

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 12 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 for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

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

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

Subject: Finance Committee Review Of The Proposed Two-Year Financial Plan For Fiscal Years 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 enterprise fund fees and funding requests from outside organizations.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

- 1. Subject: Proclamation Declaring May 16, 2015, As The 50th Anniversary Of The Arts And Crafts Show (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

- 2. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of April 28, 2015.

- 3. Subject: Adoption 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 adopt, by reading of title only, 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.

CONSENT CALENDAR (CONT'D)

4. **Subject: Introduction Of Ordinances For 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 (570.03)**

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 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; and
- B. Adopt, by reading of title only, 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, Setting Minimum Specifications for Installing, Inspecting and Repairing Such Moorings, and Repealing Resolution No. 12-014.

5. **Subject: Resolution For Reservation Of Community Benefit Project Square Footage For Direct Relief (6100 Hollister Avenue) (640.09)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Reserving 30,000 Square Feet from the Community Benefit Category for the Direct Relief Project (6100 Hollister Avenue).

6. **Subject: Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2016 - Intention To Levy (550.10)**

Recommendation: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report 2016; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2016 Fiscal Year at a Public Hearing to be Held on June 9, 2015, at 2:00 p.m.

7. **Subject: \$275,000 Loan To The Turner Foundation For Rehabilitation Of 1502-1522 San Pascual (Lighthouse Apartments) (660.04)**

Recommendation: That Council:

- A. Approve a \$275,000 loan of 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); and

(Cont'd)

CONSENT CALENDAR (CONT'D)

7. (Cont'd)

- B. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

8. **Subject: HOME Tenant-Based Rental Assistance Grants (660.04)**

Recommendation: That Council:

- A. Allocate \$135,000 for a new Tenant-Based Rental Assistance subrecipient grant to Casa Esperanza using federal HOME Investment Partnership Program;
- B. Allocate a \$250,000 increase to the 2012 Tenant-Based Rental Assistance subrecipient Grant Agreement No. 24,153, as amended, provided to the Housing Authority of the City of Santa Barbara using HOME funds;
- C. Approve extending the Housing Authority Agreement's term one year to expire in 2018; and
- D. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

9. **Subject: Contract For Design Of The High School Wellhead Project (540.10)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Stantec Consulting Services, Inc., in the amount of \$88,730 for design services of the High School Wellhead Project, and authorize the Public Works Director to approve expenditures of up to \$8,873 for extra services of Stantec Consulting Services, Inc., that may result from necessary changes in the scope of work.

10. **Subject: Parks And Recreation Fiscal Year 2015 Budget Adjustments Related To New Revenue, Grants And Donations (570.08)**

Recommendation: That Council:

- A. Increase estimated revenues and appropriations by \$33,500 in the Parks and Recreation Fiscal Year 2015 General Fund budget to reflect increased program revenues and expense;

(Cont'd)

CONSENT CALENDAR (CONT'D)

10. (Cont'd)

- B. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$100,340 for Parks and Recreation programs, including Summer Fun Drop-in Recreation, Children's Fiesta Parade, and the Culinary Partnership Program; and
- C. Increase revenues and appropriations in the Fiscal Year 2015 Parks and Recreation Miscellaneous Grants Fund for Youth Activities Program by \$45,500 and the Miscellaneous Grants Fund for Neighborhood and Outreach Services by \$54,840.

11. **Subject: Resolution Adopting Stage Three Drought 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 Establishing Water Use Regulations and Development Restrictions to be Effective During a Stage Three Drought Emergency.

NOTICES

- 12. The City Clerk has on Thursday, May 7, 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

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ATTORNEY

13. **Subject: Recreational Vehicle Parking And Temporary Recreational Vehicle Ordinances (660.04)**

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

- A. An Ordinance of the Council of the City of Santa Barbara to Amend Section 10.44.205 of the Santa Barbara Municipal Code Pertaining to the Parking of Recreational Vehicles and the Definition of "Excessive" Numbers of Such Vehicles; and

(Cont'd)

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

CITY ATTORNEY (CONT'D)

13. (Cont'd)

- B. An Ordinance of the Council of the City of Santa Barbara to Amend Sections 15.16.060 and 15.16.080 of the Santa Barbara Municipal Code to Delete Temporary Recreational Vehicles from the Prohibition on Sleeping, Human Habitation or Camping in Recreational Vehicles in Certain Areas.

14. Subject: Update Of The Council's Procedural Rules And Appointment Of An Ad Hoc Council Procedures Committee (120.02)

Recommendation: That Council appoint an Ad Hoc Council Procedures Committee and direct preparation of new Council Procedural Rules in conjunction with the City Attorney and City Clerk.

PUBLIC WORKS DEPARTMENT

15. Subject: Annual Wastewater Collection System Report (540.13)

Recommendation: That Council receive a report from staff on the wastewater collection system maintenance and management activities.

16. Subject: Report On "Vision Zero" To Reduce Injuries And Fatalities To Zero On City Streets (530.01)

Recommendation: That the City Council receive a report to consider a potential City policy, known throughout the United States and Europe as "Vision Zero," that is intended to reduce traffic-related injuries and fatalities to zero.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

17. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Administrative Services Director, regarding negotiations with the Fire Management Association, Supervisors Association, and regarding salaries and fringe benefits for unrepresented management.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: May 12, 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:

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 enterprise fund fees and funding requests from outside organizations.



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: May 12, 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 enterprise fund fees and funding requests from outside organizations.

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 topics:

1. Enterprise Fund proposed fee changes
2. Funding Requests from Community Organizations

The next meeting for the Committee's budget review is scheduled on Tuesday, May 19, 2015, from 12:00 p.m. – 1:45 p.m. when the Committee will receive a pension update, a status report on the Employee Mortgage Loan Assistance Program (EMLAP), hear staff-recommended adjustments, and make final decisions and recommendations to Council relative to the items presented to the Finance Committee.

Finance Committee Agenda Report

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

May 12, 2015

Page 2

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

Note: No Council meeting on May 26, 2015.



PROCLAMATION
50TH ANNIVERSARY OF THE SANTA BARBARA
ARTS & CRAFTS SHOW
May 16, 2015

WHEREAS, the Santa Barbara Arts and Crafts Show was established in 1965 by Robert Eischen, a retired Santa Barbara architect and painter; and

WHEREAS, Mr. Eischen was inspired by the sidewalk art shows of Europe and the prestigious "Jardin del Arte" in Mexico City; and

WHEREAS, the show, originally called the Domingo Art Show, began with a small group of artists in De La Guerra Plaza; and

WHEREAS, the show soon outgrew the Plaza and in 1966, with the sponsorship of the City's Parks and Recreation Department, the show's name was changed to the Sabado and Domingo Art Show and the event moved to Cabrillo Boulevard; and

WHEREAS, In 1971 the show invited local crafts people to join and in 1972, the name was changed to the Santa Barbara Arts and Crafts Show; and

WHEREAS, the Santa Barbara Arts and Crafts Show is the only continuous, non-juried arts festival of original drawings, paintings, sculpture, crafts and photography in the world; and

WHEREAS, every Sunday and some Saturdays, Cabrillo Boulevard transforms into a celebration of arts and crafts created by approximately 200 Santa Barbara County artisans; and

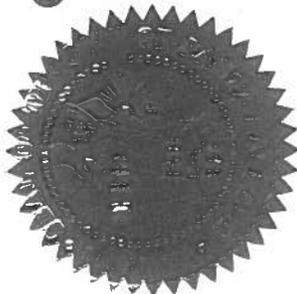
WHEREAS, millions of visitors from around the world have delighted in the original creations of local artists, making the Santa Barbara Arts and Crafts Show one of the major tourist attractions in Santa Barbara.

NOW, THEREFORE, I HELENE SCHNEIDER, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, California do hereby recognize May 16, 2015 as the 50th Anniversary of the Santa Barbra Arts & Crafts Show.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California, to be affixed this 12th day of May 2015.

HELENE SCHNEIDER

Mayor





CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 28, 2015 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Pro Tempore Gregg Hart called the meeting to order at 2:01 p.m. (The Finance Committee met at 12:00 p.m. and the Ordinance Committee met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Pro Tempore Hart.

ROLL CALL

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

Councilmembers absent: Mayor Helene Schneider.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, City Clerk Services Manager Gwen Peirce.

CEREMONIAL ITEMS

- 1. Subject: Santa Barbara Rape Crisis Center Proclamation Declaring April 2015 As Sexual Assault Awareness Month (120.04)**

Action: Proclamation presented to Karen Villegas, Santa Barbara Rape Crisis Center.

PUBLIC COMMENT

Speakers: Tom Widroe, CityWatch; Wanda Livernois; Maggie Campbell, Downtown Organization; Geof Bard.

CONSENT CALENDAR (Item Nos. 2 – 16)

The titles of the ordinances and resolutions related to Consent Items were read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Mayor Schneider).

2. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of March 24, 2015.

Action: Approved the recommendation.

3. Subject: Adoption Of Ordinances Establishing Speed Limits (530.05)

Recommendation: That Council:

- A. 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
- B. 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; Ordinance Nos. 5684 and 5685.

4. Subject: March 31, 2015, Investment Report And March 31, 2015, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the March 31, 2015, Investment Report; and
- B. Accept the March 31, 2015, Fiscal Agent Report.

Action: Approved the recommendations (April 28, 2015, report from the Finance Director/Acting Assistant City Administrator).

5. Subject: Fiscal Year 2015 Interim Financial Statements For The Eight Months Ended February 28, 2015 (250.02)

Recommendation: That Council accept the Fiscal Year 2015 Interim Financial Statements for the Eight Months ended February 28, 2015.

Action: Approved the recommendation (April 28, 2015, report from the Finance Director/Acting Assistant City Administrator).

6. Subject: Tax Equity And Fiscal Responsibility Act (TEFRA) Hearing For American Baptist Homes Of The West (Valle Verde) Debt Issuance (240.03)

Recommendation: That Council hold a public hearing and adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Approving the Issuance of the California Statewide Communities Development Authority Revenue Bonds, Series 2015 (American Baptist Homes of the West) in an Aggregate Principal Amount Not to Exceed \$70,000,000 for the Purpose of Financing and Refinancing the Acquisition, Construction, Furnishing and Equipping of Valle Verde and Certain Other Matters Relating Thereto.

Public Hearing Opened:
2:18 p.m.

No one indicated a desire to speak.

Public Hearing Closed:
2:18 p.m.

Action: Approved the recommendation; Resolution No. 15-024 (April 28, 2015, report from the Finance Director/Acting Assistant City Administrator; proposed resolution).

7. Subject: Civil Service Commission Hearing Procedures (420.03)

Recommendation: That Council receive a report on the Civil Service Commission's adoption of revised and expanded Hearing Procedures.

Action: Approved the recommendation (April 28, 2015, report from the Administrative Services Director).

8. Subject: Resolutions Required By CalPERS For Reductions To City-Paid Pension Contributions (410.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for Paying and Reporting the Value of Employer Paid Member Contributions for Sworn Police Officers' Association Employees, Effective June 18, 2011 Through April 20, 2012;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara for Paying and Reporting the Value of Employer Paid Member Contributions for Sworn Police Officers' Association Employees, Effective April 21, 2012 Through July 26, 2013; and

(Cont'd)

8. (Cont'd)

- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution 13-025 for Paying and Reporting the Value of Employer Paid Member Contributions for Fire Management Association Employees, January 11, 2014 Through January 9, 2015, to Reflect the Corrected Percentage.

Speakers:

Members of the Public: Tom Widroe, CityWatch.

Action: Approved the recommendations; Resolution Nos. 15-025, 15-026 and 15-027 (April 28, 2015, report from the Administrative Services Director; proposed resolutions).

9. Subject: Records Destruction For Finance 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 Finance Department in the Accounting, Administration, General Services, Risk Management, and Treasury Divisions.

Action: Approved the recommendation; Resolution No. 15-028 (April 28, 2015, report from the Finance Director/Acting Assistant City Administrator; proposed resolution).

10. Subject: Introduction Of Ordinance For Second Amendment To Lease No. 23,017, Between MAG Aviation And The City Of Santa Barbara (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Airport Director to Execute a Second Amendment to Lease Agreement No. 23,017, with MAG Aviation, a Partnership, and the City of Santa Barbara, 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.

Action: Approved the recommendation (April 28, 2015, report from the Airport Director; proposed ordinance).

11. Subject: Contract For Sanitary Sewer Cleaning And Closed Circuit Television Inspection (540.13)

Recommendation: That Council award a contract with Nor-Cal Pipeline Services in their low bid amount of \$84,735.50 for Sanitary Sewer Cleaning and Closed Circuit Television Inspection Fiscal Year 2015, Bid No. 3773; and authorize the Public Works Director to execute the contract and approve expenditures up to \$8,473, 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.

Action: Approved the recommendation; Contract No. 25,189 (April 28, 2015, report from the Public Works Director).

12. Subject: Contract Amendment For On-Call Engineering Services For Groundwater Well Development (540.10)

Recommendation: That Council:

- A. Authorize the Public Works Director to amend Contract No. 24,803 with Pueblo Water Resources in the amount of \$150,000 for on-call hydrogeologic engineering design services for Groundwater Well Development, increasing the overall contract amount to \$400,000; and
- B. Authorize the Public Works Director to terminate Contract No. 24,804 with Kear Groundwater and return the remaining contract allocation to the Water Drought Fund.

Action: Approved the recommendation; Contract No. 24,803.1 (April 28, 2015, report from the Public Works Director).

13. Subject: Amendment To Joint Funding Agreement With United States Geological Survey For Groundwater Modeling (540.10)

Recommendation: That Council authorize the Public Works Director to execute an Amendment to the Joint Funding Agreement with the United States Geological Survey for groundwater modeling services, increasing the City's portion of the cost by \$30,000, for a total City project cost of \$406,925.

Speakers:

Staff: Water Resources Manager Joshua Haggmark.

Action: Approved the recommendation; Contract No. 23,253.1 (April 28, 2015, report from the Public Works Director).

14. Subject: Resolution Adopting Findings For Santa Barbara Museum Of Natural History Appeal (2559 Puesta Del Sol) (640.07)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Denying the Appeal of Mark and Lauren Carey and Upholding the Decision of the Planning Commission Granting an Amended Conditional Use Permit and Parking Modification for the Santa Barbara Museum of Natural History (2559 Puesta Del Sol).

Action: Approved the recommendation; Resolution No. 15-029 (April 28, 2015, report from the City Attorney; proposed resolution).

NOTICES

15. The City Clerk has on Thursday, April 23, 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.
16. A City Council site visit is scheduled for Monday, May 4, 2015, at 1:30 p.m. to the property located at 1215 E. Cota Street, which is the subject of an appeal hearing set for May 5, 2015, at 2:00 p.m.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Francisco reported that the Committee met to review the third quarter investment report, which was approved by the full Council as part of this agenda's Consent Calendar (Item No. 4), and a report on projected general fund and airport revenues.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Rowse reported that the Committee met to consider an ordinance that would prohibit the construction of private wells in areas served by the City's water system. The Committee approved the ordinance, which will be forwarded to the full Council for its consideration in a future meeting.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

POLICE DEPARTMENT

17. Subject: Police Department Update (520.04)

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

Documents:

- April 28, 2015, report from the Police Chief.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Police Chief Camerino Sanchez, Captain William Marazita, Deputy Police Chief Frank Mannix, Captain Alex Altavilla, Captain Gil Torres.
- Members of the Public: Tamara Erickson; Maggie Campbell, Downtown Organization; Tom Becker.

Discussion:

Staff's presentation included: 1) Information on a study on body-worn cameras; 2) update on the Community Service Officer Program; 3) staffing and hiring update; 4) trends in violent and property crime statistics; 5) the status of training and recruitment; 6) a Community Policing update; 7) information on a meeting with the California Public Utilities Commission and party bus purveyors on an underage drinking awareness campaign; and 8) information on the fallen officers' memorial project. Councilmembers' questions were answered.

COMMUNITY DEVELOPMENT DEPARTMENT

18. Subject: Casa Esperanza Homeless Center/People Assisting The Homeless Merger (660.04)

Recommendation: That Council approve, in concept, the assignment of City Agreements Nos. 24,758, 24,757, and 24,952, and City Purchase Order No. 387931, pending Casa Esperanza Homeless Center's merger with People Assisting the Homeless (PATH), subject to further assurances as recommended by the City Attorney.

Documents:

April 28, 2015, report from the Community Development Director.

(Cont'd)

18. (Cont'd)

Speakers:

- Staff: Community Development Business Manager Sue Gray.
- Casa Esperanza: Interim Executive Director Joe Tumbler.
- People Assisting the Homeless: Chief Executive Officer Joel John Roberts.
- Members of the Public: Tom Widroe, CityWatch.

Motion:

Councilmembers Murillo/White to approve the recommendation.

Vote:

Unanimous voice vote (Absent: Mayor Schneider).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at the following meetings and events: 1) a recent Library Board meeting, where the Library's budget was reviewed; 2) a celebration for Rob Pearson at the Housing Authority; 3) an Affordable Housing Task Force meeting; and 4) a special event hosted by Central Coast Alliance United for a Sustainable Economy (CAUSE) featuring Dolores Huerta.
- Councilmember Hotchkiss reported on his attendance at the 233rd Anniversary event of the founding of Santa Barbara, and a tour of Gibraltar Dam.
- Councilmember White spoke regarding his attendance at the Bren School's 2015 Master's Project Public Presentations.
- Councilmember Rowse reported on a meeting he attended between the Waterfront Department and United States Coast Guard regarding security buffer zones around cruise ships.
- Mayor Pro Tempore Hart reported on his attendance at a screening of the film, "The Hunting Grounds" at University of California, Santa Barbara.

