections will accommodate this configuration. The estimated cost per installation is between \$160,000 and \$180,000, depending on site specific conditions.

Staff identified five potential locations for enhanced pedestrian crossing treatments that will result in crossing spacing of about one-quarter mile, as illustrated in *Figure 6*. The community will likely have opinions as to the priorities, and perhaps identify other locations. The cost for these five enhanced crossing locations will be about \$900,000. The improvements could be constructed at once, or phased and prioritized based on community feedback. These locations are conceptual, and a thorough location-specific engineering analysis should be completed prior to moving forward with any improvements.

Safety grant money is not likely to be available for these improvements, as there have been few pedestrian involved crashes. Grants are evaluated based on past crash history.

It is recommended that MTD be consulted in identifying enhanced crossing locations so that bus stop locations and potential relocations can be coordinated to maximize safety for transit users, who typically have to cross the street on either their arrival or departure.

Conceptual Corridor Alterations

Several ideas have been put forth to alter the characteristics of the corridor.

Cliff Drive/Meigs Road intersection:

- One idea put forth is to reduce the number of lanes approaching the intersection, and decrease pedestrian crossing distances. Conceptually, this configuration could be implemented without reducing overall intersection performance if right turn lanes are preserved, and sight lines improved so that left turn phasing can be altered.
- Another idea put forth is to create an exclusive pedestrian phase (scramble crossing). This type of traffic signal phasing would increase delay for vehicles by about 50% (most movements would operate at a level of service "F"), and overall delay to most pedestrians would increase due to the extremely long cycle length required to accommodate all the different movements. Increased delay can have a negative impact on safety as intersection users become impatient or encourage traffic to divert,

which can cause safety issues on other streets. Pedestrian delays would see more of an improvement if the existing split phasing can be eliminated.

Extending the road diet west Beyond Meigs Road

- This would require the reduction of one eastbound and one westbound lane at the Cliff Drive/Meigs Road intersection. As discussed earlier, conceptually, this configuration could be implemented without reducing overall intersection performance, if right turn lanes can be preserved, and sight lines improved so that left turn phasing can be altered.
- The road diet could be extended west of the Mesa Lane/Flora Vista traffic signal; however east and westbound movements will experience a significant increase in delay during peak hours. The complex traffic signal phasing required due to the offset intersection requires allocation of a significant amount of green time to the side streets, which reduces efficiency of the major movements.

Other Considerations/Anticipated Needs

In addition to the traffic signal upgrades already identified to bring the seven traffic signals on SR 225 into the City's traffic signal system, staff anticipates receiving requests for bicycle detection and pedestrian countdown timers along the route. Video bicycle detection at these seven intersections will cost about \$140,000, and countdown timers will cost about \$14,000.

Several years ago, CalTrans installed access ramps along corridor. Staff identified approximately 95 sidewalk-driveway crossings that were not upgraded, so an ADA accessible pathway does not exist on all sidewalks. Upgrading these driveways will have to be addressed at some point in the future, either at the time of the next full depth overlay, or by adding these locations to the City's backlog. Cost per driveway will be approximately \$5,000, or \$475,000 total.

In January 2012, there was a fatal single vehicle traffic crash on Las Positas Road involving a vehicle crashing into a tree. Although there does not appear to be a safety issue or trend, another crash of this type could require the City to consider some type of roadside barrier or guard rail. A 500-foot long standard guard rail in the vicinity of the fatal crash would cost about \$60,000. Decorative guard rails could cost double to triple that amount.

Traffic Signal Feasibility Analysis

In addition to the analysis of crash data, traffic volume and delay data was collected and analyzed for potential traffic signals at all side streets. All side streets that have higher traffic

volumes or crash frequencies were investigated. The results of this effort are summarized in *Table 8*, below.

Table 8: Traffic Signal Feasibility Results Summary

Intersection	Meets Warrants?	Traffic Signal Recommended?	Comments
Cliff Drive and City College (East)	Yes	Maybe	Other alternatives should be considered first, including a roundabout or a turn prohibition.
Cliff Drive and City College (West)	Yes	Yes	High side street traffic volumes and delays.
Cliff Drive and Oceano Avenue	No	No	None.
Cliff Drive and La Marina	Yes	No	Traffic volume warrants were met, but crash history is low, and delay would likely increase. Overall traffic operations would not be improved.
Cliff Drive and Lighthouse Road	Yes	No	Traffic volume warrants were met, but crash history is low, and delay would likely increase. Overall traffic operations would not be improved.

Detailed traffic signal warrant analyses were performed, and are documented separately from this memo.

Conclusion

If the City takes over SR 225, the City will likely have to deal with a number of operational issues that were not previously identified. Recommended short term traffic safety improvements are summarized in the following table:

State Route 225 Operational Review

April 2, 2013

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Location	Issue	Recommendation	Estimated Cost
Las Positas and Modoc Roads	Broadside crashes (southbound traffic signal violations due to roadway curvature). Poor visibility.	Traffic signal modifications (add southbound far side indication). Vegetation removal (NWC).	\$5,000
NB Las Positas Road at Las Positas Place	No left turn lane on high speed roadway	Restripe to include left turn lane	\$15,000
NB Las Positas Road at Jerry Harwin Parkway	Incorrect bike lane striping	Correct bike lane striping (bike lane to the right of a right turn lane)	\$15,000
Cliff Drive and City College (West) driveway	High side street traffic volumes and delays.	Install traffic signal.	\$300,000
Cliff Drive and City College (East) driveway	High crash location	Turn prohibition, traffic signal, or roundabout. Traffic signal could be built in combination with roundabout at Loma Alta.	\$1,000 to \$1.8 million (very rough estimate)
Montecito and Rancheria Streets	Rear end crashes (eastbound due to roadway curvature). Poor signal visibility.	Traffic signal modifications (add eastbound indication). Vegetation removal.	\$5,000
NB Las Positas at Veronica Springs	Traffic Signal Visibility	Vegetation removal	-
Montecito Street between Cliff Drive and Rancheria Street.	Rear end crashes, left turn crashes	Study alternatives, including EB left turn lane at Rancheria, turn prohibitions at Cliff/Montecito, and lane reconfiguration.	\$50,000 to \$100,000
Total Potential Costs			\$391,000 to \$2,240,000 (Depending on City College East Driveway solution)

New pedestrian crossings should be established with caution due to the traffic speeds on Cliff Drive. These crossings will likely cost approximately \$160,000 to \$300,000 each. Providing five pedestrian crossings that result in one-quarter mile spacing will cost about \$900,000.

The next scheduled roadway resurfacing project will provide an opportunity for striping modifications, including extending the road diet west beyond Meigs Road. Further investigation to fully quantify and mitigate the impacts of restriping/lane configuration changes is needed.

Other operational issues and potential future expenditures have been identified, including:

- A guard rail may need to be installed in the future on Las Positas Road. There currently does not appear to be a vehicle departure crash problem on Las Positas Road, however, in January 2012, there was a fatal single vehicle crash where the vehicle crashed into a tree. Another crash of this type could indicate the beginning of a trend. A 500-foot long guard rail would cost about \$60,000.
- At some point in the future, the City will be responsible for adding bicycle detection at the seven signalized intersection, at a cost of about \$20,000 per intersection (\$140,000 total).
- The City may receive requests for pedestrian countdown timers. Installation cost would be about \$14,000.
- Several years ago, CalTrans installed ADA access ramps along the corridor. However, sidewalk-driveway crossings were not addressed. The City has identified about 95 potential driveways that do not meet ADA cross slope requirements. These driveways will have to be upgraded as part of the next full depth overlay, or added to the City's backlog. Cost per driveway upgrade will be about \$5,000.

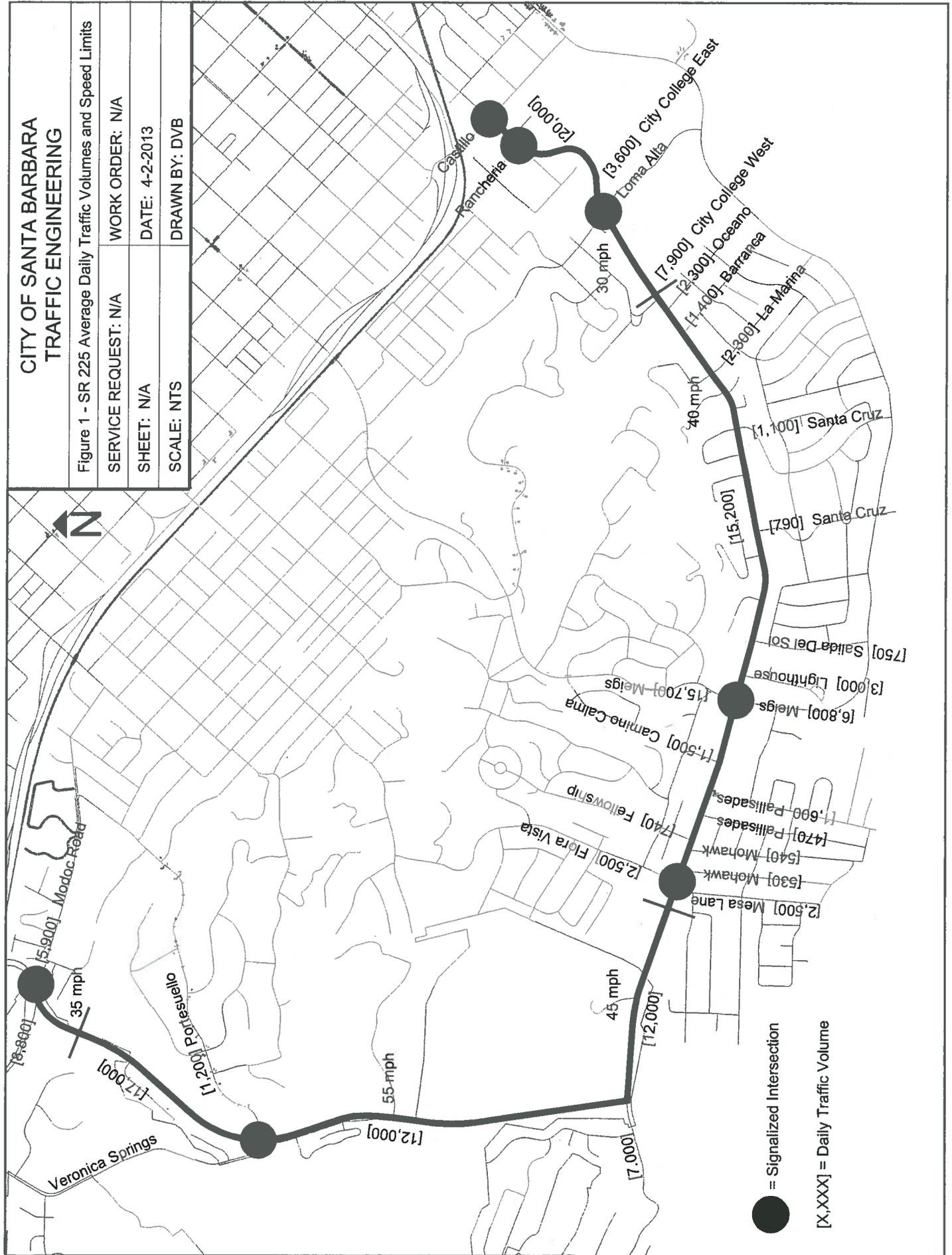
Attachments: Figure 1 – SR 225 Average Daily Traffic Volumes and Speed Limits
Figure 2 – Recommended Short Term Safety Improvements
Figure 3 – Mid Block Pedestrian Crossing Concept
Figure 4 – Santa Cruz Pedestrian Crossing Concept
Figure 5 – Oliver Pedestrian Crossing Concept
Figure 6 – Phased Pedestrian Enhancements

