

**CITY OF SANTA BARBARA  
CITY COUNCIL**

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



**Paul Casey**  
*City Administrator*

**Ariel Pierre Calonne**  
*City Attorney*

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

**MAY 5, 2015  
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:** If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, please contact the City Administrator's Office at 564-5305. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

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

## **ORDER OF BUSINESS**

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

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

**1. Subject: Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 2016 And 2017 (120.03)**

Recommendation: That the Finance Committee hear a report from staff on the Recommended Budget for Fiscal Year 2016 regarding proposed changes to certain General Fund fees.

**2. Subject: \$275,000 Loan To The Turner Foundation For Rehabilitation Of 1502-1522 San Pascual (Lighthouse Apartments) (120.03)**

Recommendation: That the Finance Committee consider and recommend to City Council approval of a \$275,000 Loan from the City's Socioeconomic Mitigation Program (SEMP) funds to the Turner Foundation to rehabilitate seven (7) low-income rental units at 1502-1522 San Pascual (Lighthouse Apartments).

**3. Subject: HOME Tenant Based Rental Assistance Grants (120.03)**

Recommendation: That the Finance Committee recommend Council approval of two federal HOME Investment Partnership Program Tenant Based Rental Assistance Grants totaling \$385,000 including \$250,000 for the Housing Authority of the City of Santa Barbara as a Second Amendment to their 2012 Tenant Based Rental Assistance Subrecipient Grant Agreement #24,153, as amended, and \$135,000 for Casa Esperanza as a new grant agreement.

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

**1. Subject: Ordinance For Prohibition Of Unauthorized Traffic Signs (120.03)**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.12 of the Municipal Code by Amending Section 10.12.170, Displaying of Unauthorized Signs Prohibited - Nuisance.

**2. Subject: Ordinance Establishing Bus Stop Zones (120.03)**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.090, Bus Zones to be Established.

**3. Subject: Ordinance For Curb Marking For Parking Regulations (120.03)**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.040, Curb Markings to Indicate Parking Regulations - Authority of the Transportation Engineer.

**4. Subject: Proposal To Change The System For Assignment Of Mooring Permits In The East Beach Mooring Area From A Lottery System To A First-Come, First-Serve System (120.03)**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Section 17.20.255 C of the Santa Barbara Municipal Code to change the system for assignment of mooring permits in the East Beach Mooring Area from a lottery system to a first-come, first-serve system.

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

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**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, 2015.

**CHANGES TO THE AGENDA**

**PUBLIC COMMENT**

**CONSENT CALENDAR**

**2. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of April 14, and 21, 2015, and the adjourned regular meeting of April 20, 2015.

**3. Subject: Adoption of Ordinance For Lease Amendment to Lease No. 23,017, Between MAG Aviation and the City of Santa Barbara. (330.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Airport Director to Execute a Second Amendment to Lease Agreement No. 23,017, as previously amended July 1, 2010, with MAG Aviation, a Partnership, and the City of Santa Barbara, for operation of a self-service aviation fueling facility, at 1600 Cecil Cook Place, at the Santa Barbara Airport, effective upon the adoption of the enabling Ordinance, to allow a one year waiver of the scheduled CPI rental adjustment.

## CONSENT CALENDAR (CONT'D)

**4. Subject: Records Destruction For Administrative Services Department (160.06)**

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

**5. Subject: Records Destruction For Waterfront 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 Waterfront Department in the Administration Office.

**6. Subject: Sole Source Vendor For Digital Storage Equipment (520.04)**

Recommendation: That Council find it in the City's best interest to waive the formal bid process as authorized by Municipal Code 4.52.070 (L), and authorize the City's General Services Manager to issue a Purchase Order to Technology Express, in the amount of \$48,081 for the purchase of the Hewlett Packard (HP) digital storage equipment at the Police Department.

**7. Subject: Set A Date For Public Hearing Regarding Renewal Of Levy For Fiscal Year 2016 For The Wildland Fire Suppression Assessment (520.03)**

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 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 Continue Assessments for Fiscal Year 2016; and Establishing a Time of 2:00 P.M. on Tuesday, May 19, 2015, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment.

## **CONSENT CALENDAR (CONT'D)**

**8. Subject: Adoption Of 2015-2019 Consolidated Plan And 2015-16 Annual Action Plan (660.01)**

Recommendation: That Council:

- A. Adopt the 2015-2019 Consolidated Plan and 2015-16 Annual Action Plan for submittal to the US Department of Housing and Urban Development (HUD); and
- B. Authorize the City Administrator to sign all necessary documents to submit the City's 2015-2019 Consolidated Plan and 2015-2016 Annual Action Plan to HUD.

**9. Subject: Capital Improvement Projects: Third Quarter Report For Fiscal Year 2015 (230.05)**

Recommendation: That Council receive the City's Capital Improvement Projects Third Quarter Report for Fiscal Year 2015.

**10. Subject: Acceptance Of Public Street Easement Deed For 3885 State Street (330.03)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Public Street Easement Over the Real Property Commonly Known as 3885 State Street for All Street Purposes.

## **NOTICES**

11. The City Clerk has on Thursday, April 30, 2015, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

**This concludes the Consent Calendar.**

## **REPORT FROM THE FINANCE COMMITTEE**

## **REPORT FROM THE ORDINANCE COMMITTEE**

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

### **ADMINISTRATIVE SERVICES DEPARTMENT**

**12. Subject: Report On Gender Representation On Boards And Commissions (140.02)**

Recommendation: That Council review the findings of a report from the County of Santa Barbara Commission for Women entitled, "A Countywide Snapshot of Gender Representation on Appointed Boards and Commissions".

### **PUBLIC WORKS DEPARTMENT**

**13. Subject: Contract To Provide A Work Plan For Desalination Subsurface Intake And Potable Reuse Feasibility Studies (540.10)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a Professional Services contract with Carollo Engineers, Inc., in the amount of \$312,659 to provide a Work Plan for Desalination Subsurface Intake and Potable Reuse Feasibility Studies, and approve expenditures of up to \$31,266 for extra services of Carollo Engineers, Inc., that may result from necessary changes in the scope of work, for a total contract phase amount of \$343,925; and
- B. Increase estimated revenues and appropriations in the Drought Fund in the amount of \$343,925 for a Desalination Subsurface Intake Work Plan and Potable Reuse Feasibility Studies funded from the transfer of Water Fund Reserves.

## **PUBLIC HEARINGS**

**14. Subject: Appeal Of Single Family Design Board Approval For Additions To A Residence At 1215 E. Cota Street (640.07)**

Recommendation: That Council deny the appeal of Trevor Martinson, agent for Roger Goldtrap, and uphold the Single Family Design Board decision to grant Project Design Approval for additions to an existing single-family residence.

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

## **RECESS**

## EVENING SESSION

### RECONVENE

### ROLL CALL

### PUBLIC COMMENT

### CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

#### PUBLIC WORKS DEPARTMENT

**15. Subject: Declaration Of Stage Three Drought Emergency And Adoption Of Stage Three Water Use Regulations And Development Restrictions (540.05)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring a Stage Three Drought Emergency and Establishing Water Use Regulations and Development Restrictions to Be Effective During a Stage Three Drought Emergency.

**16. Subject: Introduction Of Ordinance Amending Municipal Code Chapter 14.32 To Prohibit Private Water Well Construction On Properties Served By The City's Water System (540.10)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Chapter 14.32 to Prohibit Private Water Well Construction on Properties Served by the City's Water System.

### ADJOURNMENT

CITY OF SANTA BARBARA

**FINANCE COMMITTEE**

MEETING AGENDA

DATE: May 5, 2015

Dale Francisco, Chair

TIME: 12:30 P.M.

Bendy White

PLACE: David Gebhard Public Meeting Room  
630 Garden Street

Gregg Hart

Paul Casey  
City Administrator

Robert Samario  
Finance Director/  
Acting Assistant City Administrator

**ITEMS TO BE CONSIDERED:**

**1. Subject: Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 2016 And 2017**

Recommendation: That the Finance Committee hear a report from staff on the Recommended Budget for Fiscal Year 2016 regarding proposed changes to certain General Fund fees.

**2. Subject: \$275,000 Loan To The Turner Foundation For Rehabilitation Of 1502-1522 San Pascual (Lighthouse Apartments)**

Recommendation: That the Finance Committee consider and recommend to City Council approval of a \$275,000 Loan from the City's Socioeconomic Mitigation Program (SEMP) funds to the Turner Foundation to rehabilitate seven (7) low-income rental units at 1502-1522 San Pascual (Lighthouse Apartments).

**3. Subject: HOME Tenant Based Rental Assistance Grants**

Recommendation: That the Finance Committee recommend Council approval of two federal HOME Investment Partnership Program Tenant Based Rental Assistance Grants totaling \$385,000, including \$250,000 for the Housing Authority of the City of Santa Barbara as a Second Amendment to their 2012 Tenant Based Rental Assistance Subrecipient Grant Agreement #24,153, as amended, and \$135,000 for Casa Esperanza as a new grant agreement.



# CITY OF SANTA BARBARA

## FINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Finance Committee

**FROM:** Administration Division, Finance Department

**SUBJECT:** Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 2016 And 2017

### RECOMMENDATION:

That the Finance Committee hear a report from staff on the Recommended Budget for Fiscal Year 2016 regarding proposed changes to certain General Fund fees.

### DISCUSSION:

On Tuesday, April 21, 2015, the Proposed Two-Year Financial Plan for Fiscal Years 2016 and 2017 ("Proposed Plan") was submitted to Council. That day, Council heard an overview of the Proposed Plan and approved the Schedule of Council Budget Review Meetings and Public Hearings.

Earlier that day, the Finance Committee also approved its own budget review schedule, as well as the additional topics that it will review. The approved Finance Committee budget review schedule is attached to this report.

Consistent with the approved Finance Committee review schedule, today's meeting will cover the following topic:

1. General Fund departmental proposed fee changes

The next meeting for the Committee's budget review is scheduled on Tuesday, May 12, 2015, from 12:30 p.m. – 1:45 p.m. when the Committee will begin its review of proposed changes to fees for the Enterprise fund and consider requests from outside organizations.

**ATTACHMENT:** Approved Finance Committee Budget Review Schedule

**SUBMITTED BY:** Robert Samario, Finance Director/Acting Assistant City  
Administrator

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

**CITY OF SANTA BARBARA**  
**Finance Committee Review Schedule**  
**Two-Year Financial Plan for Fiscal Years 2016 and 2017**

Meeting Date and Time	Department
<b>Tuesday, April 21, 2015</b> 12:30 p.m. – 1:45 p.m.	<ul style="list-style-type: none"> <li>➤ Proposed Finance Committee Budget Review Schedule</li> </ul>
<b>Tuesday, April 28, 2015</b> 12:00 p.m. – 1:45 p.m.	<ul style="list-style-type: none"> <li>➤ General Fund non-departmental revenues and assumptions</li> <li>➤ General Fund Multi-Year Forecast</li> <li>➤ March 31, 2015 Investment Report &amp; Fiscal Agent Report (Non-Budget Item)</li> <li>➤ ARFF Discussion (Non-Budget Item)</li> </ul>
<b>Tuesday, May 5, 2015</b> 12:30 p.m. – 1:45 p.m.	<ul style="list-style-type: none"> <li>➤ General Fund departmental proposed fee changes</li> <li>➤ Rental Assistance Grants (Non-Budget Item)</li> <li>➤ Turner Foundation Loan (Non-Budget Item)</li> </ul>
<b>Tuesday, May 12, 2015</b> 12:30 p.m. – 1:45 p.m.	<ul style="list-style-type: none"> <li>➤ Enterprise fund proposed fee changes</li> <li>➤ Funding Requests from Community Organizations</li> </ul>
<b>Tuesday, May 19, 2015</b> 12:00 p.m. – 1:45 p.m.	<ul style="list-style-type: none"> <li>➤ Pension Update</li> <li>➤ Employee Mortgage Loan Assistance Program (EMLAP) Status</li> <li>➤ Follow-up on items requested by Finance Committee</li> <li>➤ Staff recommended adjustments, if any</li> <li>➤ Finance Committee decisions/ recommendations</li> <li>➤ FY15 Third Quarter Review (Non-Budget Item)</li> </ul>

Note: No Council meeting on May 26, 2015.



# CITY OF SANTA BARBARA

## FINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Finance Committee

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

**SUBJECT:** \$275,000 Loan To The Turner Foundation For Rehabilitation Of 1502-1522 San Pascual (Lighthouse Apartments)

### RECOMMENDATION:

That the Finance Committee consider and recommend to City Council approval of a \$275,000 Loan from the City's Socioeconomic Mitigation Program (SEMP) funds to the Turner Foundation to rehabilitate seven (7) low-income rental units at 1502-1522 San Pascual (Lighthouse Apartments).

### DISCUSSION:

#### Background

Since 2005, the Turner Foundation has been transforming one of Santa Barbara's Westside neighborhoods by providing safe and quality housing to underserved low-income families. The Turner Foundation's first project was Casa Perdido Apartments, a 70-unit affordable housing rental project currently known as The Village. In August 2014, they purchased the Lighthouse Apartments for \$12,500,000. The Lighthouse Apartments are adjacent to The Village at the corner of West Micheltorena and San Pascual. The two complexes share the same staff and provide a larger community that brings residents together to share services and programs.

#### Project Description

Built in 1972 with six (6) apartment buildings, the Lighthouse Apartments complex has a total of 45 affordable family units comprised of two (2) studio units (446 SF), nine (9) one-bedroom units (595 SF) and 34 two-bedroom units (884 SF). The Project is currently managed by Cochrane Property Management Inc.

The Turner Foundation is requesting a \$275,000 loan from the City to rehabilitate 7 units. The renovation includes one studio, four (4) one-bedroom and two (2) two-bedroom units, one of which will be improved to Section 504 Handicap Accessibility standards, including one designated handicap parking space. The renovations will be completed one unit at a time over a period of seven months. During a unit's

renovation, that unit's tenant will be temporarily relocated on site in a unit reserved for that purpose with no net cost to the tenant for temporary relocation. The Turner Foundation has adequate resources to complete a comparable level of renovation and rehabilitation of the other 38 units and make exterior improvements including a new playground and community center.

The requested loan will pay for improvements that fall into two major classes: energy/sustainability and basic code compliance. The cost is \$39,285.72 per unit. The estimated costs are as follows:

Lighting	\$12,949
Plumbing/Heaters	34,891
Painting/Flooring	97,100
Bathroom/Kitchen Renovation	51,735
Replace Windows/Doors	15,000
Relocation	10,000
Administration	5,000
Handicap Accessibility (1-unit)	10,000
Miscellaneous/Contingency	38,325
<u>Total:</u>	<u>\$275,000</u>

Project Financing

The Turner Foundation financed a portion of the acquisition cost of the Property with a new \$7,500,000 loan. Currently, the Owner is paying \$39,207 monthly on this loan. The City Loan will be in second lien position resulting in an estimated loan-to-value ("LTV") of 62.2% based on a property valuation of \$12.5 million.

First Trust Deed Loan (local bank)	7,500,000
City Loan	275,000
<u>Turner Foundation Equity</u>	<u>4,725,000</u>
<u>Total</u>	<u>\$ 12,500,000</u>

The \$275,000 City Loan would be secured by the Property and provide for monthly payments of \$1,159.41 based upon a 3% interest rate and a 30 year term.

Long-term Affordability

An Affordability Control Covenant Imposed on Real Property will be recorded concurrently with the City loan and require that the seven (7) rehabilitated units remain affordable to low-income residents until the year 2105 (90 years). The rents on the seven (7) City-Assisted Units will be no greater than 30% of the tenant's gross monthly household income.

Closing Summary

This loan request is an opportunity to partner with the Turner Foundation whose mission "is to provide safe, affordable housing, as well as programs and services that will improve the quality of life for the residents and the surrounding community." Staff

supports the proposed loan and requests that the Finance Committee recommend that City Council approve the \$275,000 City loan to the Turner Foundation. The City-supported rehabilitation work with the Turner Foundation funded rehabilitation will extend the useful life of the project and will insure that seven (7) units remain affordable to low-income residents for 90 years.

**BUDGET/FINANCIAL INFORMATION:**

Socioeconomic Mitigation Program (SEMP) funds will be used to fund the proposed \$275,000 loan. In the 1970s, the City received SEMP Funds from the major oil companies to help mitigate the impact on low- and moderate-income housing supply created by an influx of South Coast oil extraction operations employees. The City has been receiving repayments on loans made with these funds. After the commitment of \$275,000 to this project, the SEMP account will have a balance of approximately \$500,000 to commit to future housing projects.

**PREPARED BY:** David Rowell, Housing Project Planner/SG/DR

**SUBMITTED BY:** George Buell, Community Development Director

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



# CITY OF SANTA BARBARA

## FINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Finance Committee

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

**SUBJECT:** HOME Tenant Based Rental Assistance Grants

### RECOMMENDATION:

That the Finance Committee recommend Council approval of two federal HOME Investment Partnership Program Tenant Based Rental Assistance Grants totaling \$385,000, including \$250,000 for the Housing Authority of the City of Santa Barbara as a Second Amendment to their 2012 Tenant Based Rental Assistance Subrecipient Grant Agreement #24,153, as amended, and \$135,000 for Casa Esperanza as a new grant agreement.

### DISCUSSION:

#### Background

In Fiscal Year 2012, the City provided the Housing Authority with a \$300,000 HOME Tenant Based Rental Assistance (TBRA) grant to provide long-term (up to 24 months) rental assistance to homeless persons while they are on the Section 8 Program waiting list. In June 2014, Council approved allocating an additional \$50,000 to this TBRA grant, and extended the term to 2017. To date, under this HOME TBRA grant, the HASB has assisted fifty-one (51) people. Of these, twenty-three (23) have converted to Section 8. Those converted to Section 8 meet with HASB staff on an annual basis and they also have access to additional support through the Housing Authority's Supportive Services program.

The City also provided Casa Esperanza a \$135,000 TBRA grant in Fiscal Year 2012 to provide short-term rental assistance. During the two-year grant period, Casa Esperanza made one-time payments to landlords covering security deposits and/or first-month's rent to assist 122 homeless persons. Casa Esperanza staff was able to contact 32 of the assisted clients, of which 27 were still housed. They were not able to contact 90 clients. Many of the clientele have inconsistent access to internet (email) and cell phones (many have disposable phones with pre-paid minutes). It should be noted that the 2012 grant agreement did not include a requirement for Casa Esperanza to collect statistics

regarding housing retention. The requested grant agreement will require that quarterly housing retention reports be submitted to the City.

#### Overview of Proposed Programs

The two proposed rental assistance grants would facilitate rental housing assistance to homeless persons or to those at imminent risk of homelessness. TBRA participants must be very low income persons, with incomes at no more than 50 percent of Area Median Income – an amount determined annually by the federal Department of Housing and Urban Development (HUD). Currently, the maximum annual income limit would be \$28,100 for a single-person household. Program administrators assist participants to find suitable apartments, inspect the apartments to ensure that they are decent and appropriately sized, and determine a reasonable amount for the rent in conjunction with the landlord. Participants contribute 30 percent of their income toward rent, and HOME funds make up the difference, with payments going directly to the landlord.

The proposed programs would conform to guidelines established by HUD for running TBRA programs and are based on local housing needs and priorities established in the Consolidated Plan/Annual Action Plan. Each program is described separately below.

#### Housing Authority – TBRA Section 8 Type of Assistance

The TBRA support provided is nearly identical to Section 8 assistance in that participants receive a rental subsidy that they use to rent an apartment that meets specified requirements.

The funds requested will provide rental assistance for up to two (2) years to 15-18 TBRA participants -- those experiencing homelessness including those with a need for intensive wraparound services. The number of assisted persons will depend on actual figures for individual participant's income, rent, and how long rental assistance is needed. Although HOME TBRA grant funds may not be utilized for case management, these services are provided to TBRA clients by the HASB through their Supportive Services program. HASB recognizes the important connection between case management services and successful housing placements.

The proposed TBRA program is designed to be of limited duration. The Housing Authority expects to move participants from the TBRA program to Section 8, or one of the Housing Authority's other programs, or in the best scenario, off housing assistance completely should circumstances like employment and increased income result from self-sufficiency efforts.

#### Casa Esperanza TBRA – Rapid Re-housing / Imminent Risk

Under the 2012 TBRA grant, Casa Esperanza provided one-time assistance to 122 homeless persons. The requested grant would be used to provide rental assistance to very low income homeless persons and/or persons at imminent risk of becoming homeless. Assistance will be in the form of one-time direct payments to landlords of security deposit and/or first month's rent. After the first month, the assistance ends, and

the person would be responsible for paying 100% of the rent thereafter. Casa Esperanza estimates that 125 assisted households would be served over a two-year period with the proposed grant. Case management will be funded through private fund raising sources.

The program would be targeted to homeless persons who have recently secured a steady income stream, such as from a job or SSI benefits. The clients have the ability to pay rent, however they lack the funds needed upfront to move into an apartment. Casa Esperanza reports that without such assistance, persons in this situation generally take three to four months to raise the necessary funds. The proposed grant would get these people housed immediately and off the street or out of the homeless shelter.

#### Budget/Financial Information

There are sufficient existing appropriations in the HOME Fund to cover the proposed grant awards. No additional appropriations are needed. The City must commit \$342,438 before the end of the City's fiscal year, in accordance with HUD regulations. The proposed grant awards will satisfy this commitment deadline.

**PREPARED BY:** Deirdre Randolph, Community Development Programs  
Supervisor/SG

**SUBMITTED BY:** George Buell, Community Development Director

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

CITY OF SANTA BARBARA

**ORDINANCE COMMITTEE MEETING**

MEETING AGENDA

DATE: May 5, 2015  
TIME: 12:30 p.m.  
PLACE: Council Chambers

Randy Rowse, Chair  
Frank Hotchkiss  
Cathy Murillo

Office of the City  
Administrator

Office of the City  
Attorney

Kate Whan  
Administrative Analyst

Ariel Pierre Calonne  
City Attorney

**ITEMS FOR CONSIDERATION**

**1. Subject: Ordinance For Prohibition Of Unauthorized Traffic Signs**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.12 of the Municipal Code by Amending Section 10.12.170, Displaying of Unauthorized Signs Prohibited – Nuisance.

**2. Subject: Ordinance Establishing Bus Stop Zones**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.090, Bus Zones to be Established.

**3. Subject: Ordinance For Curb Marking For Parking Regulations**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.040, Curb Markings to Indicate Parking Regulations – Authority of the Transportation Engineer.

**4. Subject: Proposal To Change The System For Assignment Of Mooring Permits In The East Beach Mooring Area From A Lottery System To A First-Come, First-Serve System**

Recommendation: That the Ordinance Committee forward to Council for introduction an Ordinance of the Council of the City of Santa Barbara Amending Section 17.20.255 C of the Santa Barbara Municipal Code to change the system for assignment of mooring permits in the East Beach Mooring Area from a lottery system to a first-come, first-serve system.



# CITY OF SANTA BARBARA

## ORDINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Ordinance Committee

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

**SUBJECT:** Ordinance For Prohibition Of Unauthorized Traffic Signs

### RECOMMENDATION:

That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.12 of the Municipal Code by Amending Section 10.12.170, Displaying of Unauthorized Signs Prohibited – Nuisance.

### DISCUSSION:

Section 10.12.170 of the Santa Barbara Municipal Code (SBMC) prohibits the display of certain unauthorized (nuisance) traffic signs. Those certain signs include official warning or directional signs or signals intended to direct *the movement of traffic or acts of operators*. Recently, however, the display of parking control signs from private property for the purpose of regulating *parking* in the public right of way is becoming more common (Attachment 1). As such, staff is recommending that the current ordinance be amended to include a prohibition for the display of signs attempting to regulate parking within the public right of way.

Additionally, as presently codified under Section 10.12.170 of the SBMC, the City's ability to remedy the display of unauthorized (nuisance) traffic signs is limited to authorizing the Chief of Police to remove, or cause to be removed, the offending sign. Staff recommends amending the existing section to include the City's ability to address nuisance sign violations with administrative citations, rather than by Police action, when appropriate. Signs that create a traffic hazard could be dealt with immediately by the Police Department, but signs that do not create an immediate traffic hazard, like parking signs, could be more appropriately dealt with by the Public Works Department through administrative citations.

**ATTACHMENTS:**

1. Example of Unauthorized (Nuisance) Parking Sign
2. Ordinance Amending Chapter 10.12 of the Municipal Code

**PREPARED BY:** Derrick Bailey, Supervising Transportation Engineer/mj

**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director

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

Typical Parking Sign on Private Property Facing Street  
Example of Unauthorized (Nuisance) Parking Sign



ORDINANCE COMMITTEE DISCUSSION DRAFT 05/05/15  
SHOWING CHANGES FROM CURRENT CODE  
NEW PROVISIONS SHOWN IN UNDERLINE  
DELETIONS SHOWN IN ~~STRIKETHROUGH~~

AN ORDINANCE OF THE COUNCIL OF THE  
CITY OF SANTA BARBARA AMENDING  
CHAPTER 10.12 OF THE MUNICIPAL CODE  
BY AMENDING SECTION 10.12.170,  
DISPLAYING OF UNAUTHORIZED SIGNS  
PROHIBITED – NUISANCE

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

SECTION 1. Section 10.12.170 of the Santa Barbara Municipal Code is amended to  
read as follows:

**10.12.170 Displaying of Unauthorized Signs Prohibited - Nuisance.**

It shall be unlawful for any person to place or maintain or display any device, other than an official warning or directional sign, or sign erected under competent authority, upon or in view of a street, which purports to be or is an imitation of or resembles an official warning or directional sign or signal or which attempts to direct or regulate movement of traffic, parking, or the acts of operators. Any such device shall be a public nuisance and subject to penalty under Chapter 1.25 and 1.28 of the Santa Barbara Municipal Code, and the ~~the~~ The Chief of Police may remove it or cause it to be removed any display, sign, or device deemed to be an immediate traffic hazard without notice. (Ord. 2713 §1(part), 1959; prior Code §31.34.)



# CITY OF SANTA BARBARA

## ORDINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Ordinance Committee

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

**SUBJECT:** Ordinance Establishing Bus Stop Zones

### RECOMMENDATION:

That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.090, Bus Zones to be Established.

### DISCUSSION:

Section 10.48.090 of the Santa Barbara Municipal Code (SBMC) authorizes the Transportation Engineer to establish bus loading zones and bus layover zones for the purpose of parking standby buses.

#### *Use of Bus Stops by Buses Other Than MTD*

Based on the definition of a bus under the California Vehicle Code (CVC) and the existing SBMC ordinance, any vehicle defined as a bus may use bus stops in the City of Santa Barbara. Buses are defined by the CVC as vehicles designed for and used for carrying 15 or more passengers. SBMC Section 10.48.090, as presently enacted, does not specify the type of bus that may use the bus stops and layover zones. When buses other than the Metropolitan Transit District (MTD) use the bus stops and layover zones, it impacts the ability of MTD buses to load and unload passengers in a safe and timely manner. Staff recommends that the SBMC be amended to clarify that bus stop zones have been established for use by MTD.

#### *Establishing of Tour Bus Loading Zones*

If the SBMC is amended to clarify that bus stop zones have been established for use by MTD as recommended by staff, then separate authority will be needed to establish tour bus loading zones, so that visitors may be safely loaded and unloaded from designated areas near local attractions. Staff recommends that the SBMC be amended to grant the Transportation Engineer the authority to establish tour bus loading zones.

*Use of MTD Bus Stops by Other Buses*

At certain bus stops, other buses, such as tour buses or charter buses may desire to use bus stops that are intended for MTD. Allowing these other buses to utilize MTD bus stops is an efficient use of curb space, as long as MTD operations are not negatively impacted. Staff also recommends that Council grant the Public Works Director the authority to issue permits for other buses to use bus stop zones, if a determination is made that such use will not negatively impact MTD's ability to safely and timely unload passengers.

**ATTACHMENTS:**      1. Ordinance Amending Chapter 10.48 of the Municipal Code  
                                 2. Letter from Jerry Estrada, MTD General Manager, dated  
                                 March 11, 2015

**PREPARED BY:**      Derrick Bailey, Supervising Transportation Engineer/mj

**SUBMITTED BY:**    Rebecca J. Bjork, Public Works Director

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

ORDINANCE COMMITTEE DISCUSSION DRAFT 05/05/15  
SHOWING CHANGES FROM CURRENT CODE  
NEW PROVISIONS SHOWN IN UNDERLINE  
DELETIONS SHOWN IN ~~STRIKEOUT TEXT~~

AN ORDINANCE OF THE COUNCIL OF THE  
CITY OF SANTA BARBARA AMENDING  
CHAPTER 10.48 OF THE MUNICIPAL CODE  
BY AMENDING SECTION 10.48.090, BUS  
ZONES TO BE ESTABLISHED

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

SECTION 1. Section 10.48.090 of the Santa Barbara Municipal Code is amended to  
read as follows:

10.48.090 Bus Zones to be Established.

A. Transportation Engineer. The Transportation Engineer is authorized to establish bus loading zones adjacent to the curb for the purpose of loading and unloading of buses and bus layover zones for the purpose of parking standby buses. The Transportation Engineer is further authorized to determine the location and dimensions of such zones.

B. Definition. ~~The word "bus" as used in this section means any motor bus, motor coach, trackless trolley coach, or passenger stage used as a common carrier of passengers.~~ The word "bus" as used in this section means a vehicle operated by the Metropolitan Transit District. The words "tour bus" means a bus defined as a tour bus by the California Vehicle Code.

C. Dimensions. No bus loading zone shall exceed sixty feet (60') in length except that when satisfactory evidence has been presented to the Transportation Engineer showing the necessity ~~therefor~~ therefore, ~~the Transportation Engineer may extend bus loading zones not to exceed a total length of one hundred sixty feet (160')~~.

D. Bus Loading Zone - Marking. Bus loading zones shall be marked to indicate that they have been so designated. The Transportation Engineer shall approve the method of marking such zones with a sign or a red curb with letters stenciled in white.

E. Bus Layover Zones - Marking. The Transportation Engineer shall mark bus layover zones by a sign which gives notice that stopping, standing or parking of vehicles is not permitted except for buses.

F. Prohibition. No person shall stop, stand or park any vehicle except a bus in a bus loading zone or bus layover zone.

G. School Bus Zones. Notwithstanding the other provisions in this section, the Transportation Engineer may designate certain bus loading zones as "school bus zones" and further designate certain hours of the day on certain days of the week during which no person shall stop, stand, or park any vehicle except a school bus in said zone. Said restrictions shall be posted on a sign in a manner easily visible to motorists. At all other times, persons may stop, stand, or park any vehicle in said zone. (Ord. 4080, 1980; Ord. 3688, 1974.)

H. Tour Bus Loading Zones. Notwithstanding the other provisions in this section, the Transportation Engineer may designate certain curb areas as "tour bus loading zones" for the parking or loading and unloading of passengers, and further designate time limits and certain hours of the day on certain days of the week during which no person shall stop, stand, or park any vehicle except a tour bus in said zone. Said restrictions shall be posted on a sign in a manner easily visible to motorists. At all other times, persons may stop, stand, or park any vehicle in said zone.

I. Permits to Use Bus Loading and Layover Zones. The Public Works Director is authorized to issue permits for the use of bus loading and layover zones for the purposes for active loading and unloading of passengers to buses other than those operated by the Metropolitan Transit District. The permit applicant must demonstrate that it will not impede operations of the Metropolitan Transit District's use of the bus loading or layover zones.

J. Revocation of Bus Loading and Layover Zone Permit. If it is determined by the Public Works Director that a permittee's use of a bus loading zone or bus layover is negatively impacting the Metropolitan Transit District's ability to safely and timely unload passengers, the Public Works Director will cause to be sent a written Notice of Intent to Revoke to the permittee via certified mail. A permittee may request reconsideration of the Notice of Intent to Revoke in writing to the Public Works Director within ten (10) business days of the date of the Notice of Intent to Revoke. The request for reconsideration shall set forth all relevant evidence showing that the permittee's use of the bus loading or layover zone does not negatively impact the Metropolitan Transit District's ability to safely and timely unload passengers. The Public Works Director, or his or her designee, shall issue a written Notice of Decision within ten (10) business days of the date of the request for reconsideration. The Notice of Decision shall be sent to the permittee via certified mail and will be deemed final and effective as of the date of the Notice of Decision. Appeal of the Notice of Decision may be brought pursuant to Santa Barbara Municipal Code Chapter 1.30. If a request for reconsideration is not received within ten (10) days of the date of the Notice of Intent to Revoke, the permit shall be deemed revoked on the eleventh day following the date of the Notice of Intent to Revoke.

CITY OF SANTA BARBARA

March 11, 2015

MAR 24 2015

ENGINEERING

Derrick Bailey  
Public Works Department  
City of Santa Barbara  
630 Garden Street  
Santa Barbara, CA 93101

Dear Mr. Bailey:

Thank you for the opportunity to coordinate on amending the City bus stop ordinance. MTD is supportive and appreciative of the ordinance to ensure MTD buses can load and unload passengers at bus stops designated for MTD use. MTD looks forward to working with the City Transportation Engineer when it is deemed necessary to allow other buses public or private in using such stops. Please do not hesitate to contact me at (805) 963-3364 if you have any questions or concerns.

Sincerely,



Jerry Estrada  
General Manager



# CITY OF SANTA BARBARA

## ORDINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Ordinance Committee

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

**SUBJECT:** Ordinance For Curb Marking For Parking Regulations

### RECOMMENDATION:

That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Amending Section 10.48.040, Curb Markings to Indicate Parking Regulations – Authority of the Transportation Engineer.

### DISCUSSION:

Section 10.48.040 of the Santa Barbara Municipal Code (SBMC) authorizes the Transportation Engineer to regulate street parking by use of colored curb markings. Within this section of the SBMC, the meaning of different colored curbs is established. Currently:

- Red indicates no stopping or standing, except at bus stops.
- Yellow means loading zone between 7 a.m. and 6 p.m., Monday through Saturday.
- White indicates passenger loading only, at all times, unless otherwise indicated by curb markings or posted sign.
- Green indicates 15-minute parking, 9 a.m. to 6 p.m., Monday through Saturday.