ADJOURNMENT

Mayor Pro Tempore Hart adjourned the meeting at 4:06 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

GREGG HART
MAYOR PRO TEMPORE

GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER

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.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: Operations Division, Waterfront Department

SUBJECT: Introduction Of Ordinances For 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 Council:

- A. Introduce and subsequently adopt, by reading of title only, 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; and
- B. Adopt, by reading of title only, 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, Setting Minimum Specifications for Installing, Inspecting and Repairing Such Moorings, and Repealing Resolution No. 12-014.

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

Council Agenda Report

Introduction Of Ordinances For 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

May 12, 2015

Page 2

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.

The Ordinance Committee recommended that the City Council approved the Ordinance amending Municipal Code Chapter 17.20.255 C at their May 5, 2015, meeting.

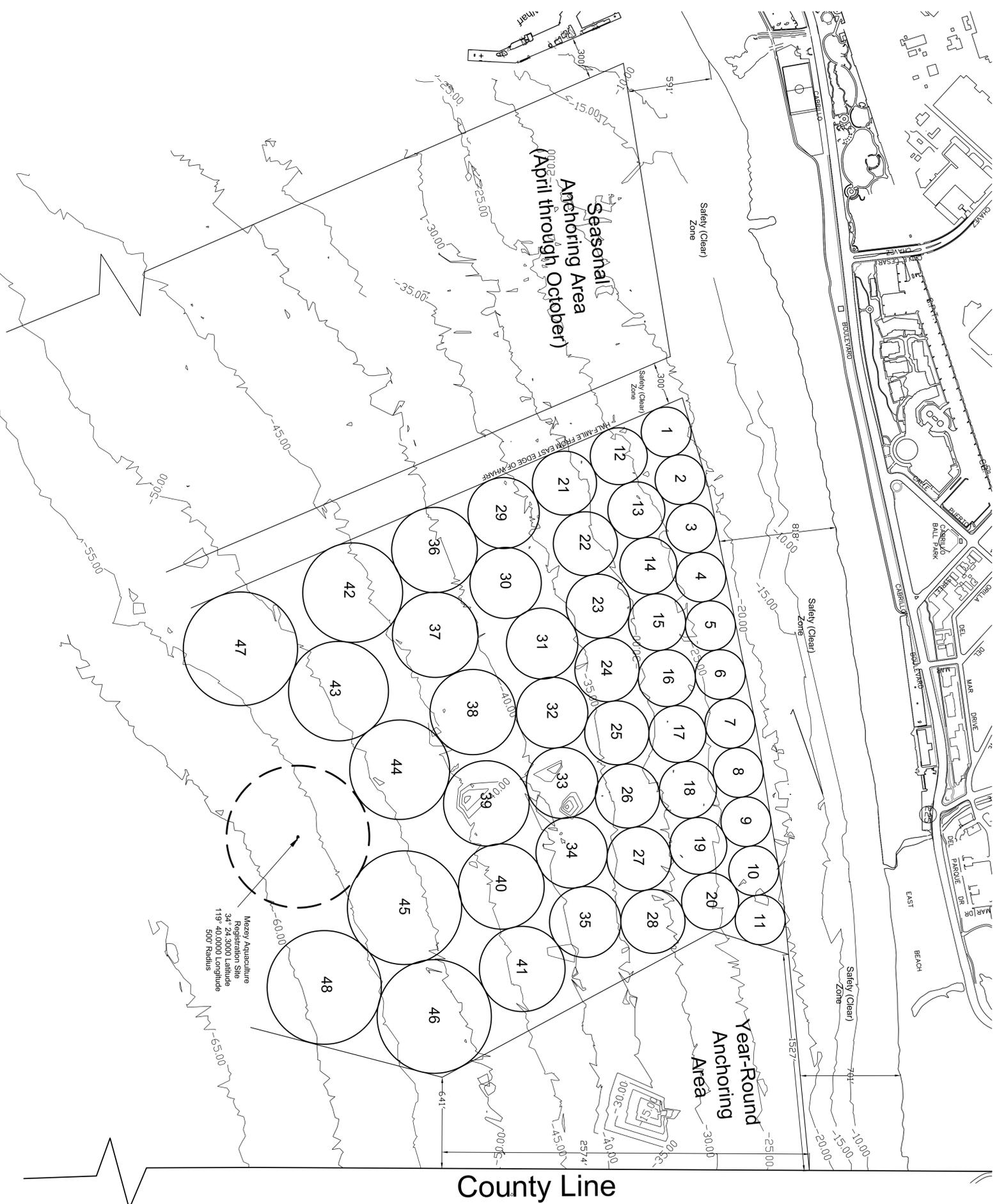
- ATTACHMENTS:**
- 1. Drawing—East Beach Mooring Area
 - 2. Drawing—East Beach Mooring Area as currently occupied

PREPARED BY: Mick Kronman, Harbor Operations Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

Mooring Space Details			
Space #	Diameter	Latitude	Longitude
1	350'	34° 24.7167	119° 40.5667
2	350'	34° 24.7333	119° 40.5000
3	350'	34° 24.7500	119° 40.4333
4	350'	34° 24.7667	119° 40.3667
5	350'	34° 24.7833	119° 40.3000
6	350'	34° 24.7667	119° 40.2333
7	350'	34° 24.8000	119° 40.1667
8	350'	34° 24.8000	119° 40.1000
9	350'	34° 24.8167	119° 40.0333
10	350'	34° 24.8333	119° 39.9667
11	350'	34° 24.8333	119° 39.9000
12	400'	34° 24.6667	119° 40.5333
13	400'	34° 24.6833	119° 40.4667
14	400'	34° 24.7000	119° 40.3833
15	400'	34° 24.7167	119° 40.3000
16	400'	34° 24.7167	119° 40.2333
17	400'	34° 24.7333	119° 40.1500
18	400'	34° 24.7500	119° 40.0667
19	400'	34° 24.7667	119° 40.0000
20	400'	34° 24.7833	119° 39.9167
21	450'	34° 24.6000	119° 40.5000
22	450'	34° 24.6333	119° 40.4167
23	450'	34° 24.6500	119° 40.3333
24	450'	34° 24.6500	119° 40.2333
25	450'	34° 24.6667	119° 40.1500
26	450'	34° 24.6833	119° 40.0667
27	450'	34° 24.7000	119° 39.9833
28	450'	34° 24.7167	119° 39.8833
29	500'	34° 24.5333	119° 40.4500
30	500'	34° 24.5333	119° 40.3667
31	500'	34° 24.5833	119° 40.2833
32	500'	34° 24.5833	119° 40.1833
33	500'	34° 24.6000	119° 40.0833
34	500'	34° 24.6167	119° 39.9833
35	500'	34° 24.6333	119° 39.8833
36	600'	34° 24.4500	119° 40.4000
37	600'	34° 24.4500	119° 40.2833
38	600'	34° 24.5000	119° 40.1833
39	600'	34° 24.5167	119° 40.0500
40	600'	34° 24.5333	119° 39.9333
41	600'	34° 24.5667	119° 39.8167
42	700'	34° 24.3667	119° 40.3500
43	700'	34° 24.3500	119° 40.2000
44	700'	34° 24.4167	119° 40.1000
45	800'	34° 24.4167	119° 39.9000
46	800'	34° 24.4667	119° 39.7500
47	800'	34° 24.2333	119° 40.2667
48	800'	34° 24.3333	119° 39.7833



Mooring Locations
Scale 1" = 400'

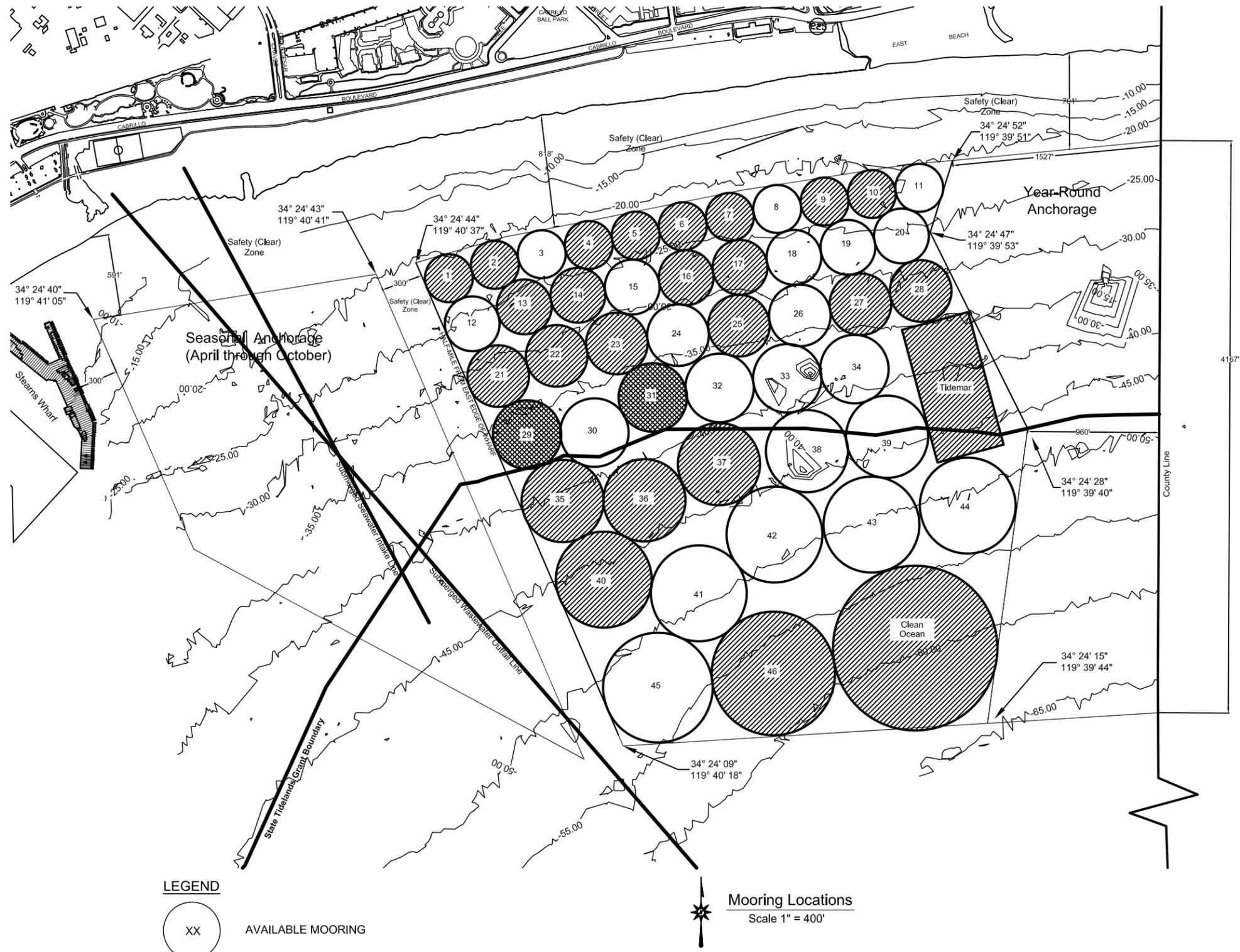
East Beach Mooring/Anchoring Program
City of Santa Barbara
Waterfront Department

CITY OF SANTA BARBARA
WATERFRONT DEPARTMENT - FACILITIES DIVISION

SCALE: Noted
FACTOR: N/A
VERT: N/A
HOR: N/A
PROJ. NO. _____
SHT. 2 OF 2 SHTS.
DWG. NO. 6003-009

DRAFTER: L. Nelson
DESIGNER: L. Nelson
CHECKER: M. Kronman
PROJ. MGR: M. Kronman
DATE: 7/16/04
APPROVED: _____
REVISIONS: _____

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.	3 OF 3 SHTS.
VERT.	N/A	DWG.NO.	6003-014
HOR.	N/A		

ORDINANCE NO. _____

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.

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.

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 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

COUNCIL INTRODUCTION DRAFT SHOWING
CHANGE FROM CURRENT CODE

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.

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, SETTING MINIMUM SPECIFICATIONS FOR INSTALLING, INSPECTING AND REPAIRING SUCH MOORINGS, AND REPEALING RESOLUTION NO. 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 on a first-come, first-served basis;

WHEREAS, the City procedure for assigning Mooring Permits 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. 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.
2. Mooring Permit Assignments. A prospective 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.
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 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.
4. Timing—Mooring Assignments. All Mooring Assignments shall be finalized between May 1st and September 1st.
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.

B. 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.

C. 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.
 - b. 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.

D. 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. 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.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Resolution For Reservation Of Community Benefit Project Square Footage For Direct Relief (6100 Hollister Avenue)

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Reserving 30,000 Square Feet from the Community Benefit Category for the Direct Relief Project (6100 Hollister Avenue).

BACKGROUND:

The proposed Direct Relief project involves construction of a new 100,000 square-foot warehouse (with a potential increase to 130,000 square feet) and a two-story, 25,000 square-foot administrative office building.

On February 24, 2015, Council designated the proposed project as a Community Benefit Project and allocated 80,000 square feet of nonresidential floor area from the Community Benefit category. Council also approved the reservation of an additional 30,000 square feet from the Community Benefit category for future development on the project site.

According to the Administrative Procedures for the Implementation of the General Plan Growth Management Program, the reservation of square footage from the Community Benefit category is granted by the adoption of a resolution by Council.

PREPARED BY: Kathleen A. Kennedy, Associate Planner

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA RESERVING 30,000 SQUARE FEET
FROM THE COMMUNITY BENEFIT CATEGORY FOR THE
DIRECT RELIEF PROJECT (6100 HOLLISTER AVENUE)

WHEREAS, on December 16, 2014, Direct Relief filed an application with the City of Santa Barbara to develop the real property located at 6100 Hollister Avenue;

WHEREAS, the project site is located at 6100 Hollister Avenue, between Frederic Lopez Road and David Love Place. The project site is located north of Hollister Avenue in Sub-area 3 of the Airport Specific Plan (SP-6), and is currently owned by the City of Santa Barbara Airport Department. The parcel is located in the A-1-1 and A-1-2 (Airport Industrial) Zones. The parcel would be subdivided, and the northern portion (approximately 8.5 acres) would be purchased by Direct Relief, pursuant to the terms and conditions of the Purchase and Sale Agreement between the City and Direct Relief dated October 9, 2014;

WHEREAS, the project involves construction of a new facility for Direct Relief, a nonprofit organization, including a new 100,000 square-foot warehouse (with a potential increase to 130,000 square feet) with an attached two-story 25,000 square-foot administrative office building, a secure truck yard loading area, 152 parking spaces, and approximately 4,970 square feet of outdoor dining area to serve as an amenity for staff and volunteers. The existing six main buildings and five outbuildings on-site would be demolished. The project also includes construction of a new public street that would run east-west between the newly subdivided parcels;

WHEREAS, of the 155,000 square feet of nonresidential square footage required for the proposal, 45,000 square feet would be provided from the following categories: Airport Demolition Bank Allocation (30,420 SF); Vacant Property from Specific Plan area (6,500 SF); Future Onsite Demolition from 6160 Wallace Becknell Road (6,080 SF); and Small Addition Category (2,000 SF);

WHEREAS, on February 24, 2015, the City Council designated the proposed development for Direct Relief at 6100 Hollister Avenue as a Community Benefit Project pursuant to Santa Barbara Municipal Code §28.85.020.A.1;

WHEREAS, on February 24, 2015, City Council allocated 80,000 square feet of nonresidential floor area to the project from the Community Benefit Project category, and reserved an additional 30,000 square feet from the Community Benefit Project category for future development; and

WHEREAS, pursuant to City Council Resolution No. 13-010, square footage from the Community Benefit category can be reserved without applying for a land use permit as long as the overall project exceeds 10,000 square feet and is a component of a Master Plan that can be fully implemented within ten years. In this case, the project site is located within the Airport Specific Plan area. The reservation of square footage may be granted by a resolution of the City Council for a period not to exceed five years.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT the Council of the City of Santa Barbara hereby reserves 30,000 Square Feet from the Community Benefit Category for the Direct Relief Project (6100 Hollister Avenue). The reservation of square footage shall be valid through May 12, 2020. In order to retain this reservation of Community Benefit square footage, the applicant must submit a complete application for a land use permit on or prior to May 12, 2020.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works

SUBJECT: Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2016 – Intention To Levy

RECOMMENDATION: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report 2016; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2016 Fiscal Year at a Public Hearing to be Held on June 9, 2015, at 2:00 p.m.

DISCUSSION:

The City Council, as the governing body of the Parking and Business Improvement Area (PBIA), is required by California State Law to prepare and adopt an annual report describing any proposed changes to the PBIA District's boundaries, benefit zones, business classification, and method and basis of levying assessments.

For Fiscal Year 2016, there are no proposed changes to the PBIA boundaries, benefit zones, or assessment levels. The annual report must be prepared prior to the beginning of each fiscal year. On April 9, 2015, the Downtown Parking Committee, serving as the PBIA Advisory Board, recommended approval of the PBIA Annual Report for Fiscal Year 2016, per the Exhibit to the Resolution.