DB/kts

CITY OF SANTA BARBARA TRAFFIC ENGINEERING

Figure 1 - SR 225 Average Daily Traffic Volumes and Speed Limits

SERVICE REQUEST: N/A	WORK ORDER: N/A
SHEET: N/A	DATE: 4-2-2013
SCALE: NTS	DRAWN BY: DVB

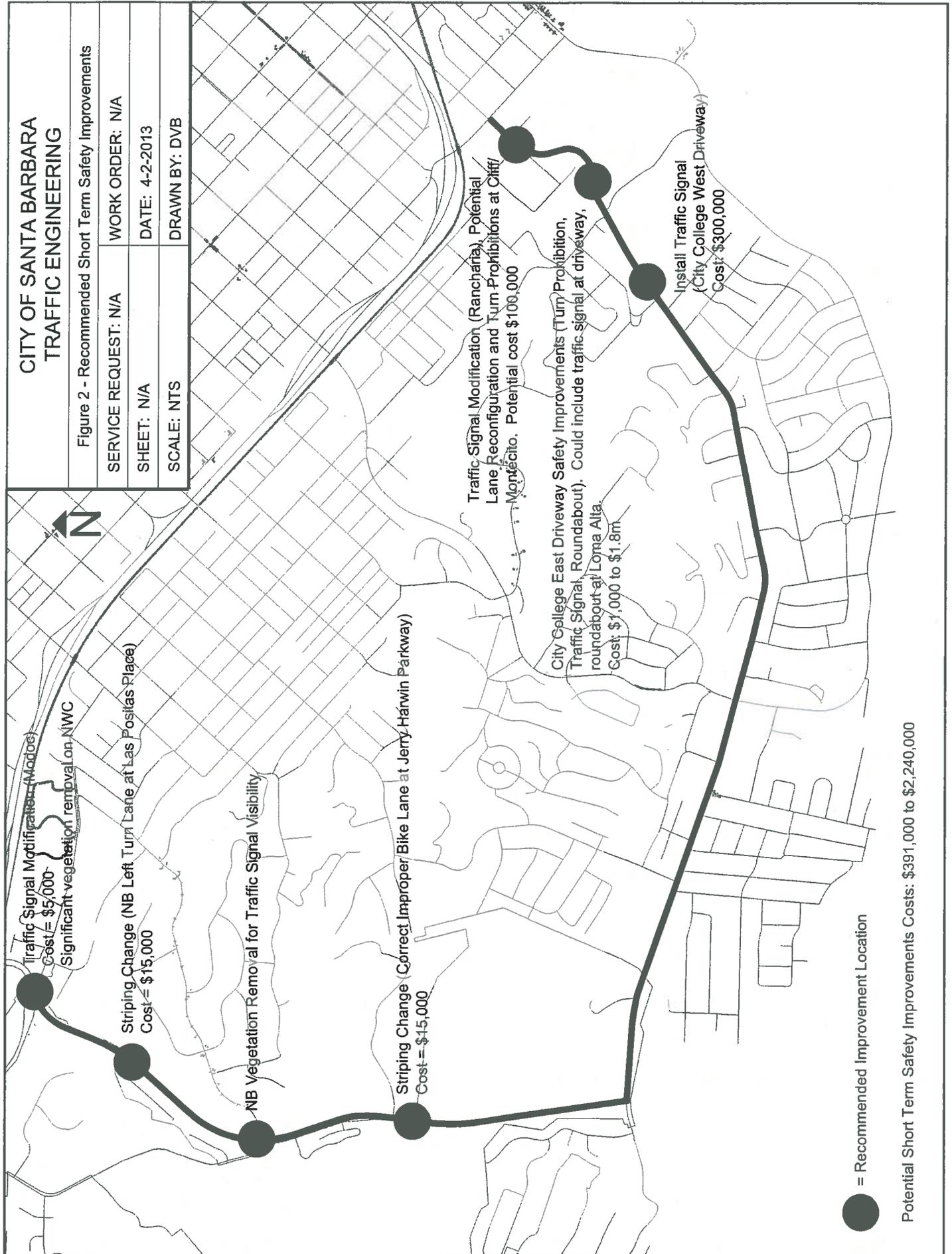


● = Signalized Intersection
 [X,XXX] = Daily Traffic Volume

**CITY OF SANTA BARBARA
TRAFFIC ENGINEERING**

Figure 2 - Recommended Short Term Safety Improvements

SERVICE REQUEST: N/A	WORK ORDER: N/A
SHEET: N/A	DATE: 4-2-2013
SCALE: NTS	DRAWN BY: DVB



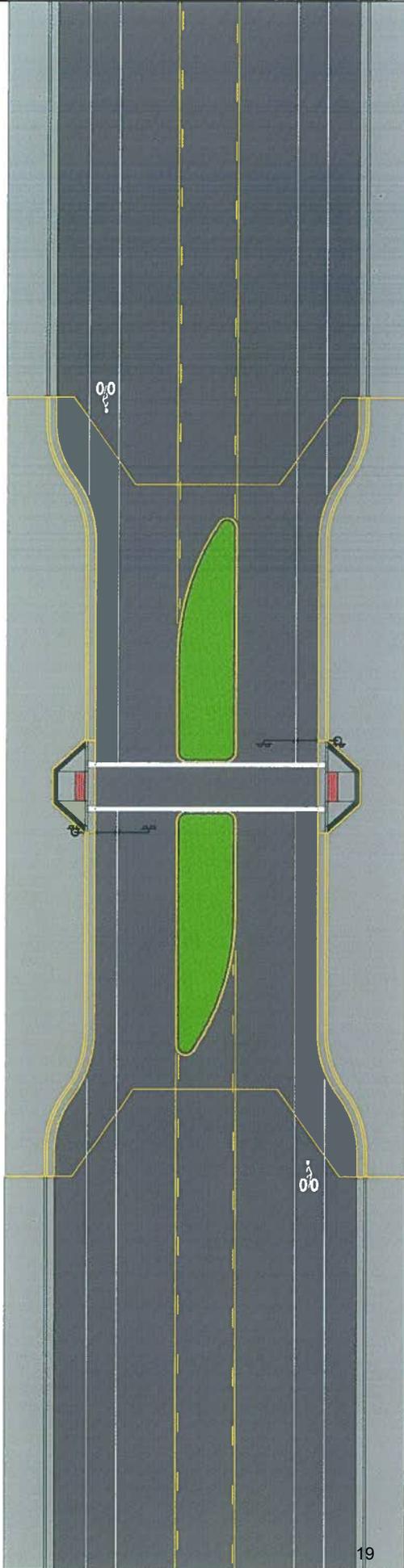
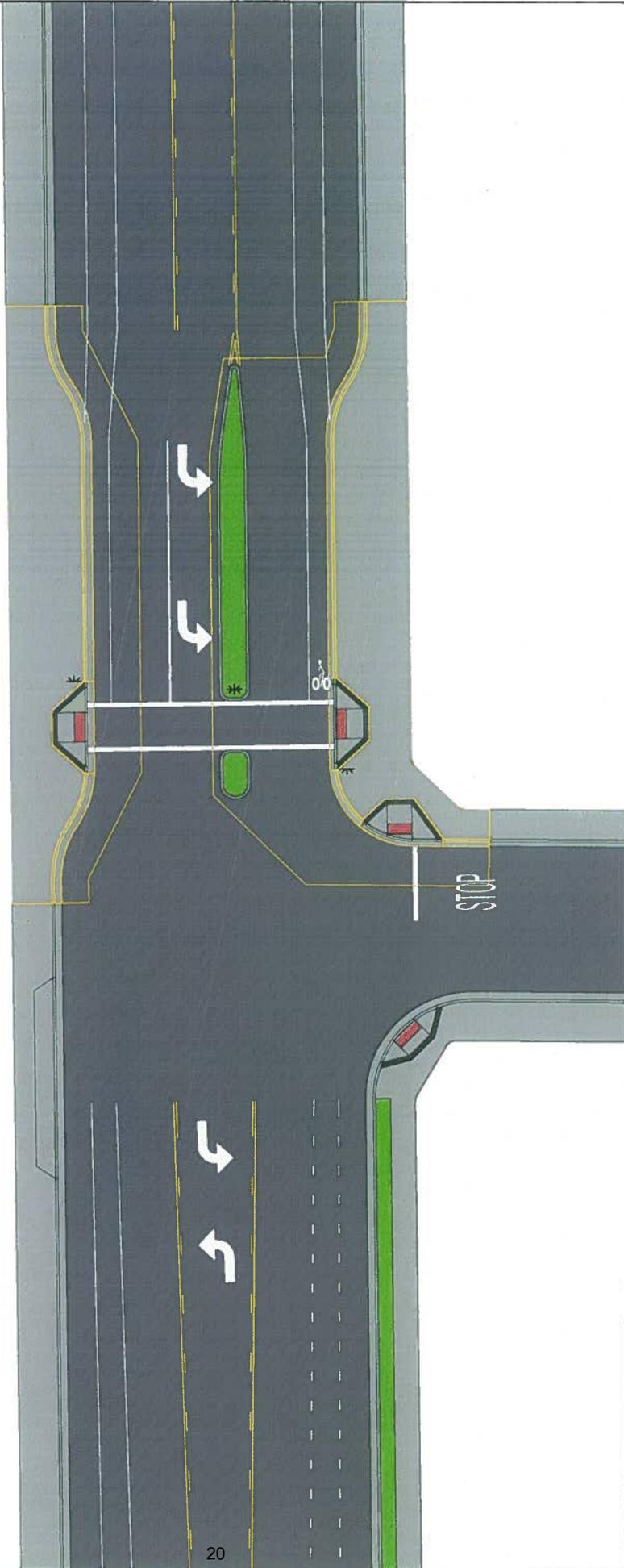