The purpose of the proposed amendment is to provide flexibility during the time-of-day limits that currently exist in the SBMC for green (15-minute) and yellow (loading) zones. Occasionally, there is a need for a green (15-minute) or yellow (loading) zone during times of the day that do not presently match the times established in SBMC.

If this ordinance amendment is approved, the Transportation Engineer will have greater flexibility to establish green or yellow zones with alternate time-of-day limits through the combination of curb colors and signage, in order to better meet the community's needs. Further, by allowing the use of signs in combination with curb colors, parking zones can

be more clearly marked, and drivers are less likely to mistakenly park in a time-limited parking or loading zone.

White zones currently have flexible time limits per the SBMC, so the changes are only recommended for green and yellow zones.

**ATTACHMENT:** Ordinance Amending Chapter 10.48 of the Municipal Code

**PREPARED BY:** Derrick Bailey, Supervising Transportation Engineer/mj

**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director

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

ORDINANCE COMMITTEE DISCUSSION DRAFT 05/05/15  
SHOWING CHANGES FROM CURRENT CODE  
NEW PROVISIONS SHOWN IN UNDERLINE

AN ORDINANCE OF THE COUNCIL OF THE  
CITY OF SANTA BARBARA AMENDING  
CHAPTER 10.48 OF THE MUNICIPAL CODE  
BY AMENDING SECTION 10.48.040, CURB  
MARKINGS TO INDICATE PARKING  
REGULATIONS – AUTHORITY OF THE  
TRANSPORTATION ENGINEER

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

SECTION 1. Chapter 10.48 of the Santa Barbara Municipal Code is revised to read as  
follows:

10.48.040 Curb Markings to Indicate Parking Regulations - Authority of  
Transportation Engineer.

A. The Transportation Engineer is authorized subject to the provisions and  
limitations of this title, to place, and when required shall place, the following curb  
markings to indicate parking or standing regulations, and the curb markings shall have  
the meanings as herein set forth:

1. Red means no stopping, standing or parking at any time except as  
permitted by the Vehicle Code, and except that a bus may stop in a red zone  
marked or signed as a bus loading zone.

2. Yellow means no stopping, standing or parking at any time between seven  
a.m. (7:00 a.m.) and six p.m. (6:00 p.m.) of any day except Sunday, unless otherwise  
indicated by posted signage, for any purpose other than the loading or unloading of  
passengers or freight, providing that the loading or unloading of passengers or the  
loading or unloading of freight shall not extend beyond the time necessary therefore  
and in no event exceed the time limits as follows:

a. Commercial vehicles, stopping, standing or parking in any yellow zone  
for the purpose of loading and unloading freight shall be limited to thirty (30)  
minutes, and during such time no person shall leave any such commercial vehicle  
unattended for longer than ten (10) minutes.

b. Noncommercial vehicles stopping, standing or parking in any yellow zone  
shall be limited to three (3) minutes, and during such time no person shall  
leave any such vehicle unattended.

c. For the purposes of this Section 10.48.040(A)(2), "Freight" is defined as goods ordinarily transported by common carrier.

3. White means no stopping, standing or parking for any purpose other than loading or unloading of passengers which shall not exceed three (3) minutes, or the depositing of mail or books in an adjacent designated container. Such restrictions shall apply twenty-four hours a day, seven days a week, unless otherwise indicated by curb markings or posted signs.

4. Green means no standing or parking for longer than fifteen (15) minutes at any time between nine a.m. (9:00 a.m.) and six p.m. (6:00 p.m.) of any day except Sunday, unless otherwise indicated by posted signage.

5. Blue means no stopping, standing or parking at any time except for those physically handicapped persons whose vehicles display a distinguishing license plate or placard issued to disabled persons pursuant to the Vehicle Code.

B. When the Transportation Engineer as authorized under this chapter has caused curb markings to be placed, no person shall stop, stand or park a vehicle adjacent to any such legible curb marking in violation of any of the provisions of this section.

C. Any person parking adjacent to blue curb markings without displaying a distinguishing license plate or placard issued to disabled persons pursuant to the Vehicle Code shall be punished by a fine of not less than twenty-five dollars (\$25.00). (Ord. 5353, 2005; Ord. 4842, 1993; Ord. 4080, 1980; Ord. 3913, 1977; Ord. 3483, 1971; Ord. 3465, 1971; Ord. 2713 §1(part), 1959; prior Code §31.83.)



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Ordinance Committee

**FROM:** Operations Division, Waterfront Department

**SUBJECT:** Proposal To Change The System For Assignment Of Mooring Permits In The East Beach Mooring Area From A Lottery System To A First-Come, First-Serve System

### **RECOMMENDATION:**

That the Ordinance Committee forward to Council for introduction an Ordinance of the Council of the City of Santa Barbara Amending Section 17.20.255 C of the Santa Barbara Municipal Code to change the system for assignment of mooring permits in the East Beach Mooring Area from a lottery system to a first-come, first-serve system.

### **BACKGROUND:**

Established in 2006, the Permitted Mooring Area east of Stearns Wharf includes 44 mooring sites. Moorings are owned by individual permittees and inspected annually by City-approved inspectors. Deployment and inspection costs are borne by the permittees, who also pay annual permit renewal fees of \$250 apiece.

City Council Resolution No. 12-014 states that any time the number of Mooring Area permittees declines to 30 or fewer, the Waterfront Department may undertake a lottery to fill vacant mooring sites. The Department has conducted five lotteries (2006, 2007, 2010, 2011 and 2013) to assign vessels to vacant mooring sites. The current number of active mooring permits is 22, and 22 permits remain available and unassigned.

### **DISCUSSION:**

In recent years, mooring lotteries have attracted much attention but little follow-through, or "prove-ups," which involve establishing a mooring and placing a boat on it. Contributing to the lack of prove-ups has been the cost (\$5,000 for a complete mooring setup), plus rigorous requirements of the program, such as yearly inspections by City-approved mooring inspectors.

The last three lotteries attracted 122 participants, but resulted in only 12 prove-ups. This 10% prove-up rate is far below the level at which the Mooring Program should operate.

Lottery	Participants	Prove ups
March 2010	21	5
March 2011	45	3
March 2013	56	4

Meanwhile, staff occasionally receives unsolicited requests from individuals wanting to participate in the Program, but owing to provisions set forth in Resolution 12-014, staff cannot act on those requests, as they are not tied to the Council-required lottery process. Staff believes the time has come to eliminate mooring lotteries and switch to a first-come, first-serve approach for issuing mooring permits. The attached draft Resolution reflects this change, and could expedite the issuances of several mooring permits by summer, 2015. Minor amendments to MC 17.20.255 also reflect this administrative change.

## **CONCLUSION**

Eliminating mooring lotteries and moving to a first-come, first serve system for issuing Mooring Permits would help select serious applicants willing to invest non-refundable money in the Mooring Program. It would also enhance staff's ability to issue permits, save money spent on advertising and communication with prospective permittees and save staff time spent administering lotteries and following through on permit offers.

- ATTACHMENT(S):**
1. Ordinance Amending Chapter 17.20.255 C of the Municipal Code
  2. City Council Resolution 12-014
  3. Drawing—East Beach Mooring Area as currently occupied

**PREPARED BY:** Mick Kronman, Harbor Operations Manager

**SUBMITTED BY:** Scott Riedman, Waterfront Director

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

STAFF DRAFT \_\_\_\_\_ SHOWING  
CHANGE FROM CURRENT CODE

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

AN ORDINANCE OF THE COUNCIL OF THE  
CITY OF SANTA BARBARA AMENDING THE  
MUNICIPAL CODE BY AMENDING SECTION  
17.20.255 C OF CHAPTER 17.20 OF TITLE  
17 PERTAINING TO THE SANTA BARBARA  
MOORING AREA IN THE WATERFRONT.

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

SECTION 1. Section 17.20.255 C of Chapter 17.20 of Title 17 of the Santa Barbara  
Municipal Code is amended to read as follows:

**17.20.255 Santa Barbara Mooring Area.**

**C. SANTA BARBARA MOORING AREA USE AND REGULATIONS.**

1. **Use of Mooring Sites.** The Santa Barbara Mooring Area is divided  
into separate designated Mooring Sites. Mooring Sites shall be used only for the  
Mooring of Operable vessels and Dinghies by vessel owners who have been issued a  
Mooring Permit by the Waterfront Director. Mooring Sites shall not be used for  
commercial purposes without the express permission of the Waterfront Director.  
Mooring Permittees shall at all times use the Mooring Site in compliance with the  
Mooring Permit, Minimum Ground Tackle Specifications, this Chapter, and all local,  
state and federal rules. Failure to comply with all rules and regulations shall be cause  
for termination of a Mooring Permit.

**2. Mooring Permit Administration.**

STAFF DRAFT \_\_\_\_\_ SHOWING  
CHANGE FROM CURRENT CODE

a. Mooring Permits may be issued by the Waterfront Director in accordance with the ~~Procedures for Conducting Lotteries for the Assignment and Issuance of Mooring Permits~~ Mooring Permit Rules and Regulations adopted by Resolution of the City Council of the City of Santa Barbara.

b. Special Activity Mooring Permits may be issued by the Waterfront Director.

c. Mooring Permit, Term. A Mooring Permit shall be issued for a period of one year and may be renewed annually thereafter by the Waterfront Director.

d. A Mooring Permittee shall hold no more than one permit. No person shall at any time be issued or hold more than one Mooring Permit.

e. Slip Permittees Not Eligible for Mooring Permits. Slip Permittees in Santa Barbara Harbor are not eligible for assignment of Mooring Permits in the Santa Barbara Mooring Area, and Mooring Permittees in Santa Barbara Mooring Area are not eligible for Slip Permits in Santa Barbara Harbor either through assignment or transfer, unless one of the permits is relinquished prior to issuance of the other permit.

f. Transfer of Permit. Mooring Permits are not transferable or inheritable.

g. Rental of Mooring Sites Prohibited. It shall be unlawful for any person issued a Mooring Permit to rent or lease (whether or not for compensation paid or other value), sublease or loan a Mooring Site to any other person or entity.

**3. Termination of Mooring Permit.** Mooring Permits may be terminated either by the Waterfront Director or the Mooring Permittee as provided in the Mooring Permit Rules and Regulations. Upon termination of the Mooring Permit, the vessel and Mooring shall be removed from the Santa Barbara Mooring Area in accordance with the Mooring Permit Rules and Regulations.

**4. Failure to Timely Remove a Vessel or Mooring from the Santa Barbara Mooring Area.** If the Mooring is not removed within the time provided for such removal in the Mooring Permit Rules and Regulations, title to the Mooring shall vest in the City. The City may, thereafter, remove and sell or dispose of the Mooring and recover the removal, storage or disposal costs from the Mooring Permittee. If the Mooring Permittee fails to pay such cost, the Waterfront Director may collect such costs in any court of competent jurisdiction or may recover any costs from the proceeds of sale of the Mooring. Vessels not removed from the Mooring Site within the time provided in the Mooring Permit Rules and Regulations shall be impounded by the City and subject to storage fees, disposal or lien sale proceedings as provided by law.

**5. Appeal of Mooring Permit Termination.** If the Waterfront Director terminates a Mooring Permit, the mooring permittee may request a waiver of the termination from the Waterfront Director. To request a waiver, the mooring permittee

STAFF DRAFT \_\_\_\_\_ SHOWING  
CHANGE FROM CURRENT CODE

must file a written request setting forth the grounds upon which the waiver is requested with the Waterfront Director within ten (10) days of the date of termination under Section D 1 or D 2 of the Rules and Regulations of Mooring Permits. If the Waterfront Director denies the waiver, the Mooring permittee may appeal the Waterfront Director's decision to the Harbor Commission. The appeal shall be filed in writing with the City Clerk within ten (10) days of the date of the Waterfront Director's decision on the waiver. The Harbor Commission's decision on the appeal shall be final. If no waiver request is filed, the mooring permittee may appeal the termination to the Harbor Commission. The mooring permittee shall file a written appeal setting forth the grounds upon which the appeal is based with the City Clerk within ten (10) days of the date of termination under Section D 1 or D 2 of the Rules and Regulations of Mooring Permits.

RESOLUTION NO. ~~12-014~~

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ESTABLISHING RULES AND REGULATIONS FOR ISSUING MOORING PERMITS IN THE CITY OF SANTA BARBARA MOORING AREA, AND SETTING MINIMUM SPECIFICATIONS FOR INSTALLING, INSPECTING AND REPAIRING SUCH MOORINGS; AND REPEALING RESOLUTION NO. ~~09-075~~12-014

WHEREAS, the Santa Barbara Mooring Area is established in Santa Barbara Municipal Code Chapter 17.20;

WHEREAS, the Santa Barbara Mooring Area, as established in Santa Barbara Municipal Code Chapter 17.20, requires that all vessels moored within the area possess mooring permits;

WHEREAS, the rules and regulations for Mooring Permits issued for Mooring Sites within the Santa Barbara Mooring Area are set forth herein;

WHEREAS, pursuant to SBMC Chapter 17.20 mooring permits for available Mooring Sites within the Santa Barbara Mooring Area are issued by the Waterfront Department ~~pursuant to a lottery process on a first-come, first-served basis~~;

WHEREAS, the City procedure for ~~conducting the mooring lotteries and~~ assigning Mooring Permits ~~are is~~ set forth herein;

WHEREAS, in order to implement the Santa Barbara Mooring Area, procedures and policies which include the intent to protect the natural environment of the Mooring Area and assets of the City and to ensure safe navigation, minimum Ground Tackle Specifications are appropriate;

WHEREAS, the issuance and renewal of Mooring permits to individuals for Moorings in the Santa Barbara Mooring Area requires the adherence to rules and regulations for installing, inspecting and repairing Moorings in the Santa Barbara Mooring Area;

WHEREAS, SBMC Section 17.20.255 of the Santa Barbara Municipal Code describes requirements for installation, inspection and repair of Moorings in the Santa Barbara Mooring Area;

WHEREAS, SBMC Section 17.20.255 declares that the installation, inspection, and repair of Moorings in the Santa Barbara Mooring Area shall be conducted only by contractors on the City Approved Mooring Inspectors List; and

WHEREAS, the Waterfront Director may, from time to time, amend the list of City Approved Mooring Inspectors to facilitate fair, orderly and equitable administration of the Santa Barbara Mooring Area.

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

SECTION 1. Establishing Rules and Regulations for Mooring Permits in the Santa Barbara Mooring Area.

~~A. LOTTERY FOR THE OFFER OF MOORING PERMITS IN THE SANTA BARBARA MOORING AREA~~

~~Mooring Permits in the Santa Barbara Mooring Area shall be allocated to applicants by lottery according to rankings created pursuant to the following procedures. Mooring Permits (except for Special Activity Mooring Permits issued by the Waterfront Director) in the Santa Barbara Mooring Area shall be offered for assignment as established herein. The Waterfront Director shall assign Mooring Sites to ranked Lottery applicants, taking into consideration size and type (power or sail) of the vessel, as well as any other information or vessel specifications pertinent to the assignment and the overall orderliness and safety of the Santa Barbara Mooring Area.~~

- ~~1. Lottery Participation Request. To participate in a lottery for assignment of a Mooring Permit in the Santa Barbara Mooring Area, an applicant must submit a completed Lottery Participation Request form to the Waterfront Department. Lottery Participation Request forms shall be submitted to and received by the Waterfront Department within a designated time period that shall conclude no later than two (2) weeks prior to the Harbor Commission hearing scheduled for the lottery drawing. The opening date and duration of the time period for submission of Lottery Participation Requests to the Waterfront Department shall be publicly noticed and shall be posted at the Waterfront Department. During this time period, Lottery Participation Request forms may be obtained from the Waterfront Department during normal business hours. An individual may submit only one Lottery Participation Request. At the conclusion of the time period for accepting Lottery Participation Requests, the Waterfront Department shall place all completed Lottery Participation Requests in a sealed folder ("Request Folder").~~
- ~~2. Lottery Formation. A lottery shall be conducted by a drawing of Lottery Participation Requests from the Request Folder by the Harbor Commission Chair during a scheduled public hearing. At the hearing, the Harbor Commission Chair shall draw, by lot, and rank all Lottery Participation Requests for the purpose of assigning Mooring Sites in the Santa Barbara Mooring Area.~~
- ~~3. Lottery Ranking. The Commission Chair shall rank the Lottery Participation Requests according to the order in which each Lottery Participation Request is drawn from the Request Folder. The first applicant whose Lottery Participation~~

~~Request is drawn from the Request Folder shall be ranked number one. The second applicant whose Lottery Participation Request is drawn from the Request Folder shall be ranked number two and so on until all Lottery Participation Requests are ranked. The Waterfront Director shall mail to each participant a notice of each participant's ranking and a description of the number and size of available Mooring Sites intended for assignment from that lottery.~~

- ~~4. Application. The Waterfront Director shall mail a Mooring Permit Application and a copy of the Minimum Ground Tackle Specifications to prospective Mooring Permittees whose lottery ranking corresponds to assignment opportunities in the Santa Barbara Mooring Area. The Mooring Permit Application shall be returned to the Waterfront Department within fourteen (14) days of the date that the Waterfront Director mails notification of Mooring Site availability. A complete application for a Mooring Permit shall contain, in addition to other information as may be requested by the Waterfront Department, a non-refundable fifty dollar (\$50) Application Fee, general description of the size and type of vessel proposed to occupy a Mooring Site in the Santa Barbara Mooring Area. Should an applicant fail to timely submit a completed application or fail to perform obligations necessary to secure an approved Mooring Permit, the next highest ranking Lottery Participant shall be mailed notice of an offer for Mooring Site assignment. This process shall continue until available Mooring Permits are assigned and approved by the Waterfront Director, or all Lottery Participation Requests from that lottery have been exhausted. Should the number of Lottery Participation Requests exceed the number of Mooring Permits assigned, the excess Lottery Participation Requests not offered assignment shall be discarded.~~
- ~~5. Timing of Lotteries. Anytime the total number of Mooring Permits assigned in the Santa Barbara Mooring Area declines to thirty (30) or fewer, a lottery may be held following procedures established herein. These subsequent lotteries shall be open to the general public. Such lotteries shall be conducted at the discretion of the Waterfront Director and no more frequently than one year apart.~~

**B. OFFER, ACCEPTANCE ASSIGNMENT AND RENEWAL OF MOORING PERMITS**

- ~~1. General. A permit to moor a vessel in the Santa Barbara Mooring Area shall be offered on a first-come, first-served basis, in the order that Mooring Permit Applications are received by the Waterfront Director from members of the public requesting a Mooring Permit assignment. In the event that no Mooring Sites are available for Mooring at the time that a request for request for Mooring Permit Assignment is received by the Waterfront Director, the Director shall retain the request in the order received and shall notify the applicant at such time that a Mooring Site may become available. in order, to each individual ranked during the lottery process described herein, within 30 days of the Lottery, up to a total number of offers determined by the Waterfront Director.~~
- ~~2. Permit Offers. Mooring Permit offers shall be sent by U.S. Certified Mail, to the individual's address indicated on the Lottery Participation Request form. The~~

~~individual offered a Mooring Permit shall have 14 calendar days from the date of mailing to respond in person or by mail by returning a completed application indicating their intention to accept or decline the offer. Late postmarks shall not be accepted.~~

~~2.3. Accepted Offers-Mooring Permit Assignments. —If an offer is accepted, the A Mooring Permittee who has completed a Mooring Permit Application shall pay a non-refundable Mooring Permit Assignment Fee of \$300, of which \$250 shall be applied to the applicant's first annual Mooring Permit Fee, provided the Permittee completes all requirements of the Mooring Permit Assignment Process described herein. ~~prospective mooring permittee shall~~~~

~~3. Mooring Permit Assignment Process. To finalize a Mooring Permit Assignment, a prospective Mooring Permittee shall:~~

~~\_\_\_\_\_ A. Establish a mooring on a site designated by the Waterfront Director or his/her designee, in accordance with the ~~per~~ requirements established herein, within 90 days of completing a Mooring Permit Assignment Application.~~

~~\_\_\_\_\_ B. Submit an installation report provided by a City-approved Mooring Contractor, proving compliance with the Minimum Ground Tackle Specifications established by City Council Resolution.~~

~~\_\_\_\_\_ C. Provide Vessel Ownership Documentation consisting of applicable California Department of Motor Vehicle registration or U.S. Coast Guard documentation.~~

~~\_\_\_\_\_ D. Have the vessel officially measured by Waterfront Staff.~~

~~\_\_\_\_\_ have 90 days to place a vessel of approved size on the Mooring Site, provide~~

~~4. Timing—Mooring Assignments. All Mooring Assignments shall be finalized between May 1<sup>st</sup> and September 1<sup>st</sup>.~~

~~vessel ownership documentation consisting of applicable Department of Motor Vehicle registration or Coast Guard documentation, pay all remaining fees due, and prove compliance with Minimum Ground Tackle Specifications as established by City Council Resolution.~~

~~4. Declined Offers.— If an offer is declined or not returned to the Waterfront Department in a timely fashion, that individual's name shall be removed from consideration for assignment in that lottery.~~

5. Permit Duration. Permits shall be offered for a period of one year.

6. Permit renewal. Permits may be renewed annually, dependent upon compliance with all Mooring Permit Rules and Regulations and the Minimum Ground Tackle Specifications. Failure to meet these requirements is grounds for permit termination as described herein.

7. Non-Transferable. Mooring Permits are not transferable or inheritable.

### **C. ISSUANCE OF MOORING PERMIT.**

1. Issuance. Mooring Permits issued by the Waterfront Director shall be issued for designated Mooring Sites. The Waterfront Director shall have full and absolute discretion to designate Mooring Sites to Permittees. The Waterfront Director may base a determination regarding the designation of Mooring Sites on criteria including size and type of vessel, and any other information or vessel specifications pertinent to the assignment and the overall orderliness and safety of the Santa Barbara Mooring Area. Mooring Permits may be issued upon satisfactory completion of the Mooring installation by the City Approved Mooring Inspector.

2. Relocation. The Waterfront Director may relocate vessels to other Mooring Sites within the Santa Barbara Mooring Area in the interest of safety, space limitations, traffic, and reduction of risk due to fire, sinking, breakaway or collision. The Waterfront Department shall pay the reasonable costs to relocate a vessel and Mooring to an alternate Mooring Site if such relocation is required by the Waterfront Director. If such relocation is made at the request of a Permittee, the Permittee shall bear all Mooring and vessel relocation costs.

3. Mooring Permits shall be issued for Identified vessels only as follows:

a. Mooring Permit shall be issued only for a specifically designated vessel owned by the Mooring Permittee. Proof of ownership of the designated vessel must be supplied to the Waterfront Director at the time of Mooring Permit assignment and annually thereafter at each Mooring Permit renewal in the form of a current California Department of Motor Vehicles Registration or United States Coast Guard Document.

b. If a vessel designated to a Mooring Permit is sold, destroyed or ruined by accident, damage, fire, sinking or other casualty, the Mooring Permittee may be

allowed to place a replacement vessel owned by the Mooring Permittee, as such ownership is demonstrated as required herein, in the Mooring Site. Such replacement vessel shall comply with size restrictions determined by the Waterfront Director as appropriate for vessels assigned to the Mooring Site receiving the replacement vessel. Upon approval by the Waterfront Director, a Mooring Permit describing the replacement vessel shall be issued for the remaining term of the existing Mooring Permit. If an approved replacement vessel is not procured within one hundred twenty (120) days of the date that the designated vessel is removed from the Mooring Site, either by sale or casualty, the Mooring Permit shall terminate as provided herein.

4. Vessel Size.

- a. All designated vessels assigned to a Mooring Site shall be a minimum of twenty (20) feet in length without bow sprit, bumpkin, pulpit, swimstep or other such appurtenance.
- b. No Dinghy assigned to the Mooring Site shall exceed thirteen (13) feet without express permission of the Waterfront Director.

**D. TERMINATION OF MOORING PERMIT.**

1. Either party may terminate the Mooring Permit for any reason by giving thirty (30) days prior written notice to the other party.
2. The Mooring Permit may be terminated by the Waterfront Director without prior notice to the Permittee upon the occurrence of one or more of the events described below:
  - a. failure to pay when due Mooring Permit fees. No termination shall occur for this reason unless the fee is thirty (30) days past due;
  - b. failure to meet the Minimum Ground Tackle Specifications upon installation or annual inspection, or failure to complete required corrections;
  - c. failure to submit to the Waterfront Director a timely Mooring Inspection Report;
  - d. failure to maintain a vessel assigned to a Mooring Site in an Operable condition, as defined in Section 17.04.010 of the Santa Barbara Municipal Code;
  - e. failure to maintain the Mooring in a manner that is not detrimental to the use, operation or development of the waters of the City of Santa Barbara or does not pose a hazard to navigation;

- f. failure or refusal of the Mooring Permittee to allow an inspection of the vessel, Mooring, or both to determine if the vessel is Operable or the Mooring meets the Minimum Ground Tackle Specifications;
  - g. rental, lease, sublease, or loan of a Mooring Site;
  - h. failure or refusal to relocate a Mooring, vessel, or both back to an appropriate Mooring Site within fourteen (14) days of notification by the Waterfront Director that the vessel, Mooring, or both have migrated off station;
  - i. use of the Mooring Site for commercial purposes, unless approved by the Waterfront Director;
  - j. violation of any condition of the Mooring Permit, any provision of Title 17 of the Santa Barbara Municipal Code or any resolution adopted by the City Council.
  - k. Allowing alterations or repairs to mooring equipment by persons or companies not listed on the Waterfront Department's list of Approved Mooring Inspectors.
3. Removal of Mooring and vessel from Mooring Site.
- a. Termination under section D 1. Upon termination of a Mooring Permit due to a termination under Section D 1 or expiration of the permit, it shall be the duty of the Permittee to remove all Ground Tackle and the moored vessel within fourteen (14) days from the date the Mooring Permit terminates or expires. If the Mooring is not removed within this time, title to the Mooring shall vest in the City. The City may, thereafter, remove and sell or dispose of the Mooring and recover the removal, storage or disposal costs from the Mooring Permittee. If the Mooring Permittee fails to pay such cost, the Waterfront Director may collect such costs in any court of competent jurisdiction or may recover any costs from the proceeds of sale of the Mooring. Vessels not removed from the Mooring Site within fourteen (14) days from the date the Mooring Permit terminates or expires shall be impounded by the City and subject to storage fees, disposal or lien sale proceedings as provided by law.
  - c. Termination under section D 2. The Waterfront Director shall notify the Mooring Permittee of the Mooring Permit termination by any reasonable means available and the Permittee shall remove the vessel and the Mooring from the Mooring Site within fourteen (14) days of the Waterfront Director's notification. If the Mooring and/or vessel are not removed within this time, title to the Mooring shall vest in the City. The City may, thereafter, remove and sell or dispose of the Mooring and recover the removal, storage or disposal costs from the Mooring Permittee. If the Mooring Permittee fails to pay such cost, the Waterfront Director may collect such costs in any court of competent jurisdiction or may recover any costs from the proceeds of sale of the Mooring. Vessels not removed from the Mooring Site within fourteen (14) days from the date the

Mooring Permit terminates shall be impounded by the City and subject to storage fees, disposal or lien sale proceedings as provided by law.

4. Request for waiver or appeal of Mooring Permit Termination. A waiver or appeal of a Mooring Permit termination may be made or filed by a Mooring Permittee according to the procedures set forth in SBMC Section 17.20.255 C. 5.

#### **E. MOORING POSITION**

1. Vessel Securely Moored. Any vessel moored in a Mooring Site within the City of Santa Barbara Mooring Area shall be firmly secured to a Mooring in such a manner as to prevent the vessel from drifting, dragging or otherwise moving off the Mooring Site.
2. Migration of Vessel or Mooring. Any vessel or Mooring that migrates off station shall be relocated to the Mooring Site within fourteen (14) days of the date that the Mooring Permittee is notified by the Waterfront Director that the vessel or Mooring has migrated. The relocation of the Mooring shall be undertaken only by a City Approved Mooring Inspector. Costs of relocating a Mooring, vessel, or both, that has migrated off station from a Mooring Site shall be borne in full by the Mooring Permittee.

**SECTION 2. City Approved Mooring Inspectors.** City Approved Mooring Inspector. The Waterfront Department shall maintain a list of inspectors who are approved to install, inspect and repair Moorings in the Santa Barbara Mooring Area. Mooring Permittees may select only those inspectors on the list of City Approved Mooring Inspectors to perform Mooring installations, inspections and repairs.

#### **SECTION 3. Minimum Ground Tackle Specifications.**

1. Ground Tackle Specifications. All Moorings permitted and installed in the Santa Barbara Mooring Area shall comply with Minimum Ground Tackle Specifications attached hereto in Attachment A and incorporated herein by this reference.
2. Mooring Installation. An inspector selected from the City Approved Mooring Inspector list shall be the only entity approved to install Moorings in the Santa Barbara Mooring Area. The installation shall be at the Mooring Permittee's sole cost and expense. The Mooring Inspector shall submit written specifications of the Mooring installation on a City-supplied Mooring Inspection Report within fourteen (14) days of the installation.
3. Mooring Inspection. An inspector selected from the City Approved Mooring Inspector list shall be the only entity approved to inspect Moorings in the Santa Barbara Mooring Area. Moorings shall be inspected upon installation at the

Mooring Site and, except as provided below, annually thereafter in August or September to confirm continued compliance with City-approved Minimum Ground Tackle Specifications. Any mooring initially deployed in May, June or July may delay its next annual inspection after deployment until August or September of the following year.

All inspections shall be at the Mooring Permittee's sole cost and expense. The Mooring Inspector shall submit written results of the inspection on a Mooring Inspection Report within ten (10) days of completion of the inspection.

4. Mooring Repairs. Any and all repairs recommended in the Mooring Inspection Report shall be completed by the City Approved Mooring Inspector at the Mooring Permittee's sole cost and expense and verified by the Mooring Inspector by the time the Mooring Inspection Report is submitted to the Waterfront Director. The Mooring Permit shall terminate if repairs recommended in the Mooring Inspection Report are not completed and the Mooring Inspection Report is not submitted within fourteen (14) days of the inspection and subsequently approved by the Waterfront Director.
5. Additional Inspection at Request of Waterfront Director. The Waterfront Director may require additional inspections of a Mooring anytime she or he deems such inspection necessary to assess the Mooring's compliance with the Minimum Ground Tackle Specifications. If following an inspection by a City Approved Mooring Inspector the Mooring is deemed compliant with Minimum Ground Tackle Specifications described in Attachment A, costs for said inspection shall be paid by the City. If the Mooring is deemed non-compliant, all costs for raising, inspecting, repairing and re-installing the Mooring as described and required herein shall be paid by the Mooring Permittee. All repairs necessitated by the inspection, as described in a Mooring Inspection Report, shall be undertaken within the time set forth herein. The Mooring Permit shall terminate if repairs recommended in the Mooring Inspection Report are not completed within the time set forth herein.
6. Mooring Inspections; Method. All Mooring inspections shall be conducted by raising the Mooring and inspecting its entirety out of the water unless another method is approved by the Waterfront Director.
7. Minimum Ground Tackle Specifications. The Minimum Ground Tackle Specifications described in Attachment A may be amended from time to time by the Waterfront Director.

Mooring Space Details			
Space #	Diameter	Latitude	Longitude
1	350'	N34° 24.7173'	W119° 40.5745'
2	350'	N34° 24.7343'	W119° 40.508'
3	350'	N34° 24.7480'	W119° 40.4403'
4	350'	N34° 24.760'	W119° 40.3722'
5	350'	N34° 24.7721'	W119° 40.3043'
6	350'	N34° 24.7844'	W119° 40.2362'
7	350'	N34° 24.7966'	W119° 40.1681'
8	350'	N34° 24.8071'	W119° 40.0995'
9	350'	N34° 24.8169'	W119° 40.0309'
10	350'	N34° 24.8269'	W119° 39.9625'
11	350'	N34° 24.8353'	W119° 39.8938'
12	400'	N34° 24.6630'	W119° 40.5395'
13	400'	N34° 24.6844'	W119° 40.4643'
14	400'	N34° 24.6994'	W119° 40.3868'
15	400'	N34° 24.7104'	W119° 40.308'
16	400'	N34° 24.7228'	W119° 40.2300'
17	400'	N34° 24.7361'	W119° 40.1520'
18	400'	N34° 24.7493'	W119° 40.0741'
19	400'	N34° 24.7624'	W119° 39.9959'
20	400'	N34° 24.7771'	W119° 39.9185'
21	450'	N34° 24.6008'	W119° 40.5005'
22	450'	N34° 24.6262'	W119° 40.4162'
23	450'	N34° 24.6423'	W119° 40.3291'
24	450'	N34° 24.6535'	W119° 40.2405'
25	450'	N34° 24.6661'	W119° 40.1523'
26	450'	N34° 24.6797'	W119° 40.0641'
27	450'	N34° 24.6943'	W119° 39.9763'
28	450'	N34° 24.7115'	W119° 39.8892'
29	500'	N34° 24.5312'	W119° 40.4573'
30	500'	N34° 24.5348'	W119° 40.3595'
31	500'	N34° 24.5782'	W119° 40.2756'
32	500'	N34° 24.5911'	W119° 40.1790'
33	500'	N34° 24.6039'	W119° 40.0808'
34	500'	N34° 24.6163'	W119° 39.9836'
35	600'	N34° 24.4521'	W119° 40.4040'
36	600'	N34° 24.4546'	W119° 40.2853'
37	600'	N34° 24.4995'	W119° 40.178'
38	600'	N34° 24.5169'	W119° 40.0505'
39	600'	N34° 24.5358'	W119° 39.9346'
40	700'	N34° 24.3585'	W119° 40.3424'
41	700'	N34° 24.3440'	W119° 40.2042'
42	700'	N34° 24.4162'	W119° 40.0956'
43	700'	N34° 24.4300'	W119° 39.9552'
44	700'	N34° 24.4547'	W119° 39.8159'
45	800'	N34° 24.2300'	W119° 40.2612'
46	900'	N34° 24.2493'	W119° 40.0940'
Mr. Clean	1200'	N34° 24.2826'	W119° 39.8886'
Tidemar	500' x 1000'		
TidemarNE		N34° 24.6871'	W119° 39.8199'
TidemarNW		N34° 24.6644'	W119° 39.9155'
TidemarSW		N34° 24.5059'	W119° 39.8609'
TidemarSE		N34° 24.5285'	W119° 39.7652'



ADD OUTFALL & INTAKE LINES	1/20/05	LA	DRAFTER	L. Arroyo
FINALIZE MOORINGS/ANCHORING BOUNDARIES	2/14/06	MK	DRAFTER	J.J.
CREATE SHEET 3 WITH LAT LONG IN DD_MM_SS	8/8/06	MK	DESIGNER	L. Arroyo
			CHECKER	
			PROJ. MNGR.	M. Kronman
			DRAWING DATE	7/16/04
DESCRIPTION	DATE	APPROVED		
REVISIONS				

**East Beach Mooring  
Lottery Map & Surveyed Dive Locations  
Waterfront Department**

**CITY OF SANTA BARBARA  
WATERFRONT DEPARTMENT- FACILITIES DIVISION**

SCALE:	Noted	PROJ.NO.	
FACTOR:	N/A	SHT. <u>3</u> OF <u>3</u> SHTS.	
VERT.	N/A	DWG.NO.	6003-014
HOR.	N/A		



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Employee Recognition – Service Award Pins

### 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, 2015.

### DISCUSSION:

Since 1980, the City Employees' Recognition Program has recognized length of City Service. Service award pins are presented to employees for every five years of service. Those employees achieving 25 years of service or more are eligible to receive their pins in front of the City Council.