The PBIA is the assessment mechanism that allows the City of Santa Barbara (City) to provide affordable parking rates to customers, visitors, and clients of the Downtown area. The Downtown Parking Program budget is funded primarily by hourly parking revenues and, to a lesser extent, by PBIA assessments and parking permit sales. The PBIA revenues are directed solely towards hourly employee salaries and utility costs associated with operation of the hourly parking lots. These funds partially finance the operation and maintenance of the parking lots and offset the cost of offering a free parking period, currently set at 75 minutes. This 40-year partnership between the

Downtown business community and the Downtown Parking Program has helped to keep Santa Barbara's Downtown viable.

Approximately 4.4 million customer transactions were processed last fiscal year. Each one of those patrons benefited from the free parking period. Last year's business-paid PBIA assessments contributed approximately \$0.23 per ticket to the maintenance and operation of public parking lots for the free period.

At the April 9, 2015 meeting, the Downtown Parking Committee asked staff to look at the financial and operational impacts created by those businesses that are not being assessed, including those identified as non-profits, and the benefits they enjoy. For those non-profit businesses, located within the 100 percent Zone of Benefit and creating measurable impacts, the Downtown Parking Committee would like to explore assessment options that would be sustainable for the business and seen as equitable by the other businesses that are currently being assessed. Parking staff will analyze this issue include recommended changes for consideration in next year's assessment.

BUDGET/FINANCIAL INFORMATION:

For Fiscal Year 2016, PBIA revenues are projected to be approximately \$1,080,000, which will cover approximately 14 percent of the Parking Operating Budget.

PREPARED BY: Browning Allen, Transportation Manager/VG/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DECLARING COUNCIL'S INTENTION TO LEVY PARKING AND BUSINESS IMPROVEMENT AREA ASSESSMENT RATES FOR THE 2016 FISCAL YEAR AT A PUBLIC HEARING TO BE HELD ON JUNE 9, 2015, AT 2:00 P.M.

WHEREAS, pursuant to Section 36534 California Streets and Highways Code, it is the intention of the Council of the City of Santa Barbara to conduct a public hearing to determine whether to fix and assess a Fiscal Year 2016 Downtown Parking and Business Improvement Area (hereinafter referred to as PBI), as such benefit assessment area has been established by Chapter 4.37 of the Santa Barbara Municipal Code, adopted on September 10, 1991;

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

WHEREAS, for Fiscal Year 2016, the improvements and activities to be provided shall consist of a transfer to the City's Transportation Division, which shall be exclusively used to support the maintenance of the low hourly parking rates to all persons who park automobiles within the City-owned or operated hourly public parking lots within the PBI area; and

WHEREAS, a more detailed description of the improvements and activities to be provided to the Downtown area of Santa Barbara and the benefit to the assessed businesses may be found in the Final Engineer's Report, the Addendum to the Final Engineer's Report of Formula and Methodology of Assessments dated April 7, 2010, and the 2016 PBI Annual Assessment Report (hereinafter referred to as Annual Report, attached as Exhibit), which was reviewed and approved by the City's Downtown Parking Committee, serving as the PBI Advisory Board, as required by Section 4.37.145 of the Santa Barbara Municipal Code, and which Annual Report is on file with the City Clerk and available for review or copying by the public.

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

SECTION 1. It is the intention of the City Council to levy and collect assessments with the PBI for the Fiscal Year of 2016, within the boundaries of the PBI, as such boundaries were established upon the enactment of Chapter 4.37 of the Santa Barbara Municipal Code on September 10, 1991, as amended by the City Ordinance No. 5126, adopted October 5, 1999, and by the approval of the related map on file with the City

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

SECTION 2. The proposed improvements and activities to be provided within the Downtown PBIA for Fiscal Year 2016 will consist of a subsidy of a free parking period of 75 minutes, and the maintenance of the low hourly parking rates for those persons using the City's Downtown public off-street parking facilities, as more fully described in the Annual Report.

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

SECTION 3. Time and place for the public hearing to consider the intention of the City Council shall be during the 2:00 p.m. session of the Council's regularly scheduled meeting of June 9, 2015, in the City Council Chambers, located at the Santa Barbara City Hall.

SECTION 4. Written and oral protests to the proposed 2016 Downtown PBIA Annual Assessments, as described in the Annual Report, may be made at the above-described public hearing, provided that such protests are in the form and manner required by Sections 36524 and 36525 of the California Streets and Highways Code.

SECTION 5. The City Clerk shall give notice of the above-described public hearing by causing a copy of this resolution of intention to be published in a newspaper or general circulation in the City, no less than seven (7) days prior to June 9, 2015.

Draft

City of Santa Barbara

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

**ANNUAL
ASSESSMENT
REPORT**

Fiscal Year 2016

TABLE OF CONTENTS

	Page Number
INTRODUCTION	1
SECTION I. PROPOSED CHANGES	1
SECTION II. IMPROVEMENTS AND ACTIVITIES	1
SECTION III. ESTIMATED OPERATING COSTS OF THE CITY'S DOWNTOWN PARKING PROGRAM FOR 2016.....	2
SECTION IV. PROJECTED DOWNTOWN PARKING PROGRAM REVENUES DERIVED.....	2
SECTION V. REVENUE CARRYOVERS.....	3
SECTION VI. PBIA RATES SECTION	3-4

INTRODUCTION

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

Santa Barbara's Downtown Parking Management Program operates and maintains seven public parking lots and five structures in the downtown business core area, providing a total of 3,200 parking spaces. The Program is oriented towards clients and shoppers, and is directed by the City's Circulation Element to increase the available public parking and reduce the need for employee parking in the downtown core. Employee parking is mitigated by Alternative Transportation initiatives to increase carpooling, bicycling, and mass transit programs. The Downtown Parking budget is funded primarily by hourly parking revenues, and to a lesser extent, by the PBIA and parking permits revenue. The PBIA revenues are directed solely towards employee salaries and utility costs in support of the operation and maintenance of the parking lots. Revenues derived from hourly parking charges and permits support the balance of expenses remaining from the PBIA assessment and Alternative Transportation programs designed to reduce employee parking in the downtown core.

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

I. PROPOSED CHANGES

For Fiscal Year 2016, there are no changes to the PBIA benefit zones, the basis for levying the assessments or any changes in the classifications of businesses.

II. IMPROVEMENTS AND ACTIVITIES

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

III. ESTIMATED OPERATING COSTS OF THE CITY'S DOWNTOWN PARKING PROGRAM FOR 2016

Expenses	PBIA	Parking Program	Total
Salaries and Benefits	\$1,769,048	\$2,583,892	\$4,352,940
Materials, Supplies & Services, Equipment/Minor Capital	220,000	916,976	1,136,976
Allocated Costs	10,120	1,287,447	1,297,567
Downtown Organization Maintenance Transfer		318,399	318,399
Bicycle Station		25,000	25,000
New Beginnings Contract		43,500	43,500
MTD Downtown Shuttle Support, Enhanced Transit		394,726	394,726

Total Operating Expenses	\$1,999,168	\$5,569,940	\$7,569,108
Capital Program Expenses		1,305,000	1,305,000
<u>Total Expenses</u>	<u>\$1,999,168</u>	<u>\$6,874,940</u>	<u>\$8,874,108</u>

IV. PROJECTED DOWNTOWN PARKING PROGRAM REVENUES DERIVED

Revenues:	Hourly Parking.....	\$5,200,000
	Monthly Parking.....	1,025,000
	Commuter Parking Lots.....	340,000
	Leased Property – MTC (Lobero Garage).....	309,826
	Interest Income.....	104,200
	Violation Billing.....	95,000
	Granada Offices Rents.....	59,000
	Residential Permits.....	55,000
	Greyhound Lease (Depot Lot).....	48,000
	New Beginnings Contract (Pass Through).....	43,500
	Special Parking/Misc.....	19,418
	EV Charging Fees.....	5,000
	Subtotal	\$7,303,944
	*PBIA ASSESSMENT (Anticipated 2015-2016 collections)	<u>\$1,080,000</u>
	Total Revenues	\$8,383,944

In Fiscal Year 2014, Revenues collected from the PBIA subsidized approximately \$0.23 of the cost of providing parking for each vehicle parked within the Downtown Parking system.

V. REVENUE CARRYOVERS

No excess PBIA revenues will be carried over from the Fiscal Year 2015 Operating Budget.

VI. PBIA RATES

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

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

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

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

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

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

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

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

II. Financial Institutions:

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

III. Stock and Bond Brokerage Offices:

\$81.30* per broker.

IV. Bus Depots:

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

V. Professional:

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

VI. All Categories Not Otherwise Provided For:

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

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

VII. Hotel and Motels:

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

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

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

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



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

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)

RECOMMENDATIONS: That Council:

- A. Approve a \$275,000 loan of 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); and
- B. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

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 (seven) 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 tenants 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>
Total	\$ 12,500,000

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 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.

FINANCE COMMITTEE RECOMMENDATION:

On May 5, 2015, Council’s Finance Committee reviewed and approved the recommendations of this report and forwarded them to the full Council with a recommendation for approval.

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

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

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

SUBJECT: HOME Tenant-Based Rental Assistance Grants

RECOMMENDATION: That Council:

- A. Allocate \$135,000 for a new Tenant-Based Rental Assistance subrecipient grant to Casa Esperanza using federal HOME Investment Partnership Program;
- B. Allocate a \$250,000 increase to the 2012 Tenant-Based Rental Assistance subrecipient Grant Agreement No. 24,153, as amended, provided to the Housing Authority of the City of Santa Barbara using HOME funds;
- C. Approve extending the Housing Authority Agreement's term one year to expire in 2018; and
- D. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

DISCUSSION:

Background

In Fiscal Year 2012, the City provided Housing Authority a \$300,000 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 grant, and extended the term to 2017. To date, under this grant, the Housing Authority has assisted fifty-one (51) people. Of these, twenty-three (23) have converted to Section 8. Those converted to Section 8 meet with Housing Authority 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 tenant-based rental assistance 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. Tenant-based Rental Assistance 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 Tenant-based Rental Assistance 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 – Tenant-based Rental Assistance Section 8 Type of Assistance

The Tenant-based Rental Assistance 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 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 these grant funds may not be utilized for case management, these services are provided to Tenant-based Rental Assistance clients by the HASB through their Supportive Services program. The Housing Authority recognizes the important connection between case management services and successful housing placements.

The proposed Tenant-based Rental Assistance program is designed to be of limited duration. The Housing Authority expects to move participants from the 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 Tenant-based Rental Assistance – Rapid Re-housing / Imminent Risk

Under the 2012 Tenant-based Rental Assistance 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

Finance Committee recommended that Council approve these grant awards at their May 5, 2015 meeting. There are sufficient existing appropriations in the HOME Fund to cover the proposed grant awards. 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

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Design Of The High School Wellhead Project

RECOMMENDATION:

That Council authorize the Public Works Director to execute a City Professional Services contract with Stantec Consulting Services, Inc., in the amount of \$88,730 for design services of the High School Wellhead Project, and authorize the Public Works Director to approve expenditures of up to \$8,873 for extra services of Stantec Consulting Services, Inc., that may result from necessary changes in the scope of work.

DISCUSSION:

BACKGROUND

The Santa Barbara High School Well (High School Well) was constructed in 2004 and draws water from Groundwater Storage Unit I in the Downtown area. It is located in an easement on the Santa Barbara High School property, near the northwest corner of 700 East Anapamu Street. Upon the well's completion, problems associated with the taste and odor of its water was discovered. In 2008, the City performed pilot testing to explore possible treatment methods. The testing determined that onsite treatment was unfeasible; therefore, the High School Well has remained out of service, waiting for the availability of a suitable treatment method. With the completion of the Ortega Groundwater Treatment Plant (OGTP) Rehabilitation Project in 2013, the High School Well water can now be treated to suitable levels at the OGTP. Staff is managing a separate project to construct the pipeline that will convey the High School Well water to the OGTP. The award of that project will come to Council under a separate action.

PROJECT DESCRIPTION

The proposed project will develop the wellhead site in order to operate the High School Well. Work consists of preparing bid documents, including plans, specifications, and cost estimates to commission the High School Well for use as a municipal water supply.

Design services include research and review of City data for this facility; specifying electrical service requirements, equipment and related appurtenances; integration of the High School Well into the City's control systems; site layout and landscape design to be reviewed and approved by the City's Architectural Board of Review, and design support services during construction.

DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Stantec Consulting Services, Inc. (Stantec) in the amount of \$88,730 for design, and \$8,873 for potential extra services, for a total amount of \$97,603. Stantec was selected as part of a competitive Request For Proposal process that included solicitation from seven other qualified firms. Stantec was chosen for this project because of the strength of their proposal and their experience with this type of work. Stantec is on the City's list of pre-qualified engineering firms.

COMMUNITY OUTREACH

The work for this project will be coordinated with Santa Barbara High School. City staff will plan a construction window that is acceptable to the High School administration. Staff will conduct a neighborhood meeting to describe the planned project and receive community feedback. Prior to construction, staff will mail notices to residents in the vicinity of the proposed work.

FUNDING

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

Design (by Contract)	\$97,603
Other Design Costs - City staff (if contract), Environmental (Assessments, etc.)	\$31,367
Subtotal	\$128,970
Estimated Construction Contract with Change Order Allowance	\$137,500
Estimated Construction Management/Inspection (by Contract or City)	\$51,976
Estimated Other Construction Costs (testing, etc.)	
Subtotal	\$189,476
TOTAL PROJECT COST	\$318,446

There are sufficient funds in the Water Drought Fund to cover these costs.

SUSTAINABILITY IMPACT:

The City relies on groundwater as one of the many potable water sources to meet customer demands. The High School Well will provide an additional groundwater source to augment supplies and help to maximize the use of the OGTP.

PREPARED BY: Linda Sumansky, Principal Civil Engineer/AF/PM/kts

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: Administration Division, Parks and Recreation Department

SUBJECT: Parks And Recreation Fiscal Year 2015 Budget Adjustments Related To New Revenue, Grants And Donations

RECOMMENDATION: That Council:

- A. Increase estimated revenues and appropriations by \$33,500 in the Parks and Recreation Fiscal Year 2015 General Fund budget to reflect increased program revenues and expense;
- B. Accept a contribution from the Parks and Recreation Community (PARC) Foundation in the amount of \$100,340 for Parks and Recreation programs, including Summer Fun Drop-in Recreation, Children's Fiesta Parade, and the Culinary Partnership Program; and
- C. Increase revenues and appropriations in the Fiscal Year 2015 Parks and Recreation Miscellaneous Grants Fund for Youth Activities Program by \$45,500 and the Miscellaneous Grants Fund for Neighborhood and Outreach Services by \$54,840.

DISCUSSION:

Parks and Recreation is projecting a total of \$33,500 in increased revenues and expense in the Department's Fiscal Year 2015 General Fund budget in three programs.

1. Youth Activities - \$27,000. Camps and classes have seen participation continue to increase due to popularity, and are exceeding budgeted revenue. These revenue-generating activities are delivered by third party providers who receive a fixed percentage of revenue; therefore, revenue and expense appropriations need to be increased accordingly.
2. Active Adults - \$5,000. Revenue from fees paid by Arts and Crafts Show artisans for marketing of the show are collected and held in a special City deposit account. To support current year marketing and promotions, revenue and expense appropriations need to be increased in the Active Adults budget to accommodate the transfer of revenue from the City deposit account.

3. Grounds and Facilities Maintenance - \$1,500. A memorandum of understanding (MOU) between the Parks and Recreation and Public Works Departments related to the use of City parkland for the Alameda Park well construction and operation was completed on March 20, 2015. Effective January 1, 2015, Water Resources will compensate the Parks Division \$3,000 on an annual basis for the use of park land for the purposes of operating the well. The annual payment complies with the requirements outlined by the findings made by the Parks and Recreation Commission on September 24, 2014, pursuant to City Charter section 520 for the Alameda Park Well Relocation Project. For Fiscal Year 2015, the total new revenue to the Parks Division is \$1,500; therefore, revenue and expense appropriations need to be increased accordingly. This revenue and expense will be included in budgets going forward.

PARC Foundation Contribution

The Parks and Recreation Department will receive contributions from the Parks and Recreation Community (PARC) Foundation totaling \$100,340 for three Parks and Recreation programs. These funds need to be received, and revenue and expense appropriations need to be increased accordingly to support designated programs.

1. Youth Activities, Miscellaneous Grants Fund - \$45,500. The Summer Fun Program was awarded \$37,000 from a Wood-Claeyssens Foundation grant to expand the free summer drop in program to serve 200 additional youth over an additional eight days. Also, the Department was awarded \$8,500 from the Wood-Claeyssens Foundation in support of the Children's Fiesta Parade, which is coordinated by Youth Activities.
2. Neighborhood and Outreach Services (NOS), Miscellaneous Grants Fund - \$54,840. NOS was awarded a \$75,000 grant from the Santa Barbara Foundation for a culinary pathway partnership with Santa Barbara Unified School District and the Santa Barbara City College Culinary Program. The program will serve up to 24 local youths from alternative high school programs (16-21yrs old). At this time, \$54,840 of the grant funds needs to be received and appropriated to the NOS Miscellaneous Fund. Funds will provide five SBCC full scholarships and up to 300 hours of employment for enrolled students at local hotels and restaurants and for the purchase of kitchen supplies, that will remain at the Westside Neighborhood Center at the end of the program.