FIGURE 3
MID BLOCK
PEDESTRIAN HYBRID BEACON

DESIGN	DB
DRAWN	MR
CHECKED	DB
DATE	4/1/2013
SCALE	1" = 30'



DESIGN	DB
DRAWN	MR
CHECKED	DB
DATE	4/2/2013
SCALE	1" = 30'

FIGURE 4
SANTA CRUZ
 PEDESTRIAN RECTANGULAR FLASHING BEACON





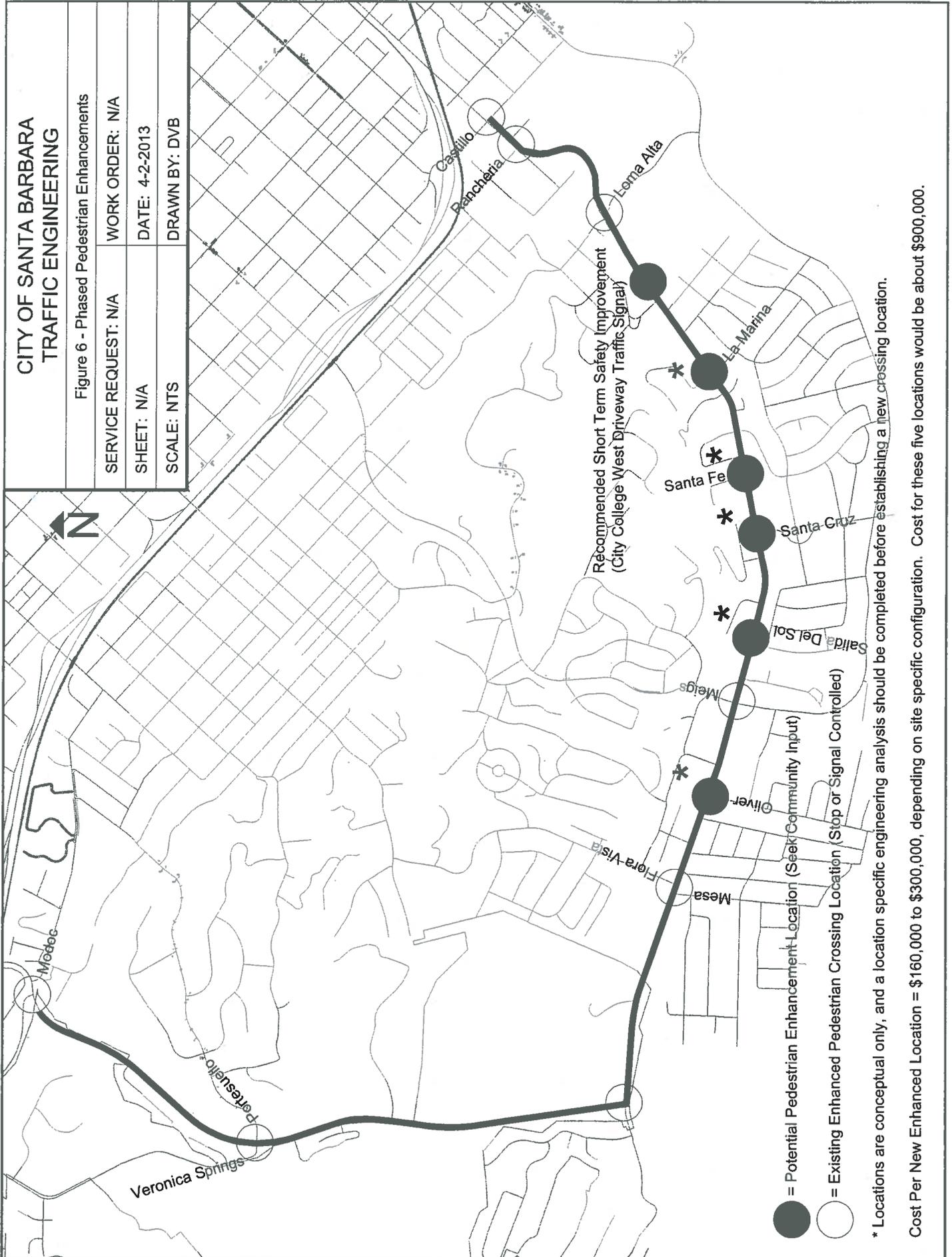
**FIGURE 5
OLIVER
PEDESTRIAN RECTANGULAR FLASHING BEACON**

DESIGN	DB
DRAWN	MR
CHECKED	DB
DATE	4/2/2013
SCALE	1" = 30'

CITY OF SANTA BARBARA TRAFFIC ENGINEERING

Figure 6 - Phased Pedestrian Enhancements

SERVICE REQUEST: N/A	WORK ORDER: N/A
SHEET: N/A	DATE: 4-2-2013
SCALE: NTS	DRAWN BY: DVB



- = Potential Pedestrian Enhancement Location (Seek Community Input)
- = Existing Enhanced Pedestrian Crossing Location (Stop or Signal Controlled)

* Locations are conceptual only, and a location specific engineering analysis should be completed before establishing a new crossing location.

Cost Per New Enhanced Location = \$160,000 to \$300,000, depending on site specific configuration. Cost for these five locations would be about \$900,000.

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549- 3101
FAX (805) 549-3259
TTY 711
<http://www.dot.ca.gov/dist05/>



*Flex your power!
Be energy efficient!*

March 15, 2013

Christine Andersen
Public Works Director
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102

STATE ROUTE 225 RELINQUISHMENT AGREEMENT

Dear Ms. Andersen:

In order to fulfill the May 21, 2012 request by the Santa Barbara City Council (Council) to pursue relinquishment of State Route 225, a formal action by the Council is needed by April 30, 2013 for the California Department of Transportation (Caltrans) to provide funding as part of the transaction.

Enclosed with this letter is the Relinquishment Agreement (Agreement) which must be executed by the California Department of Transportation and the city of Santa Barbara by June 30, 2013. Toward that end, a Council Resolution authorizing acceptance of the route based on this Agreement is needed by April 30, 2013. This timing is necessary to secure the funding that has been reserved in Fiscal Year 13/14.

The reservation of funds, in the amount of \$819,000, is based upon the cost to relinquish as previously discussed. A schedule delay would jeopardize these funds and there is no certainty that any funding for relinquishment would be available in a future year.

Meanwhile, our staff continues to evaluate the numerous collision reports provided by your staff in January and February of this year. If the outcome of our evaluation determines that a project is needed, Caltrans would fund, develop and construct the project. Under this situation, we would defer the final step of the relinquishment (recordation) until such time that the project is completed. Meanwhile, please stress with the Santa Barbara Police Department its responsibility to report accidents on a monthly basis to the California Highway Patrol (California Vehicle Code Section 20008.)

Christine Andersen

March 15, 2013

Page 2

Notwithstanding the outcome of the evaluation referenced above, our staff is also assembling all required documentation to complete the relinquishment process. The Project Scope Summary Report, which has been shared with your staff in draft form, has been updated to address issues raised by your staff and will be transmitted under separate cover.

We are looking forward to finalizing this relinquishment. Please contact me or Claudia Espino at (805)-549-3640 or at Claudia_Espino@dot.ca.gov, if you have any questions.