Attached is a list of those employees who will be awarded pins for their service through May 31, 2015.

**ATTACHMENT:** May 2015 Service Awards

**PREPARED BY:** Myndi Hegeman, Administrative Specialist

**SUBMITTED BY:** Kristine Schmidt, Administrative Services Director

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

**MAY 2015 SERVICE AWARDS**

May 5, 2015 Council Meeting

**5 YEARS**

Kyle Lowry, Police Office, Police Department

Megan Harrison, Police Officer, Police Department

**10 YEARS**

Joshua Thompson, PC / Network Technician II, Administrative Services

Curtis Harrison, Senior Plans Examiner, Community Development Department

Ryan DiGuilio, Fire Inspector II, Fire Department

Mark Cavalier, Welder / Fabricator, Public Works Department

Theresa Lancy, Water/Wastewater Maintenance Planner/Scheduler, Public Works

Keven Strasburg, Park Project Technician, Parks and Recreation Department

Alberto Cuevas, Airport Maintenance Worker II, Airport Department

Stephen Spurlock, Airport Patrol Officer II, Airport Department

**15 YEARS**

Jeff Deming, Animal Control Officer, Police Department

Michael Kronman, Harbor Operations Manager, Waterfront Department

Rebecca Klarich, Public Safety Dispatcher, Police Department

**20 YEARS**

Rogelio Arroyo, Senior Control Systems Operations Specialist, Public Works

**25 YEARS**

Beatriz Gularte, Project Planner, Community Development Department

Marisela Salinas, Project Planner, Community Development Department



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING April 14, 2015 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

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

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

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

Councilmembers absent: Councilmember Francisco.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Deborah L. Applegate.

### CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring April 12-18, 2015 As National Public Safety Telecommunicators Week (120.04)**

Action: Proclamation presented to Police Lieutenant Pflieger.

2. **Subject: Proclamation Declaring April 12-18, 2015 As Week Of The Young Child (120.04)**

Action: Proclamation presented to Eileen Monahan, Early Care and Education Coordinator/Manager, First 5 of the County of Santa Barbara.

## **PUBLIC COMMENT**

Speakers: Melody Baker; Tom Widroe, City Watch; Nancy McCradie; Robert Hansen; Peter Marin; Geof Bard; Tom Becker; Susy Valadez, Friday Night Live; Luis Gomez, Friday Night Live.

Councilmember Francisco arrived at 2:22 p.m.

## **CONSENT CALENDAR (Item Nos. 3 – 9)**

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

Motion:

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

Vote:

Unanimous roll call vote.

### **3. Subject: Adoption Of Ordinance For A License Agreement With Southern California Gas Company (380.02)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a 20-year license agreement with Southern California Gas Company, for installation, operation, and maintenance of Advanced Metering Infrastructure on City Water Resources properties, for a one-time fee of \$780 per location, effective April 27, 2015.

Action: Approved the recommendation; Ordinance No. 5682; Agreement No. 25,180.

### **4. Subject: Strategic Prevention Framework State Incentive Grant To Address Underage And Excessive Drinking And Driving (520.04)**

Recommendation: That Council:

- A. Accept an additional \$15,000 from the County of Santa Barbara Alcohol, Drug & Mental Health Services (ADMHS) Strategic Prevention Framework State Incentive Grant to address underage and excessive drinking and alcohol related motor vehicle accidents for Fiscal Year 2015; and
- B. Increase appropriations and estimated revenues by \$15,000 in the Police Miscellaneous Grants Fund for Fiscal Year 2015.

Action: Approved the recommendations (April 14, 2015, report from the Chief of Police).

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

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of \$71,663 in Transportation Development Act Funds for Fiscal Year 2016.

Action: Approved the recommendation; Resolution No. 15-022 (April 14, 2015, report from the Public Works Director, proposed resolution).

**6. Subject: Contract For Construction Of Elings Park Recycled Water Pump Station Project (540.06)**

Recommendation: That Council:

- A. Award a contract with Pacific Coast Excavation, in their low bid amount of \$213,874 for construction of the Elings Park Recycled Water Pump Station Project, Bid No. 3722; and authorize the Public Works Director to execute the contract and approve expenditures up to \$21,390 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; and
- B. Authorize the Public Works Director to execute a contract with Mimiaga Engineering Group in the amount of \$23,400 for construction support services, and approve expenditures of up to \$2,340 for extra services of Mimiaga Engineering Group that may result from necessary changes in the scope of work.

Speakers:

- Staff: Joshua Haggmark, Water Resources Manager.
- Members of the Public: Karin Van Hoel, Las Positas Tennis Group; David Niles.

Action: Approved the recommendations; Agreement Nos. 25,181 and 25,182 (April 14, 2015, report from the Public Works Director).

**7. Subject: Contract Amendment For Contract Plan Review Services (610.01)**

Recommendation: That Council approve an amendment to Agreement No. 21500032 to increase total compensation for contract plan review services and the associated Purchase Order by \$77,500 for a total of \$112,500.00.

Action: Approved the recommendation; Agreement No. 25,183 (April 14, 2015, report from the Community Development Director).

## NOTICES

8. The City Clerk has on Thursday, April 9, 2015, 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.
9. A City Council site visit is scheduled for Monday, April 20, 2015, at 1:30 p.m. to the property located at 2405 State Street, which is the subject of an appeal hearing set for April 21, 2015, at 2:00 p.m.

This concluded the Consent Calendar.

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

### CITY ATTORNEY

#### **10. Subject: Sidewalk Behavior and Panhandling Ordinances (520.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, the following Ordinance Committee recommended ordinances:

- A. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 2.28.030 Of The Santa Barbara Municipal Code To Grant The Library Director The Authority To Promulgate And Post Facility Specific Regulations;
- B. An Ordinance Of The Council Of The City Of Santa Barbara Amending Title 9 Of The Municipal Code By Adding Chapter 9.07 To Prohibit Urinating Or Defecating In Public;
- C. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 9.48.010 Of The Municipal Code Regarding Commercial Use Of City Streets To Prohibit The Use Of Public Street Furniture As A Venue For Selling Or Offering For Donation;
- D. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 9.50.010 Of The Santa Barbara Municipal Code To Prohibit Active Panhandling In Specified Locations;
- E. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 9.97.010 Of The Santa Barbara Municipal Code Regarding Sitting Or Lying On Sidewalks And Paseos Along Certain Downtown Portions Of State Street; and
- F. An Ordinance Of The Council Of The City Of Santa Barbara Amending Section 9.98.010 Of The Santa Barbara Municipal Code Regarding Pedestrians Blocking Public Sidewalks.

#### Documents:

- April 14, 2015, report from the City Attorney.
- Proposed ordinances.
- Letter/Email from Jeff Nelson.
- PowerPoint presentation prepared and made by Staff.

**10. (Cont'd)**

Speakers:

- Staff: City Attorney Ariel Calonne.
- Members of the Public: Tom Widroe, Santa Barbara City Watch; Reverend Dr. Douglas Miller, Santa Barbara Clergy Association and Inter-Faith Initiative of Santa Barbara; Nancy McCradie; Robert Hansen; Peter Marin; Tamara Erickson; Ken Oplinger, Chamber of Commerce; Maggie Campbell, Downtown Organization of Santa Barbara.

Motion:

Councilmembers Murillo/White to introduce Ordinances A, B, C, and F as recommended.

Vote:

Unanimous roll call vote.

Motion:

Councilmembers Francisco/Hart to introduce Ordinances D and E as recommended.

Vote:

Majority roll call vote. (Noes: Mayor Schneider and Councilmember Murillo).

AIRPORT DEPARTMENT

**11. Subject: Airport Aircraft Rescue And Firefighting (ARFF) Budget Discussion (560.01)**

Recommendation: That Council hear a staff discussion on potential adjustments to the Fire Department staffing for Federal Aviation Administration required Aircraft Rescue and Firefighting (ARFF) services at the Airport.

Documents:

- April 14, 2015, report from the Airport Director and Fire Chief.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Airport Director Hazel Johns, Fire Chief Pat McElroy.
- Airport Commission: Bruce Miller, Jim Wilson, Carl Hopkins.

Action: Council heard the report and their questions were answered.

PUBLIC WORKS DEPARTMENT

**12. Subject: Stage Two Drought Update (540.01)**

Recommendation: That Council receive an update on the status of the current drought and related efforts.

Documents:

- April 14, 2015, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Water Resources Manager Joshua Haggmark, Acting Water Conservation Coordinator Madeline Ward.

Discussion:

Staff's presentation included current rainfall totals and the outlook for continued drought conditions, the community's response to the need for conservation, the status of supplemental water supplies, capital projects, drought staffing, and features of the City's Water Conservation Program. Councilmembers' questions were answered.

**13. Subject: Potential Stage Three Drought Condition Response Measures (540.01)**

Recommendation: That Council receive a presentation and provide direction to staff on the potential Stage Three Drought Condition modified conservation target, water use regulations, and development restrictions.

Documents:

- April 14, 2015, report from the Public Works Director and Community Development Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark, Acting Water Conservation Coordinator Madeline Ward, Acting Senior Planner Allison De Busk.
- Members of the Public: Greg Reitz, Rethink Development; Heidi Diaz.

Discussion:

Staff's presentation included potential Stage Three Drought Condition modified conservation target, water use regulations, and development restrictions. Councilmembers' questions were answered.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Councilmember Murillo reported on her attendance at: 1) a recent meeting of Our Lady of Guadalupe Safeguard the Children; 2) a benefit concert for Jacob Keefer; and 3) the Coastal Housing Coalition's Santa Barbara Housing Conference.
- Councilmember Hotchkiss reported on his attendance at the event celebrating the Association of Zoos & Aquariums (AZA) grant of accreditation to the Santa Barbara Zoo.

## CLOSED SESSIONS

### 14. Subject: Conference With City Attorney - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Alexander Cruz v. City of Santa Barbara*; WCAB Case numbers ADJ7371091 and ADJ7371090.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

#### Documents:

April 14, 2015, report from the Finance Director/Acting Assistant City Administrator.

#### Time:

6:15 p.m. – 6:18 p.m.

No report made.

### 15. Subject: Conference With City Attorney - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Martin Valencia v. City of Santa Barbara*; WCAB Case number ADJ8407029.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

#### Documents:

April 14, 2015, report from the Finance Director/Acting Assistant City Administrator.

#### Time:

6:18 p.m. – 6:19 p.m.

No report made.

**16. Subject: Conference With City Attorney - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Mark Vierra v. City of Santa Barbara*; WCAB Case number ADJ9535185.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

April 14, 2015, report from the Finance Director/Acting Assistant City Administrator.

Time:

6:19 p.m. – 6:22 p.m.

No report made.

**17. Subject: Conference With City Attorney - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Luke Brost as Trustee for the Luke Brost Living Trust, et al., v. City of Santa Barbara*, SBSC Case No. 1342979/Court of Appeal Case No. B246153.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

April 14, 2015, report from the City Attorney.

Time:

6:22 p.m. – 6:26 p.m.

No report made.

**18. Subject: Conference With City Attorney - Anticipated Litigation (160.03)**

Recommendation: That Council hold a closed session to decide whether to initiate litigation pursuant to Section 54956.96 of the Government Code and take appropriate action as needed. (one potential case).

Scheduling: Duration, 30 minutes; anytime

Report: Report anticipated

Documents:

April 14, 2015, report from the City Attorney.

(Cont'd)

**18. (Cont'd)**

Time:

6:26 p.m. – 6:42 p.m.

No report made.

**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

Documents:

April 14, 2015, report from the Mayor.

Time:

6:42 p.m. – 7:40 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:15 p.m. to Monday, April 20, 2015, at 1:30 p.m. at 2405 State Street.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

ATTEST:

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

\_\_\_\_\_  
DEBORAH L. APPLGATE  
DEPUTY CITY CLERK



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## ADJOURNED REGULAR MEETING April 20, 2015 2405 STATE STREET

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### CALL TO ORDER

The meeting was called to order at 1:40 p.m.

### ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White.

Councilmembers absent: Mayor Pro Tempore Gregg Hart, Mayor Helene Schneider.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne.

### PUBLIC COMMENT

No one wished to speak.

### NOTICES

The City Clerk has on Thursday, April 16, 2015, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

### SITE VISIT

**Subject: 2405 State Street**

Recommendation: That Council make a site visit to the property located at 2405 State Street, which is the subject of an appeal hearing set for April 21, 2015, at 2:00 p.m.

#### Discussion:

Staff reviewed the proposed home's plans and elevations. Councilmembers were then led on a tour of the subject property on which story poles had been placed to indicate the new home's elevations. They also visited the Appellant's property to view the story poles from that location and consider possible impacts of the project.

**ADJOURNMENT**

The meeting was adjourned at 2:05 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
RANDY ROWSE  
ORDINANCE COMMITTEE CHAIR

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



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING April 21, 2015 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

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

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

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

Councilmembers absent: Dale Francisco.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

### CEREMONIAL ITEMS

**1. Subject: Proclamation Declaring April 2015 As DMV/Donate Life California Month (120.04)**

Action: Proclamation presented to Joe Darga, Ashley Somics, Priscilla Marchus, and Scott Burns.

**2. Subject: Proclamation Declaring April 2015 As The 45th Anniversary Of The Community Environmental Council And Santa Barbara Earth Day Festival (120.04)**

Action: Proclamation presented to Dave Davis, Community Environmental Council President/CEO/Board Chair.

Councilmember Francisco entered the meeting at 2:14 p.m.

## **PUBLIC COMMENT**

Speakers: Melody Joy Baker; Kenneth Loch; Steve Price; Phil Walker; Tom Widroe, Santa Barbara City Watch; Michael Baker, Boys and Girls Clubs; Robert Burke; Geof Bard; Ethan Shenkman.

## **ITEMS REMOVED FROM CONSENT CALENDAR**

### **3. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the adjourned regular meeting of March 23, 2015, and the regular meetings of March 24 and-April 7, 2015.

Speakers:

Staff: City Administrator Paul Casey, who advised that the minutes of the regular meeting of March 24, 2015, were being removed from the agenda for correction and will be resubmitted on April 28, 2015.

Motion:

Councilmembers White/Rowse to approve the minutes of the adjourned regular meeting of March 23, 2015, and the regular meeting of April 7, 2015.

Vote:

Unanimous voice vote.

### **5. Subject: Adoption Of Ordinances Regarding Sidewalk Behavior And Panhandling (520.04)**

Recommendation: That Council adopt, by reading of title only, the following ordinances:

- A. An Ordinance of the Council of the City of Santa Barbara Amending Section 2.28.030 of the Santa Barbara Municipal Code to Grant the Library Director the Authority to Promulgate and Post Facility-Specific Regulations;
- B. An Ordinance of the Council of the City of Santa Barbara Amending Title 9 of the Municipal Code by Adding Chapter 9.07 to Prohibit Urinating or Defecating in Public;
- C. An Ordinance of the Council of the City of Santa Barbara Amending Section 9.48.010 of the Municipal Code Regarding Commercial Use of City Streets to Prohibit the Use of Public Street Furniture as a Venue for Selling or Offering for Donation;
- D. An Ordinance of the Council of the City of Santa Barbara Amending Section 9.50.010 of the Santa Barbara Municipal Code to Prohibit Active Panhandling in Specified Locations;

(Cont'd)

**5. (Cont'd)**

- E. An Ordinance of the Council of the City of Santa Barbara Amending Section 9.97.010 of the Santa Barbara Municipal Code Regarding Sitting or Lying on Sidewalks and Paseos Along Certain Downtown Portions of State Street; and
- F. An Ordinance of the Council of the City of Santa Barbara Amending Section 9.98.010 of the Santa Barbara Municipal Code Regarding Pedestrians Blocking Public Sidewalks.

The titles of the ordinances were read.

Speakers:

Members of the Public: Jose Arturo Gallegos, Geof Bard.

Motion:

Councilmembers Murillo/Hart to approve recommendations A – C and F; Ordinance Nos. 5686 – 5688 and 5691.

Vote:

Unanimous roll call vote.

Motion:

Councilmembers Hart/Rowse to approve recommendations D and E; Ordinance Nos. 5689 and 5690.

Vote:

Majority roll call vote (Noes: Councilmember Murillo, Mayor Schneider).

**CONSENT CALENDAR (Item Nos. 4 and 6 – 12)**

The titles of the ordinances related to Item No. 4 were read.

Motion:

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

Vote:

Unanimous roll call vote.

**4. Subject: Introduction Of Ordinances Establishing Speed Limits (530.05)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.60 of the Municipal Code by Revising Section 10.60.015, Establishing Prima Facie Speed Limits on Certain Portions of Las Positas Road, Cliff Drive, Cabrillo Boulevard, Bath Street, Calle Real, Castillo Street, Chapala Street, Milpas Street, Salinas Street, State Street, and Valerio Street; and

(Cont'd)

**4. (Cont'd)**

- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.20 of the Municipal Code by Revising Sections 10.20.020 and 10.20.025 Pertaining to Speed Zoning Adjacent to Children's Playgrounds, and Adding Section 10.20.040 Pertaining to Extended Speed Zoning Near Schools.

Action: Approved the recommendations (April 21, 2015, report from the Public Works Director; proposed ordinances).

**6. Subject: Purchase Of Historical Properties Web Application (640.06)**

Recommendation: That Council:

- A. Approve a professional services agreement with PixelPushers, Inc., doing business as Civica Software, for the acquisition and implementation of the Historical Properties Web Application (HPWA), in an amount not to exceed \$37,200;
- B. Approve additional services that may be identified during the implementation of HPWA, in an amount not to exceed \$3,800; and
- C. Transfer \$16,000 from the Capital Outlay Fund from the Reserve for Technology Upgrades to the Community Development Department's Building and Safety Division's budget to cover a portion of this agreement; and
- D. Increase appropriations and estimated revenues by \$16,000 in the General Fund, Community Development Department.

Action: Approved the recommendations; Agreement No. 25,186 (April 21, 2015, report from the Administrative Services Director).

**7. Subject: Professional Services Agreement For Design Of Central Library Exterior Restoration Project (570.04)**

Recommendation: That Council authorize the Public Works Director to execute a Professional Services Agreement with Architectural Resources Group, Inc. (ARG), in the amount of \$37,000, with \$3,700 available for extra services, for the Design Of Central Library Exterior Restoration Project at 40 East Anapamu Street.

Action: Approved the recommendation; Agreement No. 25,187 (April 21, 2015, report from the Public Works Director).

**8. Subject: Contract For Sycamore Creek Channel Improvements And Punta Gorda Street Bridge Replacement Post-Construction Restoration Specialist Services (530.03)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Cardno, Inc., in the amount of \$51,202 for post-construction restoration specialist services for the Sycamore Creek Channel Improvements and Punta Gorda Street Bridge Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$5,120 for extra services that may result from necessary changes in the scope of work.

Speakers:

Members of the Public: Phil Walker.

Action: Approved the recommendation; Contract No. 25,188 (April 21, 2015, report from the Public Works Director).

**9. Subject: Authorize Payment Of Phase 2 Attorney Fees To The Firm Of Cappello & Noël, LLP, Relating To *Banales, Et Al., V. City of Santa Barbara* (110.03)**

Recommendation: That Council authorize the payment of additional attorney fees in the amount of \$78,088 to the law firm of Cappello & Noël, LLP, for completion of Phase 2 of the case relating to *Banales, et al., v. City of Santa Barbara*.

Action: Approved the recommendation (April 21, 2015, report from the City Attorney).

**10. Subject: Set A Date For Public Hearing Regarding Appeal Of Single Family Design Board Approvals For 1215 East Cota Street (640.07)**

Recommendation: That Council:

- A. Set the date of May 5, 2015, at 2:00 p.m. for hearing the appeal filed by Trevor Martinson, agent for Roger Goldtrap, of the Single Family Design Board's Project Design Approval for property owned by Leslie Colasse and located at 1215 East Cota Street, Assessor's Parcel No. 031-190-022, R-2, Two-Family Residential Zone, General Plan Designation: Medium Density residential (12 du/acre). The project proposes to demolish an existing one-car garage, mud room, and split-level bedroom at an existing 1,398 square foot two-level residence, and construct a new master suite with additions in the same location above a covered driveway. The proposal also includes a new 650 square foot three-car garage with an attached 300 square foot accessory structure, a kitchen remodel, and exterior improvements. The proposed total of 2,300 square feet on an 11,285 square foot lot is 59% of the guideline maximum floor-to-lot area ratio (FAR). This project has previously obtained Staff Hearing Officer approval for an interior setback modification; and

(Cont'd)

**10. (Cont'd)**

- B. Set the date of May 4, 2015, at 1:30 p.m. for a site visit to the property located at 1215 East Cota Street.

Action: Approved the recommendations (April 3, 2015, letter of appeal).

**NOTICES**

11. The City Clerk has on Thursday, April 16, 2015, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
12. Receipt of communication advising of vacancy created on the Parks and Recreation Commission with the resignation of Chris Casebeer; the vacancy will be part of the current City Advisory Groups Semi-Annual Recruitment.

This concluded the Consent Calendar.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Dale Francisco reported that the Committee met to consider the proposed Finance Committee review schedule for and topics related to the Proposed Two-Year Financial Plan for Fiscal Years 2016 and 2017, including the Recommended Budget for Fiscal Year 2016. Staff will make a presentation regarding the Proposed Two-Year Financial Plan to the full Council as part of Agenda Item No. 15.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

**CITY ADMINISTRATOR**

**13. Subject: Legislative Platform (160.02)**

Recommendation: That Council:

- A. Adopt the legislative platform that guides the City's support or opposition to regional, state and federal legislative issues; and
- B. Authorize the Mayor, Councilmembers, and staff, on behalf of the City of Santa Barbara, to contact regional, state and federal representatives to advocate for legislation and actions consistent with the goals of the legislative platform.

Documents:

- April 21, 2015, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

(Cont'd)

**13. (Cont'd)**

Speakers:

Staff: Administrative Analyst Katherine Whan, Harbor Operations Manager Mick Kronman, City Clerk Services Manager Gwen Peirce, City Attorney Ariel Calonne.

Motion:

Councilmembers White/Rowse to approve the recommendations.

Vote:

Unanimous voice vote.

COMMUNITY DEVELOPMENT DEPARTMENT

**14. Subject: 2015 Homeless Point In Time Count And Vulnerability Survey Report (660.04)**

Recommendation: That Council receive a report from the Central Coast Collaborative on Homelessness (C3H) on the 2015 Homeless Point In Time Count and Vulnerability Survey.

Documents:

- April 21, 2015, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Community Development Business Manager Sue Gray.
- Central Coast Collaborative on Homelessness: Program Manager Zahra Nahar-Moore, Community Coordinator Jeff Shaffer.
- Housing Authority of the City of Santa Barbara: Deputy Executive Director Rob Fredericks.
- Members of the Public: Tom Widroe, Santa Barbara City Watch.

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

FINANCE DEPARTMENT

**15. Subject: Recommended Two-Year Financial Plan For Fiscal Years 2016 And 2017 (230.05)**

Recommendation: That Council:

- A. Receive the Recommended Two-Year Financial Plan for Fiscal Years 2016 and 2017, including the Recommended Operating and Capital Budget for Fiscal Year 2016;

**15. (Cont'd)**

- B. Hear a report from staff in connection with the filing of the Recommended Two-Year Financial Plan for Fiscal Years 2016 and 2017; and
- C. Approve the proposed Schedule of Council Budget Review Meetings and Public Hearings of the Recommended Two-Year Financial Plan for Fiscal Years 2016 and 2017.

Documents:

- April 21, 2015, report from the Acting Assistant City Administrator/Finance Director.
- Recommended Two-Year Financial Plan for Fiscal Years 2016 and 2017, including the Recommended Operating and Capital Budget for Fiscal Year 2016.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Acting Assistant City Administrator Robert Samario, City Administrator Paul Casey, City Attorney Ariel Calonne.
- Members of the Public: Ethan Shenkman.

Motion:

Councilmembers Hotchkiss/Rowse to approve recommendations A and C.

Vote:

Unanimous voice vote.

**RECESS**

4:28 p.m. – 4:39 p.m.

**PUBLIC HEARINGS**

**16. Subject: Appeal Of Single Family Design Board Approval Of A New Residence At 2405 State Street (640.07)**

Recommendation: That Council:

- A. Deny the appeal of Jim and Debbie Arnesen of the Single Family Design Board's decision to grant Project Design Approval and Final Approval for the proposed new residence; and
- B. Direct staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

Documents:

- April 21, 2015, report from the Community Development Director.
- PowerPoint presentation prepared and made by Staff.

**16. (Cont'd)**

Documents (Cont'd):

- April 17, 2015, letter from Susan Basham, Attorney, representing the Appellant.
- April 20, 2015, letter supporting the appeal, signed by residents at 15 W. Junipero Street, 2326 Welling Avenue, 2400 Chapala Street, and 2426 State Street.

Public Comment Opened:

4:40 p.m.

Speakers:

- Staff: Senior Planner Jaime Limón.
- Single Family Design Board: Vice-Chair Brian Miller.
- Appellant: Attorney Susan Basham, Land Use Planner Christopher Price, Jim Arnesen.
- Applicant: Dan Underwood, Architect Bill Wolf.
- Members of the Public: Joyce McCullough, Deborah Bertling.

Public Comment Closed:

6:03 p.m.

Motion:

Councilmember Hart/Mayor Schneider to deny the appeal but direct the Single Family Design Board, at the time when this project returns to it for additional review, to consider requiring that the home be moved closer to the northern property line and/or that the second story mass be reduced.

Substitute Motion:

Councilmembers Hotchkiss/Francisco to approve the Staff recommendations.

Vote on Substitute Motion:

Majority voice vote (Noes: Councilmembers Hart, Murillo, White).

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Rowse mentioned that City Police Chief Camerino Sanchez is taking the lead in resolving the “party bus” issue.
- Councilmember White reported on the Neighborhood Advisory Council’s recent meeting, which included discussion of Police Department beat coordinator activity as well as a presentation by a group opposing the formation of an Eastside Business Improvement District. He also commented on the Parks and Recreation Community Foundation’s “Magic on the Urban Wine Trail” event held last Sunday.

(Cont'd)

Information (Cont'd):

- Councilmember Hotchkiss mentioned his attendance at a Salvation Army-sponsored cleanup on the Westside.
- Councilmember Murillo reported on her attendance at the following meetings/events: 1) Santa Barbara Youth Council Leadership Conference; 2) a tree planting to commemorate Santa Barbara Beautiful's 50<sup>th</sup> anniversary; 3) a workshop held by the Independent Living Resource Center; and 4) a presentation by the League of Women Voters regarding an energy-buying collective.
- Mayor Schneider commented on the annual Earth Day event and reported that the Santa Barbara County Air Pollution Control District Board will soon take a vote on the issue of greenhouse gas thresholds. She also congratulated this year's Junior Spirit and Spirit of Fiesta, who were recently named.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:42 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

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

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AND AUTHORIZING THE AIRPORT DIRECTOR TO EXECUTE A SECOND AMENDMENT TO LEASE AGREEMENT NO. 23,017, AS PREVIOUSLY AMENDED JULY 1, 2010, WITH MAG AVIATION, A PARTNERSHIP, AND THE CITY OF SANTA BARBARA, FOR OPERATION OF A SELF-SERVICE AVIATION FUELING FACILITY, AT 1600 CECIL COOK PLACE, AT THE SANTA BARBARA AIRPORT, EFFECTIVE UPON THE ADOPTION OF THE ENABLING ORDINANCE, TO ALLOW A ONE YEAR WAIVER OF THE SCHEDULED CPI RENTAL ADJUSTMENT.

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, that certain second amendment to Agreement 23,017, as first amended July 1, 2010, between MAG Aviation and the City of Santa Barbara, waiving the scheduled CPI rental adjustment for the premises at 1600 Cecil Cook Place, at the Santa Barbara Airport, for one year, is hereby approved.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

**FROM:** City Clerk's Office, Administrative Services Department

**SUBJECT:** Records Destruction For Administrative Services Department

### **RECOMMENDATION:**

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

### **DISCUSSION:**

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

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

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

**SUSTAINABILITY IMPACT:**

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

**PREPARED BY:** Susan Tschech, Deputy City Clerk

**SUBMITTED BY:** Kristine Schmidt, Administrative Services Director

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

RESOLUTION NO.

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

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

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

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

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

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

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

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

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

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

## ADMINISTRATIVE SERVICES DEPARTMENT

## CITY CLERK'S OFFICE

<u>Records Series</u>	<u>Date(s)</u>
Advisory Group Member Information	2012
City Council Meeting Audio or Video Recordings	2004
Contracts, Agreements, and Leases	1976 – 1978
Correspondence	2012
Election Records	
• Applications for Registration Information, November 3, 2009, General Municipal Election	2009
• Campaign Statements, Candidates Not Elected	2009
• Campaign Statements, Committees Formed to Support or Oppose Ballot Measures or for General Purposes	2007
Ethics Training Logs	2009
Reports and Studies	2012
Statements of Economic Interest	2006

## HUMAN RESOURCES DIVISION

<u>Records Series</u>	<u>Date(s)</u>
Closed Eligibility and Examination Files	Prior to April 2013
Employment Eligibility Forms (I-9)	Prior to April 2012
Personnel Folders	Prior to 1990



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

**FROM:** Administration, Waterfront Department

**SUBJECT:** Records Destruction For Waterfront 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 Waterfront Department in the Administration Office.

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

Pursuant to the Manual, the Waterfront 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 Waterfront Director requests the City Council to approve the destruction of the Waterfront Department records in the Administration Office listed on Exhibit A of the proposed Resolution, without retaining a copy.

### **SUSTAINABILITY IMPACT:**

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

Council Agenda Report  
Records Destruction For Waterfront Department  
May 5, 2015  
Page 2

**PREPARED BY:** Jeanette Prusinski, Executive Assistant

**SUBMITTED BY:** Scott Riedman, Waterfront Director

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

RESOLUTION NO.

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

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

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

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

WHEREAS, the Waterfront Director submitted a request for the destruction of records held by the Waterfront 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 Waterfront Director, or his designated representative, is authorized and directed to destroy the Records without retaining a copy.

## WATERFRONT DEPARTMENT – ADMINISTRATION OFFICE

<u>Records Series</u>	<u>Date(s)</u>
Administration Files .....	2009
Business Activity Permits .....	2012
Cash Register Tapes.....	2012
Parking Kiosk Revenue “Tear Sheets” .....	2012
Film Permits .....	2010
Harbor and Outer Lot Permits .....	2012
Litigation Files .....	2004
Parking “Honor Fee” Cash Records .....	2012
Terminated Slip Files.....	2010
Special Event Files.....	2012
Tenant Billing Records .....	2012
Slip Permit Transfer Receipt Book .....	2012
Treasury Receipts and Reports.....	2012
Terminated Mooring Permits .....	2010
Stearns Wharf Administrative Subject Files .....	2009, 2011
Stearns Wharf Safety Files.....	2009
Harbor Patrol Case Logs.....	2004
Harbor Patrol Case Reports .....	2004
Harbor Patrol Citation Logs .....	2009
Cruise and Race Files .....	2012
Harbor Patrol Subject Files .....	2009, 2012
Impound/Found Property Reports .....	2013
Vessel Storage Permits.....	2012
Harbor Patrol Radio License Files.....	2012
Slip Checks .....	2012
Vessel Lien Sale Records .....	2010
Visitor Registration Cards.....	2010
Harbor Patrol Watch Logs .....	2009
Desk Calendars and Notebooks.....	2013
Complaints .....	2012
Correspondence.....	2012, 2013
General Administrative Files .....	2012
Personnel Recruitment Files .....	2011
Reports and Studies.....	2012
Travel Expense Records .....	2007



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

**FROM:** Chief's Staff, Police Department

**SUBJECT:** Sole Source Vendor For Digital Storage Equipment

### **RECOMMENDATION:**

That Council find it in the City's best interest to waive the formal bid process as authorized by Municipal Code 4.52.070 (L), and authorize the City's General Services Manager to issue a Purchase Order to Technology Express, in the amount of \$48,081 for the purchase of the Hewlett Packard (HP) digital storage equipment at the Police Department.