The Parks and Recreation Department values the relationship it has with the PARC Foundation and the role it plays with securing grants and donations to support department programs and services.

Council Agenda Report
Parks and Recreation Fiscal Year 2015 Budget Adjustments Related To New Revenue,
Grants and Donations
May 12, 2015
Page 3

PREPARED BY: Mark Sewell, Business Analyst

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

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Resolution Adopting Stage Three Drought Regulations And Development Restrictions

RECOMMENDATION:

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

DISCUSSION:

On May 5, 2015, Council declared a Stage Three Drought Emergency and established a required 25 percent City-wide reduction in demand. This declaration was in response to the driest four consecutive years recorded in Santa Barbara and the seriousness of the state-wide drought condition. During the May 5th Council meeting, staff presented proposed water use regulations and development restrictions to take effect during a Stage Three Drought Emergency. Council directed staff to modify the proposed regulations to include only the requirements of the State Water Resources Control Board Emergency Regulations adopted on May 5, 2015. The recommended Resolution incorporates the changes directed by Council. The attachment shows the modifications made to the draft reviewed by Council on May 5, 2015.

ATTACHMENT(S): Stage Three Drought Water Use Regulations and Development Restrictions – Showing Changes from May 5, 2015, Draft

PREPARED BY: Joshua Haggmark, Water Resources Manager/BF/cc
Allison DeBusk, Acting Senior Planner

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

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; ~~and~~;

WHEREAS, on May 5, 2015, the City Council considered a draft resolution that would have established recommended water use regulations and development restrictions to be applicable under a Stage 3 Drought Emergency, provided direction to staff on changes, declared a Stage 3 Drought Emergency, and established a required water use reduction of 25 percent.

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

SECTION 1. As of May 5, 2015, There ~~does now~~has existed within the City of Santa Barbara a Stage Three Drought Emergency, and a 25 percent required 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-iii.~~ 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 ¼ 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 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.

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 restriction s-areis 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.a.~~ Irrigation with potable water of landscapes outside of newly constructed homes and buildings ~~is prohibited unless delivered by drip or microspray systems and must be~~ accomplished in a manner consistent with regulations and other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.

~~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.b. 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.i.~~ Projects with an application submitted for a building permit prior to ~~declaration of the Stage Three Drought Emergency~~ adoption of this Resolution are exempt from items 4.~~a.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.ii.~~ 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.c.~~ Administrative Guidelines for implementation of items ~~s 4.a. through 4.e.~~ shall be prepared by the Community Development Director.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA 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; and

WHEREAS, on May 5, 2015, the City Council considered a draft resolution that would have established recommended water use regulations and development restrictions to be applicable under a Stage 3 Drought Emergency, provided direction to staff on changes, declared a Stage 3 Drought Emergency, and established a required water use reduction of 25 percent.

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

SECTION 1. As of May 5, 2015, there has existed within the City of Santa Barbara a Stage Three Drought Emergency and a 25 percent required reduction from normal citywide water use, 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 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.
- 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 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.
- 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 restriction is 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. Irrigation with potable water of landscapes outside of newly constructed homes and buildings must be accomplished in a manner consistent with regulations and other requirements established by the California Building Standards Commission and the Department of Housing and Community Development.
- b. Exemptions:
 - i. Projects with an application submitted for a building permit prior to adoption of this Resolution are exempt from item 4.a above.
 - ii. 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.

- c. Administrative Guidelines for implementation of item 4.a. shall be prepared by the Community Development Director.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Recreational Vehicle Parking And Temporary Recreational Vehicle Ordinances

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

- A. An Ordinance of the Council of the City of Santa Barbara to Amend Section 10.44.205 of the Santa Barbara Municipal Code Pertaining to the Parking of Recreational Vehicles and the Definition of "Excessive" Numbers of Such Vehicles; and
- B. An Ordinance of the Council of the City of Santa Barbara to Amend Sections 15.16.060 and 15.16.080 of the Santa Barbara Municipal Code to Delete Temporary Recreational Vehicles from the Prohibition on Sleeping, Human Habitation or Camping in Recreational Vehicles in Certain Areas.

EXECUTIVE SUMMARY:

The proposed ordinance revisions would define "excessive" RV parking as two or more RVs on a street or street block face. RV parking within 500 feet of a School or Educational Institute would be prohibited citywide with appropriate sign posting. The proposal would also repeal the current prohibition against camping in "temporary recreational vehicles" in order to meet constitutional standards.

DISCUSSION:

In November 2014, the City Attorney's Office approached the Ordinance Committee with proposed amendments to the "No RV" parking ordinance and the prohibition against camping in "temporary recreational vehicles."

History of the "No RV" Parking Ordinances

Recreational vehicle parking regulation in Santa Barbara has a lengthy and recent history of at least three lawsuits, including a pending case brought by Homes on Wheels.

On November 19, 2002, the City Council adopted Ordinance No. 5263 to, among other things, prohibit overnight parking (2 a.m. to 6 a.m.) of RVs and certain other large vehicles and trailers. Thereafter, in *Homes on Wheels v. City of Santa Barbara* (2004) 119 Cal.App.4th 1173, the Court of Appeal upheld (against a preemption argument) Santa Barbara's power under Vehicle Code section 22507 to regulate overnight RV parking. But the Court of Appeal also ruled that the City had failed to provide adequate notice of the RV parking regulations because it had not posted each street where the regulations might be applicable, relying instead on posting just 33 locations that the City Attorney had deemed to be "entrances" to the City.

On January 11, 2007, the City and *Homes on Wheels* reached a settlement agreement under which the City agreed to amend its overnight RV parking ordinance by making it applicable only in a defined area of the City's waterfront, where "entrance-only" signage would be posted.¹ The City also agreed to expand the Recreational Vehicle Safe Parking Program which was previously set forth in Resolution No. 05-072, adopted August 2, 2005. That program allows supervised overnight RV parking and habitation in certain public and private parking lots.

The City's actions in furtherance of the settlement were reflected in Ordinance No. 5411, adopted on February 6, 2007, and in Resolution No. 07-026, adopted on April 24, 2007 (which repealed and superseded Resolution No. 05-072). Ordinance No. 5411 amended SBMC section 10.44.200 to remove RVs from the citywide 2 a.m. to 6 a.m. large vehicle and trailer parking prohibition. It also implemented the agreed-upon "waterfront" area RV parking restrictions. Resolution No. 07-026 authorized the City Administrator to retain a nonprofit social service organization (New Beginnings Counseling Center -- NBCC) to administer the Recreational Vehicle Accommodation Program (Safe RV Parking Program) and further designated certain public lots for "temporary transitional use for overnight Recreational Vehicle accommodations."

On June 10, 2008, the Council received an update from NBCC on the Safe RV Parking Program. As part of that update, City staff briefed the Council on efforts by the Police, Public Works and the City Attorney's Office to address RV issues in the community. The update noted that "No RV Parking" signs had been posted around Alice Keck Park, Alameda Park, and Ortega Park due to traffic safety concerns. The update concluded by alerting Council that these departments were working on broader solutions to address unwanted RV intrusion into neighborhoods.

On November 11, 2008, the Public Works and Police Departments approached the Ordinance Committee with a new RV parking ordinance. The report noted increasing and significant public nuisance problems associated with RVs, such as lack of proper sanitation or fire safety protection, littering, excessive noise, placement by RV owners of personal belongings outside of RVs, and illegal dumping. The report also noted that

¹ The affected area is defined in SBMC 10.44.200 to be the area south of the U.S. 101 freeway and between Castillo Street and the eastern boundary of the City at the Andre Clark Bird Refuge and Coast Village Road.

there had been an increase in certain criminal activity in those areas outside the waterfront where overnight RV parking was no longer prohibited, while crime in the restricted waterfront areas had decreased. Staff proposed a new ordinance that would give the Public Works Director authority, upon consultation with the Police Chief, to “designate those streets (or portions thereof) as no parking for recreational vehicles where it is necessary to decrease parking by **excessive** numbers of such vehicles.” Despite the mention of “excessive” in the staff report, no objective locational or quantitative criteria for restrictions on RVs were proposed in the actual text of the ordinance. The Ordinance Committee generally approved of the concept, but asked to see additional objective criteria for limiting RV parking.

Staff returned to the Ordinance Committee on December 9, 2008, with a revised proposal that limited the Public Works Director’s authority to post no RV parking areas by prescribing that there must be an “excessive” number of RVs within 500 feet of certain sensitive land uses before no parking signs could be posted and enforced. The language allowed the Public Works Director, after “advice” from the Police Chief, to post no RV parking zones when there exists:

“an **excessive number** of such vehicles and to provide for the public health and safety, provided that the streets or street block faces so designated are located **within five hundred (500) feet** of at least one of the following land uses:

1. any School or Educational Institution;
2. any Child Care Center, Family Day Care Home, or Group Home;
3. any park, public library, or museum open to the public;
4. any community center or social service center, public or private;
5. any City or nonprofit recreational facility;
6. any Community Care Facility, Skilled Nursing Facility, health care facility, or hospital;
7. any homeless shelter;
8. any church or other religious facility;
9. any designated safe route to schools that would limit the locational and quantitative reach of the new ordinance.”

This language was approved by the Ordinance Committee and forwarded to the full Council. Council adopted the language as SBMC 10.44.205 (Ordinance No. 5475) on December 23, 2008. Since adoption, staff has used the ordinance extensively to post no RV parking zones in response to public complaints. In some instances where traffic safety needs warranted posting, staff have considered parking of a single RV to be “excessive.”

On August 4, 2011, Homes on Wheels again sued the City, this time alleging that the new (2008) ordinance reflected in SBMC 10.44.205 violated the equal protection, “travel,” and disability rights of certain named plaintiffs who wished to continue residing in RVs on City streets. The Santa Barbara Superior Court ultimately sustained the City’s demurrer to the Second Amended Complaint without leave to amend, thus ruling

in the City's favor. The Court flatly rejected the claim that the ordinance discriminated against the disabled; instead the Court found that the ordinance was neutral in its terms and applied equally to all RVs regardless of the disability status of the driver or occupants. The Court further rejected the notion that state or federal law created an obligation on the part of the City to create areas where disabled RV owners have an unqualified right to park. Homes on Wheels did not appeal the trial court's decision.

In mid-2014, the Mayor and the City Attorney's Office were approached by representatives of Homes on Wheels (HoW). The City Attorney met with HoW representatives on numerous occasions to discuss and attempt to resolve their concerns. They have expressed concern that SBMC 10.44.205 is being applied in areas where only a single RV had been deemed "excessive" by City staff. They also expressed concern that, particularly in the waterfront "No RV" zone, RVs bearing disabled placards were being prohibited from parking in blue curb zones. The City Attorney agreed to present a definition of "excessive" parking for consideration by the Ordinance Committee that would define "excessive" as three or more RVs. The City Attorney did not, however, agree that the City must allow disabled RV parking in on-street blue curb areas where all RVs are otherwise prohibited.

The Ordinance Committee reviewed these recommendations on November 18, 2014. The Ordinance Committee directed two changes in the amended RV parking ordinance. First, the Committee recommended that Council define "excessive" as two or more RVs rather than the three RVs proposed by the City Attorney. Second, the Committee recommended prohibiting RV parking citywide within 500 feet of any School or Educational Institution with appropriate signage.

Temporary RVs: New Case Law on Camping in Vehicles

Separate and apart from the issues raised by HoW, the City Attorney's Office is concerned about certain provisions of the SBMC relating to "temporary recreational vehicles." On June 19, 2014, the Ninth Circuit Court of Appeals struck down Los Angeles's ordinance prohibiting the use of vehicles as "living quarters." (*Desertrain v City of Los Angeles* (9th Cir. 2014) 754 F.3d 1147.) In that civil rights case, following a "Town Hall on Homelessness" meeting, the Los Angeles Police Department created a "Venice Homelessness Task Force" consisting of 19 officers tasked with citing and arresting homeless individuals who were using their cars as living quarters. The ordinance did not define the phrase "living quarters." On that basis, it was declared void for vagueness in that "men of common intelligence must necessarily guess at its meaning." For example, the Court pointed out that one could not determine whether keeping even a sleeping bag in a car might convert the vehicle into living quarters. The Court also ruled that the ordinance promoted arbitrary enforcement that targets the homeless because it gave no limits on the discretion an officer might use to determine whether a car was being used as living quarters.

Santa Barbara has an ordinance with language that might be problematic in view of the *Desertrain* case. SBMC 15.16.060 E. broadly defines “temporary recreational vehicle” as “any motor vehicle altered and equipped for sleeping or human habitation.” Next, SBMC 15.16.080 provides that:

“It is unlawful for any person to use any recreational vehicle or temporary recreational vehicle for sleeping, human habitation or camping purposes in any of the following areas except as otherwise provided for:

- A. Any public park;
- B. Any public street;
- C. Any public parking lot or public area, improved or unimproved;
- D. Any public beach.”

Quite literally, a sedan carrying a sleeping bag could be a temporary recreational vehicle because it might be construed by an officer as a “motor vehicle altered and equipped for sleeping or human habitation.” This expansive and relatively standardless definition appears susceptible to the same sort of vagueness challenge that Los Angeles faced in the *Desertrain* case.

PROPOSED AMENDMENTS:

With respect to the no RV parking ordinance, on a 2-1 vote (Rowse, Hotchkiss in favor and Murillo opposed) the Ordinance Committee recommends amending the term “excessive” to SBMC 10.44.205 as follows:

“The term “excessive” shall mean two or more vehicles.”

The Ordinance Committee also recommended prohibiting RV parking citywide within 500 feet of any School or Educational Institution with appropriate signage. The full text of the proposal is on Attachment 1.

The Ordinance Committee also recommended amending the language in SBMC 15.16.060 defining “temporary recreational vehicle,” as well as the reference to such vehicles in SBMC 15.16.080. The full text of the proposal is on Attachment 2.

PREPARED BY: Ariel Calonne, City Attorney

SUBMITTED BY: Ariel Calonne, City Attorney

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA TO AMEND SECTION 10.44.205 OF
THE SANTA BARBARA MUNICIPAL CODE PERTAINING
TO THE PARKING OF RECREATIONAL VEHICLES AND
THE DEFINITION OF "EXCESSIVE" NUMBERS OF SUCH
VEHICLES**

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

SECTION 1. Section 10.44.205 of Chapter 10.44 of Title 10 of the Santa
Barbara Municipal Code is amended to read as follows:

**10.44.205 Public Works Director Authority to Regulate Parking of Recreational
Vehicles.**

A. RECREATIONAL VEHICLES. For the purposes of this section, the term
"Recreational Vehicle" shall be as defined in Section 18010 of the state Health and
Safety Code, as it is presently enacted or hereafter amended. 248 rev. 6/30/09

B. AUTHORITY OF PUBLIC WORKS DIRECTOR – PARKING OF
RECREATIONAL VEHICLES. In accordance with the authority provided by state
Vehicle Code Section 22507, the Public Works Director, upon the advice of the Chief of
Police, may designate those streets or portions of streets (including specific block faces)
within the City where it is necessary to prohibit or restrict the stopping, standing, or
parking of Recreational Vehicles in order to decrease parking by an excessive number
of such vehicles and to provide for the public health and safety, provided that the streets
or street block faces so designated are located within five hundred (500) feet of at least
one of the following land uses:

1. any School or Educational Institution, provided further that the Public Works Director shall post all of the streets or portions of streets in the City within five hundred (500) feet of any School or Educational Institution to prohibit stopping, standing or parking a Recreational Vehicle;

2. any Child Care Center, Family Day Care Home, or Group Home;
3. any park, public library, or museum open to the public;
4. any community center or social service center, public or private;
5. any City or nonprofit recreational facility;
6. any Community Care Facility, Skilled Nursing Facility, health care facility, or hospital;
7. any homeless shelter;
8. any church or other religious facility;
9. any designated safe route to schools.

C. NOTICE OF RESTRICTIONS. When signed or marked in accordance with state Vehicle Code requirements, no person shall stop, stand, or park a Recreational Vehicle in or on any street, portion of street or block face so designated generally (where designated) or in violation of any hourly restrictions so signed or marked.

D. MEASUREMENT OF DISTANCE. For the purposes of this Section, distance shall be measured in a straight line, without regard to intervening structures or objects, and shall be based on property lines or street right-of-way lines.

E. DEFINITIONS. Capitalized terms used herein shall be construed and applied as defined by Title 28 of the Santa Barbara Municipal Code. The term “Excessive” shall mean two or more vehicles.

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA TO AMEND SECTIONS 15.16.060 AND
15.16.080 OF THE SANTA BARBARA MUNICIPAL CODE
TO DELETE TEMPORARY RECREATIONAL VEHICLES
FROM THE PROHIBITION ON SLEEPING, HUMAN
HABITATION OR CAMPING IN RECREATIONAL
VEHICLES IN CERTAIN AREAS**

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

SECTION 1. Section 15.16.060 of Chapter 15.16 of Title 15 of the Santa Barbara
Municipal Code is amended to read as follows: Recreational Vehicles and Camping in
Public Areas - Definitions.