Sincerely,



AILEEN K. LOE
Deputy District Director
Planning and Local Assistance

Enclosures

- Relinquishment Schedule
- Relinquishment Agreement (Cooperative Agreement)

cc: 37th District Assemblymember Das Williams
Mayor Helene Schneider

Route 225 Proposed Relinquishment Schedule

(As of March 5, 2013)

	Task	Description of Task	Responsible Party	Target Completion Date
1	Legislation Enacted	City to procure required Legislation, Prior to RAC approval	City of Santa Barbara	October 7 2011*
2	City Council Approval	Direction to proceed with relinquishment	City Council	May 21 2012*
3	Project Scope Summary Report (PSSR)	Prepare Draft PSSR	Caltrans	Sep 2012*
4	Draft Relinquishment Agreement	Begin negotiations with city staff to develop agreement.	Caltrans and City of Santa Barbara	Nov 27, 2012*
5	City Resolution	City Council to approve Resolution authorizing the acceptance to the relinquishment of SR 225 based on Relinquishment Agreement (Cooperative Agreement)	City of Santa Barbara	April 2013
6	Freeway Maintenance Agreement	City and Caltrans to approve modification to existing Freeway Maintenance Agreement.	Caltrans and City of Santa Barbara	June 2013
7	Executed Relinquishment Agreement & Approved PSSR	Caltrans to approve Relinquishment Agreement and PSSR. <ul style="list-style-type: none"> • Agreement Fact Sheet • Cooperative Agreement 	Caltrans	June 2013
8	CTC Package Submittal	Relinquishment package submitted to CTC: <ul style="list-style-type: none"> • Approved PSSR • Cooperative Agreement • Approved Legislation • City Resolution • Legal Description • Mapping • Transmittal Letter 	Caltrans	July 2013
9	Close Out Meeting	Process Final Steps of Relinquishment	Caltrans and City of Santa Barbara	August 2013
10	CTC	Approval of Relinquishment	CTC	October 8, 2013
11	Transfer Funds	Funds transferred to City	Caltrans	November 2013
12	Recordation	CTC Resolution recorded with the County Recorder's Office	Caltrans	December 2013

* Actual Date

RELINQUISHMENT AGREEMENT

This Agreement, entered into effective on _____, is between the STATE OF CALIFORNIA, acting by and through its Department of Transportation, referred to herein as "CALTRANS", and the

CITY OF SANTA BARBARA, a body politic and a municipal corporation of the State of California, referred to herein as "CITY",

RECITALS

1. CALTRANS and CITY, pursuant to Streets and Highways Code section 73, are authorized to enter into a Cooperative Agreement in order to relinquish to CITY a portion of a State Highway within CITY's jurisdiction.
2. CALTRANS intends to relinquish to CITY that portion of State Route 225 (SR 225) between Post Mile (PM) 0.031 to PM 4.55 as shown in Exhibit A, attached to and made a part of this Agreement, referred to hereinafter as "RELINQUISHED FACILITIES". This relinquishment is based on Assembly Bill 957 (Committee on Transportation) which was enacted on October 7, 2011. CITY is willing to accept said RELINQUISHED FACILITIES upon approval by the California Transportation Commission (CTC) of a Resolution of Relinquishment and CALTRANS's recording of said Resolution in the County Recorder's Office.
3. CALTRANS and CITY agree that RELINQUISHED FACILITIES are currently in a state of good repair. CALTRANS and CITY have negotiated an understanding that CITY will accept and assume full maintenance, ownership, responsibility, control and liability in perpetuity over the RELINQUISHED FACILITIES in exchange for the payment of \$819,000 or some other allocation made by CTC deemed to be in the best interest for.
4. The parties hereto intend to define herein the terms and conditions under which RELINQUISHED FACILITIES is to be accomplished.

SECTION I

CITY AGREES:

1. Execution of this Agreement constitutes CITY's waiver of CALTRANS' obligation to provide ninety (90) days prior notice of CALTRANS' "Intention to Relinquish" as set forth in Streets and Highways Code section 73.
2. To accept that allocation, determined by the CTC to be in the best interest of CALTRANS, as CALTRANS' only payment obligation for this RELINQUISHED FACILITIES.

3. To accept ownership, including all of CALTRANS' current obligations, rights, title and interest in RELINQUISHED FACILITIES upon recordation of the CTC's Resolution of Relinquishment in the County Recorder's Office and to thereafter operate, maintain, and be liable for RELINQUISHED FACILITIES at no additional cost to CALTRANS.
4. To accept RELINQUISHED FACILITIES in their current environmental condition and setting, including, but not limited to, the presence of hazardous materials as described in a Disclosure of Potential Contamination Memorandum, dated March 15, 2013, for SR-225. CITY has received and reviewed a copy of the above-referenced Memorandum. Upon recordation of the CTC's Resolution of Relinquishment in the County Recorder's Office, CALTRANS will not be responsible for any present or future remediation of said hazardous materials.

SECTION II

CALTRANS AGREES:

1. To relinquish, upon the approval of the CTC's Resolution of Relinquishment, the RELINQUISHED FACILITIES.
2. To forward and support CITY's request to CTC for the allocation of \$819,000 with the expectation that CTC will determine that this or some other allocation is in the best interest of CALTRANS.
3. To submit the CTC Resolution of Relinquishment to the County Recorder's Office for recording.
4. To pay CITY, within thirty (30) days of approval of funding by CTC, the amount of \$819,000 or any other allocation approved by the CTC. The payment of those funds will represent CALTRANS's only payment obligation for the purpose of the RELINQUISHED FACILITIES.
5. To transfer to CITY, within sixty (60) days of the recordation of the CTC's Resolution of Relinquishment, copies of all available CALTRANS records and files for RELINQUISHED FACILITIES, including, but not limited to, plans, survey data and right of way information.

SECTION III

IT IS MUTUALLY AGREED:

1. All obligations of CALTRANS under the terms of this Agreement are subject to

the appropriation of resources by the Legislature, State Budget Act authority, and the allocation of any funds by the CTC.

2. CALTRANS reserves the right to enter, at no cost to CALTRANS, RELINQUISHED FACILITIES, to modify or add signage, drainage, and other improvements necessary for State Highway operations. CITY agrees to allow CALTRANS access to operate, maintain, add, remove, or modify CALTRANS' facilities retained in those collateral facilities.
3. RELINQUISHED FACILITIES may be recaptured by CALTRANS for future transportation project at no cost to CALTRANS and CITY agrees to reconvey property when so requested.
4. CITY shall fully defend, indemnify and save harmless CALTRANS and all its officers and employees from all claims, suits or actions related to environmental theories or assertions of liability, including, but not limited to, claims or lawsuits related to the presence of hazardous materials as described in the Disclosure of Potential Contamination Memorandum, dated March 15, 2013, for SR-225, provided that the actions, events, injuries, damages, or losses giving rise to any claims, suits or actions occurred on or arise after the date of the recordation of the CTC's Resolution of Relinquishment.
5. CALTRANS shall fully defend, indemnify and save harmless CITY and all its officers and employees from all claims, suits or actions related to environmental theories or assertions of liability, including, but not limited to, claims or lawsuits related to the presence of hazardous materials as described in the Disclosure of Potential Contamination Memorandum, dated March 15, 2013, for SR-225, provided that the actions, events, injuries, damages, or losses giving rise to any claims, suits or actions occurred or arose before the date of recordation of the CTC's Resolution of Relinquishment.
6. Neither CALTRANS nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under or in connection with any work, authority or jurisdiction conferred upon CITY under this Agreement. It is understood and agreed that CITY, to the extent permitted by law, will defend, indemnify and save harmless CALTRANS and all its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CITY and/or its agents under this Agreement.
7. Neither CITY nor any officer or employee thereof is responsible for any injury, damage or liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under or in connection with any work, authority or jurisdiction conferred upon CALTRANS under this Agreement. It is understood and agreed that CALTRANS, to the extent permitted by law, will defend,

indemnify and save harmless CITY and all its officers and employees from all claims, suits or actions of every name, kind and description brought forth under, but not limited to, tortious, contractual, inverse condemnation or other theories or assertions of liability occurring by reason of anything done or omitted to be done by CALTRANS and/or its agents under this Agreement.

8. No alteration of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
9. This Agreement shall terminate upon recordation of the CTC's Resolution of Relinquishment for RELINQUISHED FACILITIES in the County Recorder's Office and payment by CALTRANS of \$819,000 or any other allocation by CTC to CITY, except for those provisions which relate to indemnification, ownership, operation, and maintenance, which shall remain in effect until terminated or modified in writing by mutual agreement.

SIGNATURES

PARTIES declare that:

1. Each PARTY is an authorized legal entity under California state law.
2. Each PARTY has the authority to enter into this agreement.
3. The people signing this agreement have the authority to do so on behalf of their public agencies.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

CITY of SANTA BARBARA

By: _____
Mayor

By: _____
District Director

Attest: _____
City Clerk

APPROVED AS TO FORM AND
PROCEDURE:

APPROVED AS TO FORM AND
PROCEDURE:

Attorney
Department of Transportation

City Counsel

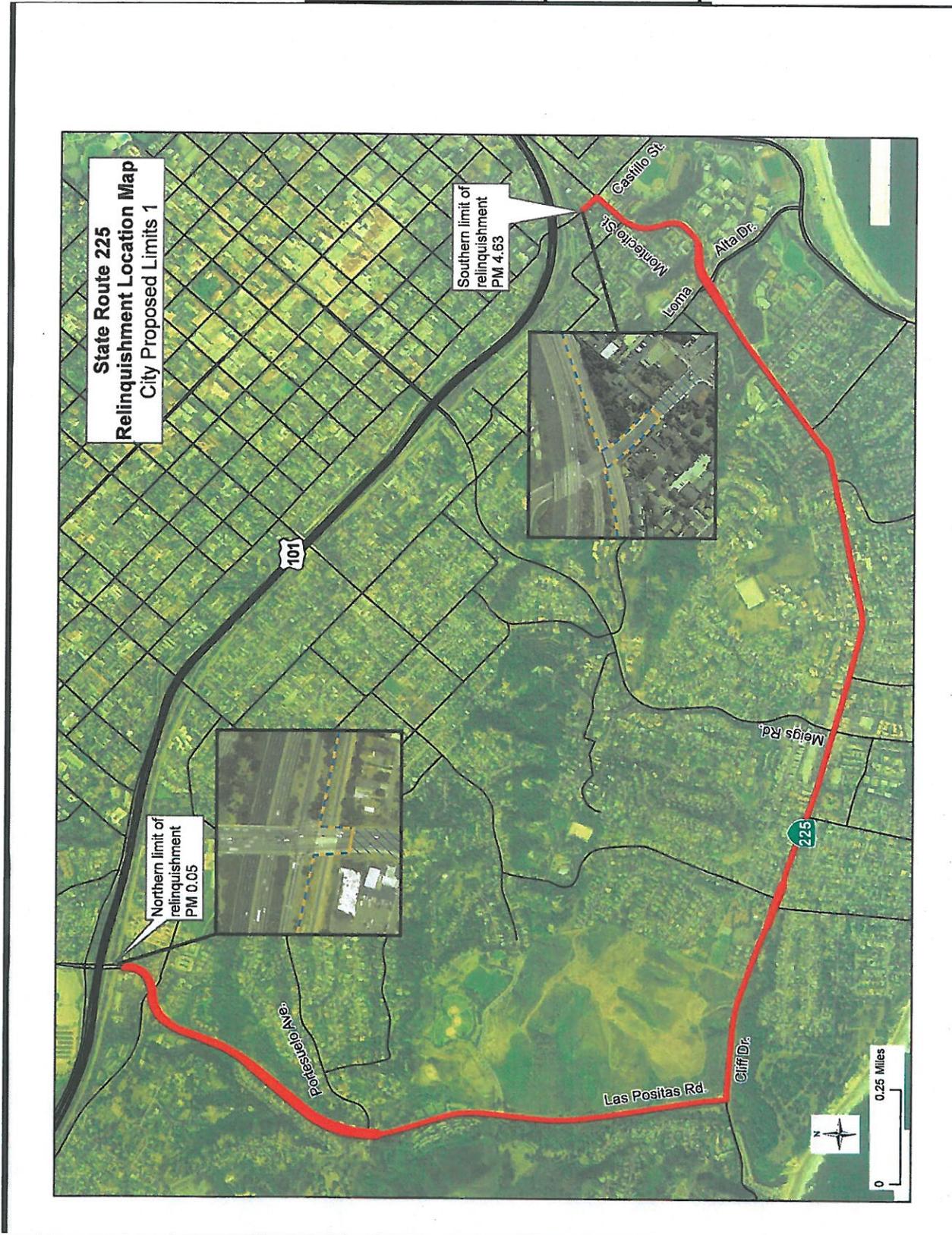
CERTIFIED AS TO FUNDS

District Budget Manager

CERTIFIED AS TO FINANCIAL TERMS
AND POLICIES:

Accounting Administrator

EXHIBIT "A" – Relinquishment Map





City of Santa Barbara

Public Works Department

www.SantaBarbaraCA.gov

Main Office

630 Garden Street
P.O. Box 1990
Santa Barbara, CA
93102-1990

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Fax: 805.897.2613

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Fax: 805.564.5467

Facilities

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Fax: 805.897.2577

Street Maintenance

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Fax: 805.897.1991

Transportation

Tel: 805.564.5385
Fax: 805.564.5467

Water Resources

Tel: 805.564.5387
Fax: 805.897.2613

May 7, 2013

Ms. Aileen K. Loe Deputy
District Director Planning and
Local Programs Caltrans -
District 5
50 Higuera Street
San Luis Obispo, CA 93401-5415

SUBJECT: State Route 225 Relinquishment

Dear Ms. Loe:

On April 19, 2013, we held a conference call with you and some of staff to discuss how to proceed with the SR 225 relinquishment process given the outstanding issues that had been identified by City staff. During that conference call, City and Caltrans staff reached an understanding of how the previously identified outstanding issues will be addressed in order to move forward with the relinquishment process. The purpose of this letter is to memorialize this mutually agreed-upon understanding between Caltrans and City staff. Below is a summary of the previously identified unresolved issues and how City and Caltrans staff have agreed to resolve each issue.

1. Draft Relinquishment Agreement

- a. **Issue:** Las Positas Retaining Wall Repair – Although Caltrans has agreed to repair the existing 195-foot long retaining wall along the west side of Las Positas Road, that is in need of structural rehabilitation as identified in previous documents, no language had been included in the Draft PSSR or Draft Relinquishment Agreement to clarify responsibility for those repairs.

Resolution: Caltrans will exclude the wall from the relinquishment by easement. Caltrans will quitclaim the easement and the City will take ownership of the wall upon satisfactory completion of the repairs.

- b. **Issue:** Traffic Collision Data and Identified Safety Improvements – Neither the Draft PSSR or the Draft Relinquishment Agreement addressed additional traffic collision data provided by the City to Caltrans or any proposed safety improvements, which City staff has determined to be necessary based on the collision history along the

corridor. Caltrans has stated that they will not complete their review and analysis of the traffic collision data until July 2013.

Resolution: Based on their preliminary assessment of the data, Caltrans does not anticipate that the crash data will meet State criteria for action. If, upon completion of a full analysis in July 2013, Caltrans determines that a project is warranted, Caltrans will complete improvements at no cost to the City. If Caltrans determines that no improvements are warranted, the City would have to identify funding for the identified improvements upon relinquishment of SR 225 to the City. Caltrans Operations staff is working with the City Engineer and Traffic Engineer and Caltrans has agreed to address several minor, low-cost safety improvements along the corridor.

- c. Issue: California Transportation Commission (CTC) Approval Language – The Draft Relinquishment Agreement included language that stated that the City would "accept and assume full maintenance ownership, responsibility, control and liability...in exchange for the payment of \$819,000 *or some other allocation made by CTC* deemed to be in the best interest for..." City staff was concerned that this language would bind the City to accepting the relinquishment even if the CTC did not approve the full agreed-upon payment amount of \$819,000.

Resolution: Caltrans staff has assured City staff that, based on historical actions, the CTC intends to approve the full agreed-upon payment amount of \$819,000. If, for any reason, the CTC does not approve the full funding amount, Caltrans has assured City staff that the City will have the opportunity to opt out of the relinquishment. City and Caltrans attorneys will discuss a consensus regarding language to be included in the Relinquishment Agreement.

- d. Issue: Contamination Sites- Because the relinquishment is subject to the California Environmental Quality Act (CEQA), Caltrans has completed its CEQA review with a Categorical Exemption. Included as part of the Categorical Exemption is a memorandum dated March 15, 2013, disclosing potential contamination sites along the SR 225 corridor. The Draft Relinquishment Agreement did not address future liability for existing contamination upon relinquishment of SR 225 to the City.

Resolution: Caltrans and City attorneys will discuss a consensus to clarify liability after relinquishment.

2. Freeway Maintenance Agreements

- a. Issue: Las Positas Road Overcrossing – As part of the SR 225 Relinquishment to the City, the Las Positas Road interchange will become an overcrossing of a City street through State Highway 101 right of way, which triggers the need for an FMA. The State will retain maintenance responsibility of the two structures associated with the interchange: 1) Highway 101 overcrossing through State Highway 101 right of way and 2) Union Pacific Railroad (UPRR) overhead through UPRR right of way. The State's maintenance responsibilities will include the structure below the deck surface, while the City will be responsible for maintaining the roadway surface, drainage system, lighting, as well as traffic service facilities (sidewalks, signs, pavement markings, etc.). City staff is working with Caltrans staff to clarify responsibility for the bridge rails and requested that language be added to clarify City maintenance responsibility. City staff also requested that language be added to state that the City's maintenance responsibility for Las Positas Road will not commence until Caltrans has brought the pavement surface up to a state of good repair.
- b. Resolution: Caltrans has agreed to complete pavement resurfacing on the Las Positas overpass and other adjacent areas within the State right of way that need pavement maintenance, including pavement work on Modoc Road just east of Las Positas Road. Language has been included in the FMA to clarify that maintenance responsibility for the railroad overhead structure remains with the State upon relinquishment of SR 225 to the City.
- c. Issue: Castillo Street Underpass – As part of the SR 225 Relinquishment to the City, the Castillo Street interchange will revert to an undercrossing of a City street through State right of way, which triggers the need for an FMA. Due to existing structural failures and ongoing problems with groundwater intrusion at this underpass, City staff had significant concerns about accepting maintenance responsibility for any portion of the underpass.

Resolution: Caltrans has agreed to revise the FMA to reflect that the City will be responsible for graffiti removal only on the Castillo underpass.

Public Works staff is making every effort to finalize the Relinquishment Agreement and FMAs prior to the next requested Council action scheduled for May 21, 2013; however, in the event that the agreements are not finalized before that time, City staff requests that Caltrans provide a letter to City staff confirming that this letter memorializes the understanding reached with City and Caltrans staff.

Please let me know if this letter's summary of the issues and mutually agreed-upon resolutions differs from your understanding.

The City of Santa Barbara appreciates the effort Caltrans' staff has put forth on this relinquishment effort, and we look forward to continuing this rapport.

Sincerely,



Christine F. Andersen
Public Works Director

ASing

cc: Mayor Helene Schneider
James L. Armstrong, City Administrator/Clerk/Treasurer
Pat Kelly, Assistant Public Works Director/City Engineer
Browning Allen, Transportation Manager
John Ewasiuk, Principal Civil Engineer
Timothy Gubbins, District Director, Caltrans, District 5, 50 Higuera Street,
San Luis Obispo, CA 93401-5415
Steve Price, Deputy District Director-Maintenance and Operations, Caltrans,
District 5, 50 Higuera Street, San Luis Obispo, CA 93401-5415
Claudia Espino, Advanced Planning Chief, Caltrans, District 5, 50 Higuera
Street, San Luis Obispo, CA 93401-5415
Lance Gorman, Senior Maintenance Engineer, Caltrans, District 5, 50 Higuera
Street, San Luis Obispo, CA 93401-5415



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

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

RECOMMENDATION: That Council:

- A. Award a contract to Shaw Contracting, Inc., in their low bid amount of \$1,865,964.50 for construction of the Punta Gorda Street Bridge Replacement Project, Bid No. 3575;
- B. Authorize the Public Works Director to execute the contract and approve expenditures up to \$186,600 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;
- C. Authorize the Public Works Director to execute a professional services agreement 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;
- D. Authorize the Public Works Director to execute a professional services agreement with Penfield & Smith in the amount of \$13,060 for engineering (channel design) support services for the Punta Gorda Street Bridge Replacement Project, 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;
- E. Authorize the Public Works Director to execute a professional services agreement with Drake Haglan and Associates in the amount of \$50,000 for engineering (bridge 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
- F. Authorize the Public Works Director to execute a professional services agreement 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 solicited construction bids and now needs to obtain Council authority to award the construction contract and other contracts for construction management services to support staff, including construction management, engineering (design construction support), and environmental and biological monitoring support services.