### **DISCUSSION:**

The Police Department's central digital storage device that retains all of the public safety records data has aged beyond the industry standard five year life cycle for data storage equipment. Replacing this equipment will ensure that the public safety network is maintained properly to provide high availability to critical law enforcement systems. It will also reduce the cost of extending our maintenance contract for our current storage device which is approximately \$18,000 annually. The new purchase will include three years of annual maintenance through HP.

Technology Express is an authorized reseller of HP products and has worked with the City to register our hardware configurations through HP to receive the lowest possible pricing directly from HP who sets the pricing on a first come first serve basis. The quote provided by Technology Express is good for 90 days and is below the Western States Contracting Alliance (WSCA) pricing which meets our competitive bid process. Additional vendors were provided an opportunity to bid on the equipment purchase, but there were no other resellers willing to provide any bids. We are recommending that council approve a sole source purchase through Technology Express to purchase a new central digital storage device for the public safety network located at the Police Department.

**BUDGET/FINANCIAL INFORMATION:**

Funding for this equipment is incorporated in Police Department's Fiscal Year 2015 budget and there is no additional budget impact.

**PREPARED BY:** Dennis Diaz, Police Information Technology Manager/LSP

**SUBMITTED BY:** Camerino Sanchez, Chief of Police

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

**FROM:** Fire Prevention Division, Fire Department

**SUBJECT:** Set A Date For Public Hearing Regarding Renewal Of Levy For Fiscal Year 2016 For The Wildland Fire Suppression Assessment

### 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 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 Continue Assessments for Fiscal Year 2016; and Establishing a Time of 2:00 P.M. on Tuesday, May 19, 2015, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment.

### 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 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 eight 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. Last year we stated the Fire Department intention to clear the majority of roadways in the Foothill and Extreme Foothill zones, in part due to acute drought conditions. We accomplished that goal in Fiscal Year 2015, enhancing evacuation routes throughout the district. In Fiscal Year 2016 the Fire Department will return to the three year cycle by conducting road clearance on 14 miles of the District's roads.

**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. As of this report the Fire Department has chipped 58 tons of material and by the end of the chipping season in mid-June, the Fire Department will have chipped approximately 250 tons of material for district properties.

**Vegetation Management:** Vegetation management is the selective removal of flammable vegetation in open land outside of property owner's defensible space. The goal is to lessen the severity of a fire, in the event that one occurs, by depriving the fire of a large amount 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 13 acres in Fiscal Year 2015. These projects require staff to strengthen the public-private relationship by working with multiple, individual property owners and contract crews to link individual parcels across larger areas of adjacent land. Working in cooperation with multiple property owners, there is a greater impact on reducing the community threat from wildfire. In addition to vegetation removal, this project also accomplished education, 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 4% 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 2016, staff and the Assessment Engineer propose a CPI increase of 0.72%. The rate for Fiscal Year 2016 as suggested in the Engineer's Report will therefore be set at \$76.27 per single family home in the Foothill

Zone and \$94.57 per single family home in the Extreme Foothill Zone. The total revenues from the assessment will be \$252,046.

The Fiscal Year 2015 rates were \$75.72 and \$93.89 respectively, for a total assessment of \$248,907. The increase for Fiscal Year 2016 will allow us to continue to provide the same level of service in all three areas

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 assessments. The updated Engineer's Report is available for review at Fire Department Administration, 925 Chapala Street and the City Clerk's Office at City Hall at 735 Anacapa Street.

**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 2015 we exceeded that goal, achieving 99% reuse.

**PREPARED BY:** Joe Poiré, Fire Marshal

**SUBMITTED BY:** Patrick McElroy, Fire Chief

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

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DECLARING ITS INTENTION TO CONTINUE 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 CONTINUE ASSESSMENTS FOR FISCAL YEAR 2016; AND ESTABLISHING A TIME OF 2:00 P.M. ON TUESDAY, MAY 19, 2015, IN THE CITY COUNCIL CHAMBERS FOR A PUBLIC HEARING ON THE WILDLAND FIRE SUPPRESSION ASSESSMENT

WHEREAS, the City of Santa Barbara is authorized, pursuant to the authority provided in California Government Code Section 50078 et seq. and Article XIID of the California Constitution, to levy assessments for fire suppression services;

WHEREAS, an assessment for fire suppression has been given the distinctive designation of the "Wildland Fire Suppression Assessment" ("Assessment"), and is primarily described as encompassing the Foothill and Extreme Foothill zones as defined in the Wildland Fire Plan of 2004;

WHEREAS, the Assessment was authorized by an assessment ballot proceeding conducted in 2006 and approved by 51% of the weighted ballots returned by property owners, and such assessments were levied by the City of Santa Barbara City Council by Resolution No. 06-064 passed on July 11, 2006; 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.

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

SECTION 1. SCI Consulting Group, the Engineer of Work, has prepared an engineer's

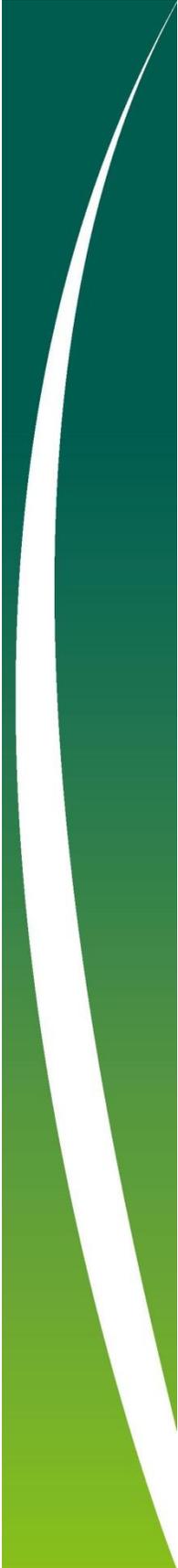
report in accordance with Article XIID of the California Constitution. The Report has been made, filed with the City Clerk and duly considered by the Council and is hereby deemed sufficient and preliminarily approved. The Report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to the foregoing resolution.

SECTION 2. It is the intention of this Council to continue to levy and collect assessments for the Wildland Fire Suppression Assessment for fiscal year 2015-16. 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 49, Section 4907 "Requirements For Wildland-Urban Interface Areas, Defensible Space" as adopted by the City of Santa Barbara pursuant to Santa Barbara Municipal Code Section 8.04.010). "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.

SECTION 3. The estimated fiscal year 2015-16 cost of providing the Services is \$252,046. This cost results in a proposed assessment rate of SEVENTY SIX DOLLARS AND TWENTY-SEVEN CENTS (\$76.27) per single-family equivalent benefit unit in the Foothill Zone and NINETY FOUR DOLLARS AND FIFTY-SEVEN CENTS (\$94.57) in the Extreme Foothill Zone for fiscal year 2015-16. The Assessments include a provision for an annual increase equal to the change in the Los Angeles-Riverside-Orange County Area Consumer Price Index ("CPI), not to exceed 4% (four percent) per year without a further vote or balloting process. The total allowable CPI adjustment for 2015-16 is 0.72% and the rates have been adjusted, accordingly.

SECTION 4. The public hearing shall be held, before the City Council in the City of Santa Barbara City Council Chambers, located at 735 Anacapa Street, Santa Barbara, CA 93101 as follows: on Tuesday, May 19, 2015 at the hour of 2:00 p.m. for the purpose of this Council's determination whether the public interest, convenience and necessity require the Services and this Council's final action upon the Report and the assessments therein.

SECTION 5. The Clerk of the Council shall cause notice of the hearing to be given by publishing a notice, at least ten (10) days prior to the date of the hearing above-specified, in a newspaper circulated in the City.



**CITY OF SANTA BARBARA**  
**WILDLAND FIRE SUPPRESSION ASSESSMENT**

**PRELIMINARY ENGINEER'S REPORT**

MAY 2015

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**

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**CITY COUNCIL**

Helene Schneider, Mayor  
Gregg Hart, Mayor Pro Tempore  
Dale Francisco, Councilmember  
Frank Hotchkiss, Councilmember  
Cathy Murillo, Councilmember  
Randy Rowse, Councilmember  
Harwood "Bendy" White, Councilmember

**FIRE PREVENTION BUREAU**

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

**CITY ATTORNEY'S OFFICE**

Ariel Pierre Calonne, City Attorney  
Sarah Knecht, Assistant City Attorney

**ENGINEER OF WORK**

SCI Consulting Group

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## INTRODUCTION

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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 2015-16

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 2015-16. 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 2015-16 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 2015-16.

A Public Hearing is scheduled for May 19, 2015. At this hearing, the Council will consider approval of a resolution confirming the assessments for fiscal year 2015-16. 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 2015-16.

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 1<sup>st</sup> 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 XIIIC 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

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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.

<b>Final Level of Service</b>	=	<b>Baseline Level of Service</b>	+	<b>Enhanced Level of Service</b>
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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 2015-16

CITY OF SANTA BARBARA Wildland Fire Suppression Assessment Estimate of Costs		<i>Total Budget</i>
<b>Services Costs</b>		
Evacuation Planning - Evacuation Roadway Clearing		
Staffing		\$46,352
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		\$48,733
<b>Totals for Installation, Maintenance and Servicing</b>		\$262,619
Less: District Contribution for General Benefits		(\$20,221)
Net Cost of Installation, Maintenance and Servicing to Assessment District		\$242,398
Incidental Costs:		
District Administration and Project Management		\$6,150
Allowance for County Collection		\$3,498
Subtotals - Incidentals		\$9,648
Total Wildland Fire Suppression District Budget (Net Amount to be Assessed)		\$252,046
<b>Assessment District Budget Allocation to Parcels</b>		
Total Assessment Budget		\$252,046
Single Family Equivalent Benefit Units in District		3,305
Assessment per Single Family Equivalent Unit (SFE)		\$ 76.27

## METHOD OF APPORTIONMENT

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### 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 City of 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."*<sup>1</sup>

*"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."*<sup>2</sup>

*"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."*<sup>3</sup>

*"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."*<sup>4</sup>

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

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

**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."*<sup>7</sup>

*"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."*<sup>8</sup>

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

### **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.”<sup>10</sup>*

*“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.”<sup>11</sup>*

### **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:

<b>Total Benefit</b>	<b>=</b>	<b>General Benefit</b>	<b>+</b>	<b>Special Benefit</b>
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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:

<b>General Benefit</b>	=	<b>Benefit to real property outside of improvement district</b>	+	<b>Benefit to real property inside of improvement district</b>	+	<b>Benefit to public at large</b>
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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**

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

The Assessment District's total budget for 2015-16 is \$262,619. The Assessment District must obtain funding from sources other than the assessment in the amount of at least \$20,221 ( $\$262,619 \times 7.7\%$ ) 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 2015-16, the City will contribute at least \$20,221, 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
<b>Total Score</b>	<b>52</b>	<b>42</b>	<b>28</b>	<b>21</b>

\* 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**

<b>Zone</b>	<b>Raw Score</b>	<b>Wildland Fire Risk Factor</b>
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

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

$$\sum (\text{Structure Value Factors}) \approx (\text{Structure Weighting Factor}) * (\text{Average Improved Value}) * (\text{Land Weighting Factor}) * (\text{Unit Density Factor})$$

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 acre 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 acre 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**

	<b>Foothill Zone</b>		<b>Extreme Foothill Zone</b>	
<b>Property Type</b>	<b>Benefit Factors (SFEs)</b>	<b>Unit</b>	<b>Benefit Factors (SFEs)</b>	<b>Unit</b>
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

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**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 2015-16 is generally as follows:

### SUMMARY COST ESTIMATE FY 2015-16

<b>Budget</b>	
Evacuation Planning – Evacuation Roadway Clearing	\$95,352
Defensible Space	\$78,000
Vegetation Management	\$89,267
Total for Installation, Maintenance and Servicing	\$262,619
Less: Contribution for General Benefits	(\$20,221)
Incidental Costs:	
Administration and Project Management	\$6,150
Allowance for County collection	\$3,498
Subtotal – Incidentals	\$9,648
<b>Total Wildland Fire Suppression Assessment Budget</b>	<b>\$252,046</b>

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 2015-16, the allowable CPI increase is 0.72%.

Hence, the proposed rates for 2015-16 will increase by 0.72% from the 2014-15 rates – from \$75.72 to \$76.27 per single family home in the Foothill Zone and from \$93.89 to \$94.57 per single family home in the Extreme Foothill Zone. The total revenue derived from the assessment is \$252,046 for 2015-16.

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 2015-16. 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 2015-16 for each parcel or lot of land within the said Assessment District.

Dated: May 5, 2015



Engineer of Work

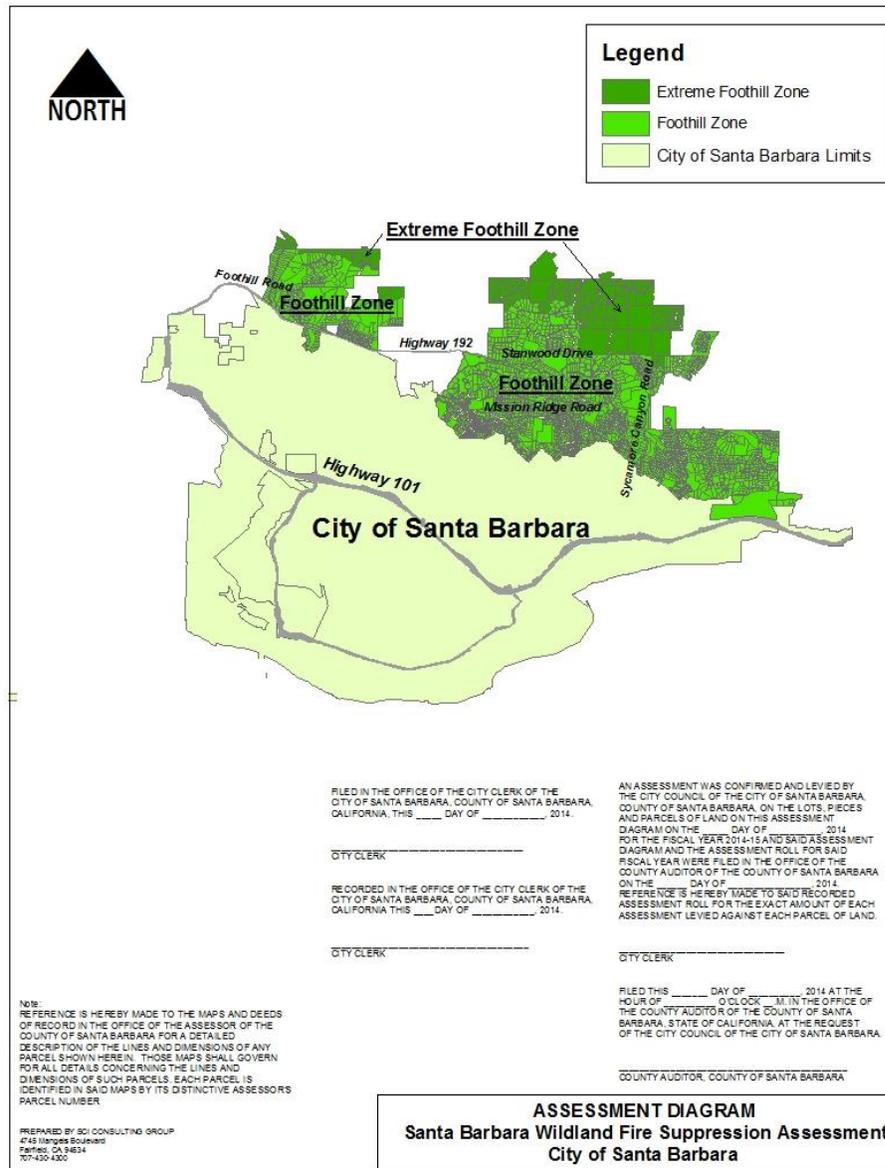
A handwritten signature in blue ink that reads "John W. Bliss". The signature is written over a horizontal line.

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 2015-16, and are incorporated herein by reference, and made a part of this Diagram and this Report.



## APPENDICES

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### APPENDIX A – ASSESSMENT ROLL, FY 2015-16

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 XIID OF THE CALIFORNIA CONSTITUTION

Proposition 218 was approved by voters as a Constitutional Amendment on November 6, 1996. It became Article XIIC and Article XIID 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 XIIC 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 XIIC.
- (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

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- <sup>1</sup> Insurance Services Offices Inc.  
<http://www.rockwall.com/FireDepartment/Insurance%20Services%20Office%20Rating%20Information.pdf>
- <sup>2</sup> Institute for Business & Home Safety, "Protect Your Home Against Wildfire Damage,"  
<http://www.ibhs.org/publications/view.asp?id=125>
- <sup>3</sup> 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>
- <sup>4</sup> 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>
- <sup>5</sup> 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>
- <sup>6</sup> Insurance Services Offices Inc., p. 1,  
<http://www.rockwall.com/FireDepartment/Insurance%20Services%20Office%20Rating%20Information.pdf>
- <sup>7</sup> 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
- <sup>8</sup> 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
- <sup>9</sup> 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](http://ncrs.fs.fed.us/pubs/gtr/gtr_nc261.pdf)
- <sup>10</sup> 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](http://ncrs.fs.fed.us/pubs/gtr/gtr_nc261.pdf)

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<sup>11</sup> 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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Adoption Of 2015-2019 Consolidated Plan And 2015-16 Annual Action Plan

**RECOMMENDATION:** That Council:

- A. Adopt the 2015-2019 Consolidated Plan and 2015-16 Annual Action Plan for submittal to the U.S. Department of Housing and Urban Development (HUD); and
- B. Authorize the City Administrator to sign all necessary documents to submit the City's 2015-2019 Consolidated Plan and 2015-2016 Annual Action Plan to HUD.

### **DISCUSSION:**

The City annually receives (CDBG) funds and HOME Investment Partnerships Program (HOME) funds from the U.S. Department of Housing and Urban Development (HUD). To receive these funds, HUD requires that a Consolidated Plan (ConPlan) be prepared and submitted every five years. The ConPlan identifies the City's housing and community development needs, and details the City's 5-year strategy and goals to address those needs with HUD-allocated funds.

The City is in the final year of its current 5-year ConPlan period, which will end on June 30, 2015. The next ConPlan is due to HUD by May 15, 2015, and it will cover the five-year period beginning July 1, 2015 through June 30, 2020. The ConPlan consists of the following required components:

- Citizen Participation and Consultation with Local Jurisdictions and Service Providers;
- Assessment of Housing, Homeless and Community Development Needs;
- Housing Market Analysis;
- Strategic Plan; and
- 1-Year Action Plan.

The key findings of the needs-assessment process, starting on page 5 of the attached ConPlan, are as follows:

- Housing overpayment is the most prevalent housing problem in the City, with 81% of Santa Barbara's low and moderate income renter households facing a "cost burden," defined as spending 30% or more of income on housing costs. More significantly, 54% of low and moderate income renters face a "severe cost burden" by spending 50% or more of their income towards housing.
- Household overcrowding among renter households, defined as one or more occupants per room, has decreased from 18% during the 2000 Census to 10% Citywide as documented by the most recent American Community Survey. However neighborhoods on the Westside and on the Eastside continue to experience high levels of overcrowding (30% or more).
- The Central Coast Collaborative on Homelessness (C3H) 2015 point in time count encountered 893 homeless individuals within the City of Santa Barbara.
- The City's Capital Improvement Program (CIP) for fiscal years 2014-2019 identified the following general projects (within low and moderate income areas) in need of CDBG funds over the next five years:
  - Park and Neighborhood Center Improvements
  - Sidewalk improvements, including accessibility ramps
  - Bus shelters with solar lighting
  - Street lighting improvements
  - Railway Corridor safety fencing and the deterring or removal of graffiti

As a result of these and other findings, five priority areas were identified for the City's Strategic Plan. CDBG and HOME funds will be used toward activities that satisfy these priority areas, contingent upon the amount of funds HUD makes available each year. The five priority areas are explained in greater detail starting on page 93 of the ConPlan; they are:

1. Homeless Assistance – Support of programs that provide services to homeless individuals and families, and victims of domestic violence.
2. Decent Housing – Support of local housing partners to enable them to acquire, construct or rehabilitate affordable housing, and provide security deposit and tenant based rental assistance.
3. Public Facilities and Infrastructure – Support capital projects that improve facilities of organizations that serve low and moderate income residents, and public infrastructure and parks improvements in low and moderate income neighborhoods.

4. Economic Development – Support of programs that provide self employment training and small business loans.
5. Planning for Housing and Community Development – This includes administration and monitoring activities to ensure CDBG and HOME funds are used in compliance with federal regulations, including fair housing enforcement.

The five priorities were formed based on the National Objectives and Outcomes of the CDBG program that are mandated by HUD, which are to provide decent affordable housing, create a suitable living environment, and create economic opportunities.

In addition to the ConPlan, the City must submit an Annual Action Plan (AAP), which identifies the specific activities that will be undertaken to meet the priority areas stated in the 5-year plan. The 2015-16 AAP is the first program year of the 5-year plan and includes CDBG activities approved by Council on April 7, 2015.

Once adopted, the ConPlan and Action Plan will be submitted electronically using HUD's Integrated Disbursement and Information System (IDIS).

#### Development Process

The City contracted with Karen Warner and Associates (KWA) to develop the ConPlan with the assistance of City staff. As required by HUD, KWA and City consulted with the Housing Authority of the City of Santa Barbara, City departments, social and health service providers, and adjacent local governments. KWA also analyzed extensive data from various sources, such as the 2007-2011 American Community Survey and HUD's Comprehensive Housing Affordability Strategy data.

An on-line Needs Survey (in English and Spanish) was distributed and posted on the City Webpage to obtain input from the general public. Respondents were asked to rank the level of need for public services and benefits and capital improvements. A total of 102 residents completed the Needs Survey. The survey results can be found on Appendix C of the ConPlan.

In addition, two consultation workshops were conducted on November 19, 2014. More than 30 agencies were invited to attend, with a dozen agencies/departments participating in the workshops. The purpose of these workshops was to discuss what each of these agencies define as the key housing and social service issues in Santa Barbara, to identify gaps in service, and to brainstorm potential recommendations. The agencies were also provided a brief survey requesting input on priority needs and gaps in the services provided. The results of the workshops are summarized on Appendix C of the ConPlan.

HUD requires that at least two public hearings be held during development of the ConPlan. The first was held September 23, 2014 and the second was held April 7, 2015. Also, in accordance with federal regulations the draft ConPlan was made available on the City's CDBG & Human Services web page and in the office of the City Clerk, Central Library and the Community Development Department for the required 45-day public review period. Notice of the availability of the Draft ConPlan was published in the Santa Barbara Newspress.

A copy of the City of Santa Barbara Consolidated Plan 2015-2019 and Annual Action Plan 2015-16 is available for review in the City Clerk's Office and in the Council reading file.

**PREPARED BY:** Elizabeth Stotts, Community Development Programs Specialist/  
DR/SLG

**SUBMITTED BY:** George Buell, Community Development Director

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Capital Improvement Projects: Third Quarter Report For Fiscal Year 2015

### RECOMMENDATION:

That Council receive the City's Capital Improvement Projects Third Quarter Report for Fiscal Year 2015.

### EXECUTIVE SUMMARY:

This report summarizes the progress on Capital Improvement Projects in the third quarter of Fiscal Year 2015. The value of projects with construction in progress totals \$47,831,508, and the value of projects in the design phase totals \$112,619,690.

### DISCUSSION:

#### CONSTRUCTION HIGHLIGHTS – COMPLETED PROJECTS

Six projects were completed in the third quarter of Fiscal Year 2015, from January through March 2015. Attachment 1 displays a chart that shows the completed capital projects for the third quarter. Attachments 2 and 3 display the completed capital projects by fund for Fiscal Year 2015. The following describes the highlights of the six completed construction projects:

- Safe Routes To School (\$405,763) – The completed project consisted of making pedestrian and vehicular safety improvements at four intersections within the Eastside Neighborhood, including Clifton Street at Oak Street, Clifton Street at Salinas Street, Cacique Street at Salinas Street, and Santa Ynez Street at Eucalyptus Hill Road. All four of these intersections are on the suggested route to school for Cleveland Elementary School, as presented in the City's Pedestrian Master Plan.
- 911 Call Center Temporary Relocation Project (\$2,375,625) – On June 28, 2011, Council received and accepted a report that outlined recommendations for the

future of the Police Station after a structural evaluation raised concerns about the building's seismic performance during a major earthquake. The review of this report resulted in a project to build a facility that would provide the 911 Call Center with a safe, temporary location. Relocating the 911 Call Center included the installation and integration of an entirely new communication system that could support 911 operations. This was a complex and delicate project that had to be executed without disruption to service.

- Pavement Rehabilitation Runway 15L-33R, Terminal Ramp, South GA, and Signature Ramp (\$2,878,026) – The completed project at the Santa Barbara Airport consisted of rehabilitation treatments for the runway and several aircraft parking areas in poor condition.
- Marina One Replacement Phase 5 (\$1,922,041) – The scope of the Marina One Replacement Project, Phases 5-8, is to replace the remaining docks A through K, which will complete Marina One improvements over a four year period. The project replaced the docking system and its associated utilities for the K and J fingers (Phase 5).
- Wastewater Main Rehabilitation Fiscal Year 2014 (\$1,215,760) – The completed project consisted of rehabilitating approximately 5 miles of existing 6- and 8-inch sanitary sewer mains. This project is part of the City's annual program to maintain approximately 257 miles of the City's sanitary sewer infrastructure.
- Wastewater Treatment Plant Influent Pumps Station Replacement (\$3,891,192) – The completed project generally consisted of replacing four existing influent pumps, shafts, and motors. The work also involved replacing two existing variable frequency drives, installing four new jib cranes servicing each pump, and new ventilation ductwork to replace existing ductwork.

## CONSTRUCTION HIGHLIGHTS – IN PROGRESS

In addition to the completed projects, 21 projects are currently under construction, with an approximate contract value of \$47,831,508 (Attachment 4). The Interactive Map of Design and Construction Projects can be viewed at the following link: [www.santabarbaraca.gov/gov/depts/pw/engineering/major\\_projects](http://www.santabarbaraca.gov/gov/depts/pw/engineering/major_projects). The following are highlights of construction projects in progress:

- Cabrillo Boulevard Bridge at Mission Creek (\$13,989,151) – Stage Two of construction includes replacing the north half of the bridge. The project is well underway and will continue for the remainder of 2015. Foundation construction, some bridge demolition, and a Mission Creek diversion is ongoing. The project is scheduled to be complete by the end of 2016.
- Cota Street Bridge at Mission Creek (\$4,956,146) – Utility relocation work is currently underway in advance of the bridge demolition and reconstruction effort.

The 200 Block of West Cota Street will be closed for the duration of construction, and will last approximately one year. Also during this time, Cota Street at Bath Street will be closed completely to all vehicles, pedestrians, and bicycles. Cota Street will be accessible to local traffic only from De la Vina Street. The project is scheduled to be completed in early 2016.

- Mason Street Bridge at Mission Creek (\$7,280,709) – Building demolition and underground work necessary to realign Kimberly Avenue has been completed. Construction of the east channel wall for widening Mission Creek continues. The project is scheduled to be completed in summer 2016.

Successor Agency to the Redevelopment Agency of the City of Santa Barbara:

- Lower West Downtown Lighting Improvement Project, Phase 2 (\$463,558) – Construction started in April 2015, and the project is scheduled to be completed in August 2015.

Public Works Wastewater Maintenance:

- La Colina Force Main Installation Fiscal Year 2015 (\$1,012,074) – Approximately 3,290 feet of 8-inch sewer force main was installed along La Colina Road and a portion of North La Cumbre Road. A new sewer manhole was installed on North La Cumbre Road. The La Colina Lift Station vault was enlarged and new fencing was installed.

Public Works Water Maintenance:

- Alameda Park Well Replacement Project (\$2,313,592) – Construction began in March 2015. The project is scheduled to be completed in summer 2015.

Creeks:

- Low Impact Development Storm Water Infiltration Alice Keck Park Memorial Gardens and Vera Cruz Alley Phase 1 (\$1,000,000) – The construction contract was awarded on March 17, 2015, with construction scheduled to start in May 2015. The project is scheduled to be completed in November 2015.

**PROJECTS IN DEVELOPMENT**

In addition to projects in construction, there are currently 43 projects in design, with an estimated total project cost of \$112,619,690 (see Attachment 4). The Desalination Project is not included at this time.

Projects are scheduled to be funded over several years, as generally shown in the City's Six-Year Capital Improvement Program Report. These projects rely on guaranteed or anticipated funding and grants. The following are design project highlights:

Public Works Bridge Program:

The City currently has six projects in design. This includes four bridge replacements (Gutierrez Street, De la Guerra Street, Anapamu Street, and Quinientos Street). The

expected value of these four projects is \$24 million. The design phase and environmental studies are ongoing for the De La Guerra, Gutierrez, Anapamu, and Quinientos Bridges.

Project Name	Estimated Project Cost	City Funds	Scheduled Construction Start
De La Guerra Bridge	\$6,235,000	\$850,000	2017
Gutierrez Bridge	\$6,665,750	\$900,000	2016
Anapamu Bridge	\$5,415,000	\$160,000	2017
Quinientos Bridge	\$5,622,500	\$160,000	2017
<b>Total</b>	<b>\$23,938,250</b>	<b>\$2,070,000</b>	
<b>% City Funds</b>		<b>8.6%</b>	

The remaining projects in design include Mission Canyon Road Bridge and a bridge preventative maintenance project at various bridge locations.

Public Works Active Transportation Program (ATP):

On September 27, 2014, the City was awarded \$8.6 million in Active Transportation Program (ATP) grant funds for the design and/or construction of four projects within the City of Santa Barbara, the Cacique and Soledad Pedestrian/Bicycle Bridges and Corridor Improvements Project, the Montecito Street Bridge Replacement and Pedestrian Improvements Project, the Lower Milpas Sidewalk Infill and Pedestrian Improvements Project, and the Las Positas Road Multiuse Pathway Project. All four projects are currently in design. The purpose of the ATP is to increase the proportion of trips accomplished by biking and walking, increase the safety of non-motorized users, achieve greenhouse gas reduction goals, enhance public health, and benefit disadvantaged (minority and low income) communities.

Public Works Highway Safety Improvement Program (HSIP):

The Highway Safety Improvement Program (HSIP) is a federal grant program for the purpose of achieving a significant reduction in fatalities and serious injuries on all public roads. This is a competitive program administered through Caltrans and focuses on infrastructure projects, which must be identified on the basis of crash experience, crash potential, and crash rate. The City currently has three active HSIP projects. The HSIP De la Vina/Arrellaga Traffic Signal Project is currently in construction, and the HSIP Crosswalk Enhancements and HSIP Traffic Signal Upgrades Projects are in design.

- Low Impact Development Storm Water Infiltration Quarantina Street Phase 2 (\$2,000,000) – The Phase Two project kick-off occurred in April 2015 to initiate the design phase.

Parks and Recreation:

- Cabrillo Pavilion and Bathhouse Renovation (\$9,100,000): This project is managed by the Parks and Recreation Department, with support from the Public Works Facilities Division. The project will restore the historic Cabrillo Pavilion and Bathhouse to a viable community recreation center that serves Santa

Barbara residents and visitors, and returns the building to its original status as the “crown jewel of East Cabrillo Boulevard.” The project is currently in preliminary design. Funding is provided through \$9.1 million in former City Redevelopment Agency Bond Funds.

Public Works Facilities:

- Laguna Lot Permeable Paver Project (\$1,463,744) – This is a Public Works Facilities project scheduled to award a contract for construction in May 2015, with an estimated construction start in late June 2015.

Public Works Pavement Maintenance:

- Zone 2 Pavement Preparation and Slurry Seal (\$2,800,000) – This year’s annual pavement maintenance projects will focus on Zone 2, which generally encompasses the Upper State Street, San Roque, and Samarkand neighborhoods. A variety of pavement maintenance treatments will be utilized based on the existing roadway condition, including crack seal, slurry seal, spot repairs, and asphalt overlay. Due to ongoing funding shortfalls, pavement maintenance will prioritize preserving the streets serving the highest number of users. Construction is scheduled to begin in summer 2015.
- Las Positas Road and Cliff Drive Intersection Improvements (\$1,600,000) – The project will construct a single-lane roundabout at the intersection of Las Positas Road and Cliff Drive in order to reduce congestion and queuing during the morning and evening peak hours. Design is currently underway, and construction is anticipated to begin in summer/fall 2016.

Public Works Wastewater Maintenance:

- Wastewater Main Rehabilitation Fiscal Year 2015 (\$736,388) – Approximately 1.74 miles of accelerated wastewater collection pipe and 1.24 miles of regular wastewater collection system pipe have been selected for rehabilitation. These pipes were selected based on the pipe’s structural condition, age, and material. Construction is scheduled for summer/fall 2015.

**SUMMARY:**

The third quarter of Fiscal Year 2015 ended with approximately \$12.6 million in completed construction. Approximately \$3.6 million was provided through grant funding.