For the purpose of Section 15.16.060 through 15.16.100 inclusive, the following
words and terms are defined as follows:

- A. BOAT TRAILER. A vehicle used to convey a boat;
- B. CAMP. The use of camping facilities such as tents, tarpaulins or
temporary shelters, the use of non-City designated cooking facilities and similar
equipment or the use of cots, beds or hammocks. "Camping" shall not include merely
sleeping outside or the use of a sleeping bag, bedroll, or mat, and no more personal
possessions than can reasonably be carried by an individual.
- C. PUBLIC STREET. Includes streets, roads, highways, alleys, sidewalks,
parkways, bridges, culverts, drains and all other facilities and areas necessary for the
construction, improvement and maintenance of streets and roads.
- D. RECREATIONAL VEHICLE. Shall have the definition set forth in Section
28.04.555 of this Code.

~~E. "Temporary recreational vehicle" means any motor vehicle altered and equipped for sleeping or human habitation.~~

SECTION 2. Section 15.16.080 of Chapter 15.16 of Title 15 of the Santa Barbara Municipal Code is amended to read as follows:

15.16.080. Recreational Vehicles - Unlawful Areas to Use.

It is unlawful for any person to use any recreational vehicle ~~or temporary recreational vehicle~~ for sleeping, human habitation or camping purposes in any of the following areas except as otherwise provided for:

- A. Any public park.
- B. Any public street.
- C. Any public parking lot or public area, improved or unimproved.
- D. Any public beach.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Update Of The Council's Procedural Rules And Appointment Of An Ad Hoc Council Procedures Committee

RECOMMENDATION:

That Council appoint an Ad Hoc Council Procedures Committee and direct preparation of new Council Procedural Rules in conjunction with the City Attorney and City Clerk.

EXECUTIVE SUMMARY:

The Council's procedural rules are seriously outdated. An ad hoc Council Committee should update those procedures in conjunction with the City Attorney and City Clerk. The procedural rules include both Santa Barbara Municipal Code Chapter 2.04 and Council Resolution No. 09-097.

DISCUSSION:

The City Council currently conducts its meetings pursuant to procedural rules established by Resolution No. 09-097 and Chapter 2.04 of the Santa Barbara Municipal Code (see Attachments 1 and 2). These procedural rules, adopted pursuant to the authority granted under City Charter Section 509 and the Ralph M. Brown Act, Government Code sections 54950, *et seq.*, help manage Council meetings by establishing the "rules of the road" for the Council and public. Unfortunately, these procedural rules have not been widely disseminated via posting on the Internet or otherwise. Of even more concern than their poor distribution, the procedural rules have not kept pace with 21st Century notions of meeting management and procedural fairness (due process).

While the conduct resolution was updated in 2009, much of its basis in Chapter 2.04 dates back to the 1960's. For example, circa-1969 Santa Barbara Municipal Code Section 2.04.040 still relies upon Robert's Rules of Order, despite the well-known difficulties of applying Robert's Rules to single day meetings of small legislative bodies. Many jurisdictions have updated their procedures to follow more common-sense

systems, including Rosenberg's Rules of Order (Revised 2011) "Simple Rules of Parliamentary Procedure for the 21st Century" (Attachment 3). Rosenberg's rules are promoted and taught by the League of California Cities.

Neither the Council resolution nor the Municipal Code addresses the procedural fairness and due process requirements for quasi-judicial hearings conducted by the City Council or its boards and commissions. This omission is glaring and dangerous legally. We have surveyed numerous other cities around the state and virtually all of them have quasi-judicial procedures for the conduct of land use and other hearings in which property rights are involved. As a consequence of having no applicable written rules, the City Attorney's Office has had to advise Council, boards and commissions on an *ad hoc* basis. This advice is not routinely published for the benefit of those who may appear before Council. As a result, there is a gap between the public's knowledge and the relatively strict due process rules applicable to the Council's conduct (such as limits on *ex parte* contacts). We believe that establishing clear, written rules of procedures governing the conduct of quasi-judicial matters promotes the public interest by assuring greater government transparency and fairness. It will also help assure defensible City quasi-judicial decision making.

We believe the Council should take a leadership role in designing and disseminating new procedural rules via appointment of an ad hoc Council Procedures Committee. The Committee would work with the City Attorney and City Clerk over a 3 to 6 month period to develop modernized procedures and share them with the interested public. The process would conclude with municipal code amendments and adoption of a procedures resolution by the full Council.

ATTACHMENTS:

1. Resolution No. 09-097
2. Chapter 2.04 of the Santa Barbara Municipal Code
3. Rosenberg's Rules of Order

PREPARED BY: Ariel Calonne, City Attorney

SUBMITTED BY: Ariel Calonne, City Attorney

APPROVED BY: City Administrator's Office

**CONDUCT
OF
CITY COUNCIL MEETINGS**



CITY OF SANTA BARBARA

Resolution No. 09-097

Adopted December 15, 2009

Effective January 12, 2010

RESOLUTION NO. 09-097

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA CONCERNING THE CONDUCT OF
CITY COUNCIL MEETINGS COMMENCING JANUARY 12,
2010, AND RESCINDING RESOLUTION NO. 05-073

WHEREAS, California Government Code Section 54950 et seq., the California Open Meetings Statute, governs the conduct of meetings of local legislative bodies; and

WHEREAS, in addition to complying with the provisions of the Government Code, the City Council establishes policies regarding the Council agenda and conduct of City Council meetings, including time limits on public hearings, order of business, and procedures for addressing the Council.

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

1. Agenda Preparation. Each item of business to be considered at a regular City Council meeting must appear on the agenda for that meeting, except as provided in paragraph 5 of this resolution. The agenda shall include a brief general description of each item of business to be transacted or discussed. The description should be calculated to reasonably inform the public as to the nature of the item. For example, a land use item should include the street address of the property involved and a description of the approvals being sought. All written material pertaining to an item on the agenda of the City Council and which is to be distributed with the agenda shall be delivered to the City Administrator/City Clerk no later than 5:00 p.m. on the Tuesday preceding the regular City Council meeting.
2. Agenda Publication. The Council Agenda Packet consisting of the agenda and Council Agenda Reports will be distributed to each Councilmember and those City officers and employees designated by the City Administrator/City Clerk generally by 3:00 p.m. on Thursday preceding the regular City Council meeting. By that hour, copies of the agenda and Council Agenda Reports shall be available to the press and public in the City Clerk's Office and on the City's Web Site. Any person may have a copy of an agenda mailed by the City Clerk's Office by providing a self-addressed, postage pre-paid envelope of sufficient size to accommodate the agenda.
3. Agenda Posting. The agenda for each regular City Council meeting shall be available and posted at the City Clerk's Office, City Hall Public Notice Board, and City's Web Site on Thursday preceding the meeting. The City Clerk's Office shall report to the City Council the date and place of posting the agenda for that meeting, and the report shall be reflected in the agenda and minutes of the meeting. The Council Agenda Packet also will be available at the Central Library on Thursday preceding the meeting.

4. Order of Business. City Council business at a regular meeting shall be conducted in the following order except as otherwise directed by the City Council or the City Administrator/City Clerk who is authorized to exercise flexibility in establishing the order of agenda items to be considered at each City Council meeting:

AFTERNOON SESSION:

12:30 p.m. – Finance Committee Meeting

12:30 p.m. – Ordinance Committee Meeting

2:00 p.m. – Regular Redevelopment Agency Meeting

2:00 p.m. – Regular City Council Meeting:

Pledge of Allegiance to the Flag
Roll Call
Ceremonial Items
Changes to the Agenda
Public Comment
Consent Calendar
Report from the Finance Committee
Report from the Ordinance Committee
Redevelopment Agency Reports
City Council Administrative and Attorney Reports
Mayor and Council Reports
Requests from the Public
Board and Commission Reports
Public Hearings
Council and Staff Communications
Councilmember Committee Assignment Reports
Closed Sessions
Work Sessions

Evening Session – 6: p.m.

Roll Call
Public Comment
Public Hearings
Mayor and Council Reports
Requests from the Public
City Council Administrative and Attorney Reports
Board and Commission Reports
Work Sessions
Adjournment

5. Ex Agenda Item. Except as provided in this paragraph, no action shall be taken at a regular City Council meeting on any item which does not appear on the posted agenda. An item may be added to the agenda after the agenda has been published and posted upon a determination by a two-thirds vote of the City Council (or a unanimous vote if less than two-thirds of the City Council is present); the vote shall be on a motion stating that there is a need to take immediate action and the need for action came to the attention of the City after the agenda was published and posted. Any such motion shall be accompanied by distribution of a written statement, to be included in the record, stating the facts upon which it can be determined that the need to take action arose after the agenda was published and posted. If it is infeasible to present such a written statement of reasons, the City Clerk's Office shall include in the minutes of the meeting a statement of the reasons for the City Council's determination. In addition, action may be taken on an item not on the posted agenda under the circumstances stated in Government Code Sections 54954.2(b)(1) [emergency] and 54954.2(b)(3) [continued regular meetings].

6. Requests to Speak. Any person wishing to address the City Council should first complete and deliver to the City Administrator/City Clerk a "Request to Speak" form prior to the time that the item on the agenda is read by the Deputy City Clerk; the form shall include a description of the subject the speaker wishes to address. Written materials (12 copies) for the City Council must contain the person's name and should be submitted to the Deputy City Clerk for distribution. A speaker shall not be heard during the "Public Comment" portion of the meeting on a matter scheduled before the City Council that same day. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond the jurisdiction of the City Council.

7. Public Comment. At the beginning of the 2:00 p.m. session of each regular City Council meeting, the City Council shall allow any member of the public to address them. Should City Council business continue into the evening session at 6:00 p.m., the City Council shall 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 comment shall be 15 minutes, and no individual speaker may speak for more than 1 minute.

8. Consent Calendar. The Consent Calendar shall be comprised of items which, in the City Administrator/City Clerk's judgment, will not require discussion. A Consent Calendar item shall be 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 of the City Council. Items on the Consent Calendar will not be read unless the Deputy City Clerk is so directed by the Mayor; and the adoption of a motion of the City Council shall be deemed to have been preceded by a reading of each individual item by the Deputy City Clerk.

9. Mayor and Council Reports. Any two Councilmembers may request that an item be placed on a City Council agenda by submitting a written request to the City Administrator/City Clerk. The written request must, at a minimum contain all of the following:

A. A substantive outline or summary of the information that will be presented to the City Council;

B. A concise statement of the specific action the City Council will be asked to take on the item; and

C. A statement of the reasons why the requesting party believes it is appropriate and within the jurisdiction of the City Council to consider this subject matter and to take the requested action.

10. Requests from the Public. A member of the public may request that an item be placed on the City Council's agenda only by providing the City Administrator/City Clerk with a written request for such consideration. The written request must, at a minimum, contain all of the following:

A. A substantive outline or summary of the information that will be presented to the City Council:

B. A concise statement of the specific action the City Council will be asked to take on the item; and

C. A statement of the reasons why the requesting party believes it is appropriate and within the jurisdiction of the City Council to consider this subject matter and to take the requested action.

Upon receipt of such an agenda item request, the City Administrator/City Clerk shall forward a complete copy of the request to all Councilmembers, City Attorney, and to any other City staff the City Administrator/City Clerk deems appropriate. Thereafter, such an agenda item request shall be placed on a City Council agenda only upon a written request from at least two Councilmembers to the City Administrator/City Clerk.

A member of the public who makes an oral request during a City Council meeting that an item be placed on a future agenda shall be advised that, for such a request to be processed further, the request must be made in writing in accordance with the requirements of this resolution.

11. Public Hearings. A public hearing on a specific agenda item shall be set for a specified time, and each written or published notice regarding that hearing shall announce its date and time.

A person who wishes to address the City Council at a public hearing should first complete a "Request to Speak" form and deliver it to the City Administrator/City Clerk prior to the time that the item on the agenda is read by the Deputy City Clerk. The Mayor may allot the available time to those persons who have filed a Request to Speak; and the determination of the Mayor may be overruled by a majority vote of the City Council.

12. Closed Sessions. The following policy and procedure shall govern the holding of closed sessions by the City Council:

A. Each closed session of the City Council shall be held in accordance with provisions of applicable law and this resolution.

B. The subject to be discussed at each closed session shall be disclosed to Councilmembers in accordance with the provisions of California Open Meetings Statute.

C. The closed session shall not be held if the Mayor determines that the closed session is inappropriate, unless that determination is overruled by a majority vote of the City Council.

D. The Mayor shall preside at meetings of the City Council in closed session and shall terminate a closed session if the discussion departs from the announced subject.

E. A Councilmember may, on point of order, call for a vote to terminate a closed session at any time during the meeting.

F. Statements made and documents distributed or discussed in closed session are privileged from disclosure. No disclosure of any statement made in closed session or document protected from disclosure will be made by any Councilmember or by City staff, except as disclosure is authorized or required by applicable law.

G. If it is alleged that a Councilmember or City staff has violated the provisions of subparagraph F of this section 12:

(1) The Mayor, a Councilmember, or the City Administrator/City Clerk may request a formal hearing be set at which the City Council shall hear the allegations, take sworn testimony, and review such information and evidence as may be presented.

(2) The hearing shall be conducted by the Mayor, or, in the Mayor's absence, by the Mayor Pro-Tempore; except that if the Mayor or the Mayor Pro-Tempore shall be the individual charged, he/she shall not conduct the hearing. If both are charged, the duties of the Mayor shall be performed by the Councilmember who serves as Chair of the Ordinance Committee; and if the Chair of the Ordinance Committee is unable to conduct the hearing, the duties of the Mayor shall be performed by the Councilmember who serves as Chair of the Finance Committee. The City

Attorney shall serve as the hearing officer and shall advise City Council on all procedural matters and may direct questions to any witness.

(3) At the conclusion of the hearing, the City Council, by majority vote, shall make a finding as to whether or not any individual has violated subparagraph F of this section 12.

(4) If the City Council finds that a violation has occurred, the City Council shall direct the City Attorney to draw up the appropriate document for transmittal to the District Attorney or Grand Jury of Santa Barbara County requesting the bringing of an accusation for willful misconduct in office under Section 3060 of the Government Code of the State of California. In addition, the City Council may direct the City Attorney to undertake and appropriate civil action against the person accused including, but not limited to, an action for breach of fiduciary duty.

13. Work Sessions. A work session is ordinarily for the purpose of (i) briefing Councilmembers on a subject; and (ii) an informal discussion between City Council, City staff, City boards/commissions, or other agency representative(s). The City Council shall make no decisions at a work session, other than to give direction to staff for follow-up work. If there is no evening session, a work session may be set for an estimated time in the morning, such as 11 a.m. All Councilmembers will be polled for availability before a morning session is scheduled.

14. Estimated Time. The estimated time system is established to: (i) minimize the amount of time that large groups would wait for City Council items; (ii) recognize that estimating the duration of City Council items is imprecise and that an "estimated time" should not create an unrealistic expectation that the time for taking an item is certain; and (iii) avoid creating gaps in the City Council meeting flow. The estimated time system is established with the following guidelines:

A. An individual or group may request an estimated time for items with high public interest. High public interest means that a large group is planning to attend the meeting.

B. The intent of an estimated time would be to accommodate groups, not a specific individual scheduling request.

C. When an estimated time is established, the City Council item would be scheduled for the estimated time or later, e.g., 2:30 p.m. or later.

D. If multiple estimated time items are scheduled on the same agenda, the items would be taken in the order they appear on the agenda; for example, two items would be scheduled for 2:30 p.m. or later and taken in that order.

E. Estimated time requests must be submitted to the City Administrator/City Clerk who makes the final decision on whether to grant an estimated time request.

15. Action Items. The following procedure shall be followed (except where the City Council is considering an appeal from the decision of a City board or commission):

A. The item shall be presented by its proponent (Councilmember, staff, Commission member, public, etc.).

B. City Council questions to proponent.

C. City staff report and City Council questions to City staff.

D. Public input from persons who wish to speak

E. City Council debate.

F. Decision.

16. Time Limits.

A. Action Items. No item on the agenda shall be discussed by the City Council for more than 15 minutes, except as provided in subparagraph B of this paragraph. No agenda item will be introduced for consideration after 9:00 p.m. These rules may be suspended by directive of the Mayor or majority vote of the City Council.

B. Appeals to City Council. No appeal to City Council from any decision of a City board or commission shall exceed a total of 2 ½ hours.

(1) Presentations, comments and deliberations by the parties and City Council shall be limited as follows:

a) Presentation by City staff shall not exceed 20 minutes in length.

b) Presentation by appellant (including petitioners and applicants who are appellants) shall not exceed 30 minutes in length.

c) Presentation by an applicant who is not an appellant shall not exceed 30 minutes in length.

d) Presentation by City staff in response to issues raised by City Council, appellant and applicant shall not exceed 10 minutes in length.

- e) Comments from any other persons shall not exceed a total of 30 minutes, and shall be conducted pursuant to paragraph 11.
- f) City Council deliberations, including questions to and responses from City staff or any other party, shall not exceed a total of 30 minutes.
- g) The order and time limits may be modified by action of the Mayor or majority vote of the City Council

(2) The total amount of time allocated for a presentation shall include time used to respond to or to comment upon issues or facts raised by a subsequent speaker ("rebuttal"). An applicant, an appellant, or City staff may request leave of the Mayor to reserve all or a portion of their time for rebuttal.

The total amount of time allocated for a presentation shall not include responses to questions posed by City Council during City Council deliberations.

(3) This resolution sets the maximum time allocated to each person or persons. Whenever feasible, presentations, comments and deliberations shall be shorter than the allocated time.