DISCUSSION:

PROJECT DESCRIPTION

The Project involves the widening of Lower Sycamore Creek and the removal and replacement of the Punta Gorda Street Bridge. The project limits are from U.S. Highway 101 to approximately 100 feet upstream past the Punta Gorda Street Bridge. Work consists of constructing an earthen channel and other drainage facilities; removing and replacing a concrete bridge and roadway approaches; relocating water, sewer, electric, communication, and gas utility facilities; placing riparian bank protection and planting; 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. The Project also includes a low-flow channel in the center of the creek for the Tidewater Goby.

BACKGROUND

Sycamore Creek is one of the major creek systems in the City. It runs a 2.7-mile course through the City between the Stanwood Drive/Sycamore Canyon Road intersection and the ocean at East Beach. Its drainage area is approximately four square miles. The lower portion of the Sycamore Creek watershed has experienced extensive flooding in recent history. During the 1995 rainstorms, nearly four feet of water flooded properties at the Deluxe and Green Mobile Home Parks, both located south of Punta Gorda Street, adjacent to Sycamore Creek. More recently, the 2008 Tea Fire burned much of the upper Sycamore Creek watershed. The loss of vegetation and the development of hydrophobic soils, due to the wildfire, have increased the potential for rainfall runoff and potential resultant flooding. Many studies for this portion of the creek have concluded that the capacity of the surface water collection and drainage system of pipes, culverts, and bridges in the Sycamore Creek watershed are inadequate for flood flow conveyance. This project will increase flood flow capacity and reduce the probability of neighborhood flooding. See Attachment 1 for previous Council actions.

The California Department of Transportation (Caltrans) recently widened U.S. Highway 101 from Milpas Street to Hot Springs Road from four to six lanes. The U.S. Highway 101 Bridge over Sycamore Creek was also widened and now has three bays. Only the middle bay, which has a flow capacity of approximately 2,000 cubic feet per second (cfs), is currently open. This new capacity is now significantly greater than the current capacity of the Punta Gorda Street Bridge and adjacent creek channel.

The U.S. Highway 101 Bridge will eventually have a capacity of 3,000 cfs when its two additional bays are open. However, Caltrans has said they will not open the bays until additional studies and improvements are made.

On September 7, 2012, the City received notification from the California Department of Housing and Community Development (HCD) of the approval of grant funds from the 2010-2011 Community Development Block Grant Component Award for the 2008 Disaster Recovery Initiative Program in the total amount of \$2,662,525, for the Sycamore Creek channel widening and bridge replacement improvements. The grant funds can only be used towards construction. With funding secured, the City proceeded to complete the final design and bid for construction. However, the grant funds do have a time deadline. The term of the grant funds is from April 28, 2011, through March 31, 2014. The construction timeframe of the Project has been planned to finish by February 2014. If the construction is not completed by the March 31 deadline, the grant funds may be at risk of being rescinded by the HCD. Further, the HCD has the discretion to re-allocate the grant funds elsewhere.

CONTRACT BIDS

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

	BIDDER	BID AMOUNT
1.	Shaw Contracting, Inc.	\$1,865,964.50
2.	Lash Construction, Inc.	\$1,899,077.00
3.	Whitaker Construction Group, Inc.	\$2,116,239.90
4.	Granite Construction Company	\$2,123,570.00
5.	Toro Enterprises, Inc.	\$2,246,383.75
6.	C.A. Rasmussen, Inc.	\$2,292,188.80

- | | |
|---------------------------------|----------------|
| 7. Specialty Construction, Inc. | \$2,320,754.10 |
| 8. Brough Construction, Inc. | \$2,354,054.00 |

The low bid of \$1,865,964.50, submitted by Shaw Contracting, Inc. (Shaw), is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$186,600, or ten percent (10%), is typical for this type of work and size of project.

CONSTRUCTION MANAGEMENT SERVICES

Staff recommends that Council authorize the Public Works Director to execute the following professional service agreements.

- Filippin Engineering (Filippin) in the amount of \$330,674 for construction management support services for the Project. Staff also recommends approval of 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.
- Penfield & Smith (P&S) in the amount of \$13,060 for creek channel engineering support services during the construction of the Project. Staff also recommends approval of 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 channel widening. 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.
- Drake Haglan and Associates (DHA) in the amount of \$50,000 for bridge engineering support services during the construction of the Project. Staff also recommends approval of 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 the Punta Gorda Street Bridge. Staff reviewed and concluded that DHA's proposal is fair and reasonable and would provide the best value and continuity of services without delay.
- Cardno ENTRIX (Cardno) in the amount of \$90,881 for environmental coordination and biological monitoring services during the construction of the Project. Staff also recommends approval of 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.

FUNDING

The Project's construction cost is federally funded in part by grant funds from the 2010-2011 Community Development Block Grant Component Award for the 2008 Disaster Recovery Initiative Program in the total amount of \$2,662,525. The following table 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
Construction Contract Cost (Contract)	\$1,720,765	\$145,200	\$1,865,965
Construction Contract Change Order	\$186,600	\$0	\$186,600
Construction Management Cost (City Staff)	\$111,008	\$0	\$111,008
Construction Management Support/Inspection/Material Testing Cost (Contract)	\$363,741	\$0	\$363,741
Subtotal	\$2,382,114	\$145,200	\$2,527,314
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	\$2,551,449	\$721,588	\$3,273,037

There are sufficient budgeted funds in the Streets Capital Program to cover current and future City costs, including \$100,000 in the proposed budget for Fiscal Year 2014, in order to meet our grant match requirements.

COMMUNITY OUTREACH

Staff held a Community Outreach Workshop on May 9, 2013, within the neighborhood of the Project. Written notices were mailed to adjacent properties within 300 feet of the Project site. The Community Outreach Workshop provided a forum for staff interaction with the neighborhood to provide information and answer questions about the Project. Renderings and construction plans of the Project were exhibited. Project fact sheets were distributed which contained 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. See Attachment 2. Prior to the Community Outreach Workshop, staff had met many times with the neighborhood community over prior years about plans to improve the creek channel and the Punta Gorda Street Bridge.

Once the contractor has scheduled its work, Staff will also 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 and other affected parties. 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.

ENVIRONMENTAL/NEIGHBORHOOD IMPACTS

The Project has received all necessary environmental permits or approvals for construction.

Deluxe and Green Mobile Home Parks

The section of Sycamore Creek that is located downstream from Punta Gorda Street is bordered on the east by the Green Mobile Home Park (GMHP) and on the west by the former Deluxe Mobile Home Park. See Attachment 3. The former Deluxe Mobile Home Park property is currently vacant.

The GMHP had a 30-foot wide Revocable Encroachment Permit to accommodate seven mobile home sites and the driveway on Punta Gorda Street that were encroaching into the City's 60-foot public right of way within Sycamore Creek. The permit was terminated in order to prepare for the widening of the creek. Council authorized the Public Works Director on October 6, 2009, to terminate a portion of the Green Mobile Home Encroachment Permit (Agreement No. 16,786, Ordinance No. 4788) from 120 feet south of Punta Gorda Street to U.S. Highway 101, effective September 1, 2010, and to terminate the remainder of the permit effective September 1,

2011. At this time, the encroachment is not fully vacated- namely GMHP's driveway accessed on Punta Gorda Street. However, staff has been informed by the GMHP's property manager, LYNX Property Management, Inc. (LYNX), the encroachment will be fully vacated before the start of construction of the Project.

Staff has been working with LYNX and a few GMHP tenants to give the GMHP extra time to resolve vacating the remaining encroachment

The GMHP's driveway on Punta Gorda Street will be removed as part of the Project. Retaining the driveway was evaluated and determined to not be a feasible option, as described in the Lower Sycamore Creek Drainage Improvements Project Driveway Alternatives Report prepared by Penfield & Smith (July 28, 2010). The City's Fire Department also determined that even with removal of the driveway, emergency access can be made acceptable when GMHP takes planned internal circulation improvement measures. (Reference: Adopted Final Mitigated Negative Declaration dated April 16, 2012)

A resident of the GMHP, Mr. Robert Mayo of 1200 Punta Gorda Street, Unit No. 39, recently commented before Council regarding his concern about the removal of the driveway on Punta Gorda Street, specifically for City Fire Department access to the GMHP. Staff and LYNX met at the Project site with Mr. Mayo and other GMHP residents. Staff explained the Project's intent and need to remove the driveway. LYNX informed Mr. Mayo that an enforceable fire lane is planned to be installed within the GMHP. At this meeting, Mr. Mayo expressed his support of the Project and the removal of the driveway.

ATTACHMENT(S):

1. City Council Action History
2. Project Fact Sheet
3. Aerial Map

PREPARED BY: Pat Kelly, Assistant Public Works Director/City Engineer/JI/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

Lower Sycamore Creek Channel Widening and
Punta Gorda Street Bridge Replacement Project
City Council Action History

- On January 13, 2009, Council authorized a contract with Penfield & Smith 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 October 6, 2009, Council authorized the Public Works Director to (1) terminate a portion of the Green Mobile Home Encroachment Permit (Agrrement No. 16,786, Ordinance No. 4788) from 120 feet south of Punta Gorda Street to U.S. Highway 101, effective September 1, 2010, and (2) authorized the Public Works Director to terminate the remainder of the permit effective September 1, 2011.
- On February 23, 2010, Council authorized Penfield & Smith to complete the final design services for creek channel widening between U.S. Highway 101 and Punta Gorda Street.
- On May 10, 2011, Council adopted a resolution approving an Amendment to Application for Funding and execution of Grant Agreement for the 2008 Disaster Recovery Initiative Grant.
- On October 4, 2011, Council increased appropriations and estimated revenues for Fiscal Year 2012 for the Disaster Recovery Initiative Grant Fund.
- On December 6, 2011, Council authorized Drake Haglan and Associates to complete final design services for the replacement of the Punta Gorda Street Bridge.
- On March 19, 2013, Council adopted a resolution to acquire and accept temporary construction easements located at 1130 and 1133 Punta Gorda Street. Council also authorized an increase in the extra services amount with Drake Haglan and Associates for final design services.