- ATTACHMENT(S):**
1. Completed Capital Improvement Projects for Fiscal Year 2015
  2. Completed Capital Improvement Projects Funding Fiscal Year 2015 - Table
  3. Completed Capital Improvement Projects Funding by Category Fiscal Year 2015 - Chart
  4. Capital Projects with Design and Construction in Progress

**PREPARED BY:** Pat Kelly, Assistant Public Works Director/City Engineer/TB

**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director

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

**COMPLETED CAPITAL PROJECTS - THIRD QUARTER FISCAL YEAR 2015**

<b>Project Name</b>	<b>Design Costs</b>	<b>Construction Contract</b>	<b>Construction Change Order Costs</b>	<b>Construction Management Costs</b>	<b>Total Project Costs</b>
Safe Routes To School/Cleveland	\$92,681	\$223,560	\$16,126	\$73,396	<b>\$405,763</b>
911 Call Center Temporary Relocation	\$239,511	\$1,742,983	\$177,427	\$215,704	<b>\$2,375,625</b>
Pavement Rehabilitation Runway 15L-33R	\$213,291	\$2,164,834	\$214,979	\$284,922	<b>\$2,878,026</b>
Marina 1 Replacement Phase 5	\$94,457	\$1,749,435	\$35,306	\$42,843	<b>\$1,922,041</b>
Wastewater Main Rehabilitation FY 14	\$26,944	\$1,199,430	-\$155,956	\$145,342	<b>\$1,215,760</b>
Wastewater Treatment Plant Influent Pumps Station Replacement	\$504,998	\$2,583,700	\$250,280	\$552,214	<b>\$3,891,192</b>
<b>TOTALS</b>	<b>\$1,171,882</b>	<b>\$9,663,942</b>	<b>\$538,162</b>	<b>\$1,314,421</b>	<b>\$12,688,407</b>

**COMPLETED CAPITAL IMPROVEMENT PROJECTS FUNDING  
FISCAL YEAR 2015**

**FIRST QUARTER**

PROJECT TITLE	FUNDING													
	Airport	Creeks	Downtown Parking	Parks	General Fund	Facilities	Other	Streets	Streets Grants	Water	Wastewater	Waterfront	Other Grants	TOTAL PROJECT COSTS
<b>First Quarter</b>														
Zone 6 (Fiscal Year 13) Pavement Preparation (1)						\$ 64,065		\$ 1,059,175	\$ 512,196			\$ 20,950		\$ 1,656,386
State Route 192 Utility Adjustments										\$ 118,852				\$ 118,852
														<b>Total First Quarter \$ 1,775,238</b>

(1) Local Surface Transportation Program & State Local Partnership Program

**SECOND QUARTER**

PROJECT TITLE	FUNDING													
	Airport	Creeks	Downtown Parking	Parks	General Fund	Facilities	Other	Streets	Streets Grants	Water	Wastewater	Waterfront	Other Grants	TOTAL PROJECT COSTS
<b>Second Quarter</b>														
School Zone Ped Refuge Island (1)								\$ 38,358	\$ 152,645					\$ 191,003
On Call Sewer Main Point Repairs FY 14											\$ 285,193			\$ 285,193
Reservoir No. 1 Joint Seal Repair										\$ 236,594				\$ 236,594
CDBG 2013-2014 Sidewalk Access Ramp Project (2)								\$ 104,041					\$ 98,883	\$ 202,924
Water Main Rehabilitation FY 13										\$ 4,228,704				\$ 4,228,704
Sycamore Cyn Rd Bank Repair Project										\$ 207,342				\$ 207,342
Valle Verde Well Upgrade										\$ 167,317				\$ 167,317
														<b>Total Second Quarter \$ 5,519,077</b>

(1) Measure A

(2) Community Development Block Grant

**THIRD QUARTER**

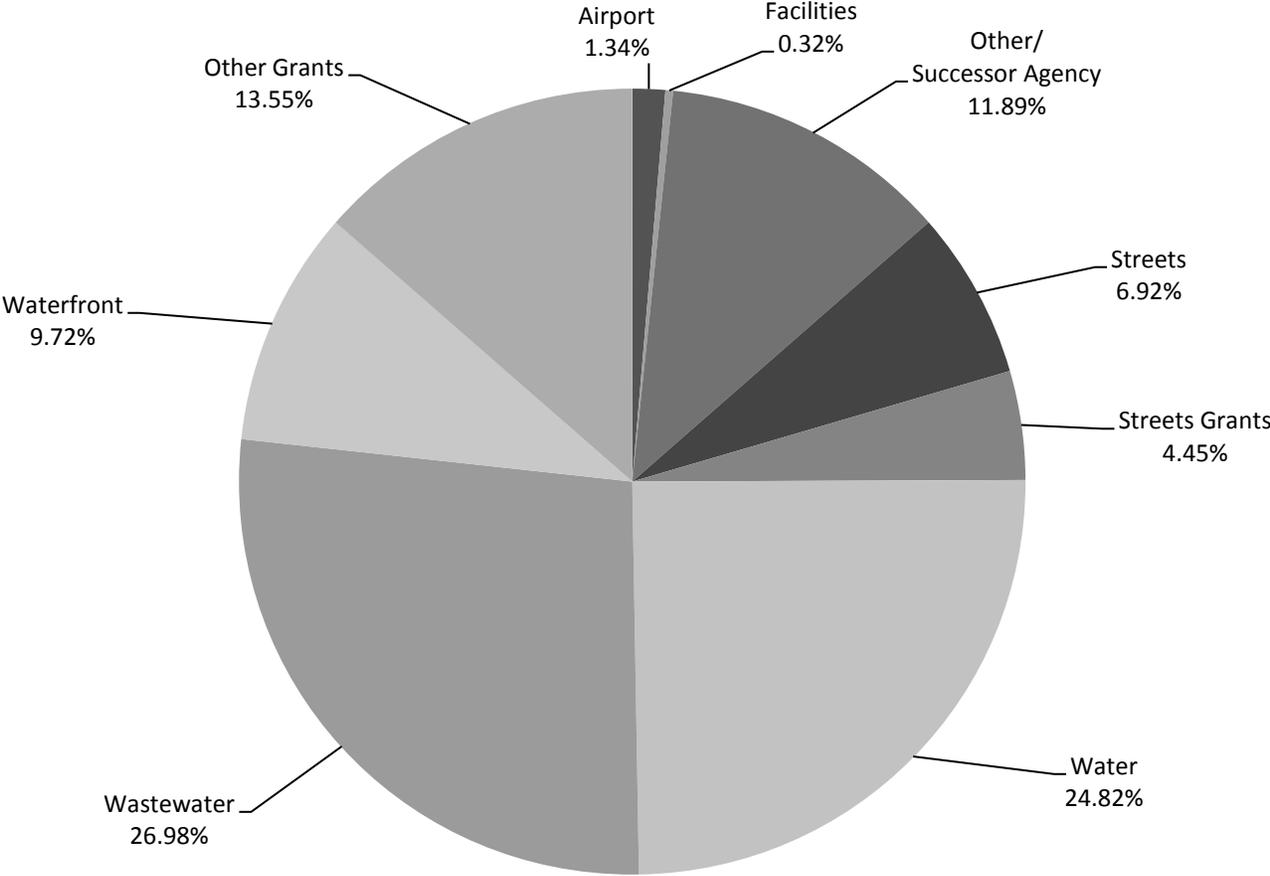
PROJECT TITLE	FUNDING													
	Airport	Creeks	Downtown Parking	Parks	General Fund	Facilities	Other Successor Agency	Streets	Streets Grants	Water	Wastewater	Waterfront	Other Grants	TOTAL PROJECT COSTS
<b>Third Quarter</b>														
Safe Routes To School/Cleveland (1)								\$ 180,763	\$ 225,000					\$ 405,763
911 Call Center Temporary Relocation							\$ 2,375,625							\$ 2,375,625
Pavement Rehabilitation Runway 15L-33R (2)	\$ 268,519												\$ 2,609,507	\$ 2,878,026
Marina 1 Replacement Phase 5												\$ 1,922,041		\$ 1,922,041
Wastewater Main Rehabilitation FY 14											\$ 1,215,760			\$ 1,215,760
Wastewater Treatment Plant Influent Pumps Station Replacement											\$ 3,891,192			\$ 3,891,192
														<b>Total Third Quarter \$ 12,688,407</b>

(1) Safe Routes To School

(2) FAA Airport Improvement Grant

	Airport	Creeks	Downtown Parking	Parks	General Fund	Facilities	Other/ Successor Agency	Streets	Streets Grants	Water	Wastewater	Waterfront	Other Grants	
<b>GRAND TOTAL</b>	<b>\$ 268,519</b>					<b>\$ 64,065</b>	<b>\$ 2,375,625</b>	<b>\$ 1,382,337</b>	<b>\$ 889,841</b>	<b>\$ 4,958,809</b>	<b>\$ 5,392,145</b>	<b>\$ 1,942,991</b>	<b>\$ 2,708,390</b>	<b>\$ 19,982,722</b>
<b>%</b>	<b>1.34%</b>					<b>0.32%</b>	<b>11.89%</b>	<b>6.92%</b>	<b>4.45%</b>	<b>24.82%</b>	<b>26.98%</b>	<b>9.72%</b>	<b>13.55%</b>	<b>100.00%</b>

# Completed Capital Projects Funding For Fiscal Year 2015



Grand Total \$19,982,722

## CAPITAL PROJECTS WITH DESIGN AND CONSTRUCTION IN PROGRESS

PROJECT CATEGORY	DESIGN IN PROGRESS	
	No. of Projects	Total Value of Projects
Airport	2	\$1,572,350
Parking	1	\$199,395
Parks and Recreation	1	\$9,100,000
Creeks	1	\$2,000,000
Facilities	1	\$1,463,744
Public Works: Streets/Bridges	8	\$31,913,655
Public Works:Streets/Transportation	12	\$9,802,744
Public Works: Water/Wastewater	17	\$56,567,802
<b>TOTAL</b>	<b>43</b>	<b>\$112,619,690</b>

PROJECT CATEGORY	CONSTRUCTION IN PROGRESS	
	No. of Projects	Construction Contract Costs
Creeks	1	\$1,053,780
Parking	1	\$113,494
Successor Agency to the Redevelopment Agency of the City of Santa Barbara	1	\$463,558
Public Works: Streets/Bridges	4	\$28,438,571
Public Works: Streets/Transportation	5	\$3,727,418
Public Works: Water/Wastewater	9	\$14,034,687
<b>TOTAL</b>	<b>21</b>	<b>\$47,831,508</b>



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015  
**TO:** Mayor and Councilmembers  
**FROM:** Engineering Division, Public Works Department  
**SUBJECT:** Acceptance Of Public Street Easement Deed For 3885 State Street

### RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Public Street Easement Over the Real Property Commonly Known as 3885 State Street for All Street Purposes.

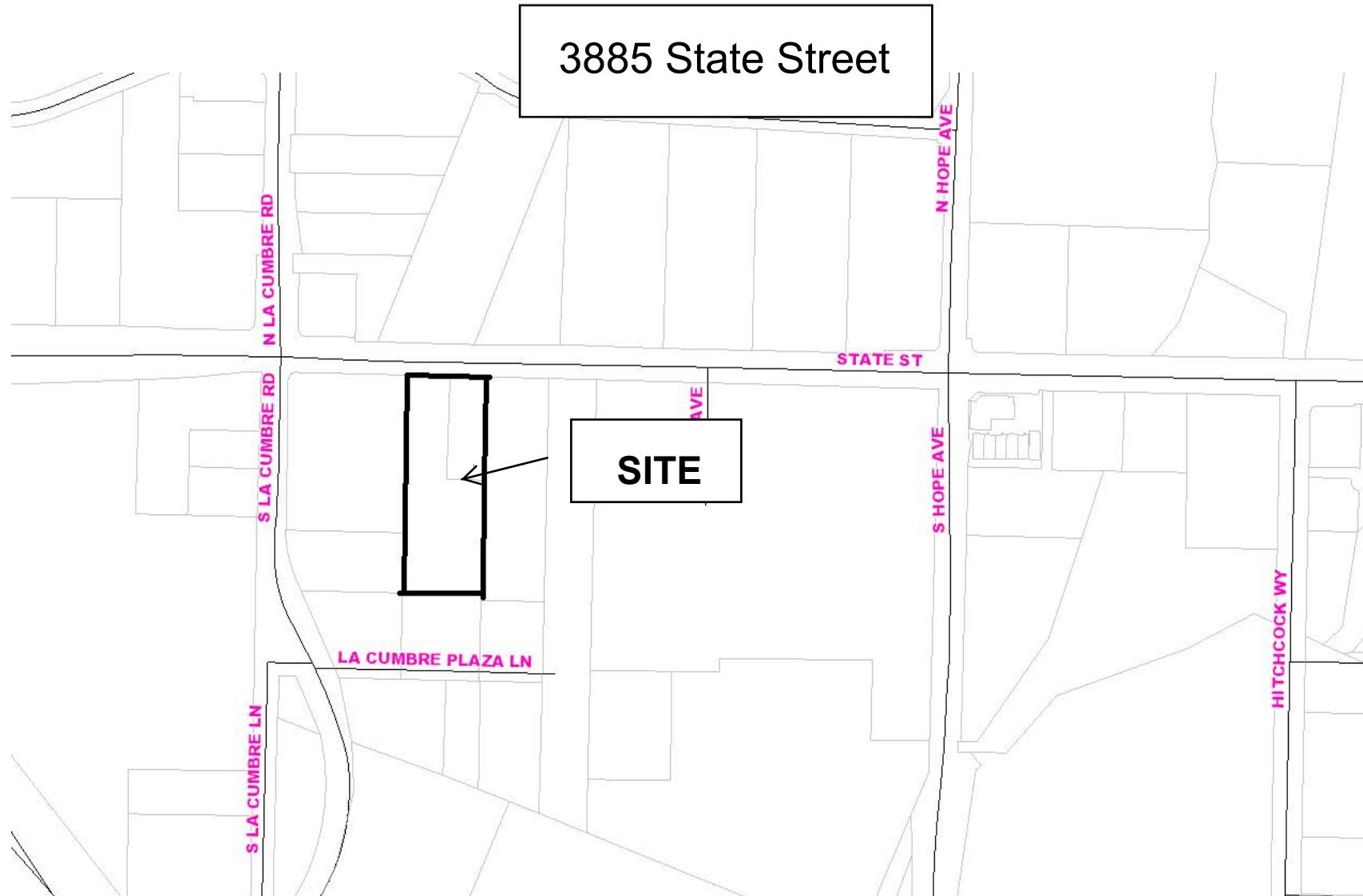
### DISCUSSION:

The 3885 State Street project includes a new mixed-use building consisting of 89 residential rental units, a 4,735 square feet of commercial space, with a partial subterranean parking garage. On October 28, 2013, this project was approved by the Architectural Board of Review.

A Voluntary Merger of two parcels (APN's 051-022-012 and 051-022-033) was required, and recorded as Instrument Number 2015-007684.

A 529 square foot public street easement across the private property frontage is required to complete public right of way improvements in accordance with project approval and the City's Pedestrian Master Plan. The 3-foot-wide easement will be used to allow reconstruction of the 8-foot-wide sidewalk, the addition of new curb drain outlets, construction of a new 3.5-foot-wide parkway in front of the new sidewalk, and an additional 6-inch-wide curb. In order to accept this easement, Council must adopt this Resolution.

**ATTACHMENT:** Vicinity Map  
**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/DAS/kts  
**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director  
**APPROVED BY:** City Administrator's Office



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

RESOLUTION OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA ACCEPTING A PUBLIC STREET  
EASEMENT OVER THE REAL PROPERTY COMMONLY  
KNOWN AS 3885 STATE STREET FOR ALL STREET  
PURPOSES

WHEREAS, The Owner of real property located at 3885 State Street has offered to the City of Santa Barbara a portion of private land to be accepted as public right of way;

WHEREAS, The Council of the City of Santa Barbara, by this Resolution, hereby declares its intention to accept the offer of easement on the property known as 3885 State Street;

WHEREAS, the City claims no interest in the underlying fee ownership of the subject property;

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

**Section 1.** The Council of the City of Santa Barbara hereby adopts, by reading of title only, this Resolution accepting the offer of public street easement on the Real Property described in the Street Easement Deed executed by Brad Korzen on April 10, 2015, on behalf of STATE STREET PROPERTY, LLC, a Delaware Limited Liability Company, to the City of Santa Barbara.

**Section 2.** The Council of the City of Santa Barbara authorizes the Public Works Director to execute and record the offered Street Easement Deed.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

**FROM:** Administrative Services

**SUBJECT:** Report On Gender Representation On Boards And Commissions

### **RECOMMENDATION:**

That Council review the findings of a report from the County of Santa Barbara Commission for Women entitled, "A Countywide Snapshot of Gender Representation on Appointed Boards and Commissions".

### **DISCUSSION:**

Inspired by the Orfalea Foundation's report "Not Yet Equal: A Snapshot of Women in Santa Barbara County 2014", the Santa Barbara County Commission on Women decided to perform an analysis of gender representation on boards and commissions throughout the County. This included consideration of the City's board and commission membership, and that of the County of Santa Barbara and the cities of Buellton, Carpinteria, Goleta, Solvang, Lompoc and Santa Maria, for a total of 103 boards and commissions as of January 2015.

The report finds that out of 203 appointed positions on City of Santa Barbara boards and commissions 40% were held by women, 46% were held by men, and 14% were vacant.

For County of Santa Barbara appointments, women represent 33%, men represent 51% and 16% are vacant. In each of the other local cities, women make up between 20-67% of municipal appointments as follows: Buellton = 20% women, Carpinteria = 45% women, Goleta = 24% women, Solvang = 67% women, Lompoc = 41% women and Santa Maria = 49% women. Countywide, out of 748 appointed positions, 39% were held by women, 49% were held by men, and 12% were vacant. Women are also more likely to serve on boards and commissions that cover topics in the Arts & Humanities and Health & Human Services categories.

The full report is attached for information.

**ATTACHMENT:** Report titled "A Countywide Snapshot of Gender Representation on Appointed Boards and Commissions"

**SUBMITTED BY:** Kristy Schmidt, Director of Administrative Services

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

**Women in Leadership:  
A Countywide Snapshot of Gender Representation on  
Appointed Boards and Commissions**



## **Commission for Women Members:**

1<sup>st</sup> District: Laura Burton Capps (Chair), Gina Fischer, Victoria Juarez

2<sup>nd</sup> District: Suzanne Peck, Gail Teton-Landis, Sigrid Wright

3<sup>rd</sup> District: Tracy Beard, Fran Clow (Vice Chair), Deborah Dawicki

4<sup>th</sup> District: Martha Hight, Cindy Litzinger

5<sup>th</sup> District: Gayle Pratt

## **Mission Statement:**

The Commission for Women promotes the well-being of women in Santa Barbara County. The Commission will advise the Board on critical areas affecting women, especially women who have the greatest need. To accomplish this purpose, the Commission may collaborate with other commissions and community groups; facilitate, recognize, and recommend programs; gather and disseminate information, hold public hearings, advise the board, and take other action to accomplish its purpose.

## **Executive Summary:**

**Background on this project:** A primary goal of the Commission for Women is to support and foster female leadership throughout Santa Barbara County. Inspired by the Orfalea Foundation's *Not Yet Equal: A Snapshot of Women in Santa Barbara County 2014*, and after much discussion, the Commission decided that a constructive approach to achieving this goal would be to perform an analysis of gender representation on boards and commissions throughout the county.

**Why do an analysis?** The reasons for this are fivefold:

- Having a sense of the total number of women and men as well as the number of vacancies on each board and commission is a necessary first step to doing a more effective job of achieving gender representation.
- An analysis would provide the Board of Supervisors, whom the Commission advises, with a review of how women's voices are included in our civic dialogue.
- Boards and commissions offer important avenues for the public to have access to the governance process and often function in an advisory capacity to elected officials.

- Appointments to boards and commissions are one way for citizens to voluntarily engage in public service, and can often serve as a springboard to positions of greater leadership, including career advancement, elected office, and a stronger professional network.
- Constantly, there are vacancies on boards and commissions. Armed with this data, these vacancies, in the view of the Commission, represent an opportunity to achieve more equal gender representation.

**Scope:** In May of 2014 and updated in January of 2015, data was gathered from a total of 103 boards and commission from the County of Santa Barbara as well as from the following municipalities: Buellton, Carpinteria, Goleta, Santa Barbara, Solvang, Lompoc and Santa Maria. Of the 103 total boards and commissions reviewed, there were a combined total of 748 positions to be filled by appointment. The city of Guadalupe is not included in this report because the city does not make any appointments to citizen boards and commissions at this time

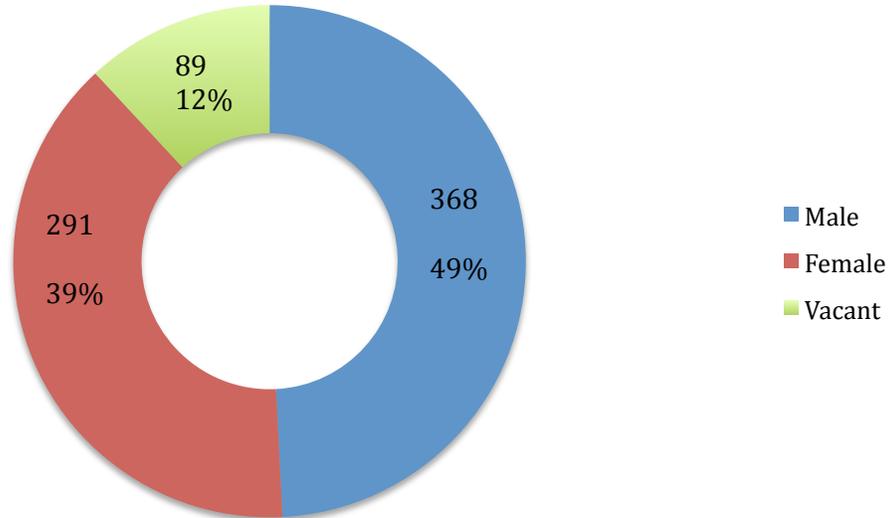
**Just a snapshot:** As detailed below, there are two major limitations to this analysis 1) there is constant turnover in appointments yet data is not updated uniformly, so the quality of the data is dependent upon the records on file in each clerk's office and the accuracy of website information 2) individuals are not required to self-identify their gender in order to serve on a board or commission, thus assumptions were made in the data gathering process.

**The findings:** Overall, women make up approximately 39% of appointees, men represent 49%, and 12% are vacant. For county appointments, women represent 33%, men represent 51% and 16% are vacant. In each of the cities, women make up between 20-67% of municipal appointments: Buellton = 20% women, Carpinteria = 45% women, Goleta = 24% women, Santa Barbara = 40% women, Solvang = 67% women, Lompoc = 41% women and Santa Maria = 49% women. Women are more likely to serve on boards and commissions that cover topics in the Arts & Humanities and Health & Human Services categories.

**Goal:** The reason for this snapshot is to provide constructive information to those who make appointments. The Commission for Women strives to be a resource both by producing this analysis and the way in which it might be utilized.

**Thank you:** The Commission would like to especially thank the following public service staff: Chelsea Lenzi, County Clerk of the Board; Deborah Applegate, Deputy City Clerk, City of Santa Barbara; and Fidela Garcia, City Clerk, City of Carpinteria.

## CFW Review of 748 Appointed Seats



### Project Goal:

The Commission for Women seeks to analyze the gender composition of appointees to boards and commissions in Santa Barbara County.

### Project Description:

This project looked at the gender composition of 103 total boards and commissions\* of the County of Santa Barbara and all municipalities within the county. The data examined included board and commission appointments where the responsibility and discretion of the individual appointment resides primarily with the elected officials who make up the Board of Supervisors and the various City Councils within the county. Decisions on appointments are made by the Board of Supervisors, City Councils and other interested parties. Some appointments are made at the discretion of only one supervisor, and some boards include appointments made by both the Board of Supervisors and City Councils. All boards and commissions reviewed for this project have a designated and open public process to recruit, apply, and select appointees. Initial data was collected in May of 2014 and updated in January of 2015. (\*See Appendix A for a full list of boards & commissions).

## Data Analysis:

For the purpose of this study, the Commission for Women examined the rosters of 103 total boards and commissions throughout the county. The individuals appointed to these 103 boards and commissions were selected by elected members of the Santa Barbara County Board of Supervisors and municipal representatives elected to the various City Councils within the Santa Barbara County. Membership requirements for each board and commission are designated by state or local statute, or bylaws for each board and commission.

Analysis of the data identified the number of women, men and vacant seats on the 103 boards and commissions included in the study.

In an effort to collect the most current, up-to-date information, outreach by phone and email to the office of the county Clerk of the Board and the City Clerks offices in each city was performed. Data obtained from the Clerk of the Board and City Clerks office was also cross-referenced with a web review of each board and commission. The quality of the data is dependent upon the records on file in each clerk's office and the accuracy of website information. An effort was made to identify vacant seats on the boards and commissions. The data in this report was updated in early 2015 in order to attempt to capture data as accurate as possible. The city of Guadalupe is not included in this report because the city does not make any appointments to citizen boards and commissions at this time.

For analysis purposes, the boards and commissions were grouped into four categories including **Health and Human Services, Land Use Planning, Arts & Humanities, and Other.**

Health and Human Services identifies those boards and commissions that have a nexus to funding or regulation of physical or mental health care. Examples of boards and commission with this designation include the Alcohol and Drug Advisory Board; Community Development Block Grant advisory bodies; Human Services Commission; Mental Health Commission; and Mosquito and Vector Control Board, among others.

The Land Use Planning designation denotes those boards and commissions whose purview includes the systemic evaluation and assessment of potential land disposition and utilization options from a regional, urban, economic, social, neighborhood, community or any defined district perspective. Examples of board and commissions with this designation include Agriculture Advisory Commission; Architectural Board of Review; Building and Fire Code Board; Historic Landmarks Commission; regional Planning Advisory Committees; Parks & Recreation Commission; Sign Committees; Transportation Committees; and Tree Advisory groups.

The Arts and Humanities designation encompass those boards and commissions that focus on human culture including language, literature, philosophy, religion, and visual

and performing arts. Examples include Arts Advisory commissions; Library boards; and Sister Cities groups.

The final grouping designation used in this analysis is Other. Boards and Commissions grouped in the Other category include those with a quasi-regulatory mission or with a scope that is more broad than any of the other designations. Examples from the Other designation include Cemetery District boards; Airport commissions; Harbor commission; and Youth councils.

## **Limitations:**

This section will discuss the limitations that could have an impact on the quality of this study of the gender representation on boards and commissions throughout the County.

**Limitation 1: Accuracy of Data & Appointment of Alternates-** The data obtained for this study was originally gathered in April and May 2014 from the county Clerk of the Board and City Clerks offices. Challenges exist within these offices and within the data collection process that may compromise the accuracy of the data. In January 2015 the data was updated by an extensive website review of posted roster information. There may be vacancies and changes to the current appointments on any board or commission not reflected in the data obtained. Some boards and commissions allow for alternates to be appointed in case a voting member is not able to participate. Only full voting members were quantified for this study.

**Limitation 2: Gender Determination-**The applications used by the County and participating cities do not include a box related to gender. Potential board and commission candidates are not required to self-identify their gender in order to serve on a board or commission. For the purpose of this study, gender was determined through gender assumption based on the first name of the appointee. For gender ambiguous first names a web-based search of the individuals' full name plus any other personal information on file with the government agency was employed to identify more specific details in order to assign gender. Some of the information used included captioned photographs identifying the individual, or being identified as "he" or "she" and/or "Mr." or "Mrs." in public materials including newspaper articles, organization newsletters and minutes from the board or commission where that the individual serves.

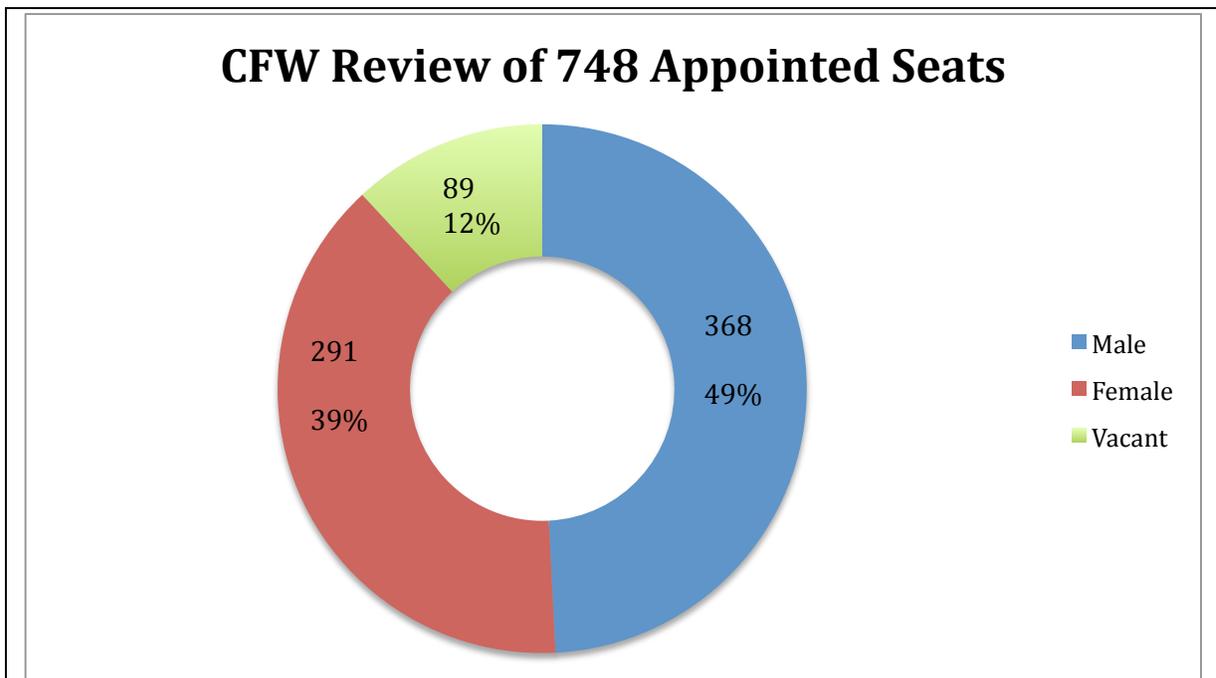
## **Findings:**

Of the 103 total boards and commissions reviewed, there were a combined total of 748 positions to be filled by appointment. Women held 291 of those 748 positions for a 39%

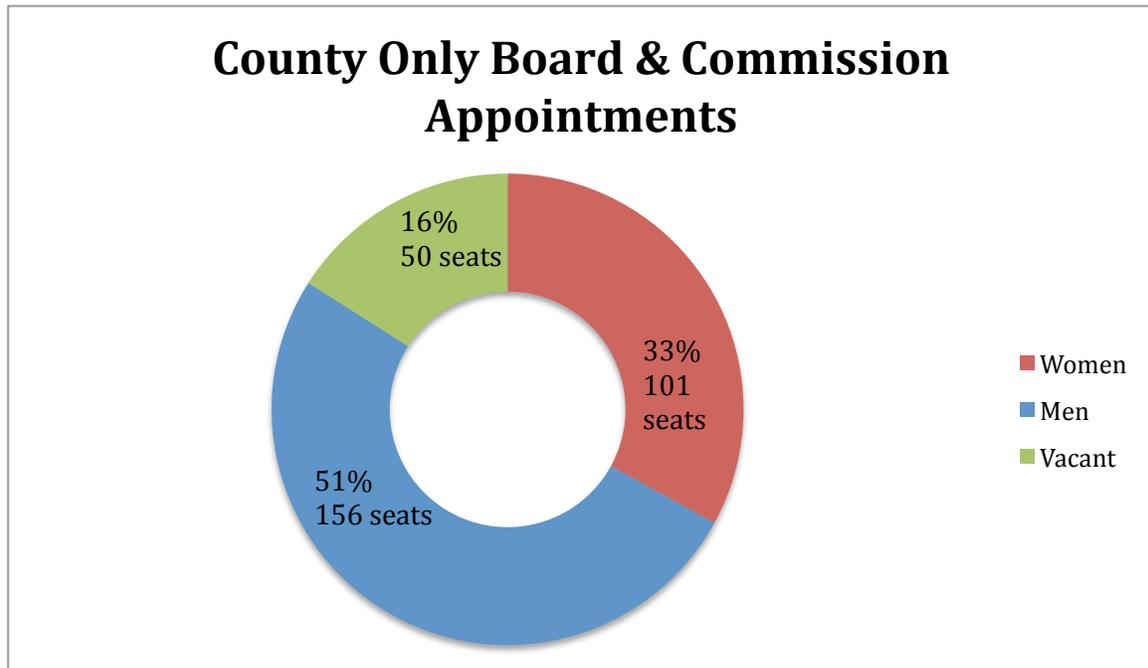
total. For the remainder of the seats, 368 or 49% were occupied by men, and 89 or 12% were vacant. Women are more heavily represented on boards and commissions in the Arts & Humanities and Health & Human Services areas.

When isolating a portion of the data and only analyzing the County board and commission data there are 35 total boards and commissions with 307 seats to be filled by appointment. Women held 101 or 33% of those seats, men occupied 156 seats or 51%, and there were approximately 50 vacancies accounting for around 16%.

**Outcome 1:** Women represent 39% of total appointees throughout Santa Barbara County including the cities of Buellton, Carpinteria, Goleta Santa Barbara, Santa Maria and Solvang.

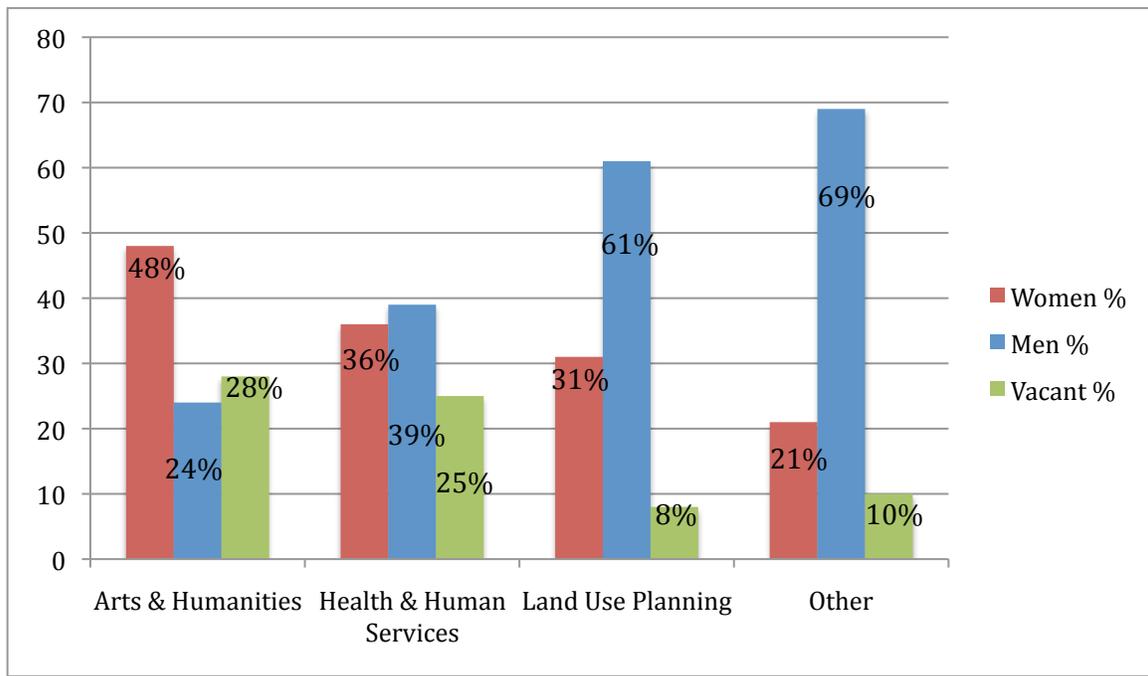


**Outcome 2:** Women represent 33% of the total appointees on County boards and commissions. Men represent 51% of appointees on county boards and commissions. Approximately 16% of seats are vacant on County boards and commissions.