(4) Any person or persons whose presentation exceeds these time limits shall be ruled out of order and shall lose the floor, unless the time limit is extended by a majority vote of the City Council

17. Succession to the Mayor. During the absence or disability of the Mayor and the Mayor Pro Tempore, the duties of the Mayor shall be performed by the Councilmember who serves as Chair of the Ordinance Committee. During the absence or disability of the Mayor, Mayor Pro-Tempore, and Chair of the Ordinance Committee, the duties of the Mayor shall be performed by the Councilmember serving as Chair of the Finance Committee.

18. General Rules of Debate. Each motion is to be clearly framed and stated. Each amendment to a motion shall be by separate motion.

19. Robert's Rules. In accordance with Section 2.04.040(h) of the Municipal Code, except as provided by the City Charter, ordinance, applicable provisions of state law, this resolution or other rules adopted by the City Council, the procedures of the City Council shall be governed by Robert's Rules of Order, as revised. The City Attorney shall serve as Parliamentarian. The procedure set forth in Robert's Rules and Municipal Code Section 2.04.070(g) shall govern reconsideration or rescission of action taken by the City Council, unless 90 days have elapsed since City Council action, after which time the item may again be placed on the City Council agenda.

20. Proclamations and Letters of Recognition. Guidelines to be used for Proclamations and Letters of Recognition are the following:

- The request must pertain to a Santa Barbara event
- The request must be submitted in writing at least three weeks in advance of the Council meeting
- Only one proclamation or letter of recognition can be presented per Council meeting with the exception of the first Tuesday of the month due to employees receiving service awards
- The person making the request must be present at the Council meeting to receive the proclamation or letter of recognition
- The Mayor will determine if the proposed request meets the intent of this policy and retains the right to decide if it will be issued
- The Mayor retains the right to modify, edit, or otherwise amend the proposed proclamation or letter of recognition

21. Provisions Directory. The provisions of this resolution are directory, not mandatory. Except as otherwise provided by statute or local ordinance, no action of the City Council shall be held invalid due to any failure to observe the provisions of this resolution, nor shall any person have a claim or cause of action against the City or any of its officers or employees on account of any such failure.

22. Resolution No. 05-073 is hereby rescinded.

23. This Resolution shall be effective January 12, 2010.

RESOLUTION NO. 09-097

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
)
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on December 15, 2009, by the following roll call vote:

AYES: Councilmembers Iya G. Falcone, Dale Francisco, Grant House, Helene Schneider, Das Williams; Mayor Marty Blum
NOES: None
ABSENT: Councilmember Roger L. Horton
ABSTENTIONS: None

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on December 16, 2009.


Cynthia M. Rodriguez, CMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on December 16, 2009.


Marty Blum
Mayor

Chapter 2.04

COUNCIL MEETINGS

Sections:

2.04.010	Regular Meeting Schedule.	2.04.070	Procedure.
2.04.020	Adjourned Meetings.	2.04.080	Ordinances, Resolutions and Contracts.
2.04.030	Special Meetings - Time - Mayor.	2.04.090	Charter Amendments - Preparation - Submission to Council.
2.04.040	Rules of Debate.		
2.04.050	Addressing the Council.		
2.04.060	Decorum.		

2.04.010 Regular Meeting Schedule.

Regular meetings of the City Council shall be held in the Council Chambers in the City Hall on each Tuesday of each week at a time set by resolution. (Ord. 4972, 1996; Ord. 3596 §1, 1973; Ord. 3368 §1, 1969; Ord. 3298 §1, 1968; Ord. 2755 §1, 1960; prior Code §2.1.)

2.04.020 Adjourned Meetings.

Any regular Council meeting may be adjourned to any day between the regular meetings commencing at such time as may be ordered, and such adjourned meetings shall be deemed as a continuance of the last preceding regular meeting. (Ord. 3899, 1977; prior Code §2.2.)

2.04.030 Special Meetings - Time - Mayor.

Special meetings may be held on any day, commencing at any hour and shall be called by the Mayor or four (4) members of the Council in the following manner:

When called by the Mayor or by four (4) members of the Council, the Mayor or four (4) members of the Council shall, by a written notice, require the City Clerk to issue under his hand and seal a written notice of the time of holding such meeting. Such notice must contain the subject to be discussed or acted upon at the special meeting. Such notices shall be personally served by the Police Department upon the Mayor, City Attorney, and each member of the Council, or left at the residence or place of business of such person not less than five (5) hours before such special meeting. (Ord. 3891 §1, 1977; Ord. 3248 §2, 1967; prior Code §2.3.)

2.04.040 Rules of Debate.

(a) Getting the floor. Every Councilmember desiring to speak shall first address the chair, gain recognition by the presiding officer, and shall confine himself to the question under debate, avoiding personalities and indecorous language.

(b) Questions to staff. Every Councilmember desiring to question the City staff shall, after recognition by the presiding officer, address his questions to the City Administrator, the City Clerk or the City Attorney, who shall be entitled to either answer the inquiry himself or to designate a member of his staff for that purpose.

(c) Interruptions. A Councilmember, once recognized, shall not be interrupted when speaking unless called to order by the presiding officer, unless a point of order or personal privilege is raised by another Councilmember, or unless the speaker chooses to yield to a question by Councilmember. If a Council-member, while speaking, is called to order, he shall cease speaking until the question of order is determined and, if determined to be in order, he may proceed. Members of the City staff after recognition by the presiding officer shall hold the floor until completion of their remarks or until recognition is withdrawn by the presiding officer.

(d) Point of personal privilege. The right of a Councilmember to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character or motives are questioned or where the welfare of the Council is concerned. A Councilmember raising a point of personal privilege may interrupt another Councilmember who has the floor only if the presiding officer recognizes the privilege.

(e) Privilege of closing debate. The Councilmember moving the adoption of an ordinance, resolution or motion shall have the privilege of closing debate.

(f) Limitation of debate. No Councilmember shall be allowed to speak more than once upon any particular subject until every other Councilmember desiring to do so shall have spoken. There shall be no debate or further discussion of the subject matter following order for roll call by the presiding officer.

(g) Remarks of Councilmember and synopsis of debate. A Councilmember may request through the presiding officer the privilege of having an abstract of his statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

(h) Except as provided by the City Charter, by ordinance, by other rules adopted by the Council or by applicable provisions of State law, the procedures of the Council shall be governed by Robert's Rules of Order, revised, Seventy-Fifth Anniversary Edition.

(i) Failure to observe rules of order. Rules adopted to expedite the transaction of the business of the Council in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law. (Ord. 3363 §1, 1969.)

2.04.050 Addressing the Council.

(a) Manner of addressing the Council. Each person desiring to address the Council shall step up to the microphone in front of the rail, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons. All remarks shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Councilmember or a member of the City staff without the permission of the presiding officer.

(b) Limitation of discussion. In order to expedite matters and to avoid repetitious presentations, it shall be proper for the presiding officer to limit the number of persons addressing the Council on a given subject, and to also establish reasonable time limits for presentations.

(c) After motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so from the presiding officer. (Ord. 3363 §2, 1969.)

2.04.060 Decorum.

(a) Councilmembers. While the Council is in session, the members must preserve order and decorum, and a member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the presiding officer. Members of the Council shall not leave their seats during a meeting without first obtaining the permission of the presiding officer.

(b) Persons addressing the Council. Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Council shall be called to order by the presiding officer and, if such conduct continues, may at the discretion of the presiding officer be ordered barred from further audience before the Council or excluded from the Chambers for the duration of that meeting.

(c) Members of the audience. Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the presiding officer, shall be, upon instructions from the presiding officer, removed from the Council Chambers by the sergeant-at-arms.

(d) Enforcement of decorum. The Chief of Police, or such member or members of the Police Department as he may designate, shall be sergeant-at-arms of the City Council and shall carry out all orders given by the presiding officer for the purpose of maintaining order and decorum at the Council meetings. Any Councilmember may move to require the presiding officer to enforce the rules and the affirmative vote of a majority of the Council shall require him to do so.

(e) Authorized persons within rail. No person except City officials, their representatives and news media representatives, shall be permitted within the rail in front of the Council Chambers, without the express consent of the Council. (Ord. 3363 §3, 1969.)

2.04.070 Procedure.

(a) Motions; second not required. A motion by any member of the Council, including the presiding officer, may be considered or discussed by the Council without receiving a second.

(b) Voting procedure. Any vote of the Council, including a roll call vote, may be registered by the members by answering "Yes" for an affirmative vote or "No" for a negative vote upon his name being called by the City Clerk.

(c) Disqualification for conflict of interest. Any Councilmember who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the presiding officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Councilmember affected, be decided by the other Councilmembers. A Councilmember who is disqualified by reason of a conflict of interest in any matter shall not remain in his seat during the debate and vote on such matter. A Councilmember stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

(d) Failure to vote. Every Councilmember should vote unless disqualified by reason of a conflict of interest. A Councilmember who abstains from voting in effect consents that a majority of the quorum may decide the question voted upon.

(e) Tie vote. Tie votes shall be lost motions.

(f) Changing vote. A member may change his vote only if he makes a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up.

(g) Reconsideration. A motion to reconsider any action taken by the Council may be made only at the meeting such action was taken or at the next regular meeting of the Council. It may be made either immediately during the same session, or at a recessed or adjourned session thereof. Such motion may be made only by one (1) of the Councilmembers who voted with the prevailing side. Nothing herein shall be construed to prevent any Councilmember from making or remaking the same or any other motion at a subsequent meeting of the Council. (Ord. 3363 §4, 1969.)

2.04.080 Ordinances, Resolutions and Contracts.

(a) All ordinances shall be prepared for presentation to the City Council pursuant to the provisions of this chapter. All ordinances shall be prepared by the City Attorney.

(b) All ordinances, resolutions, and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall have been examined and approved for administration by the City Administrator, subject to any time limit imposed by this Code.

(c) At the time of introduction or adoption of an ordinance or a resolution, it shall be read in full, unless after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the Councilmembers present. Such consent may be expressed by a statement by the presiding officer to the effect that if there is no objection, the further reading of the ordinance or resolution shall be waived. All emergency ordinances must be read in full. (Ord. 3533 §1, 1972; Ord. 3363 §5, 1969.)

2.04.090 Charter Amendments - Preparation - Submission to Council.

The Mayor or any member of the City Council may request the City Attorney to prepare a Charter amendment for submission to the vote of the electors. Such Charter amendment, when prepared by the City Attorney, shall be reviewed by the person or persons requesting the same, and shall thereupon be circulated to all members of the City Council, and shall not be introduced as a measure earlier than two (2) weeks following its submission to the City Council. (Ord. 3476 §1, 1971.)



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

© 2011 League of California Cities. All rights reserved.

ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



TABLE OF CONTENTS

About the Author	ii
Introduction.....	2
Establishing a Quorum.....	2
The Role of the Chair.....	2
The Basic Format for an Agenda Item Discussion	2
Motions in General	3
The Three Basic Motions.....	3
Multiple Motions Before the Body.....	4
To Debate or Not to Debate.....	4
Majority and Super-Majority Votes	5
Counting Votes.....	5
The Motion to Reconsider.....	6
Courtesy and Decorum	7
Special Notes About Public Input	7

INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:



First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move ...”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”



The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be

as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?
Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote? Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is **finality**. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made **at the meeting where the item was first voted upon**. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. **The purpose of this rule is finality**. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



1400 K Street, Sacramento, CA 95814
(916) 658-8200 | Fax (916) 658-8240
www.cacities.org

To order additional copies of this publication, call (916) 658-8200.

\$10

© 2011 League of California Cities. All rights reserved.

♻️ Printed on recycled paper.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Annual Wastewater Collection System Report

RECOMMENDATION:

That Council receive a report from staff on the wastewater collection system maintenance and management activities.

DISCUSSION:

The City operates 257 miles of wastewater collection system pipelines, the majority of which are six or eight inches in diameter and serve to convey wastewater to the City's El Estero Wastewater Treatment Plant. The operation of the wastewater collection system is regulated by the State Water Resources Control Board under a Waste Discharge Requirement Permit.

In April 2011, Santa Barbara Channelkeeper filed a lawsuit against the City in Federal District Court, alleging violations of the Clean Water Act caused by spills from the wastewater collection system pipes. The City and Channelkeeper agreed to the terms of a Consent Decree in March 2012. By the time the Consent Decree was negotiated, the City had already committed over \$400,000 and very substantial staff resources to the development and implementation of management practices to improve collection system operations, thereby reducing spills. This work was incorporated into the Consent Decree and is the basis for most of the requirements of the Consent Decree.

In addition to developing and implementing the management practices, the City agreed to rehabilitate an additional two miles of collection system pipes each year, beyond the one percent per year that, historically, has comprised the capital improvement plan for collection system repair/rehabilitation and replacement.

The City has committed to report by March 31st of each year, during the term of the Consent Decree, on the previous year's activities and to project the current year's work, particularly as it relates to the rehabilitation, replacement, or repair of wastewater collection system pipes and subsequently to provide an oral report to Council. Channelkeeper is also invited to make a 20 minute presentation to Council. The City

was successful in meeting or exceeding the maintenance practices and capital improvement work objectives required by the Consent Decree. This report is available in the Council Reading File and in the City Clerk's Office for review. The report will be summarized in the staff presentation.

While meeting the requirements of the Consent Decree, the City did, however, fail to achieve an important metric. The Consent Decree sets forth a Sewer System Overflow Reduction Performance Standard (SSO Standard) for collection system spills. The SSO Standard for 2014 was 12 spills and the City had 23. This high level of spills is frustrating to staff as we were successful in limiting the number of spills to 9 in 2013. This year's performance illustrates the difficulty of identifying which pipes are at risk for spill.

None of the spills caused a beach closure, and the volume spilled to public waterways was limited to approximately 560 gallons. Nonetheless, we are now undertaking additional measures to reduce SSOs to the SSO Standard. Exceeding the SSO Standard does not put the City in violation of the Consent Decree, but it does require that the City identify and implement additional measures designed to reduce spills to within the SSO Standard. These additional measures must be developed in a report, submitted by March 31 of the year following the year that the SSO Standard was exceeded.

Acknowledging that it would not meet the Consent Decree sewer spill performance goals by year's end, the City proactively identified additional sewer maintenance activities to undertake in mid-2014: contract chemical-root foaming and contract acoustic-sounding of sewer mains. The City shared these proposed activities with Channelkeeper in September 2014. As required by the Consent Decree, staff has prepared a SSO Reduction Action Plan that sets forth the additional measures designed to achieve the SSO Standard. This report is also available in the Council Reading File and the City Clerk's Office.

BUDGET/FINANCIAL INFORMATION:

Funding for implementation of the Consent Decree, along with all wastewater system costs is provided through the Wastewater rates. In Fiscal Year 2013, the rates were increased by 10 percent to provide sufficient revenue to fund increased costs of compliance with the Consent Decree and to meet other Wastewater Fund needs. In Fiscal Year 2014, the rates were increased by 4 percent, and in Fiscal Year 2015, the rates were increased by 5.5 percent to continue sufficient revenue funding requirements. The Consent Decree caps the amount the City must expend to comply with its terms. The cap is increased by 1 percent each year. Because the City failed to meet the SSO standard this year, the cap will be increased by an additional 3 percent of the wastewater collection system operating budget, or approximately \$100,000. To ensure adequate funding for collection system and treatment plant costs, staff will be recommending a 5.5 percent wastewater rate increase for Fiscal Year 2016.

PREPARED BY: Joshua Haggmark, Water Resources Manager/CJT/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 12, 2015

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Report On "Vision Zero" To Reduce Injuries And Fatalities To Zero On City Streets

RECOMMENDATION:

That the City Council receive a report to consider a potential City policy, known throughout the United States and Europe as "Vision Zero," that is intended to reduce traffic-related injuries and fatalities to zero.

DISCUSSION:

Summary

Recently, leaders of the Santa Barbara Bicycle Coalition and the Coalition for Sustainable Transportation requested that Council consider adopting a Vision Zero resolution. Council directed staff to bring a report to explain what we know about Vision Zero and this report summarizes what staff has learned. If Council is interested in implementing Vision Zero, staff would need to invest more time and resources developing a Santa Barbara-specific Vision Zero approach. This effort requires working closely with Engineering and the Police Department to identify existing and new initiatives as well as the costs associated with implementing a new policy.

Background

Vision Zero promotes the goal that no person should be killed or seriously injured while using the transportation system. It promotes an additional goal of building more safety and livability into a city's roadway system in order to better protect all people who move about a city every day.

Vision Zero originated in Sweden in 1997, and since then, the number of traffic-related deaths have reduced by half. In 2013, Sweden had 264 traffic-related fatalities, a record-breaking low, and a decrease from 572 deaths in 1995. Sweden's traffic related deaths have gone down while the number of cars in circulation and the number of miles driven during the same period have grown.

Within the City of Santa Barbara, there were 26 roadway fatalities between 2004-2013. 65 percent of the victims were pedestrians (nine) and bicyclists (five). Cyclists and pedestrians are considered the most vulnerable road users because a disproportionate percentage of fatalities exist in the number of cyclists and pedestrians compared to motorists. Vision Zero strategies tend to focus on reducing fatalities for this mode of travel.

Although the City had 26 roadway deaths between 2004 and 2013, it should be noted that a portion of these deaths were unavoidable, meaning Vision Zero-type solutions would not have prevented the deaths from occurring. One effort staff will need to pursue, if Council supports this project, is determining what number of past deaths were preventable.