FACT SHEET



Lower Sycamore Creek Channel Widening and Punta Gorda Street Bridge Replacement Project

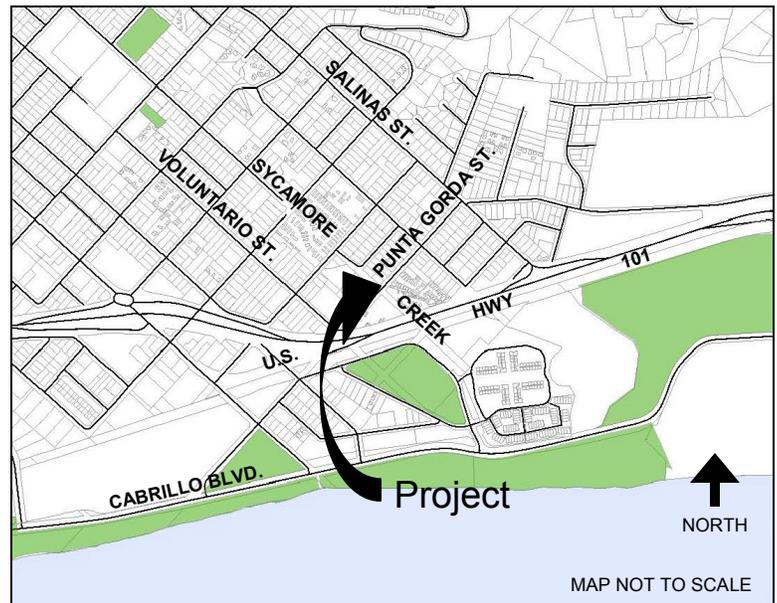
Project Overview

The lower part of the Sycamore Creek channel will be widened, and the Punta Gorda Street Bridge will be removed and replaced to span the width of the widened channel.

Project Benefits

Widening the creek channel of Lower Sycamore Creek at the areas around Punta Gorda Street Bridge will reduce the impacts of flooding to adjacent properties.

Location Map



Quick Facts

Construction Schedule: June 2013 through April 2014

Location: Lower Sycamore Creek from U.S. Highway 101 to 100 feet upstream from Punta Gorda Street Bridge

Work Involved: Constructing earthen channel and other drainage facilities, removing and replacing concrete bridge and roadway approaches, relocating water and sewer facilities, planting landscape materials, and installing irrigation systems

Federal Grant Funding: Disaster Recovery Initiative (DRI) Grant Program of the Community Development Block Grant through the California Department of Housing and Community Development and U.S. Department of Housing and Urban Development

Contact Information

Project Engineer: John L. Ilasin, P.E.

Phone Number: (805) 564-5383

City Website: www.SantaBarbaraCA.gov

For monthly construction updates, please go to the City's website. You will find the Lower Sycamore Creek Channel Widening and Punta Gorda Street Bridge Replacement Project at the "Major Construction Projects" link starting in June 2013.

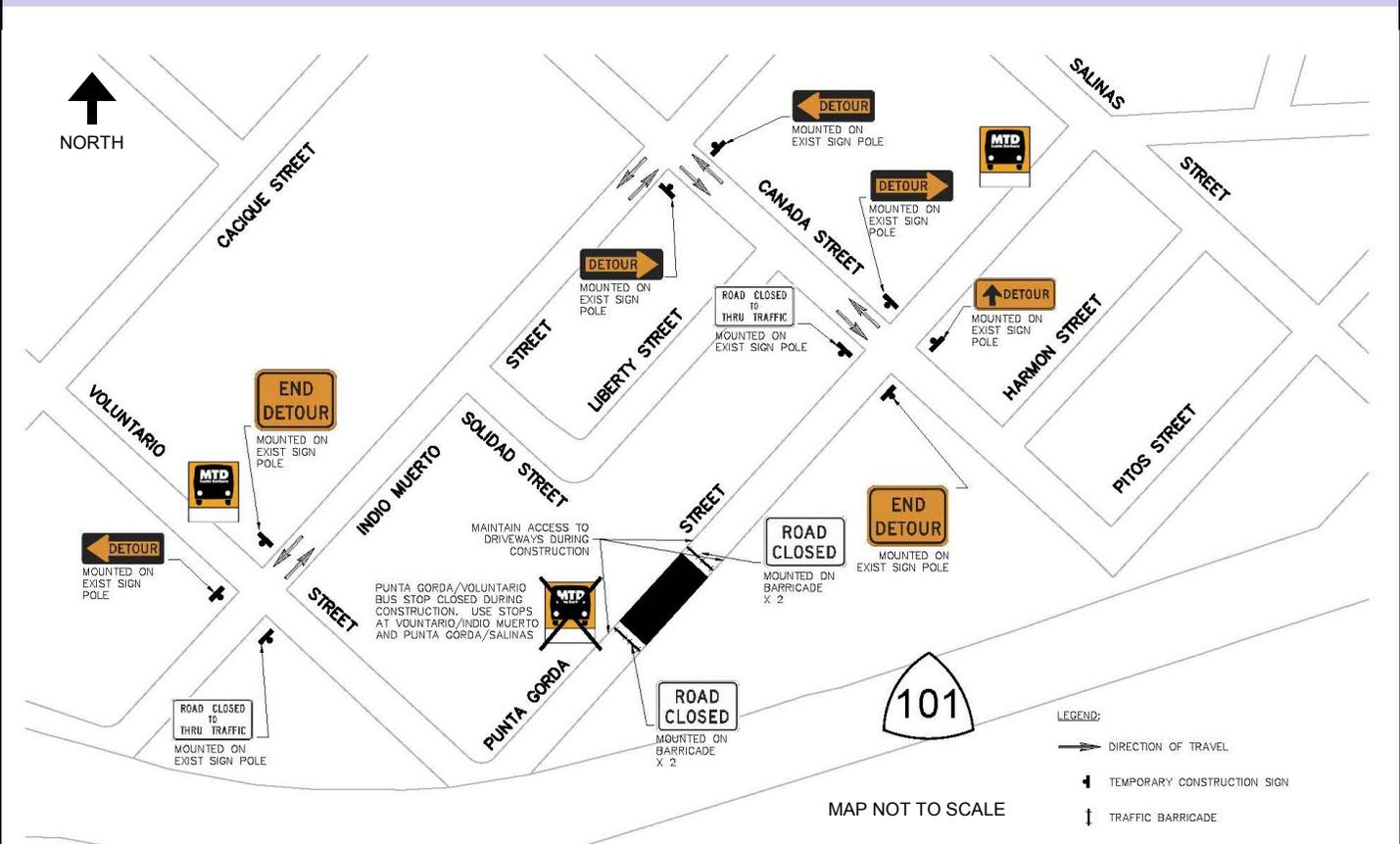


Lower Sycamore Creek Channel Widening and Punta Gorda Street Bridge Replacement Project

Traffic Flow

Punta Gorda Street Bridge will be closed to through traffic during the construction of the bridge. Access to properties will be maintained at all times. Emergency vehicles will be allowed access. Motorists should expect time delays and increased traffic on surrounding streets.

Traffic Detour Map





Lower Sycamore Creek Channel Widening and Punta Gorda Street Bridge Replacement Project Aerial Map





CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 2013

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Interviews For City Advisory Groups

RECOMMENDATION: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 4, 2013, and June 18, 2013.

DISCUSSION:

Interviews of applicants for various positions on City Advisory Groups are to be held on May 21, 2013, at an estimated time of 4:00 p.m. Applicants will also have the option to be interviewed on June 4, 2013, at an estimated time of 4:00 p.m. and June 18, 2013, at 6:00 p.m.

For the current vacancies, 63 individuals submitted 66 applications. A list of eligible applicants and pertinent information about the City Advisory Groups is attached to this report.

Applicants have been notified that to be considered for appointment they must be interviewed. Applicants have been requested to prepare a 2-3 minute verbal presentation, in response to a set of questions specific to the group for which they are applying. Applicants applying to more than one advisory group may have up to 5 minutes for their presentation.

Applicants for the Santa Barbara Youth Council have been notified that they must also appear for an interview before the Youth Council. They will have the option to appear on Monday, May 20, 2013, at 5:30 p.m. or Monday, June 3, at 4:15 p.m. in the Council Chamber.

Appointments are scheduled to take place on June 25, 2013.