**Outcome 3a (County):** Arts & Humanities and Health & Human Services have more women appointees and more vacancies. Women appointees make up between 36% and 48% of members serving in these areas and there are approximately 35 vacant seats in the Arts & Humanities and HHS areas, with HHS having a 25% vacancy rate most notably with 11 vacant seats on the Advisory Board on Alcohol & Drug Problems. Land Use Planning and Other categories are predominantly filled by men and there are less vacant seats to be filled. (See Appendix B for the full data for County boards & commissions)

**Women, Men & Vacant Seats on County Boards & Commissions**

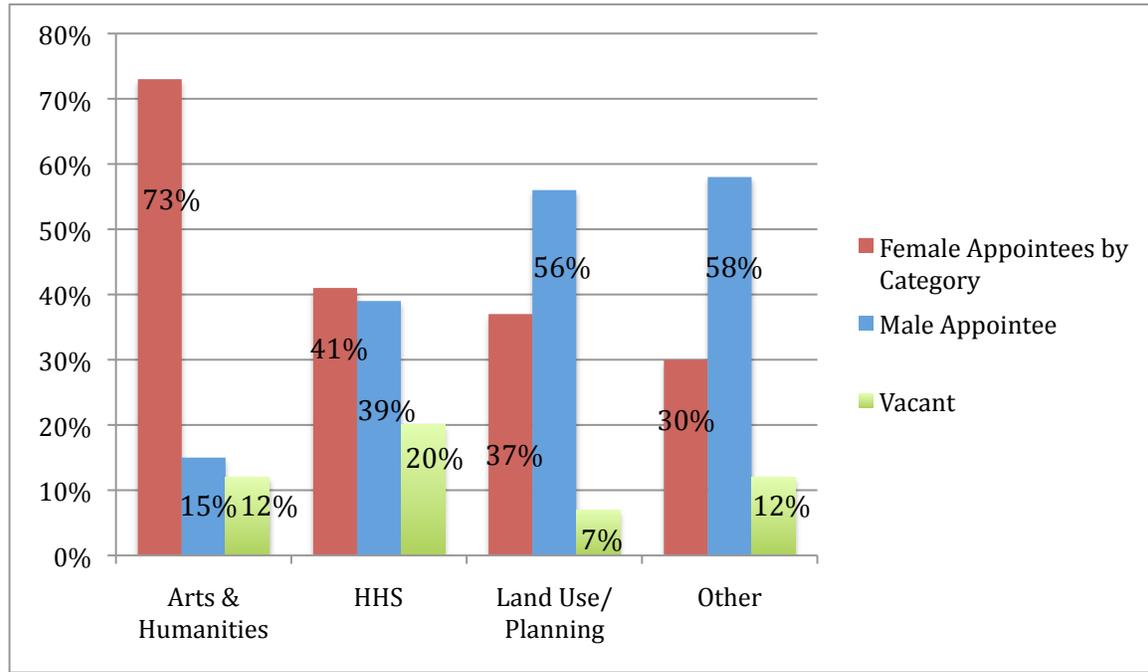


**Outcome 3b (County plus cities):** Women appointees in the County and throughout the cities are prevalent in the Arts & Humanities and Health & Human Services categories.

**By Category:**

	Total	Women	Men	Vacant	Percent
• Arts & Humanities:	66	48	10	8	73%
• Health & Human Services:	154	63	60	31	41%
• Land Use/Planning:	334	123	187	24	37%
• Other	194	57	111	26	30%

## Women Appointees on City and County Boards & Commissions

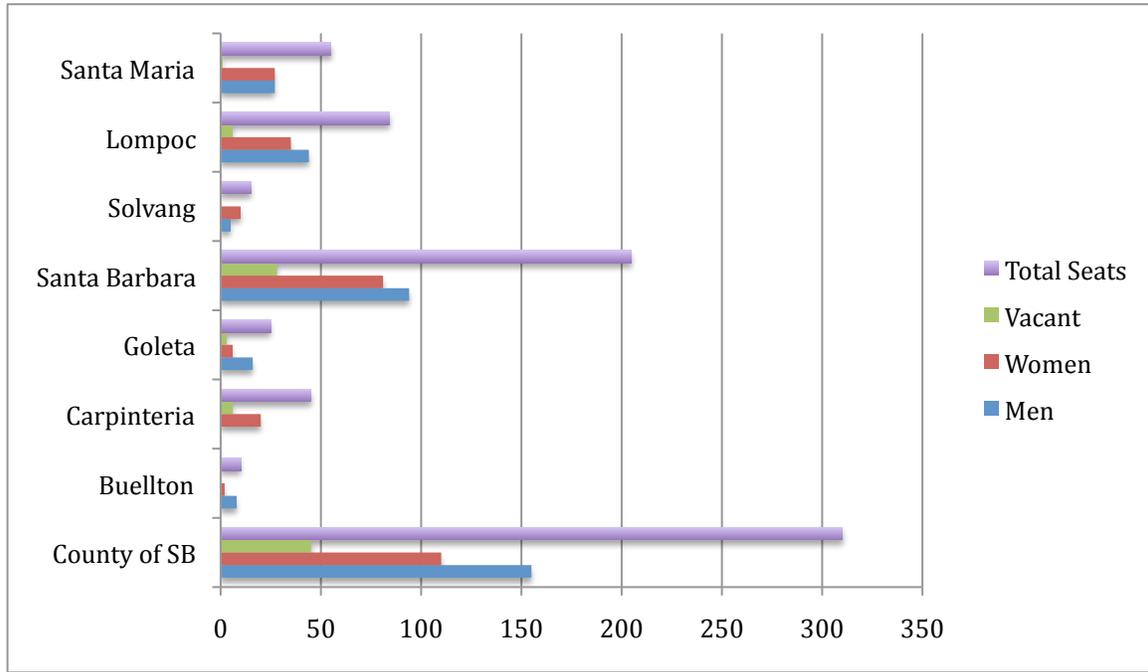


**Outcome 4:** Women serve in appointed positions throughout the region. Total percentage of women serving throughout the County range between 20% in Buellton and 67% in Solvang.

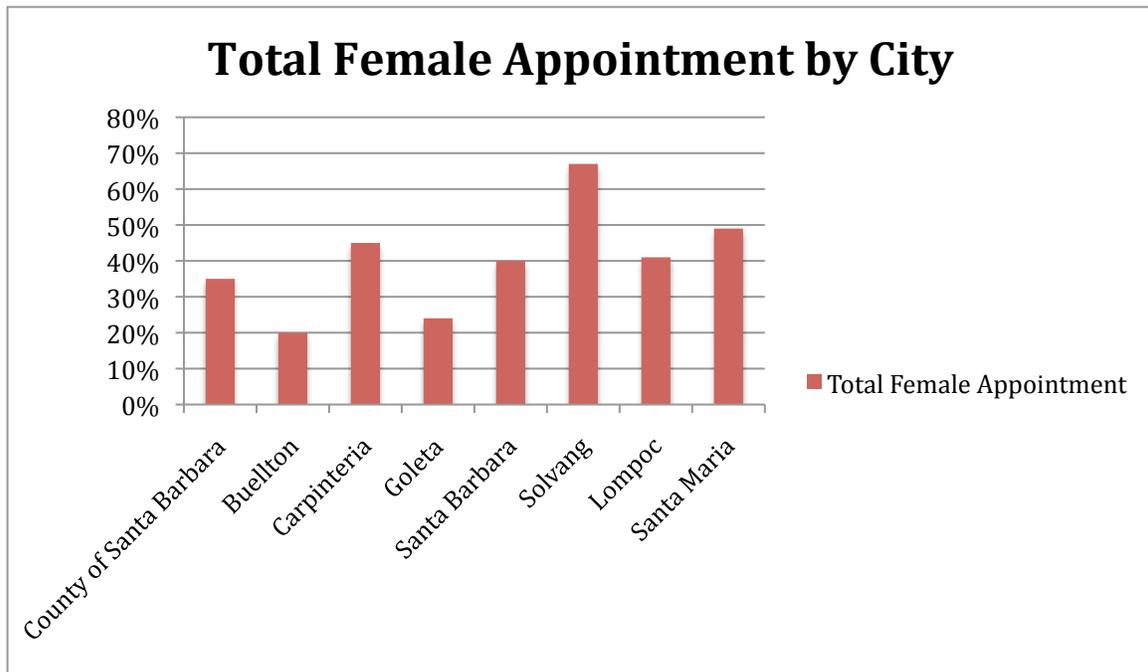
### By Region:

	Total	Women	% W	%M	%V
• County of Santa Barbara:	310	110	35%	50%	15%
• Buellton:	10	2	20%	80%	0%
• Carpinteria:	45	20	45%	42%	13%
• Goleta:	25	6	24%	64%	12%
• Santa Barbara:	203	81	40%	46%	14%
• Solvang:	15	10	67%	33%	0%
• Lompoc	85	35	41%	52%	7%
• Santa Maria	55	27	49%	49%	2%

## Number of Appointed Women by Area



## Geographic Comparison of Total Women Appointees by City



## Appendix A

### Boards and Commissions:

The board and commissions reviewed for this report include:

<b>Board/Commission</b>	<b>Area</b>
Access Advisory Committee	Santa Barbara
Advisory Board on Alcohol & Drug Problems	County
Agricultural Advisory Commission	County
Air Pollution Control District Community Advisory Council	County
Airport Commission	Lompoc & Santa Barbara
All America City Committee	Santa Maria
Architectural Board of Review	County (4), Carpinteria, Santa Barbara, Solvang
Arts Advisory Committee	Santa Barbara
Assessment Appeals #1	County
Assessment Appeals #2	County
Beautification and Appearance Commission	Lompoc
Block Grants Advisory Committee	Santa Maria
Bluffs Management Advisory Board	Carpinteria
Board of Appeals	Santa Maria
Building and Fire Code Board of Appeals	Santa Barbara
Carpinteria Cemetery District Board of Trustees	County
Carpinteria First Committee	Carpinteria
CDBG Committee	Carpinteria

Citizens Committee to Oversee the Park Maintenance and City Pool Assessment District	Lompoc
Civil Service Commission	County & Santa Barbara
Commission for Women	County
Community Development & Human Services Committee	Santa Barbara
Community Events and Festivals Committee	Santa Barbara
County Riding and Hiking Trails Advisory Committee	County
Creeks Restoration & Water Quality Improvement Program Citizens Advisory Committee (Creeks Advisory Committee)	Santa Barbara
Design Review Board	Goleta
Downtown Parking Committee	Santa Barbara
Downtown-T Business Advisory Board	Carpinteria
Economic Development Committee	Lompoc
Fire and Police Commission	Santa Barbara
Fire and Police Pension Commission	Santa Barbara
Fire Board of Appeal	County
Fish and Game Commission	County
Gaviota Coast Planning Advisory Committee	County
Goleta Cemetery District Board of Trustees	County
Guadalupe Cemetery District Board of Trustees	County
Harbor Commission	Santa Barbara
Historic Landmarks Advisory Commission	County, Santa Barbara & Santa Maria
Housing Authority Board of Commissioners	County
Human Services Commission	County & Lompoc
Library Advisory Committee	County
Library Board of Trustees	Lompoc, Santa Barbara

	& Santa Maria
Living Wage Advisory Committee	Santa Barbara
Lompoc Cemetery District Board of Directors	County
Los Alamos Cemetery District Board of Directors	County
Los Alamos Planning Advisory Committee	County
Measure P Committee	Santa Barbara
Measure U2012 Citizen's Oversight Committee	Santa Maria
Mental Health Commission	County
Mobile Home Rent Stabilization Board	Carpinteria
Montecito Area Planning Commission	County
	County, Carpinteria,
Mosquito and Vector Control Board of Directors	Goleta, Santa Barbara
Neighborhood Advisory Council	Santa Barbara
Oakhill Cemetery District Board of Directors	County
Orcutt Trails Commission	County
	County, Buellton,
	Goleta, Lompoc, Santa
	Barbara, Santa Maria,
Parks & Recreation Commission	Solvang
	County, Buellton,
	Carpinteria, Goleta,
	Lompoc, Santa Barbara,
Planning Commission	Santa Maria, Solvang
Public Safety Commission	Lompoc
Public Tree Advisory Board	Goleta
Rental Housing Mediation Task Force	Santa Barbara
SB County Arts Commission	County
Santa Barbara Youth Council	Santa Barbara
Santa Maria Cemetery Board of Trustees	County

Santa Maria Community Television	Santa Maria
Senior Commission	Lompoc
Sign Committee	Santa Barbara
Single Family Design Board	Santa Barbara
Sister Cities Board	Santa Barbara
Transportation and Circulation Committee	Santa Barbara
Tree Advisory Board	Carpinteria
Utility Commission	Lompoc
Veteran's Services Advisory Committee	County
Water Commission	Santa Barbara
Youth Commission	Lompoc

## Appendix B

### Data for County from Outcome #3a

<b>Board/Commission</b>	<b>Total Seats</b>	<b>Women</b>	<b>Men</b>	<b>Vacant</b>	<b>% Women</b>	<b>% Men</b>	<b>% Vacant</b>
Library Advisory Committee	14	6	1	7	43%	7%	50%
Santa Barbara County Arts Commission	15	8	6	1	53%	40%	7%
<b><u>Arts &amp; Humanities Sub Total</u></b>	<b><u>29</u></b>	<b><u>14</u></b>	<b><u>7</u></b>	<b><u>8</u></b>	<b><u>48%</u></b>	<b><u>24%</u></b>	<b><u>28%</u></b>

<b>Board/Commission</b>	<b>Total Seats</b>	<b>Women</b>	<b>Men</b>	<b>Vacant</b>	<b>% Women</b>	<b>% Men</b>	<b>% Vacant</b>
<i>Advisory Board on Alcohol &amp; Drug Problems</i>	20	5	4	11			
<i>Air Pollution Control District Community Advisory Council</i>	26	5	17	4			
<i>Commission for Women</i>	15	10	0	5			
<i>Housing Authority Board of Commissioners</i>	7	2	4	1			
<i>Human Services Commission</i>	15	11	1	3			
<i>Mental Health Commission</i>	11	4	7	0			
<i>Mosquito and Vector Control Board of Directors</i>	8	3	5	0			
<i>Veteran's Services Advisory Committee</i>	8	0	5	3			
<b><u>Health &amp; Human Services (HHS) Sub Total</u></b>	<b><u>110</u></b>	<b><u>40</u></b>	<b><u>43</u></b>	<b><u>27</u></b>	<b><u>36%</u></b>	<b><u>39%</u></b>	<b><u>25%</u></b>

<b>Board/Commission</b>	<b>Total Seats</b>	<b>Women</b>	<b>Men</b>	<b>Vacant</b>	<b>% Women</b>	<b>% Men</b>	<b>% Vacant</b>
Agricultural Advisory Commission	12	6	6	0			
Board of Architectural Review- Central	5	4	1	0			
Board of Architectural Review- Montecito	7	2	5	0			
Board of Architectural Review- North	5	0	4	1			
Board of Architectural Review- South	7	3	4	0			
County Riding and Hiking Trails Advisory Committee	20	2	14	4			
Fish and Game Commission	12	0	8	4			
Gaviota Coast Planning Advisory Committee	11	4	7	0			
Historic Landmarks Advisory Commission	11	3	7	1			
Los Alamos Planning Advisory Committee	7	3	4	0			
Montecito Area Planning Commission	5	2	3	0			
Orcutt Trails Commission	7	3	4	0			
Park Commission	5	3	2	0			
Planning Commission	5	2	3	0			
<b><u>Land Use Planning Sub Totals</u></b>	<b><u>119</u></b>	<b><u>37</u></b>	<b><u>72</u></b>	<b><u>10</u></b>	<b><u>31%</u></b>	<b><u>61%</u></b>	<b><u>8%</u></b>

<b>Board/Commission</b>	<b>Total Seats</b>	<b>Women</b>	<b>Men</b>	<b>Vacant</b>	<b>% Women</b>	<b>% Men</b>	<b>% Vacant</b>
Assessment Appeals #1	5	3	1	1			
Assessment Appeals #2	5	3	2	0			
Carpinteria Cemetery District Board of Trustees	5	0	5	0			
Civil Service Commission	5	2	1	2			
Fire Board of Appeal	5	0	2	3			
Goleta Cemetery District Board of Trustees	3	1	2	0			
Guadalupe Cemetery District Board of Trustees	5	1	4	0			
Lompoc Cemetery District Board of Directors	5	0	5	0			
Los Alamos Cemetery District Board of Directors	3	0	3	0			
Oakhill Cemetery District Board of Directors	3	0	2	1			
Santa Maria Cemetery Board of Trustees	5	0	5	0			
<b><u>Other Sub Totals</u></b>	<b><u>49</u></b>	<b><u>10</u></b>	<b><u>33</u></b>	<b><u>6</u></b>	<b><u>23%</u></b>	<b><u>67%</u></b>	<b><u>10%</u></b>



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Contract To Provide A Work Plan For Desalination Subsurface Intake And Potable Reuse Feasibility Studies

**RECOMMENDATION:** That Council:

- A. Authorize the Public Works Director to execute a Professional Services contract with Carollo Engineers, Inc., in the amount of \$312,659 to provide a Work Plan for Desalination Subsurface Intake and Potable Reuse Feasibility Studies, and approve expenditures of up to \$31,266 for extra services of Carollo Engineers, Inc., that may result from necessary changes in the scope of work, for a total contract phase amount of \$343,925; and
- B. Increase estimated revenues and appropriations in the Drought Fund in the amount of \$343,925 for a Desalination Subsurface Intake Work Plan and Potable Reuse Feasibility Studies funded from the transfer of Water Fund Reserves.

**EXECUTIVE SUMMARY:**

On September 23, 2014, Council directed staff to return to Council with a plan to consider the feasibility, cost, and timeline associated with converting the existing offshore intake to a subsurface intake for the desalination plant, and evaluate opportunities, feasibility and costs for potable reuse. On January 30, 2015, the Regional Water Quality Control Board (RWQCB) adopted an amendment to the City's El Estero Wastewater Treatment Plant National Pollutant Discharge Elimination Permit (NPDES Permit) that incorporated Council's direction to staff and added two milestones: submittal of a feasibility studies Work Plan to the RWQCB by August 31, 2015; and reporting the findings of the feasibility study to the RWQCB at a public meeting, no later than June 30, 2017. The contract being presented to Council for consideration is for development of the Work Plan in compliance with the RWQCB requirements.

**DISCUSSION:**

It is anticipated that the study effort needed to meet Council's and the RWQCB's directives will be best approached through three separate contract phases. Phase 1 is

the creation of a Work Plan for Subsurface Intakes (SSI) and Potable Reuse Feasibility Studies. Phase 2 would be an SSI basis of design and fatal flaw analysis and Potable Reuse Feasibility Study. Phase 3 would be a feasibility study of the SSI alternatives that successfully passed through the fatal flaw analysis. At this time, staff is requesting approval of a contract with Carollo Engineers, Inc., (Carollo), to develop a Work Plan (Phase 1) for submittal to the RWQCB by August 31, 2015.

Once the Work Plan has been approved by the RWQCB, staff will return to Council to amend Carollo's contract to include the above-described Phase 2 work. The contract for this scope of work is anticipated to cost approximately \$700,000. Upon completion of the Phase 2 work, staff will return to Council with a contract amendment for Carollo to perform the above-described Phase 3 work. The preliminary cost estimate for the Phase 3 work is approximately \$1,100,000.

Considering the highly technical nature of this work, staff is recommending the use of an Independent Technical Advisory Panel to ensure process transparency, keep the studies on schedule, and accommodate public input. It is proposed that the National Water Research Institute (NWRI) be retained to establish a panel of approximately four experts. Similar panels have been used and found to be successful in developing a comprehensive, systematic procedure to evaluate the technical feasibility of potable reuse and/or SSI technologies. The NWRI is a 501c(3) nonprofit organization, founded in 1991 by a group of California water agencies in partnership with the Joan Irvine Smith and Athalie R. Clarke Foundation, to promote the protection, maintenance, and restoration of water supplies and to protect public health and improve the environment.

### **Phase 1 – Work Plan for SSI and Potable Reuse Feasibility Studies:**

#### *Work Plan for SSI:*

- Establish project schedule, role of outside agencies, methods for establishing design basis, fatal flaw definition, criteria and application of feasibility screening, and sequencing of analyses; and perform literature review;
- Develop an SSI study that identifies intake sites and raw water conveyance piping;
- Create procedures to determine subsurface properties, model SSI influence on the City's water aquifers;
- Estimate subsurface water quality and treatment needs; and
- Establish and define metrics to compare SSI to current open ocean intakes.

The Work Plan will include SSI panel workshops to review and advise on technical studies and conclusions. The workshops will accept public comments, which will be considered for incorporation into the feasibility screening analysis as appropriate.

#### *Potable Reuse:*

- Develop a potable reuse feasibility study that includes a procedure to identify the capacity of the available potable reuse supply;

- Identify possible sites for potable reuse treatment, storage and distribution facilities;
- Consider potable reuse options; and
- Establish and define metrics to compare potable reuse alternatives to the City's current drought water supply plan.

The Work Plan will include potable reuse panel workshops to review and advise on technical studies and conclusions. The workshops will accept public comments, which will be considered for incorporation into the feasibility screening analysis as appropriate.

Phase 1 will include one public panel workshop for input on the Work Plan for both SSI and potable reuse feasibility studies before it is finalized. Subsequent phases will also have public panel workshops. Carollo has submitted an acceptable proposal to perform the work activities associated with Phase 1 for an amount of \$312,659. Staff recommends an additional \$31,266 for extra services of Carollo that may result from necessary changes in the scope of work, for a total contract amount of \$343,925.

#### **CONTRACTOR SELECTION:**

Carollo is the nation's largest engineering firm that focuses exclusively on water, wastewater, and water reuse. A City selection process found them to be the most responsive to the City's needs in providing preliminary design services for the recommissioning of the City's desalination facility. They have performed well on that project. Key qualifications that Carollo brings to the SSI and potable reuse feasibility studies include:

- Carollo's proposed project manager recently completed the development of a decision tool for the Water Research Foundation that can be used to assess desalination intake feasibility. This tool is directly applicable to the City's project.
- Carollo's sub-consultant Dudek is providing permitting, environmental review, and/or regulatory services for a number of active desalination projects in California cities, including: Carlsbad, Huntington Beach, Santa Cruz, and Redondo Beach. Dudek will provide institutional knowledge of these projects and a California Environmental Quality Act perspective for evaluating desalination intake and potable reuse alternatives.
- Carollo's sub-consultant Fugro has provided geotechnical and engineering services for a number of SSI studies, including the Long Beach Subsurface Infiltration Gallery (SIG), which is the only SIG project that has been constructed in California. Fugro will provide geotechnical engineering services.
- Carollo's sub-consultant GSI has local knowledge of the City's aquifers and is well suited to evaluate how the City's groundwater supply would be affected by SSI operations, or by the addition of recycled water via injection wells. GSI has direct experience in the design, construction, and permitting of injection wells that can be used for indirect potable reuse. GSI was responsible for the permitting,

design, and construction of injection wells (i.e., aquifer storage wells) for the Goleta Water District and is currently working with Carollo on an aquifer storage well project for the City of Woodlands, California.

- Carollo continues to be at the forefront of indirect and direct potable reuse regulatory development, research, planning, and design. Carollo has assisted several California water agencies with planning and implementing indirect potable use projects, including the Santa Clara Valley Water WD, West Basin, Los Angeles BOS, Ventura, and Oxnard. California Legislature has directed the Department of Public Health to develop direct potable reuse guidelines by 2016. Key to this directive is over \$2 million worth of research and development work that Carollo has been leading in the areas of risk mitigation, treatment technology and monitoring. Carollo is also assisting in a national effort to develop potable reuse guidelines that include direct potable reuse. California regulators responsible for delivering these guidelines are participating in this national effort.

Based on the extensive qualifications of Carollo to perform the contract work, staff recommends that Council authorize the Public Works Director to execute a Professional Services contract with Carollo to perform the work described under Phase 1. Carollo has provided the City with excellent service on the preliminary design of the City's Desalination Facility Re-Commissioning Project, and they are best suited to create and submit a feasibility studies Work Plan to the RWQCB by the August 31, 2015 deadline.

#### **BUDGET/FINANCIAL INFORMATION:**

Staff is currently working to secure a State Revolving Fund loan for the desalination project and related work. Because the studies are requirements of the NPDES permit, they will be included as part of the project cost and funded through the loan. Since the loan has yet to be secured and executed, staff recommends that Council authorize a transfer of reserves from the Water Fund and increase estimated revenues and appropriations in the Drought Fund by \$343,925 to cover the cost of the contract with Carollo to provide a Work Plan for SSI and Potable Reuse Feasibility Studies. Upon execution of the loan, staff will apply to have the loan reimburse Water Fund Reserves for these proposed expenditures. At its special meeting on May 4, 2015, the Water Commission reviewed this item.

**PREPARED BY:** Joshua Haggmark, Water Resources Manager/CT/RLR/mh

**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

**FROM:** Planning Division, Community Development Department

**SUBJECT:** Appeal Of Single Family Design Board Approval For Additions To A Residence At 1215 E. Cota Street

### **RECOMMENDATION:**

That Council deny the appeal of Trevor Martinson, agent for Roger Goldtrap, and uphold the Single Family Design Board decision to grant Project Design Approval for additions to an existing single-family residence.

### **EXECUTIVE SUMMARY:**

On March 23, 2015, the Single Family Design Board (SFDB) granted Project Design Approval for proposed additions and alterations to a split-level single family residence located at 1215 E. Cota Street. An appeal was subsequently filed by Trevor Martinson, agent for next-door neighbor Roger Goldtrap. Mr. Martinson asserts that a portion of the residence being altered was not legally permitted and that the proposed accessory structure would have privacy and view impacts for his client. Furthermore, the appellant's letter (Attachment 1) states that the proposed massing of the addition is out of proportion with the existing structure and the project applicant has requested numerous exceptions to development standards. Therefore, the appellant argues the project should be denied or be required to be redesigned in order to comply with the Single Family Design Guidelines and the City's Parking Design Standards.

The SFDB determined that the resulting project's size, bulk and scale are compatible with the neighborhood and indicated the project was consistent with the Single Family Residence Design Guidelines. The SFDB listened to the appellant's concerns and determined the proposed garage height and location were acceptable. Staff believes that the project does not pose significant impacts to privacy of the neighbors given that the garage/accessory structure is only one story, and the proposed alterations to the residence replaces existing building square footage at the second floor level. For these reasons, Staff recommends that Council deny the appeal.

The western portion of the residence being demolished and rebuilt within the interior setback requires a Modification, which was approved by the Staff Hearing Officer in November 2014. Thus, the appellant's claim that a portion of the existing structure in that setback area is illegal is not relevant.

## **DISCUSSION:**

The project involves a proposal to demolish an existing one-car garage, mud room, and bedroom from an existing 1,398 square foot split-level residence, and construct a new master suite in generally the same location (three feet from property line) above a new covered driveway leading towards the rear of property. The proposal also includes a new 650 square foot three-car garage with an attached 300 square foot accessory structure at the rear of the site, a kitchen remodel, and exterior improvements (Attachment 2- Project Plans). The proposed total of 2,300 square feet on an 11,285 square foot lot is 59% of the guideline maximum floor-to-lot area ratio (FAR). The site is located approximately four blocks east of Milpas Street in the Eastside neighborhood, is zoned R-2 (Two-Family Residential), and surrounded by a duplex to the north, and single family residences on the east, west and south.

This project required a Modification to allow the new covered driveway and master bedroom suite to encroach into the interior setback, which was approved by the Staff Hearing Officer (SHO) in November 2014.

### SFDB Review

The project design was first reviewed by the SFDB on August 11, 2014. At that first concept review hearing, the SFDB reviewed the project and heard public comments from the neighbor regarding possible impacts to private views as a result of the location and height of the accessory/garage structure. The SFDB found the design sensitive to the constraints of the existing home and accepted the proposed three-car garage and overall FAR. The Board requested a streetscape plan to better evaluate the property in relation to other adjacent homes. On September 8, 2014, the Board requested the applicant study lowering the roof height of the garage and main building. The Board indicated they supported the requested Modification to rebuild within three feet of the interior property line by finding that the design was aesthetically appropriate and that the project did not pose any consistency issues with the Single Family Residence Design Guidelines. The appellant continued to oppose the project and requested story poles to be erected and for the SFDB to schedule a site visit. The SFDB determined that story poles and a site visit were not necessary for the project and voted unanimously to forward the project to the SHO.

On March 23, 2015, the project returned to the SFDB after SHO approval for the Interior Setback Modification. The SFDB continued to provide positive comments for the architectural details. Some board members expressed concerns regarding the overall

height of the garage structure; however, the final SFDB consensus was that the garage was acceptable at the height proposed given the applicant's desire to have hydraulic lifts to stack vehicles and that the structure complies with the City's Solar Access Ordinance and the Single Family Residence Design Guidelines for massing. The SFDB understood the concern of the adjacent neighbor and specifically indicated that they are not charged with protecting all view corridors, and granted Project Design Approval on a 6/0/0 vote, making the Neighborhood Preservation Ordinance findings (Attachment 3).

## **APPEAL ISSUES:**

### Compatibility

The project under appeal is a modest proposal given that the property is located on an R-2 zoned lot that allows for higher residential density and FARs are only a guideline in this zone district. The proposed development of 2,300 square feet on the 11,285 square foot is 59% of the maximum guideline FAR, which is within the range of house sizes generally found acceptable by the Single Family Design Board.

The SFDB requested a massing study of the streetscape elevations to evaluate how the taller tower structure would fit into the neighborhood (Attachment 4). The SFDB determined that the higher tower element, elevated second floor and covered driveway proposal were compatible with the neighborhood. The Board had specific questions regarding the proposed 13 to 15 foot height and scale of the one-story garage/accessory structure and initially requested that it be lowered. The SFDB ultimately decided that the structure was acceptable at the height proposed given that a two-story structure or more than one residential unit could have been proposed on this lot.

The SFDB consensus was that the garage was acceptable at the height proposed given the applicant's desire to have hydraulic lifts to stack vehicles and because the Board's guidelines do not address protection of private view corridors or views of the sunset. In addition, the taller garage structure is being placed at the rear of the property and is not readily visible to the public.

### Zoning Modification and Code Variance Approvals

The appellant raised issues about the legality of portions of the existing house and questioned why the project was granted numerous exceptions to parking and fire code standards.

Although the issue of the legality of the existing second floor was contained in a letter that Mr. Martinson submitted to the Staff Hearing Officer, that issue was not brought up by Mr. Martinson at the hearing, and it was not addressed by the Staff Hearing Officer. There are no archive plans for this residence but the City accepted the existing second floor as legal. Because a Modification was ultimately granted to allow the proposed covered driveway

and second floor bedroom to encroach into the interior setback, and because that Modification was not appealed, the proposed construction on the western portion of the building is approved, and is not a subject for this appeal of the Single Family Design Board approval.

The project applicant requested a Waiver of the Standards for Parking Design to allow an eight-foot wide opening at the covered driveway instead of the required 8'-6" minimum width for driveways. Transportation Planning staff considered the driveway opening in the structure similar to a garage door opening and approved the minor reduction in driveway width. This administrative decision is not subject to appeal.

The Fire Department granted a variance to the access distance standard of 150 feet maximum to all exterior walls, with a condition that both structures provide a residential fire sprinkler system and an alternative foot access provided at the eastern side of the property (Attachment 5).

#### **RECOMMENDATION:**

Staff recommends that Council deny the appeal and uphold the Single Family Design Board's decision to grant Project Design Approval for the proposed additions and approve the project pursuant to the Neighborhood Preservation Ordinance (SBMC §22.69.080), making findings as listed below:

#### Neighborhood Preservation Findings

To grant Project Design Approval, City Council must make the neighborhood preservation findings specified in Municipal Code Section 22.69.050.A. The following draft findings are consistent with the Staff recommendation, the City Council may amend these findings as it finds appropriate:

1. **Consistency and Appearance.** The proposed development is consistent with the scenic character of the City and will enhance the appearance of the neighborhood with a high quality architectural style consistent with the neighborhood. The neighborhood is a mixture of one-story and two-story residences. The remodeled second story of the residence replaces an existing second story.
2. **Compatibility.** The proposed development is compatible with the neighborhood, and its size, bulk, and scale are appropriate to the site and neighborhood. The neighborhood has a variety of building sizes and lot sizes. The proposed development is 59% of the maximum guideline floor-to-lot-area ratio, which is well within the City's adopted floor area guidelines, and the split-level design is consistent with many other homes in the neighborhood. The proposed garage and

accessory structure to the rear of the property is not highly visible from the public right of way.