The authors of Vision Zero state that "no foreseeable accident should be more severe than the tolerance of the human in order not to receive an injury that causes long term health loss." This means that if a safe system is going to be designed, either the harmful event must be eliminated, or it should not reach the limit of the human tolerance. The Vision Zero concept is assuming that accidents cannot be totally avoided; hence, the basis for this concept is built around avoiding deaths and serious injuries.

Vision Zero proponents point out that the human tolerance for a pedestrian hit by a well-designed car will be exceeded if the vehicle is travelling over 20 mph. If a higher speed in urban areas is desired, the option is to separate pedestrian crossings from the traffic. This grade-separation condition exists in Santa Barbara for several pedestrian/bike crossings and underpasses of U.S. 101. If at-grade pedestrian crossings, or zones are unsafe, they should be redesigned to generate vehicle speeds of a maximum of 20 mph at pedestrian crossing areas.

Relationship of Vehicle Speed to Odds of Pedestrian Death in Collision

<u>Vehicle Speed</u>	<u>Odds of Pedestrian Death, Source 1</u>	<u>Odds of Pedestrian Death, Source 2</u>
20 mph	5%	5%
30 mph	45%	37%
40 mph	85%	83%

The authors cite UK Dept. of Transportation, London ("Source 1") and Australian ("Source 2") Federal Office of Road Safety for these statistics.

Anticipating that people will make mistakes, other Vision Zero programs use a "safe system" approach that prioritizes safety by creating safer roads, slowing vehicular speeds in certain locations, providing enhanced biking/walking infrastructure, educating the public of their role and enforcing laws to support safer behavior on the roads. Based on Sweden's success, other cities have adopted the policy in order to create safe

and healthy communities. New York and San Francisco are better known examples, although only a small number of U.S. cities have adopted Vision Zero resolutions.

Santa Barbara streets tend to be narrower than big urbanized cities and have slower speeds. Because California's speed-limit-setting law uses the speed at which most people drive on a given road as the speed limit, slowing existing speeds is difficult and usually requires altering the design speed of the street. This is typically accomplished with traffic calming devices. Slowing speeds through traffic calming devices is a controversial and usually expensive approach. Staff's initial thoughts are that other elements of Vision Zero programs would be more cost effective than traffic calming.

If Vision Zero is to be adopted by City Council, the Public Works and the Police Departments, as well as advocacy groups, would need to work together to prioritize street safety in an attempt to eliminate traffic deaths in Santa Barbara by 2025.

Vision Zero provides a strategy to transform a transportation system by setting goals and targets, as well as adopting a set of policies which can be implemented over time to reduce the frequency and severity of collisions. In many respects, the Public Works Department already prioritizes roadway safety by:

- Having a Capital Improvement Program which prioritizes safety projects
- Using data-driven collision analysis to select transportation improvements
- Having a Bicycle Master Plan with collision reduction as a top priority
- Having a Pedestrian Master Plan with strategies that improve walking safety
- Actively pursuing pedestrian and bicycle safety projects using internal and external funding sources

BUDGET:

Vision Zero is a long-term strategy in which the most effective engineering, enforcement, and education solutions are used in combination to prevent fatal and severe injury collisions. The cost of a Vision Zero policy is staff time to review and develop an approach, plus the additional costs of implementation. If directed to develop a Santa Barbara-specific Vision Zero policy, Public Works and Police staff will work to identify which strategies will be most effective at reducing the fatal collisions, using collisions that occurred over the past 10 years as a framework for analysis, and estimating the costs to implement the strategies. We will also compare and contrast a Vision Zero policy to our existing approach to transportation safety and return to City Council with the findings and recommendations in early 2016 after the Bicycle Master Plan is complete.

ATTACHMENT(S): 1. Letter to Mayor Schneider from Vision Zero Santa Barbara
2. Vision Zero San Francisco Two-Year Action Strategy

PREPARED BY: Browning Allen, Transportation Manager/PB/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



Santa Barbara, March 30th 2015

Dear Mayor Schneider,

Our city has a serious traffic safety problem. Compared to similar sized cities, we rank 2nd (#1 being worst) for pedestrian collisions and 4th for bicyclist collisions. Between 2004 and 2013, 43% of traffic fatalities on city streets were pedestrians and 18% were bicyclists. This excludes any collisions on Highway 101. In other words, a total of 61% of fatalities were vulnerable road users. We, the undersigned organizations, feel that all road users should be able to move around our city safely, whether we drive, ride a bus or a bike or walk.

In order to address our traffic safety issues, a coalition of organizations led by COAST and SBBIKE is calling on the City of Santa Barbara to adopt a Vision Zero policy. The goal of Vision Zero is to reduce traffic deaths and injuries to ZERO by 2025.

The cities of New York and San Francisco have adopted Vision Zero policies, achieving impressive results, and many more cities are following suit. We request that the Santa Barbara City Council adopt a Vision Zero policy by Resolution. The Resolution should direct City departments to work together to produce an action plan implementing the policy and working towards the goal of ZERO traffic deaths and injuries. The plan would set measurable goals and time lines.

A Vision Zero program usually includes a holistic approach to improving safety through:

- Engineering – street designs that put safety first
- Enforcement - consistent enforcement of traffic laws by dedicated officers
- Education – of all street users
- Evaluation – of progress made towards our goal.

We hope the City of Santa Barbara will adopt a Vision Zero policy as a way of improving our traffic safety. Naturally we are looking forward to working with the City to provide assistance and advice in order to make our streets safer for all its users.

Sincerely,

Eva Inbar (COAST)

Sam Franklin (SBBIKE)

A handwritten signature in black ink, appearing to read "Eva Inbar".

A handwritten signature in black ink, appearing to read "Sam Franklin".



www.VisionZeroSB.org

VISION ZERO PLATFORM

We, the undersigned organizations and individuals, are calling on the City of Santa Barbara to adopt a Vision Zero policy that will bring our traffic fatality rate to Zero by 2025.

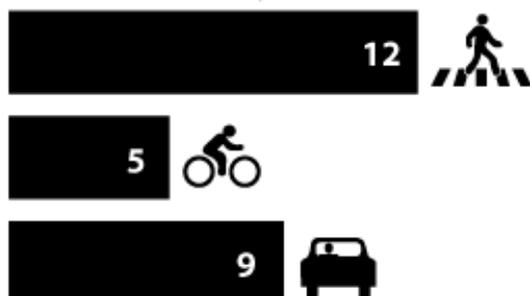
What is Vision Zero?

We don't have to accept deaths and injuries on our roads as the cost of modern life. Most collisions can be prevented through improved infrastructure, education and enforcement. The goal of Vision Zero is just that: ZERO traffic deaths and injuries.

Why Vision Zero?

In 2012, 33,561 Americans died in traffic crashes. Our own city of Santa Barbara has a serious traffic safety problem. Compared to California cities of similar size, we rank 2nd for pedestrian collisions and 4th for bicyclist collisions. Over the last ten years, 61% of traffic fatalities were pedestrians and bicyclists.

SB deaths in 10 years



SB traffic fatalities 2004 - 2013

SB injuries in 10 years



SB traffic injuries 2004 - 2013

New York and San Francisco have adopted Vision Zero policies. In Santa Barbara, the SB Bicycle Coalition (SBBIKE) and COAST (Coalition for Sustainable Transportation) are leading the effort to bring Vision Zero to our city. We invite other organizations to join the effort by endorsing this platform.

Let's make our streets safer and more comfortable for people of all ages and abilities!



Endorsed by:

Santa Barbara Bicycle Coalition (SBBIKE)

Coalition for Sustainable Transportation (COAST)

Mesa Architects

County of Santa Barbara Public Health Department

Mission Heritage Trail Association

Citizens Planning Association

Santa Barbara Chamber of Commerce

Vision Zero San Francisco Two-Year Action Strategy

Eliminating traffic deaths by 2024



February 2015



VISION
ZERO
SF

Contents



3	Message from Mayor Edwin M. Lee
4	Achieving Vision Zero in San Francisco
6	Why Now?
10	Building Momentum: Traffic Safety Through the Years
12	Vision Zero in Action
19	Benchmarks
20	Organizational Structure
22	Vision Zero Pledge & Acknowledgments

What is Vision Zero?

Vision Zero SF is a road safety policy that will build safety and livability into our streets, protecting the one million people who move about San Francisco every day.

Vision Zero began in Sweden in 1997, and traffic deaths have reduced by half in the country since it started. Anticipating that people will make mistakes, Sweden's "safe system" approach prioritizes safety by creating safe roads, slowing speeds, improving vehicle design, educating people and enforcing laws to support safer behavior on the roads.

Based on Sweden's success, numerous cities have adopted the policy in order to create thriving, safe and healthy communities.

Through Vision Zero SF, we commit to working together to prioritize street safety and eliminate traffic deaths in San Francisco by 2024.

Message from Mayor Lee



Dear fellow San Franciscans,

We know that any death on our streets is unacceptable, and that is why San Francisco is committed to eliminating traffic deaths on our streets by 2024 as part of Vision Zero SF. Vision Zero SF is our City's commitment to prioritize safe streets and ensure all road users – whether you walk, bike, drive or ride the bus – are safe.

Working together with the Board of Supervisors, numerous City Agencies and Departments along with our community and neighborhood leaders, we can end traffic fatalities on our streets. This year, we will complete safety treatments along at least 13 miles of the high injury street network in San Francisco. San Francisco is one of the most pedestrian and bicycle-friendly cities in America. Let's work together to make it the safest city in America for those activities as well.

San Francisco is committed to building better and safer streets, educating the public on traffic safety, enforcing traffic laws, and prioritizing resources to implement effective initiatives that save lives. By working to equitably protect our most vulnerable road users, we strive to create a better culture for our residents, workers and visitors to prioritize traffic safety and reduce collisions that happen on our streets.

Every day over a million people travel to work, school, to shop or socialize with family and friends in San Francisco. We are a growing City with more people on our streets than ever before. That means every one of us can help save lives by slowing down and being more mindful as we use our City's streets.

I have fully endorsed this Action Strategy, which reflects my belief that we can, and we must, provide safety for all road users. Safety is our top priority, and we are committed to working together to achieve Vision Zero in San Francisco.

Sincerely,

A handwritten signature in black ink that reads "Edwin M. Lee". The signature is fluid and cursive.

Edwin M. Lee
Mayor

Achieving Vision Zero in San Francisco



Vision Zero SF: Because a mistake on the road should never result in serious injury or death.

Every year in San Francisco, about 30 people lose their lives and over 200 more are seriously injured while traveling on city streets. These deaths and injuries are unacceptable and preventable, and San Francisco is committed to stopping further loss of life.

The City and County of San Francisco adopted Vision Zero as a policy in 2014, committing to build better and safer streets, educate the public on traffic safety, enforce traffic laws and adopt policy changes that save lives.

The goal is to create a culture that prioritizes traffic safety and to ensure that mistakes on our roadways don't result in serious injuries or death. The result of this collaborative, citywide effort will be safer, more livable streets as we work to eliminate traffic fatalities by 2024.

About the Two-Year Action Strategy

The Vision Zero Two-Year Action Strategy outlines the projects and policy changes the City plans to pursue in the next two years to build safety and livability into city streets.

The Action Strategy encompasses a broad range of solutions to address street safety comprehensively and citywide. Solutions fall within five categories: engineering, education, enforcement, evaluation and policy.

See pages 12-18 for the specific policies and programs City departments have committed to prioritize.

Core Principles

Achieving zero fatalities is a shared responsibility. It requires leadership and commitment from City agencies, elected officials, community stakeholders, the public and the private sector to find the right solutions for San Francisco.

These core principles will guide us as we work to eliminate traffic fatalities in San Francisco:

1. Traffic deaths are preventable and unacceptable.
2. Safety is our highest priority.
 - Preserving life is the highest priority.
 - San Francisco’s transportation system should be safe for all road users, for all modes of transportation, in all communities and for people of all ages and abilities.
 - Transportation and land use development policies, standards, programs and design decisions should prioritize preserving lives.
3. Human error is inevitable and unpredictable; we should design the transportation system to anticipate error so the consequence is not severe injury or death.
4. Safe human behaviors, education about and enforcement of safety rules, and vehicle technologies are essential contributors to a safe system.
5. People are inherently vulnerable and speed is a fundamental predictor of crash survival. The transportation system should be designed for speeds that protect human life.

Action Strategy Highlights

In the next two years, the City will strive to accomplish an ambitious agenda that addresses street safety comprehensively. These are some of the key actions City departments, elected officials and community stakeholders will work together to achieve.

Engineering:

- Implement safety treatments along at least 13 miles of the High-Injury Network each year.
- Implement project integration and project delivery process to ensure all projects are appropriately scoped with respect to safety.

Enforcement:

- Continue the “Focus on the Five” enforcement campaign targeting violations associated with severe and fatal injuries, high injury areas and corridors, schools and housing for seniors and people with disabilities.
- Report enforcement statistics, including types of traffic citations and targeted efforts near schools and senior centers.

Education:

- Implement a citywide education strategy.
- Expand large vehicle driver training programs.

Evaluation:

- Integrate TransBASESF.org as the central repository of monitoring, evaluation and injury data.
- Develop a web-based system to post Vision Zero monitoring data, including timely reporting of fatalities and annual reporting of other key metrics.

Policy:

- Advance automated safety enforcement state legislation.
- Partner with Office of Traffic Safety, Caltrans, Department of Motor Vehicles and other key partners to advance Vision Zero supporting policies and programs.

Why Now?

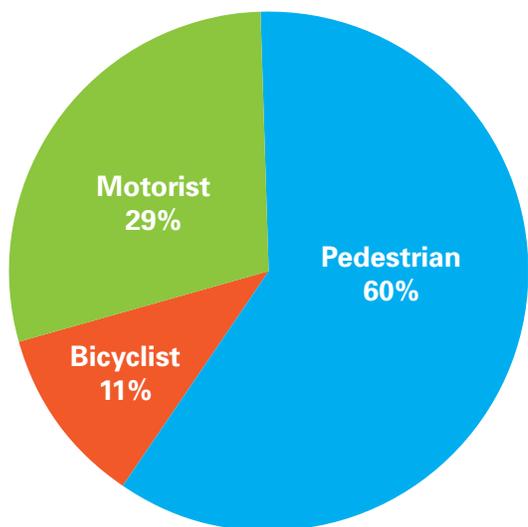
Traffic Fatality Data

While San Francisco is one of the nation's most walkable and bikeable cities, it is ranked worst among California counties for walking injuries and seventh for bicycling injuries by the California State Office of Traffic Safety. Every year, about 30 people lose their lives and over 200 more are severely injured while traveling on city streets.

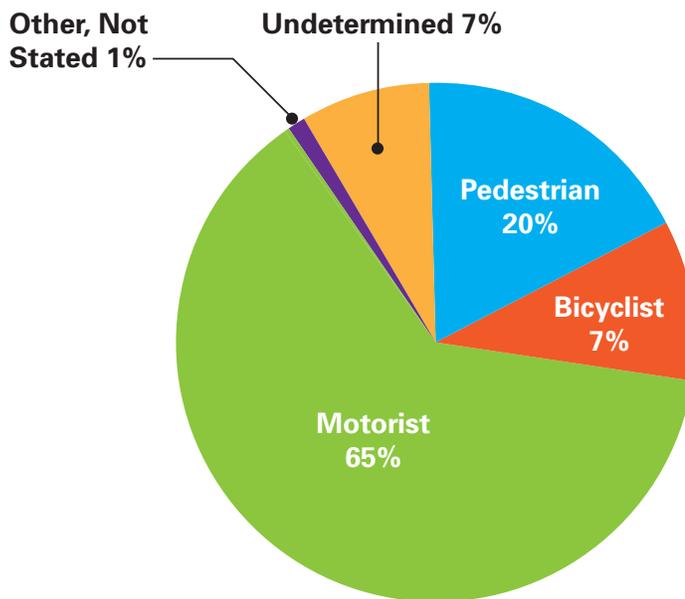
More than 50 percent of traffic deaths in San Francisco

are people walking – compared to 14 percent nationally – and more people bicycling have died in traffic collisions in recent years.

While people walking comprise approximately half of fatalities on San Francisco streets, people driving are deemed at-fault in approximately two-thirds of severe and fatal traffic collisions.