ATTACHMENT: List of Applicants

PREPARED BY: Gwen Peirce, City Clerk Services Manager

SUBMITTED BY: Marcelo A. López, Assistant City Administrator

APPROVED BY: City Administrator's Office

ACCESS ADVISORY COMMITTEE

- One vacancy
- Term expires 12/31/2014
- Residents of the City or full-time employees of an entity doing business within the City who demonstrate an interest, experience, and commitment to issues pertaining to disability and access and who represent the public at large
 - One representative from the Architectural/Engineering/Building Community
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Architectural/ Engineering/Building Community (1)</i>	None			

AIRPORT COMMISSION

- One vacancy
- Term expires 12/31/2016
- Appointee must be a qualified elector of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector of the City (1)</i>	Craig Arcuri			City
	Laura McIver			City
	William Nelson			City

BUILDING AND FIRE CODE BOARD OF APPEALS

- Two vacancies
- Open terms
- Residents of the City or adjoining unincorporated areas of Santa Barbara County.
- Appointees shall demonstrate knowledge and expertise in specialty areas governed by the construction and fire codes of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Resident of the City or unincorporated area of Santa Barbara County (2)</i>	None			

COMMUNITY EVENTS & FESTIVALS COMMITTEE

- Two vacancies.
- Terms expire 12/31/2015.
 - Two representatives of the Business/Lodging/Retail Industry
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Business/Lodging/ Retail Industry (2)</i>	Katrina Carl			
	Brittany Heaton		1 st - Community Events and Festivals Committee 2 nd - Neighborhood Advisory	
	Christina Markos			
	Roman Orestano		1 st - Parks and Recreation Commission; 2 nd - Community Events and Festivals Committee	

DOWNTOWN PARKING COMMITTEE

- One vacancy
- Term expires 12/31/2016
 - Member must be a resident of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Resident of the City (1)</i>	None			

FIRE AND POLICE PENSION COMMISSION

- Two vacancies
- One term expires 12/31/2012; one term expires 12/31/2013.
- One active retired police officer who need not be a resident or qualified elector of the City; and
- One qualified elector of the City who is not an active firefighter or police officer for the City of Santa Barbara.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Active/Retired Police Officer (1)</i>	None			
<i>Qualified Electors (1)</i>	None			

HISTORIC LANDMARKS COMMISSION

- One vacancy
- Term expires 12/31/2016.
- Qualified electors of the City or the County of Santa Barbara:
 - Member shall be a licensed architect, licensed landscape architect, or professional architectural historian
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Licensed Architect/Licensed Landscape Architect (1)</i>	Craig Shallenberger	12/16/2008 (Term expired 12/31/2012; continuing to serve until a successor is appointed. 4.5 years)		Current Commissioner Architect, County

HOUSING AUTHORITY COMMISSION

- Two vacancies
- Terms expire 7/12/2017 (appointments effective on 7/1/2013);
- Two representatives of the public at large.
- One appointee may be a non-City resident.
- One appointee must be a qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Public at Large (2)</i>	Barbara Allen	6/28/2005, 6/30/2009 (13 years)		Current Commissioner City
	Catherine Woodford	6/30/2009 (4 years)		Current Commissioner County

LIVING WAGE ADVISORY COMMITTEE

- Five vacancies
- Two terms expires 6/30/2017, one term expires 6/30/2015, and two terms expire 6/30/2016.
- Two nominees of Local Living Wage Advocacy Organizations
- One representative employee of local non-profit entity.
- One nominee of the Santa Barbara Chamber of Commerce or Santa Barbara Downtown Organization.
- One representative of owner/manager of a service contractor.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Representative of a Local Living Wage Advocacy Organization (2)</i>	Richard Flacks	7/11/2006, 6/30/2009 (7 years)		Current Committee Member
<i>Nonprofit Entity (1)</i>	None			
<i>Santa Barbara Downtown Organization or Santa Barbara Chamber of Commerce Nominee (1)</i>	None			
<i>Owner/Manager of a service contractor subject to the City's Living Wage Ordinance (1)</i>	None			

MEASURE P COMMITTEE

- Six vacancies
- Two terms expire 12/31/2012; One term expires 12/31/2013; two terms expire 12/31/2014; and one term expires 12/31/2015
- Two residents of the City; and one representative from each:
 - Civil Liberties Advocate
 - Drug abuse, treatment & prevention counselor
 - Criminal Defense Attorney
 - Medical Professional
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Civil Liberties Advocate (1)</i>	Luis Esparza	3/6/07 (Term expired 12/31/2008; continuing to serve until a successor is appointed. 6 years, 3 months)	1) Water Commission 2) Measure P Committee	Current Measure P Committee Member; continuing to serve until a successor is appointed.
<i>Criminal Defense Attorney (1)</i>	None			
<i>Drug abuse, treatment & prevention counselor (1)</i>	None			
<i>Medical Professional (1)</i>	None			
<i>Residents of the City (2)</i>	None			

NEIGHBORHOOD ADVISORY COUNCIL

- Three vacancies
- Two terms expire 12/31/2016; and one term expires 12/31/2013.
- Residents of the City who need not be qualified electors of the City:
- One resident of the City who represents the public at large; and
- Two representatives from any of the following neighborhoods:
 - West Downtown
 - Eastside
 - Lower Eastside
 - Laguna
 - Westside
 - Lower Westside
- Appointees may not hold any full-time paid office or employment in City government.

NOTE: Applicants under the Neighborhood Representative category are also eligible for appointment to the Public at Large category.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Neighborhood Representative (2)</i>	Brittany Odermann Heaton		1 st – Community Events & Festivals Committee 2 nd – Neighborhood Advisory Council	Westside Neighborhood
<i>Public at Large (1)</i>	Ronald S. Christopher			

(Cont'd)

PARKS AND RECREATION COMMISSION

- Two vacancies
 - Terms expire 12/31/2016
 - Qualified electors of the City
- Note:** Council may appoint a youth member who is age 16 or 17 years, is a resident of the City and a citizen of the United States.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Electors of the City (2)</i>	Megan Alley			Qualified Elector
	Linus Huffman			Qualified Elector
	Roman Orestano		1 st - Parks & Recreation 2 nd – Community Events and Festivals Committee	Qualified Elector
	Vincent Wood			Qualified Elector

RENTAL HOUSING MEDIATION TASK FORCE

- Two vacancies
- One term expires 12/31/2014; and one term expires 12/31/2016
- Residents of the City or the County of Santa Barbara:
 - Two Tenants
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Tenants (2)</i>	Jay Rawlins			Tenant - City

SANTA BARBARA YOUTH COUNCIL

- 12 vacancies.
- Terms expire 6/30/2016.
- Members must be between the ages of 13 – 19 years;
- Seven members shall be representatives from the three Santa Barbara School District High Schools (Santa Barbara High School, San Marcos High School, and Dos Pueblos High School);
- Two members from local alternative, community, or continuation high schools;
- Two members from a local private high school or independent studies;
- Two members at large, who may or may not attend any high school;
- Of the twelve vacancies, seven appointees must be residents of the City of Santa Barbara.
- (*The Youth Council may create non-voting positions for up to five junior high school students to encourage and involve junior high school students in Youth Council.)

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Students from Santa Barbara High School</i> (2)	Jacqueline Cabral			SBHS (City)
	Madison Carlentine			SBHS (City)
	Isabella Chierici			SBHS (City)
	Cambria De La Cruz			SBHS (City)
	Ahtziri Hernandez			SBHS (City)
	Marissa Hernandez			SBHS (City)
	Leslie Perez			SBHS (City)

Students from San Marcos High School (2)	Emily Allen			SMHS (City)
	Joanna Alvarez			SMHS (City)
	Christopher Anderson			SMHS (County)
	Anthony Burre			SMHS (County)
	Jose Campos			SMHS (City)
	Sarah Douglas			SMHS (County)
	Ben Goldberg			SMHS (County)
	Enrique Gonzalez			SMHS (City)
	Renee Handley			SMHS (County)
	Clare Hubbel			SMHS (City)
	Nicholas Mayner			SMHS (County)
	Megan McQueen			SMHS (County)
	Barbara Ramirez			SMHS (City)
	Andrew Rodriguez			SMHS (City)
	Scott Voulgaris			SMHS (City)
	Zachary Wells			SMHS (County)

Students from Dos Pueblos High School (3)	Ethan Brief			DPHS (County)
	Noah Glaschankoff			DPHS (County)
	Mengche Ho (Ryan)			DPHS (City)
	Eesha Kelkar			DPHS (County)
	Jose Mendoza			DPHS (County)
	Angel Penza			DPHS (County)
	Pablo Saleta			DPHS (County)
	Shagun Sharma			DPHS (County)
	Rachel Teitelbaum			DPHS (County)
	Wei-Joan Udden			DPHS (County)
Local Private High School or Independent Studies (2)	Erin Linehan			Bishop Garcia High School (County)
Local Alternative, Community, or Continuation High School (2)	Angel J. Gutierrez			La Cuesta High School (City)
	Krystal Aladana			La Cuesta High School (City)
Member At Large, May or May Not Attend Any High School (1)				
Junior High Students (5)*	Ari Chittick			Junior High (SMHS) (City)
	Alyse S. Adams			Junior High (County)

SINGLE FAMILY DESIGN BOARD

- Two vacancies
- Terms expire 6/30/2017.
- Residents of the City.
 - One person who possesses professional qualifications in fields related to architecture, including but not limited to, building design, structural design, structural engineering, industrial design, or landscape contracting.
 - One representative of public at large.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Professional Qualifications (1)</i>	Denise Woolery	7/3/2007, 6/30/2009 (6 years)		Current Commissioner, term expired 6/30/2013. City
<i>Public at Large (1)</i>	Berni Bernstein	7,3,2007, 6/30/2009 (6 years)		Current Commissioner, term expired 6/30/2013. City

WATER COMMISSION

- One vacancy
- Term expires 12/31/2016.
- Qualified elector of the City.
- Appointee may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 st , 2 nd , 3 rd)	Notes
<i>Qualified Elector (1)</i>	Jeff Barry			City
	Louis Esparza		1 st – Water Commission 2 nd – Measure P	Current Measure P Committee Member; continuing to serve until a successor is appointed. City
	Ronald Gutier			City
	Mike Kielbom			City



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 21, 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 Police Bargaining Unit, and the General Bargaining Unit, and regarding discussions with certain unrepresented employees and 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: May 21, 2013

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Conference with Legal Counsel – Pending Litigation

RECOMMENDATION:

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

The pending litigation is the on-going administrative hearings before the California State Water Resources Control Board regarding appropriative water rights permits 11308 and 11310.

SCHEDULING: Duration, 15 minutes; anytime

REPORT: None anticipated

SUBMITTED BY: Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office