3. **Quality Architecture and Materials.** The proposed buildings and structures are designed with quality architectural details. The Spanish style architecture is consistent with the Eastside neighborhood.
4. **Trees.** The proposed project does not include the removal of or significantly impact any designated Specimen Tree, Historic Tree or Landmark Tree. The proposed project and the grading plan, to the maximum extent feasible, preserve and protect healthy, non-invasive trees with a trunk diameter of four inches (4") or more measured four feet (4') above natural grade,
5. **Health, Safety, and Welfare.** The public health, safety, and welfare are appropriately protected and preserved with the high quality design of the additions to the existing house. The proposed alternative access to the rear of the property and the installation of fire sprinklers in the main residence and the accessory building will provide adequate fire safety.
6. **Good Neighbor Guidelines.** The project generally complies with the Good Neighbor Guidelines regarding privacy, landscaping, noise and lighting. The project's enhanced landscaping and the selection of lighting are consistent with the direction of the Good Neighbor Guidelines. The proposed remodel does not propose new second-story windows. In fact, some of the new windows will be smaller than the existing windows.
7. **Public Views.** The development, including proposed structures and grading, does not affect any significant public scenic views of and from the hillside.

**NOTE:** The project file and plans were delivered separately to City Council for review and are available for public review at the City Clerk's office.

- ATTACHMENTS:**
1. Appellant letter, dated April 2, 2015
  2. Reduced site plan, floor plans and photographs
  3. SFDB Minutes Summary
  4. Reduced building elevations
  5. Fire Department Code Variance Letter

**PREPARED BY:** Jaime Limón, Senior Planner II

**SUBMITTED BY:** George Buell, Community Development Director

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



1849 Mission Ridge  
Santa Barbara  
California 93103  
(805) 965-2385  
(FAX) 965-5457

02 April 2015

City Clerk  
The Mayor and City Council  
City of Santa Barbara  
De La Guerra Plaza  
P.O. Drawer P-P  
Santa Barbara, CA. 93102

(805) 564-5309

Re: Appeal of Single Family Design Board

Subject: 1215 East Cota Street  
MST2014-00310  
Item 2. Project Design Approval  
23 March 2015

Dear Mayor Schneider and Council members:

My office represents Mr. Roger Goldtrap, a next-door neighbor to the above subject project, who is the owner of the real property located at 1217 East Cota Street. Pursuant to Section 1.30.050 of the Santa Barbara Municipal Code, the Appellant hereby appeals the action taken by the Single Family Design Review Board (SFDRB) on 23 March 2015.

The SFDRB ignored my letter and testimony submitted to them on 23 March (Attachment "A") that provided facts that the Staff Hearing Officer (SHO) could not allow and permit a demolition of an "illegal" two story bedroom to be then rebuilt in the side-yard setback area. As noted, in this letter, the County Assessor's Office has confirmed this fact that "no second story was ever permitted on this property." It is the responsibility of the City Staff to confirm this matter and require the applicant to provide a certified copy of her property records at the County Assessor's Offices to be incorporated into the City documents and evidence for this project.

02 April 2015

City Clerk  
The Mayor and City Council  
Page 2

The SFDRB is required to make a specific finding that the proposed project will be compatible with the immediate neighborhood, and its size bulk and scale will be appropriate to the site and its neighbors. The massing of the illegal second story addition and its proposed master bedroom addition is out of proportion with the existing structure and adds significant volume bulk and scale which will loom over adjacent residences and be visually intrusive as viewed from the public road. Therefore, the findings to approve the Project cannot be made and the project must either be denied or the SFDRB must be directed to study an alternative design with reduced massing.

The SFDRB must also make the finding that "the project generally complies with applicable privacy, landscaping, noise and lighting as noted in the Good Neighbor Guidelines." The SFDRB abused its discretion in approving the Project given the illegal second story addition and the new garages and accessory structure will result in direct window-to-window views of the adjacent residences and sight lines into their private yard areas. The proposed location of the new three (3) garages and accessory building will also partially block the appellant's sunset views and could easily be relocated to preserve these private views.

The City Transportation Department staff have indicated to me they are considering a request to allow a "Variation or Waiver" in the reduction in the minimum 10-foot driveway width of the City Standards for Parking Design to 8 feet! Their reasoning is the proposed "Porte-cochere" could be considered a "garage" and they are reasoning this would allow an 8 foot six inch width by the current standards. Let's review Webster's Dictionary on a definition of Porte-cochere: A gate, 1. A large entrance gateway into a courtyard. 2. A kind of porch roof projecting over a driveway, at an entrance, as of a house. Clearly, a driveway is part of a Porte-cochere and our minimum design width, as mentioned in the City Parking Design Standards, is 10-feet!

02 April 2015

City Clerk  
The Mayor and City Council  
Page 3

In summary, this project has requested numerous exceptions to our minimum standards including a variance from the fire department to allow a five-foot fireman access, along the common property line of the next-door neighbor, instead of the required sixteen-foot fire access vehicle roadway requirement to the proposed rear yard development. This, combined with the SFDRB and SHO decisions, mentioned above, result in unacceptable privacy and view impacts for the appellant. We respectfully request you, our City Council, to reverse the decision of the SFDRB, sustaining our appeal by denying the project or, at a minimum, requiring a redesign to the City's minimum standards of the Single Family Residence Design Guidelines and City Parking Design Standards.

The Appellant and I reserve our rights to present additional information and evidence prior to the City Council's hearing on this appeal. Thanking you, in advance, for your consideration of these important issues.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Martinson", with a long horizontal flourish extending to the right.

Trevor J. Martinson,  
Architect, Planner & Forensic  
for Roger Goldtrap

Attachments: **Attachment "A"**



1849 Mission Ridge  
Santa Barbara  
California 93103  
(805) 965-2385  
(FAX) 965-5457

23 March 2015

Mr. David Eng, Planning Technician  
Single Family Design Board  
City of Santa Barbara  
Planning Division  
630 Garden Street  
P. O. Box 1990  
Santa Barbara, CA. 93102-1990

(805) 564-5470 ext. 5541

Re: Project Design Review Item 2  
Monday, 23 March 2015  
1215 East Cota Street project  
MST2014-00310  
Leslie Marie Colasse, Architect

Chair Sweeney and Board Members:

My office represents Mr. Roger Goldtrap, a next-door neighbor to the above referenced project. My comments will focus on my previous presentation made at the Staff Hearing Officer (SHO) on 26 November 2014 and to correcting apparent errors in the staff description of this project.

A review inquiry, at the County Assessors Office, has confirmed the existing second story bedroom (split-level bedroom identified) was never permitted and is illegal non-conforming. The original third bedroom, in question, was apparently the mudroom next to the existing kitchen area. Therefore, the proposed Master Bedroom Suite is all new construction and cannot be rebuilt as a second story in the side yard setback area. This is clearly in conflict, of course, with the Staff Hearing Officer Resolution (SHOR) No. 071-14 noted in Conditions II. A. and B.

Items II. E. and F., of the SHOR are also in question and will be reviewed for their impact on the neighborhood.

**Attachment "A"**

TJMappealltrCC02april2015

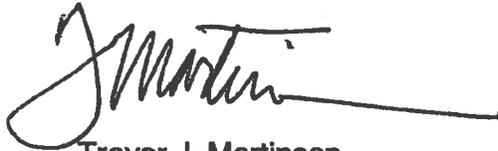
23 March 2015

Mr. David Eng, Planning Technician  
Single Family Design Board  
Page 2

The proposed New Garages and Accessory Structure, as designed, will not meet minimum requirements of the City Parking Standards and will impact my client's private views. It would seem appropriate to switch the location of the proposed Bocci lawn playing area with the new Garages and Accessory Building. This will eliminate the long 10-foot wide driveway and also preserve my client's sunset views.

Thanking you, in advance, for your professional attention and review of my comments and suggestions made to the Single Family Design Board.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Martinson", with a long horizontal flourish extending to the right.

Trevor J. Martinson  
Architect, Planner and Forensic

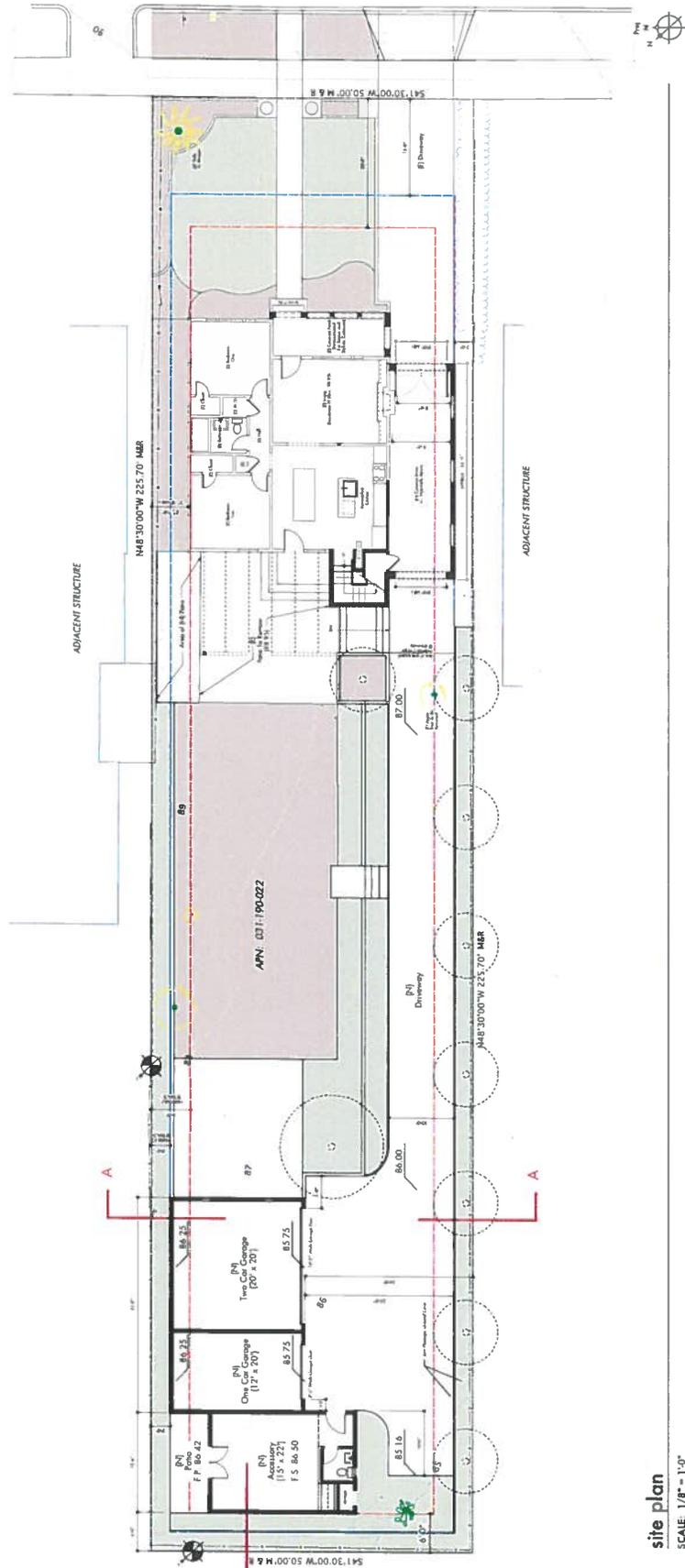
XC: Roger Goldtrap  
George Buell, Community Development Director  
Steven Foley, City Transportation-Public Works Dept.

Proposed remodel and addition to  
1215 E. Santa Barbara, California • 93103

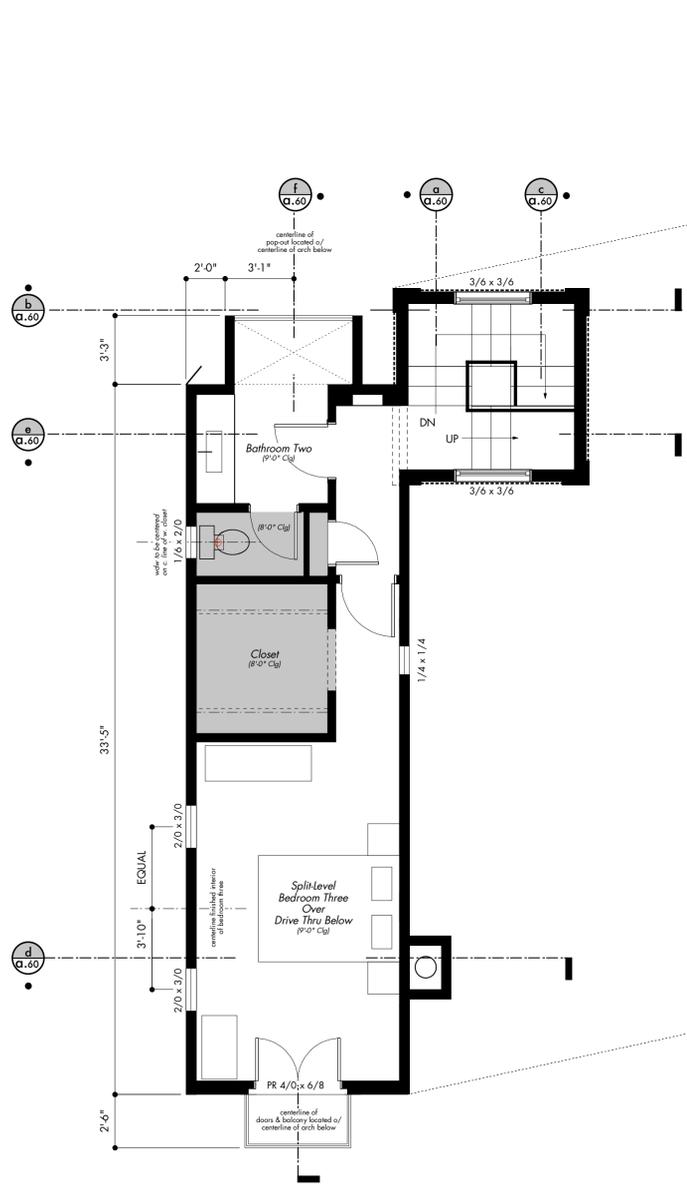


Studio G  
1005  
549 2224  
for  
6423  
plans  
93103

Restrictions  
Internal Reference #  
140101



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

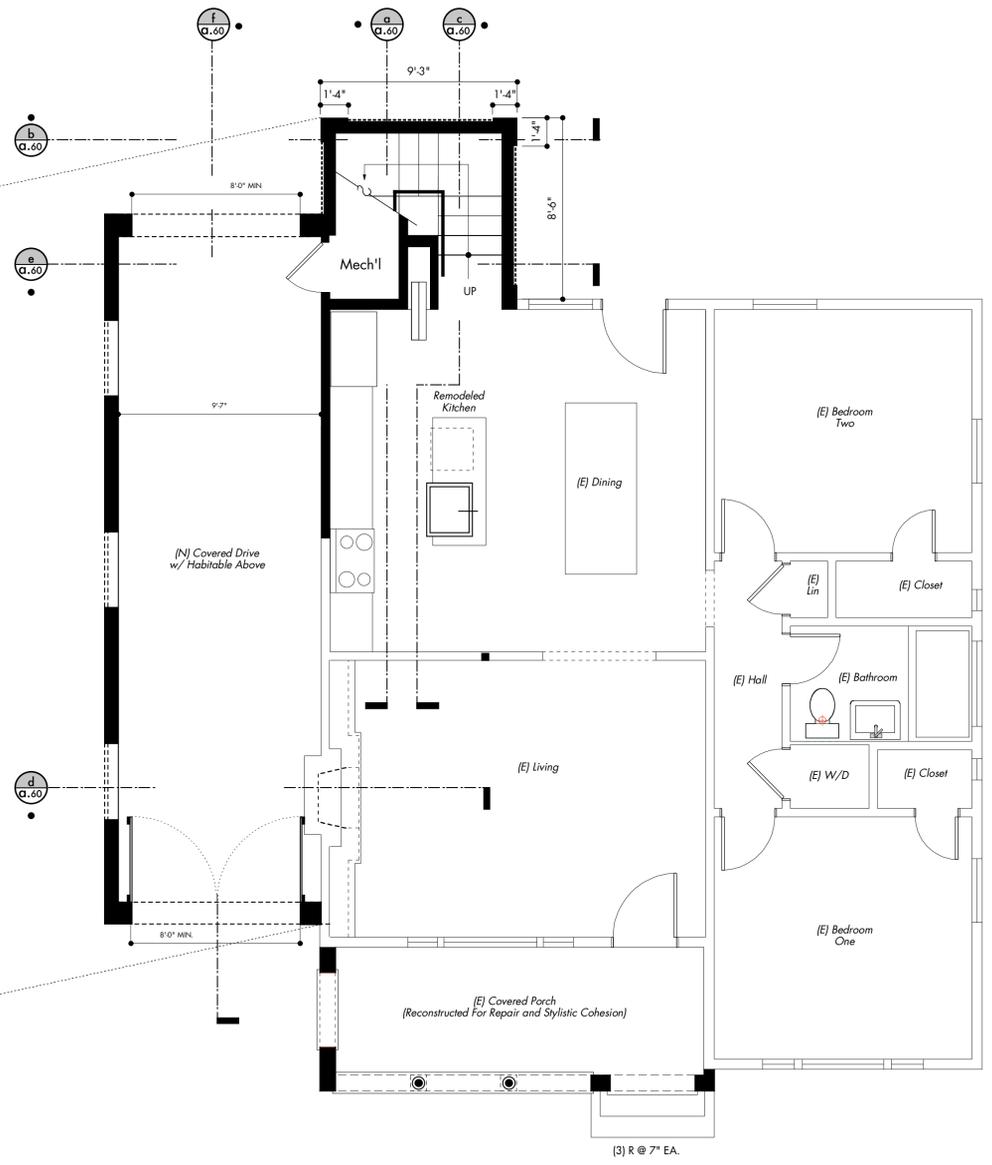


**upper floor plan**

SCALE: 1/4" = 1'-0"

**legend**

- (e) wall to remain
- (n) 2 x stud wall per structural plans
- ▭ area to be soffited. see floor plans for height of soffit



**first floor plan**

SCALE: 1/4" = 1'-0"



- 2100 not used
- 2101 not used
- 2102 not used
- 2103 not used
- 2104 not used
- 2105 not used
- 2106 not used
- 2107 not used
- 2108 not used
- 2109 not used
- 2110 not used
- 2111 not used
- 2112 not used
- 2113 not used
- 2114 not used
- 2115 not used
- 2116 not used
- 2117 not used
- 2118 not used
- 2119 not used
- 2120 not used

**floor plan notes**



Studio G

po  
box  
6425  
  
santa  
barbara  
ca  
93160  
  
805.  
451.8414

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**Internal Reference #**

140101

**proposed remodel and  
addition to  
1215 E.  
Cota Street  
Santa Barbara, California • 93103**

**Plot Date**

19 January 2015

**Revisions**

#	descrip	date

**Sheet Content**

FLOOR PLAN  
MAIN RESIDENCE

**a.21**

sheet # of sheet set



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po  
box  
6425  
santa  
barbara  
ca  
93160  
805.  
451.8414

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- 2200 undercounter refrigerator
- 2201 bar sink
- 2202 line indicating change in ceiling height above
- 2203 line of tiled "brow" above.
- 2204 not used
- 2205 not used
- 2206 not used
- 2207 not used
- 2208 not used
- 2209 not used
- 2210 not used
- 2211 not used
- 2212 not used
- 2213 not used
- 2214 not used
- 2215 not used
- 2216 not used
- 2217 not used
- 2218 not used
- 2219 not used
- 2220 not used

accessory/garage floor plan notes

Internal Reference #  
120701

1215 E.  
proposed remodel and  
addition to  
Cota Street  
Santa Barbara, California • 93103

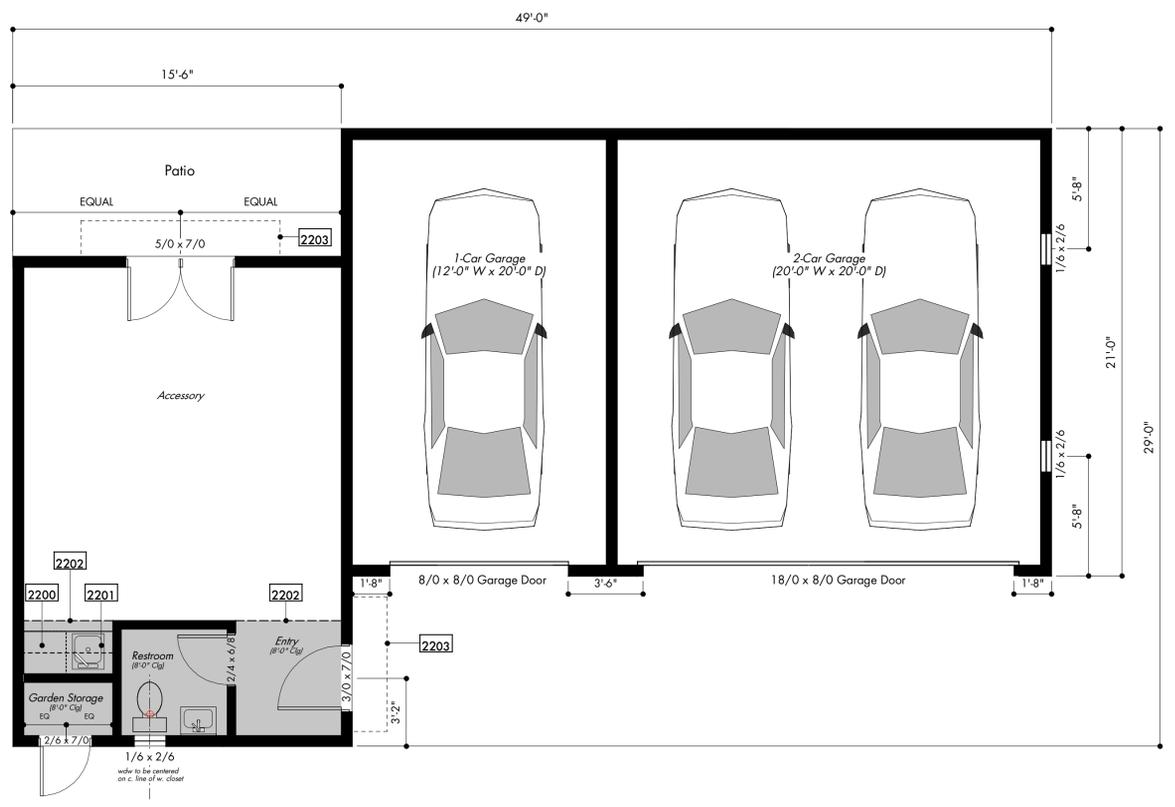
Plot Date  
19 January 2015

Revisions		
#	descrip	date

Sheet Content  
FLOOR PLAN  
ACCESSORY/GARAGE

a.22

sheet # of sheet set



accessory/garage floor plan

SCALE: 1/4" = 1'-0"

- legend**
- (n) 2 x stud wall per structural plans
  - ▭ area to be soffited. see floor plans for height of soffit



SINGLE FAMILY DESIGN BOARD  
CASE SUMMARY

1215 E COTA ST

MST2014-00310

R-ADDITION

Page: 1

**Project Description:**

Proposal to demolish an existing one-car garage, mud room, and split-level bedroom at an existing 1,398 square foot two-level residence, and construct a new master suite with additions in the same location above a covered driveway. The proposal also includes a new 650 square foot three-car garage with an attached 300 square foot accessory structure, a kitchen remodel, and exterior improvements. The proposed total of 2,300 square feet on an 11,285 square foot lot is 59% of the guideline maximum floor-to-lot area ratio (FAR). This project includes Staff Hearing Officer review for an interior setback modification.

**Activities:**

3/23/2015

***SFDB-Project Design Hearing***

*(Project Design Approval is requested. Project must comply with Staff Hearing Officer Resolution No. 071-14. Project was last reviewed on September 23, 2014.)*

*Actual time: 3:21 p.m.*

*Present: Leslie Colasse, Architect and Owner.*

*Public comment opened at 3:38 p.m.*

*1) Trevor Martinson, representative for the adjacent neighbor at 1217 E. Cota, expressed concerns regarding the Staff Hearing Officer's approval of the interior setback modification for portions of the residence that were alleged to have been unpermitted. He also noted that the design of the proposed project violated City parking standards for driveway width.*

*The Board acknowledged a letter of expressed concerns from Trevor Martinson regarding the granting of a zoning modification to allegedly unpermitted portions of the residence. The letter also noted inconsistencies with the project as it relates to City parking standards and suggested an alternative location for that garage and accessory building to preserve his client's subset views.*

*Public comment closed at 3:40 p.m.*

*Motion: Project Design Approval with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code and continued indefinitely to the Full Board with comments:*

**Activities:**

*The ten-day appeal period was announced.*

**3/23/2015**                      ***SFDB-Correspondence/Contact***

*Public comment letter received from Trevor Martinson.*

**3/23/2015**                      ***SFDB-Project Design Approval***

**3/6/2015**                      ***SFDB-Resubmittal Received***

*Route to Stacey for trans waiver.*

**9/9/2014**                      ***SFDB-FYI/Research***

*Fire Department has granted a variance for the rear structure to exceed the 150 fire access distance standard. A letter from Joe Poire was submitted for the file and should be reproduced on plans.*

**9/8/2014**                      ***SFDB-Concept Review (Cont.)***

*(Second Concept Review. Comments only; project requires Environmental Assessment and Staff Hearing Officer review. Project was last reviewed on August 11, 2014.)*

*Actual time: 4:32 p.m.*

*Present: Leslie Marie Colasse, Architect and Owner; and Chuck MacClure, Landscape Architect.*

*Public comment opened at 4:45 p.m.*

- 1) Roger Goldtrap, neighbor at 1217 E. Cota St., expressed opposition to the project regarding obstruction of his view. He urges the Board to require story poles and schedule a site visit.*
- 2) Trevor Martinson, 1849 Mission Ridge Rd., expressed concerns regarding the project's compliance with the Fire Code.*

**Activities:**

*Action: James/Bernstein, 5/0/0. Motion carried. (Miller/Zimmerman absent).*

**8/11/2014 SFDB-Concept Review (New) - PH**

*(Comments only; project requires Environmental Assessment and Staff Hearing Officer review.)*

*Actual time: 5:09 p.m.*

*Present: Leslie Marie Colasse, Architect and Owner.*

*Public comment opened at 5:13 p.m.*

*1) Roger Goldtrap, adjacent neighbor, expressed his opposition to the project and requested that the three-car garage and master suite be altered to preserve his views.*

*Letters of expressed concerns from Roger Goldtrap were acknowledged.*

*Public comment closed at 5:18 p.m.*

*Motion: Continued two weeks to Full Board with comments:*

- 1) The Board appreciates the sensitivity of the proposal in response the constraints of the existing home.*
- 2) Study the arch detail of the driveway cover on the east elevation while ensuring adequate vehicular ingress and egress.*
- 3) The Board finds the three car garage and the F.A.R. acceptable.*
- 4) Provide a streetscape plan of the property and adjacent homes.*

*Action: James/Zimmerman, 5/2/0. Motion carried. (Miller/Bernstein opposed).*

**7/1/2014 SFDB-FYI/Research**

*received 1 set of photographs and forwarded to David Eng.*

**6/30/2014 SFDB-Posting Sign Issued**

**Activities:**

**6/30/2014**

***SFDB-FYI/Research***

*Applicant will submit the required color photos by the end of the day on July 1, 2014.*

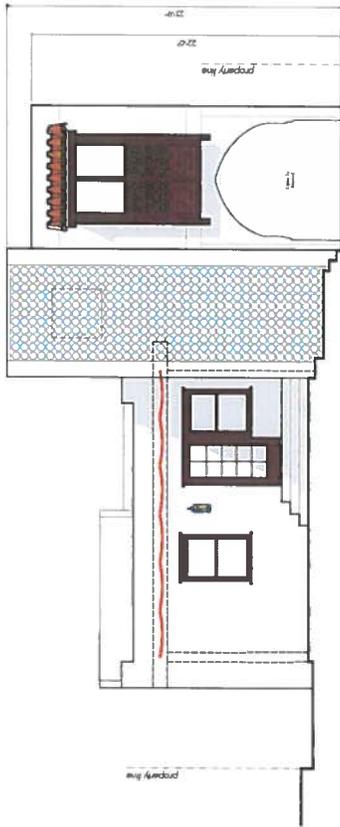
Proposed remodel and addition to

Santa Barbara, California • 93103

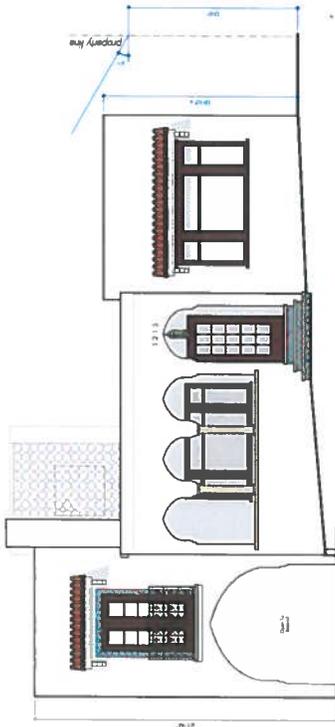
Internal Reference # 140101

**EXHIBIT C**  
This drawing is intended to provide a visual representation of the proposed project. It is not intended to be a final construction document. The contractor shall be responsible for obtaining all necessary permits and for ensuring that the project complies with all applicable codes and regulations. The contractor shall also be responsible for ensuring that the project is completed in accordance with the approved plans and specifications.

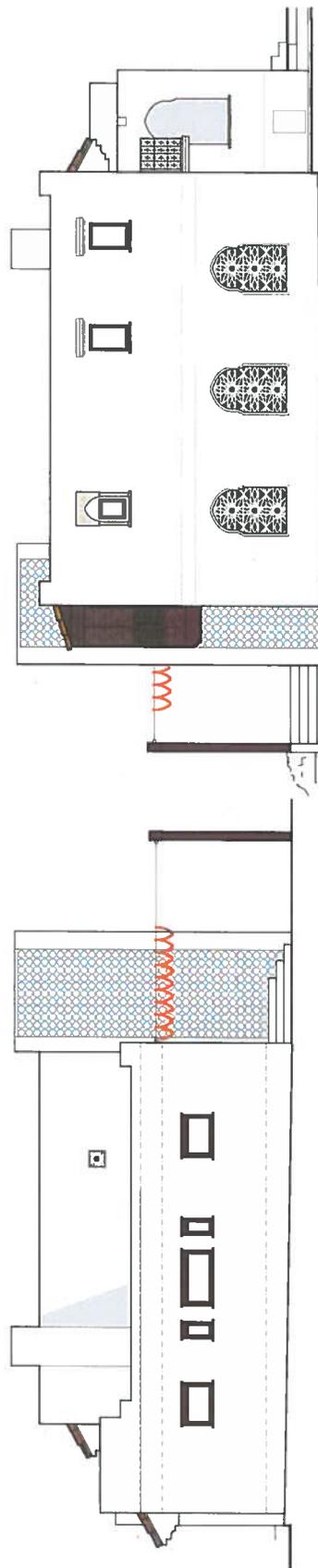
Studio C  
601 E. Santa Barbara  
Santa Barbara, CA 93103  
Tel: 805.963.4232  
Fax: 805.963.4233



proposed elevation - west



proposed elevation - east



proposed elevation - south

proposed elevation - north



Studio G

po  
box  
6425  
  
santa  
barbara  
ca  
93160  
  
805.  
451.8414

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**Internal Reference #**

140101

proposed  
exterior elevations for

12115 E. Cota Street • Santa Barbara, California • 93103

**Plot Date**

19 January 2015

**Revisions**

#	descrip	date

**Sheet Content**

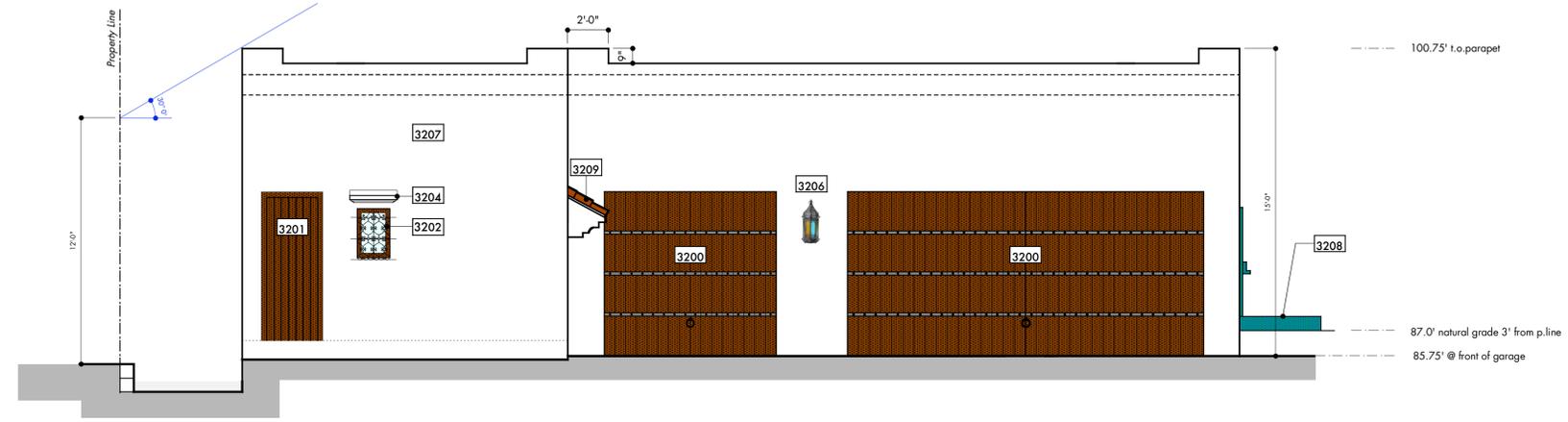
EXTERIOR ELEVATIONS  
ACCESSORY/GARAGE

**a.32**

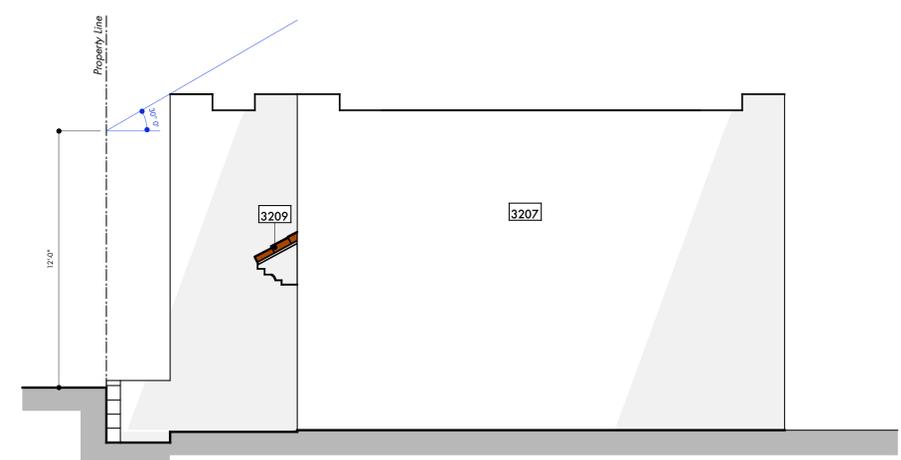
sheet # of sheet set

- 3200 simulated wood carriage house style sectional steel garage door
- 3201 wood plank door or equal. jamb and head condition to match detailing @ (e) main residence
- 3202 wrought iron filigree screen by owner o/ window
- 3203 gfrc filigree detail. paint to match adjacent plaster. see detail #1/a.60
- 3204 plaster window drip/brow. see detail #2/a.60
- 3205 pair 10-lite french door. jamb and head condition to match detailing @ (e) main residence
- 3206 wall mounted filigree "lantern" to be selected by owner.
- 3207 smooth troweled plaster w/ "cats paw" finish
- 3208 tiled recirculating fish pond to be designed by owner.
- 3209 plastered mission tile brow. see detail #3.a.60
- 3210 not used
- 3211 not used
- 3212 not used
- 3213 not used
- 3214 not used
- 3215 not used
- 3216 not used
- 3217 not used
- 3218 not used
- 3219 not used

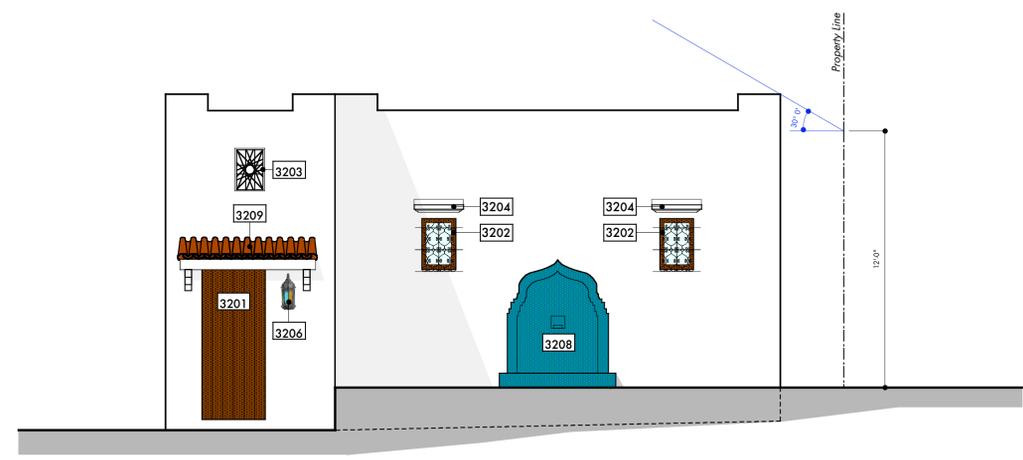
ext. elev'n notes - accessory



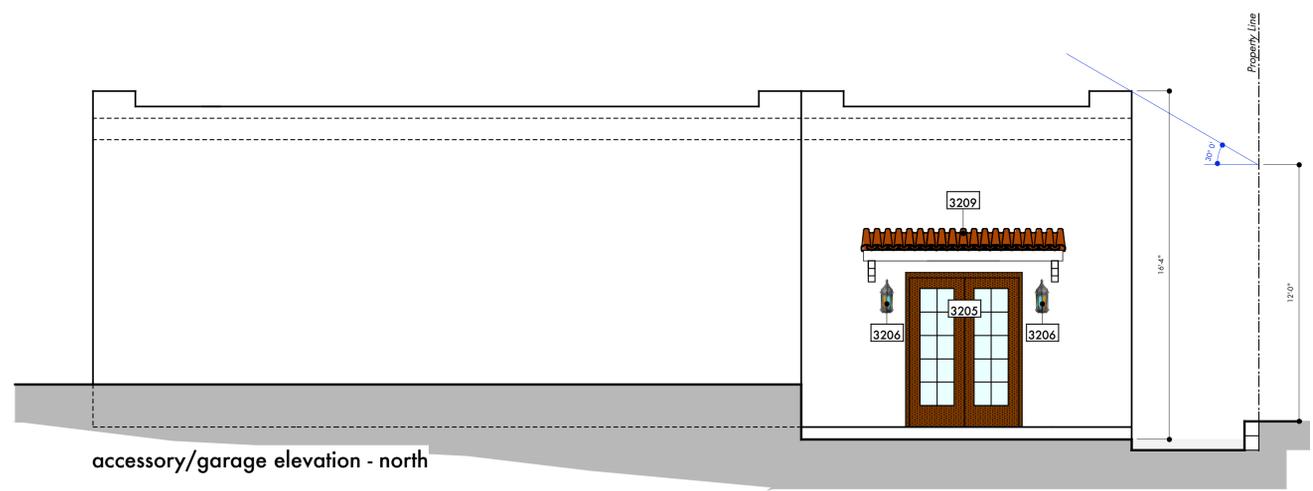
accessory/garage elevation - south  
SCALE: 1/4" = 1'-0"



accessory/garage elevation - west



accessory/garage elevation - east



accessory/garage elevation - north



# City of Santa Barbara

## Fire Department

[www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov)

April 2, 2014

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121 W. Carrillo St.  
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93101

Subject: 1215 E Cota

Dear Leslie:

This letter is in response to your request for a variance of the Fire Department access distance standard of 150 feet to all exterior walls. The partial plans of March 27 that you sent by email confirm the phone conversation that we had previously: The project consists of a remodel/ addition to the existing residence in the front and a new garage / accessory use at the rear of the lot. Both buildings will be fully sprinklered and the distance issue presents at the rear building only.

We have concluded that the variance request is reasonable and approve it with the following caveat: Since access to the rear structure would ultimately require travel through another structure, in this case the driveway overhang, it will be necessary to leave enough room for foot access on the east side of the main house. It is understood that either the existing or a new proposed gate will be in that location and that gate will suffice as an alternate method of accessing the rear of the property on foot.

Keep in mind that distance to a residential fire hydrant is also required for the new structure and that it may not exceed 500 feet. We currently show the nearest hydrant as FH-J07-014, a qualifying residential hydrant located near Cota Street and Casitas Road, a distance of approximately 112 feet from the east property line. Remember to show the hydrant on your site plan.

Please attach or imprint a copy of this letter to your plan when you submit for a building permit. If you have any further questions feel free to call me at 805 564 5702.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Poiré".

Joe Poiré  
Fire Marshal



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Declaration Of Stage Three Drought Emergency And Adoption Of Stage Three Water Use Regulations And Development Restrictions

### RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring a Stage Three Drought Emergency and Establishing Water Use Regulations and Development Restrictions to Be Effective During a Stage Three Drought Emergency.

### DISCUSSION:

For over a year, the City has been taking successive steps in response to what has turned out to be the worst dry period on record in Santa Barbara, with 2015 being the end of the driest four years on record. These steps have been in line with the City's Water Shortage Contingency Plan and the 2011 Long-Term Water Supply Plan, which are based on the following principles:

- Most of the City's water supplies depend on rainfall to fill reservoirs;
- Severe drought is an expected part of water supply planning and develops over a number of years, as our primary water supplies diminish;
- A drought might end in a relatively short time, but the lead time needed to ensure an adequate supply of water requires an assumption of continuing drought; and
- Management of customer demand is a critical part of water supply management, including ongoing efficiency improvements during normal times and extraordinary additional cutbacks during extended dry periods.

On February 11, 2014, Council declared a Stage One Drought Condition at the midpoint of a possible third consecutive dry year. On May 20, 2014, with no improvement in water supply during the last half of the rainy season, Council adopted a Stage Two Drought Condition, triggering the following actions:

## Council Agenda Report

### Declaration Of Stage Three Drought Emergency And Adoption Of Stage Three Water Use Regulations And Development Restrictions

May 5, 2015

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- Expanded public information efforts to publicize the drought status and the need for extraordinary conservation efforts;
- Established a 20 percent water conservation target for City customers, based on statewide drought conditions and record low rainfall;
- Enacted Stage Two water use regulations;
- Adopted drought water rates, based on the added costs of water supplies and necessary water use reductions;
- Purchased supplemental water to offset depleted surface water supplies; and
- Initiated preliminary design and solicitation of Design/Build/Operate proposals for the reactivation of the City's Charles Meyer Desalination Facility (Desalination Facility).

The above actions were in response to a third dry year. The rainy season of the fourth year has again provided less than half of average rainfall. Gibraltar Reservoir is essentially empty, the 2016 State Water Project allocation is expected to be no more than 20 percent, and, for the first time in history, no water entitlements from Lake Cachuma are anticipated for 2016. Accordingly, staff recommends adoption of a Stage Three Drought Emergency, to be implemented in a phased approach, as discussed below. New actions would be related to the community water conservation target, water use regulations, and development restrictions. The recommended actions reflect preliminary Council review and input on April 14, 2015, and ongoing discussions with the City's Board of Water Commissioners. The actions are part of the City's overall drought response that also includes an upcoming staff recommendation to award a contract for the reactivation and operation of the Desalination Facility and implementation of Fiscal Year 2016 Drought Water Rates.

#### **Water Conservation Target**

Since the declaration of a Stage One Drought Condition, the City has asked the community for a 20 percent reduction in water usage to help stretch available supplies. As in past droughts, the community has responded by meeting the goal, with cumulative water reductions in excess of 20 percent, since the Stage Two Drought rates took effect in July 2014. At this time, a water conservation target of 25 percent is recommended to further stretch remaining supplies while minimizing impacts to the local economy and damage to valuable community landscape resources. While the analysis of rates adopted by Council on April 7, 2015 does not include a change to a 25 percent reduction, the rates do reflect the cost of reactivating the Desalination Facility and will contribute to meeting the target, in conjunction with new water use regulations, development restrictions, and the City's public information campaign. The 25 percent target matches the mandatory statewide target, established in an April 1, 2015 Executive Order by Governor Brown, though City staff developed this recommendation prior to the Governor's Executive Order.

At the time this report was prepared, the State Water Resources Control Board (State Board) had issued draft regulations to implement the Governor's mandatory reductions. Consistent with the Governor's Executive Order, the reduction targets vary from 8 to 36

percent, depending on each urban water supplier's residential per capita daily usage during July through September of 2014. If adopted by the State Board, this approach would set a 16 percent mandatory reduction for the City of Santa Barbara. However, staff still recommends a 25 percent water conservation target based on the City's particular circumstances.

### **Water Use Regulations**

In July 2014, the State Board adopted statewide water use regulations that were generally consistent with the Stage Two regulations adopted by the City in May 2014. On April 28, 2015, the State Board published updated draft regulations to implement rules that were called for in the Governor's Executive Order. These updated regulations are also consistent with the City's current and planned regulations, with minor exceptions. The State's updated regulations are scheduled to be adopted by the State Board on or about May 5, 2015.

Given the success of the community in meeting the water conservation target to date, staff is recommending limited additional regulations at this time, mostly for clarification of current Stage Two regulations, and changes as needed to comply with State mandates. The attached "Summary of Recommended Stage Three Drought Response Measures" presents the recommended regulations grouped as new, modified, and existing. As discussed with Council on April 14, 2015, staff has identified additional regulations that can be enacted, if the conservation target is not met. These regulations would be related to mandating the use of high-efficiency irrigation systems and limiting or prohibiting irrigation of turf.

### **Development Restrictions**

Potential development restrictions were discussed with Council in October and December 2014, and in detail on April 14, 2015. Staff consulted with the Planning Commission on February 12, 2015 regarding appropriate development restrictions that would accompany a Stage Three Drought Emergency declaration, and has evaluated the relative costs of administering various restrictions along with the associated water savings benefits. Based on that evaluation and Council input, staff is recommending the following initial development restrictions during Stage Three:

- Suspension on the issuance of building permits for new swimming pools;
- Enforcement of the Governor's Executive Order restricting irrigation for new buildings;
- Mandatory deferral of the installation of non-water wise plants, including turf; and
- Voluntary landscape deferral.

In a separate recommendation on this agenda, staff is also recommending introduction of an ordinance that would prohibit private water well construction on properties served by the City's water system.

As with water use regulations, additional potential development restrictions have been identified for future implementation, if needed, including a mandatory landscaping deferral, suspension of permits for projects with net new water use, and suspension of new water meter installations.

### **Conclusion**

Staff believes the recommended measures are appropriate, given the community's success in meeting the established water conservation targets. Staff plans to monitor the cumulative water savings from June through September 2015, as a basis for determining whether to recommend additional measures for Council consideration in October 2015. These may include additional water use regulations and/or development restrictions.

**ATTACHMENT:** Summary of Recommended Stage Three Drought Response Measures

**PREPARED BY:** Joshua Haggmark, Water Resources Manager/BF/mh  
Allison DeBusk, Acting Senior Planner

**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director

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

## Summary of Recommended Stage Three Drought Response Measures

### New:

- Irrigation with potable water during and within 48 hours after measurable rainfall is prohibited. Measurable rainfall is defined as a ¼ of an inch or more of precipitation in a 24-hour period.
- Irrigation with potable water of turf on public street medians is prohibited.
- For the protection of public health and safety, the following drought-related development restrictions are hereby established and shall remain in effect for the duration of the Stage Three Drought Emergency, unless repealed or modified by resolution of the City Council:
  - a. No building permits for the installation of new pools shall be issued. Spas of less than 500 gallons are not subject to this moratorium.
  - b. Irrigation with potable water of landscapes outside of newly constructed homes and buildings is prohibited unless delivered by drip or micro-spray systems and accomplished in a manner consistent with regulations or other requirements established by the California Building Standards Commission.
  - c. For projects with new required landscaping included as part of the building permit, any new plants that are not water wise (as identified on the approved landscape plan) shall not be installed.
  - d. If desired, projects with required landscape plans may voluntarily defer the installation of landscape plantings that are not 1) required for compliance with an approved Storm Water Management Plan, environmental mitigation measures, or a creek or habitat restoration plan; 2) required for erosion control or to address a landslide threat; or 3) relocated trees or shrubs.
  - e. Exemptions:
    - i. Projects that submitted an application to the Planning Division or Building & Safety Division prior to declaration of the Stage Three Drought Emergency are exempt from item a above.
    - ii. Projects that submitted an application for a building permit prior to declaration of the Stage Three Drought Emergency are exempt from items b and c above.
    - iii. Landscaping irrigated exclusively with non-potable water is exempt from items b and c above.
    - iv. Exemptions to the development restrictions identified above may be granted by the Community Development Director, in consultation with the Public Works Director, for specific uses of water on the basis of factually demonstrated need or undue hardship and in accordance with guidelines for exemptions as may be determined by the Community Development Director. If the Community Development Director denies a request for an exemption for a specific water use, a written request for reconsideration may be made to the Planning Commission. The decision of the Planning Commission shall be final.
  - f. Administrative Guidelines for implementation of items c through e shall be prepared by the Community Development Director.

### Modified:

- The outdoor use of potable water from a hose, pipe, or faucet for the purpose of cleaning buildings, pavement, driveways, sidewalks, tile, wood, plastic, or other hard surfaces is prohibited.
 

Exceptions: The following exceptions are allowed, provided that potable water is applied only by use of a pressure washer, mop, bucket, brush, and/or other tools to limit the use of running water to the minimum necessary. A pressure washer is defined herein to be equipment that boosts incoming water pressure for the purpose of enhancing cleaning capability and minimizing the amount of water used:

  - i. Such use is allowed when it is the only feasible means of correcting an immediate threat to

- health and safety.
  - ii. Such use is allowed as a part of preparation for painting or sealing, provided that such washing occurs immediately prior to such painting or sealing.
  - iii. Such use is allowed for the following purposes, with prior notification to the City's Water Conservation Hotline, for a specific location, and subject to the specified limitations:
    1. Washing of awnings, windows, solar panels, signs, and other items, where necessary for preventive maintenance, not more than once in any three-month period;
    2. Washing of building surfaces, not more than once in any twelve-month period.
  - iv. Such use is allowed for dust control, including as a part of street sweeping operations, provided the use of water is the minimum necessary to accomplish the intended control of dust.
- Outdoor irrigation of any grass, shrub, plant, tree, groundcover, or other vegetation by use of an automatically controlled irrigation system is allowed only between the hours of 6:00 p.m. and 8:00 a.m. If manually operated, such irrigation is allowed only between the hours of 4:00 p.m. and 10:30 a.m. Irrigation by hand-held hose is subject to the self-closing valve provision of Section 2.a.
 

Exceptions:

    - i. Irrigation accomplished by use of a water truck that delivers water by injection probe below mulch or below the soil surface is exempt from such scheduling limitations.
    - ii. Irrigation devices such as tree watering bags and other similar devices that release water at a slow rate for the purpose of watering trees are exempt from such scheduling limitations.
  - Irrigation with potable water that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or parking structures is prohibited.
  - Vehicles and boats shall be washed only at commercial car washing facilities equipped with water recycling equipment or by use of a hose, subject to the self-closing valve provision of Section 2.a. Operators of commercial car washing facilities shall post a notice in a conspicuous place advising the public as to whether their operations conform to such requirements. Commercial auto dealerships shall limit the regular washing of "fleet" or inventory vehicles to no more than once per week per vehicle and shall use a pressure washer. Vehicle "point-of-sale" washing is permitted. Dealerships shall post, in a conspicuous place, a Notice of Drought Condition, as approved by the Public Works Director, as well as signage informing customers that service vehicle washing is upon request only, and shall refrain from washing cars during service visits, except upon specific request by a customer.
  - No use of water shall be allowed in any fountain or other decorative water feature that is not equipped with a recirculation system. The use of water in ornamental water features and fountains is prohibited except that such prohibition shall not apply to ornamental water features and fountains that:
    - i. Are located indoors ; or on residential properties
    - ii. Have a total water surface area less than or equal to twenty five square feet; or
    - iii. As of the adoption date of this resolution, are home to aquatic life, provided that water shall be used and circulated only to the extent needed to maintain suitable living conditions for such aquatic life.
  - All restaurants and other eating and drinking establishments shall post, in a conspicuous place, a Notice of Drought Condition as approved by the Public Works Director and shall refrain from serving water except upon specific request by a customer.
  - Operators of hotels, motels and other commercial establishments offering lodging shall post in each room a Notice of Drought Condition as approved by the Public Works Director. Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood

language.

## Existing:

- Any outdoor use of potable water through a hose or outdoor faucet not otherwise addressed by these regulations is prohibited unless the water is delivered by use of a self-closing valve that requires operator pressure to activate the flow of water. Use of a sprinkler device attached to a movable hose is allowed, subject to applicable restrictions on time of irrigation and prohibition of runoff.
- Swimming pools and spas shall have a cover that conforms to the size and shape of the pool or spa and acts as an effective barrier to evaporation. The cover shall be in place during periods when use of the pool is not reasonably expected to occur.
- Draining and refilling up to one third of the volume of a pool per year is allowed as necessary to maintain suitable pool water quality. Draining and refilling in excess of such one third per year is prohibited, except as authorized by the Public Works Director based on evidence from qualified maintenance personnel that such further draining is required to make needed repairs, or to prevent equipment damage or voiding of warranties.
- Operators of pools, exercise facilities, and other similar commercial establishments providing showering facilities shall promote limitation of showering time and post a Notice of Drought Condition as approved by the Public Works Director in a conspicuous place.

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DECLARING A STAGE THREE DROUGHT EMERGENCY AND ESTABLISHING WATER USE REGULATIONS AND DEVELOPMENT RESTRICTIONS TO BE EFFECTIVE DURING A STAGE THREE DROUGHT EMERGENCY

WHEREAS, the City of Santa Barbara, along with the rest of the State of California, has experienced the driest four-year period on record and such conditions have resulted in the depletion of surface water resources that are the City's primary water supply;

WHEREAS, the City's 2010 Urban Water Management Plan sets forth the City's Water Shortage Contingency Plan;

WHEREAS, pursuant to the Water Shortage Contingency Plan, a Stage One Drought Condition was declared by Resolution No. 14-009 on February 11, 2014, and a Stage Two Drought Condition was declared by Resolution No. 14-027 on May 20, 2014;

WHEREAS, since the 2014 declarations, there has been a continuing lack of rainfall sufficient to make a substantial improvement to the water supply situation, which has exacerbated the current drought, thereby making it increasingly desirable and necessary to conserve existing water supplies to protect the public health, safety and welfare if the current drought continues;

WHEREAS, the Water Shortage Contingency Plan provides that, when the City determines that the water supply for the current or impending water year is projected to be more than 10 percent below projected normal demand, a Stage Three Water Shortage Emergency shall be declared, and such conditions now exist;

WHEREAS, Santa Barbara Municipal Code Section 14.20.215 provides for the establishment, by resolution of the City Council, of water use rules and regulations necessary to restrict and regulate the use of water provided by the City's water distribution system during drought, and provides for exemptions to such regulations;

WHEREAS, it is the intent of the City Council to minimize inequities resulting from the implementation of water use regulations;

WHEREAS, on April 1, 2015 the Governor issued Executive Order B-29-15, calling for mandatory reductions in potable water use by urban water suppliers and additional water regulations affecting end users, and the State Water Resources Control Board has proposed draft regulations to implement said Executive Order, which regulations are scheduled to be adopted on or about May 5, 2015.

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

SECTION 1. There does now exist within the City of Santa Barbara a Stage Three Drought Emergency, and a 25 percent reduction from normal citywide water use is hereby required, based on the City's projected water supply.

SECTION 2. For the protection of public health and safety, the following drought water use regulations regarding use of potable water from the City's water system are hereby established and shall remain in effect for the duration of the Stage Three Drought Emergency, unless repealed or modified by resolution of the City Council:

a. Any outdoor use of potable water through a hose, pipe, or outdoor faucet not otherwise addressed by these regulations is prohibited unless the water is delivered by use of a self-closing valve that requires operator pressure to activate the flow of water. Use of a sprinkler device attached to a movable hose is allowed, subject to applicable restrictions on time of irrigation and prohibition of runoff.

b. The outdoor use of potable water from a hose, pipe, or faucet for the purpose of cleaning buildings, pavement, driveways, sidewalks, tile, wood, plastic, or other hard surfaces is prohibited.

Exceptions: The following exceptions are allowed, provided that potable water is applied only by use of a pressure washer, mop, bucket, brush, and/or other tools to limit the use of running water to the minimum necessary. A pressure washer is defined herein to be equipment that boosts incoming water pressure for the purpose of enhancing cleaning capability and minimizing the amount of water used:

- i. Such use is allowed when it is the only feasible means of correcting an immediate threat to health and safety.
- ii. Such use is allowed as a part of preparation for painting or sealing, provided that such washing occurs immediately prior to such painting or sealing.
- iii. Such use is allowed for the following purposes, with prior notification to the City's Water Conservation Hotline for a specific location, and subject to the specified limitations:
  1. Washing of awnings, windows, solar panels, signs, and other items where necessary for preventive maintenance, not more than once in any three-month period;
  2. Washing of building surfaces, not more than once in any twelve month period.
- iv. Such use is allowed for dust control, including as a part of street sweeping operations, provided the use of water is the minimum necessary to accomplish the intended control of dust.

c. Outdoor irrigation of any grass, shrub, plant, tree, groundcover, or other vegetation by use of an automatically controlled irrigation system is allowed only between the hours of 6:00 p.m. and 8:00 a.m. of the following day. If manually operated, such irrigation is allowed only between the hours of 4:00 p.m. and 10:30 a.m. of the following day. Irrigation by hand-held hose is subject to the self-closing valve provision of Section 2.a.

Exceptions:

- i. Irrigation accomplished by use of a water truck that delivers water by injection probe below mulch or below the soil surface is exempt from such scheduling limitations.
- ii. Irrigation devices such as tree watering bags and other similar devices that release water at a slow rate for the purpose of watering trees are exempt from such scheduling limitations.

d. Irrigation with potable water that causes runoff onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or parking structures is prohibited.

e. Irrigation with potable water during and within 48 hours after measurable rainfall is prohibited. Measurable rainfall is defined as a  $\frac{1}{4}$  of an inch or more of precipitation in a 24-hour period.

f. Irrigation with potable water of turf on public street medians is prohibited.

g. Vehicles and boats shall be washed only at commercial car washing facilities equipped with water recycling equipment, or by use of a hose, subject to the self-closing valve provision of Section 2.a. Operators of commercial car washing facilities shall post a notice in a conspicuous place advising the public as to whether their operations conform to water recycling requirements. Commercial auto dealerships shall limit the regular washing of "fleet" or inventory vehicles to no more than once per week per vehicle and shall use a pressure washer. Vehicle "point-of-sale" washing is permitted. Dealerships shall post, in a conspicuous place, a Notice of Drought Condition as approved by the Public Works Director as well as signage informing customers that service vehicle washing is upon request only and shall refrain from washing cars during service visits except upon specific request by a customer.

h. No use of water shall be allowed in any fountain or other decorative water feature that is not equipped with a recirculation system. The use of water in ornamental water features and fountains is prohibited, even when equipped with a recirculation system, except that such prohibition shall not apply to ornamental water features and fountains that:

- i. Are located indoors; or
- ii. Have a total water surface area less than or equal to twenty five square feet; or
- iii. As of the adoption date of this resolution, are home to aquatic life,

provided that water shall be used and circulated only to the extent needed to maintain suitable living conditions for such aquatic life.

i. Swimming pools and spas shall have a cover that conforms to the size and shape of the pool or spa and acts as an effective barrier to evaporation. The cover shall be in place during periods when use of the pool is not reasonably expected to occur.

j. Draining and refilling up to one third of the volume of a pool per year is allowed as necessary to maintain suitable pool water quality. Draining and refilling in excess of such one third per year is prohibited, except as authorized by the Public Works Director based on evidence from qualified maintenance personnel that such further draining is required to make needed repairs, or to prevent equipment damage or voiding of warranties.

k. All restaurants and other eating and drinking establishments shall post, in a conspicuous place, a Notice of Drought Condition as approved by the Public Works Director and shall not serve water except upon specific request by a customer.

l. Operators of hotels, motels and other commercial establishments offering lodging shall post in each room a Notice of Drought Condition as approved by the Public Works Director. Operators of hotels and motels shall provide guests with the option of choosing not to have towels and linens laundered daily. The hotel or motel shall prominently display notice of this option in each guestroom using clear and easily understood language.

m. Operators of pools, exercise facilities, and other similar commercial establishments providing showering facilities shall promote limitation of showering time and post a Notice of Drought Condition as approved by the Public Works Director in a conspicuous place.

SECTION 3. Violation of any regulation in Section 2 of this resolution is subject to the penalties and charges set forth in Santa Barbara Municipal Code Section 14.20.226.

SECTION 4. For the protection of public health and safety, the following drought-related development restrictions are hereby established and shall remain in effect for the duration of the Stage Three Drought Emergency, unless repealed or modified by resolution of the City Council:

a. No building permits for the installation of new pools shall be issued. Spas of less than 500 gallons are not subject to this moratorium.

b. Irrigation with potable water of landscapes outside of newly constructed homes and buildings is prohibited unless delivered by drip or microspray systems and accomplished in a manner consistent with regulations and other requirements established by the California Building Standards Commission.

- c. For projects with new required landscaping included as part of the building permit, any new plants that are not water wise (as identified on the approved landscape plan) shall not be installed until conclusion of the Stage Three Drought Emergency.
- d. If desired, projects with required landscape plans may voluntarily defer the installation of landscape plantings that are not 1) required for compliance with an approved Storm Water Management Plan, environmental mitigation measures, or a creek or habitat restoration plan; 2) required for erosion control or to address a landslide threat; or 3) relocated trees or shrubs.
- e. Exemptions:
  - i. Projects with an application submitted to the Planning Division or Building & Safety Division prior to declaration of the Stage Three Drought Emergency are exempt from item 4.a. above.
  - ii. Projects with an application submitted for a building permit prior to declaration of the Stage Three Drought Emergency are exempt from items 4.b. and 4.c. above.
  - iii. Projects with landscaping irrigated exclusively with non-potable water are exempt from items 4.b. and 4.c. above.
  - iv. Exemptions to the development restrictions identified above may be granted by the Community Development Director, in consultation with the Public Works Director, for specific uses of water on the basis of factually demonstrated need or undue hardship and in accordance with guidelines for exemptions as may be determined by the Community Development Director. If the Community Development Director denies a request for an exemption for a specific water use, a written request for reconsideration may be made to the Planning Commission. The decision of the Planning Commission shall be final.
- f. Administrative Guidelines for implementation of items 4.a. through 4.e. shall be prepared by the Community Development Director.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** May 5, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Introduction Of Ordinance Amending Municipal Code Chapter 14.32 To Prohibit Private Water Well Construction On Properties Served By The City's Water System

### **RECOMMENDATION:**

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Municipal Code Chapter 14.32 to Prohibit Private Water Well Construction on Properties Served by the City's Water System.

### **DISCUSSION:**

After four years of historically dry weather and diminished surface water supply, the City is preparing to declare a Stage Three Drought Condition in May 2015. Stage Three is the highest level of drought response. Given this serious drought condition, it is critical to protect the City's groundwater basins. Groundwater is an important part of the City's water supply, particularly during critical drought periods, when normal surface water supplies are limited. Groundwater is also the City's only current potable water supply that is available in the event deliveries from the Santa Ynez River are disrupted.

The City boundaries overlie Storage Units I and III of the Santa Barbara groundwater basin, as well as portions of the Foothill Basin, which are all relatively small basins. The City currently owns and operates water supply production wells in both of the primary groundwater basins and has an extensive network of groundwater monitoring wells that measure water levels and water quality. While the City is the only known pumper in Storage Unit I, there are other private pumpers in Storage Unit III and the Foothill Basin, over which the City has only limited control.

Santa Barbara Municipal Code (SBMC) Chapter 14.32 is known as the Well Ordinance of the City of Santa Barbara. The Ordinance specifies regulations related to the metering and permitting of water wells. Section 14.32.040 requires that a valid permit be obtained from the Public Works Director before any person may construct, modify, repair, abandon, or destroy any water well.

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Introduction Of Ordinance Amending Municipal Code Chapter 14.32 To Prohibit Private Water Well Construction On Properties Served By City's Water System

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Staff recommends that Council introduce and subsequently adopt, by reading of title only, an Ordinance Amending Municipal Code Chapter 14.32 To Prohibit Private Water Well Construction On Properties Served By The City's Water System.

The amended Ordinance will prohibit the construction or replacement of water supply production wells when a property is or can feasibly be served by the City's water supply system. This prohibition will help ensure that water users adhere to the City's water conservation rules, will prevent the wasteful misuse of groundwater, and will protect the financial integrity of the City's water supply system by preventing parallel usage of groundwater and City water system supplies. The amended Ordinance will help manage the City's groundwater basins and ensure adequate water supply for public health, safety, and welfare of the community.

**PREPARED BY:** Joshua Haggmark, Water Resources Manager /CT/DH/mh

**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director

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

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SECTION 14.32.040 OF THE SANTA BARBARA MUNICIPAL CODE TO PROHIBIT PRIVATE WELL CONSTRUCTION ON PROPERTIES SERVED BY THE CITY'S WATER SUPPLY SYSTEM AND TO REPEAL SECTION 14.32.115 PERTAINING TO EMERGENCIES

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

SECTION 1. Findings and Purposes. The City Council finds and declares that the City is in an ongoing state of drought emergency. In order to conserve surface water and groundwater supplies, the City Council finds and declares it is necessary to prohibit the construction of new private water wells when a property is or can be feasibly served by the City's water supply system. This prohibition will prevent water users from bypassing and avoiding the City's water conservation rules by virtue of using alternative groundwater supplies. This prohibition will also prevent the wasteful misuse of groundwater. Finally, this prohibition will protect the financial integrity of the City's water supply system by preventing parallel usage of groundwater and City water system supplies.

SECTION 2. Section 14.32.040 of Chapter 14.32 of Title 14 of the Santa Barbara Municipal Code is amended to read as follows:

**14.32.040 Acts Prohibited, Permit Required.**

(a) It shall be unlawful for any person to construct, modify or repair, abandon or destroy any well unless such person has a valid permit issued by the Public Works Director for the specific action to be taken.

(b) It shall be unlawful for any person to construct, modify or repair, abandon or destroy any well unless such construction, modification or repair, abandonment or destruction is in conformance with the terms and conditions contained in the permit issued by the Public Works Director.

(c) It shall be unlawful for any person to construct any well, and no permit shall be issued for construction of a well, if the property to be served is connected to the City's water supply system or the property is within 500 feet of a feasible connection point to the City's water supply system. The Public Works Director may grant conditional exemptions when a connection to the City's water supply system is infeasible.

SECTION 3. Section 14.32.115 of Chapter 14.32 of Title 14 of the Santa Barbara Municipal Code is repealed.

**~~14.32.115 Emergency.~~**

~~In the event of an emergency, a person may construct, modify or repair, destroy or abandon a water well without the permit required by this ordinance providing that (1) such work is performed in conformance with the standards set forth herein, (2) the Public Works Director is notified of such emergency work prior to its commencement and (3) an application for the required permit is made within three (3) City working days after the initiation of such emergency work.~~