Traffic Fatalities, 2013-2014
San Francisco Police Department*



Party Identified as Primary Cause: All Fatal Collisions, 2008-2012
Data reported by San Francisco Police Department to the Statewide Integrated Traffic Records System

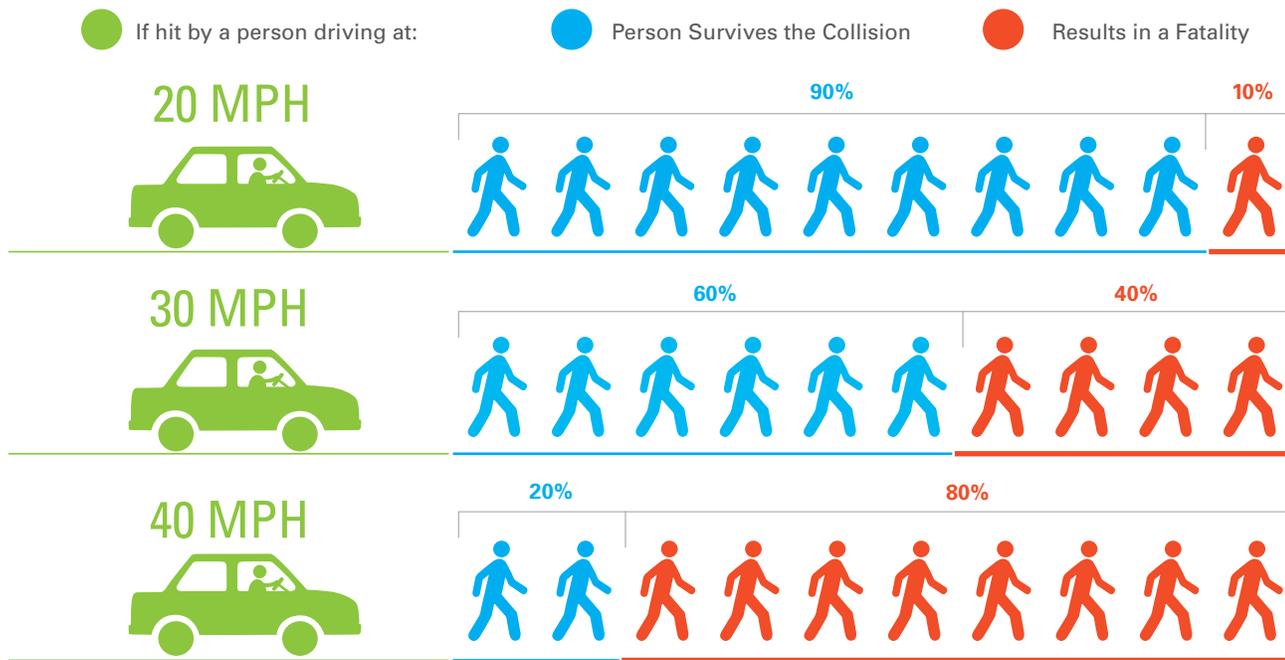
* Motorist includes motorcycles

Vehicle Speed & Risk of Serious Injury

Speed is a common factor of fatal collisions involving vehicles and was cited as the primary factor in 20 percent of all severe and fatal collisions reported from 2008 to 2012 (SFPD SWITRS). Greater speeds reduce field of vision, increase required braking distance and result in exponentially higher fatality rates.

traffic fatalities are a multi-pronged issue requiring a multi-pronged solution. Through engineering, education, enforcement, evaluation and policy improvements, the City will reduce speeding, improve visibility for all street users and increase awareness of the problem. Together, these strategies will empower people to make safer decisions and inspire a culture change emphasizing traffic safety.

Speed reduction is a key action the city will be pursuing; however, that will only address part of the problem—



U.S Department of Transportation, Literature Reviewed on Vehicle Travel Speeds and Pedestrian Injuries. March 2000. <http://www.nhtsa.gov/About+NHTSA/Traffic+Techs/current/Literature+Reviewed+On+Vehicle+Travel+Speeds+And+Pedestrian+Injuries>

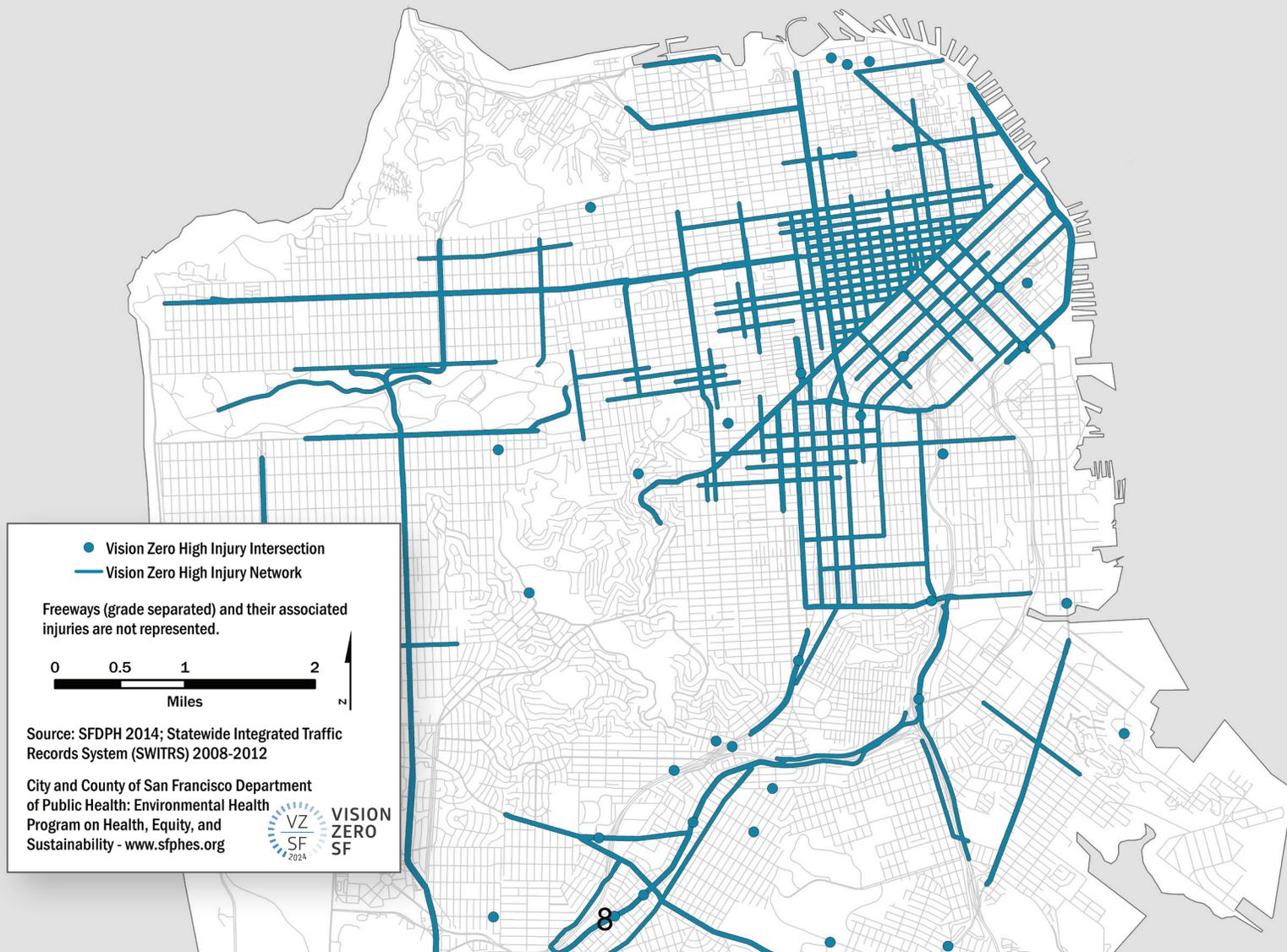
San Francisco's High-Injury Streets

More than 70 percent of severe and fatal traffic injuries occur on just 12 percent of San Francisco streets.

Through Vision Zero SF, the City has used years of data to identify the streets and intersections where investments in engineering, education and enforcement will have the biggest impact in reducing fatalities and severe injuries for people walking, bicycling and driving.

The Two-Year Action Strategy prioritizes improvements on these streets, the 125 miles of roadway identified as the Vision Zero High-Injury Network.

The Vision Zero High-Injury Network



Social Equity

A third of San Francisco's streets run through historically disadvantaged communities but almost half of the High-Injury Network is located in these neighborhoods.

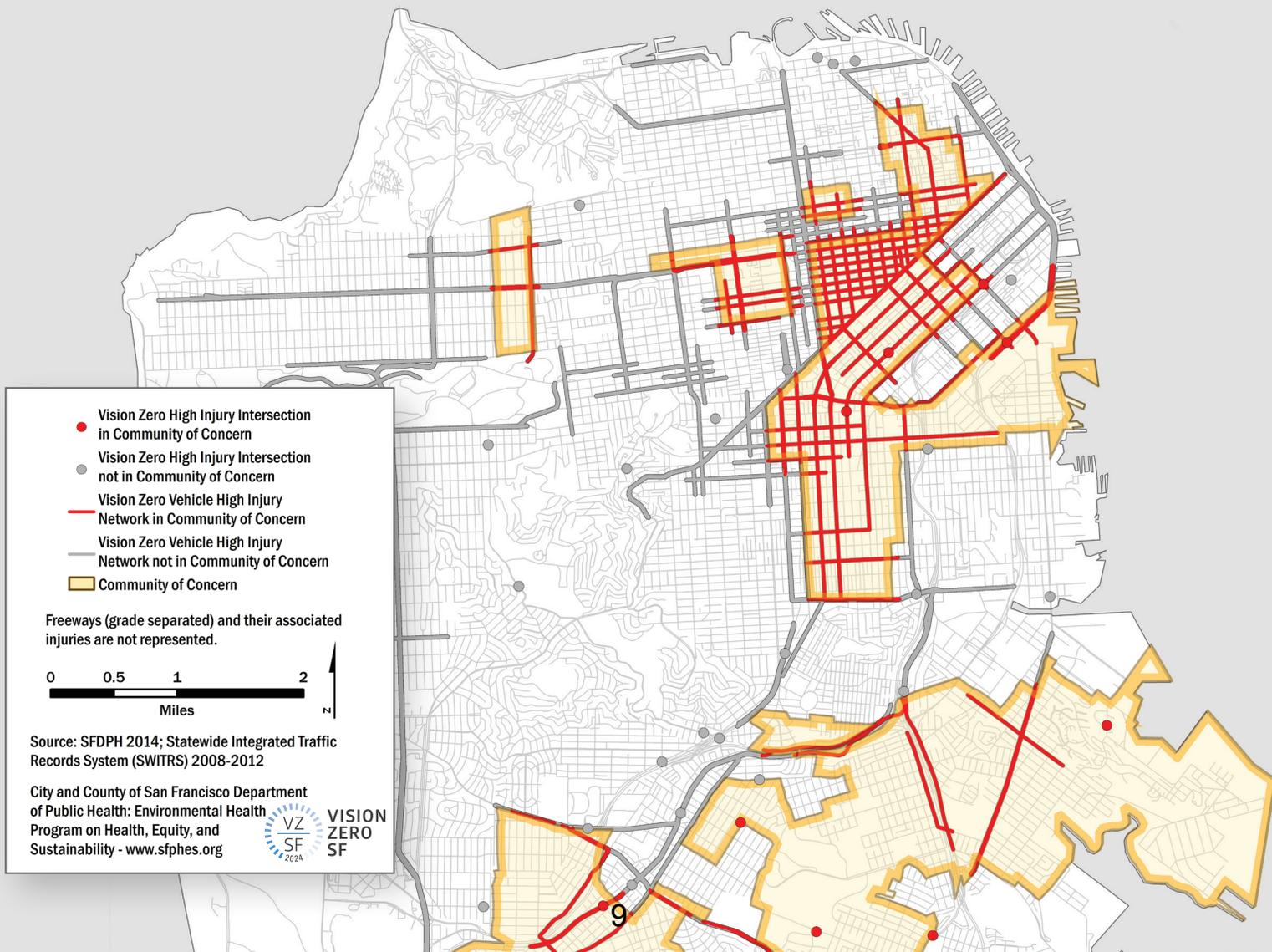
Social equity is at the core of Vision Zero. A disproportionate amount of the High-Injury Network is located in "Communities of Concern," defined by the Metropolitan Transportation Commission as low-income communities, communities of color, and areas with high concentrations of seniors and people who rely on walking and transit as their primary means of transportation.

In San Francisco, seniors are five times more likely to be

fatally injured in a pedestrian collision. Children and people with disabilities are also disproportionately at risk.

To ensure equity and to protect the most vulnerable people, the Two-Year Action Strategy prioritizes projects improving safety near schools, around housing for seniors and people with disabilities, and in communities of concern.

Communities of Concern and the Vision Zero High-Injury Network



Building Momentum: Traffic Safety Through the Years

1973

San Francisco becomes a **Transit First city**, prioritizing transit, walking and bicycling

2001

The City is the first in the nation to implement **Pedestrian Countdown Signals** resulting in 22% reduction in collisions where implemented

2006

Better Streets Plan: City issues a unified set of standards, and implementation strategies for its pedestrian environment

2009

City implements **Safe Routes to School** to improve safety for children going to school

2010

■ **Mayor's Executive Directive on Pedestrian Safety:** Mayor Gavin Newsom directs City departments to implement solutions to reduce severe and fatal pedestrian injuries by 25% by 2016 and 50% by 2021

■ City establishes **Citywide Pedestrian Safety Task Force** chaired by SFMTA and SFDPH

Vision Zero SF is the most comprehensive and ambitious street safety policy in San Francisco's history, but the City has spent decades building safer, more livable streets.



2011

- SFPDPH releases **map of Pedestrian High-Injury Corridors in the city**
- 2011- 2012: city implements **short-term pedestrian safety improvements** identified in Mayor Newsom’s executive directive

2012

- San Francisco Pedestrian Safety Task Force releases **Pedestrian Strategy** which details city actions to reduce severe and fatal pedestrian injuries by 50% by 2021

2013

2014

- February 2014: The City adopts **Vision Zero** to eliminate all traffic fatalities by 2024
- Establishes **Citywide Vision Zero Task Force**, an expansion of the Pedestrian Safety Task Force
- SFPD announces commitment to **Focus on the Five** to better enforce the five traffic citations that most often result in serious injury or death
- March 2014: Mayor Edwin M. Lee announces **Walk First**, a five-year plan to implement pedestrian safety upgrades at 170 intersections on the pedestrian high-injury network.
- September 2014: **Safe Streets** City launches a new safety education campaign
- November 2014: **Prop A** passes with 72% of the vote, dedicating more than \$150 million to projects that improve safety on San Francisco streets
- December 2014: City launches interactive map, a **Vision Zero Dashboard**, to report progress of safety projects.

2015



Vision Zero in Action

Two-Year Action Items

The action items outlined in the following pages are designed to protect the million people moving around San Francisco every day, moving us closer to Vision Zero. The focus is on high-impact improvements where they're needed most.

Traffic safety is a complex problem, so it is being addressed through a multi-pronged approach. Vision Zero action items fall into five main categories: engineering, enforcement, education, evaluation and policy.

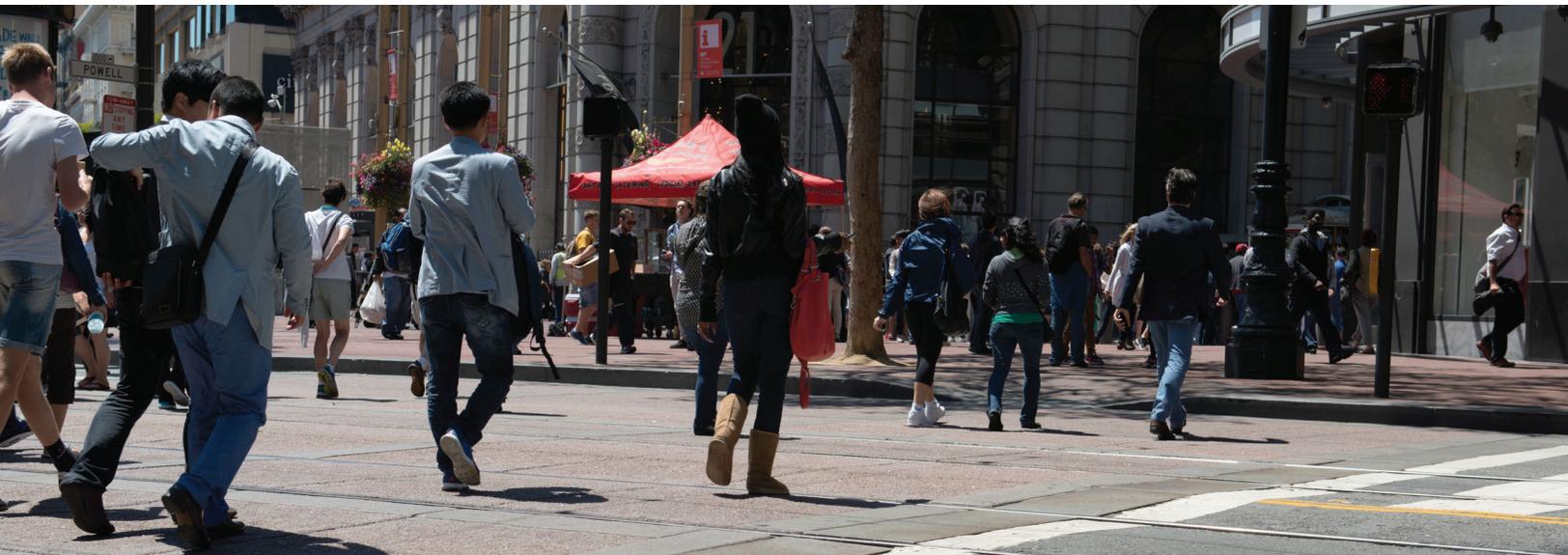
Multiple City departments will collaborate to achieve this ambitious agenda over the next two years. To ensure efficiency and teamwork, lead agencies will manage each action item, with other agencies participating and providing guidance in their area of expertise.

The goal is to create measurable progress by the end of 2016, saving lives and reducing injury rates.

Funding

The City has identified a range of funding sources to support implementation of the action items supporting Vision Zero. Funding will come from the recently enacted Proposition A as well as Propositions B and K¹; the State Transportation Improvement Program –Transportation Enhancement (STIP-TE) program; the Office of Traffic Safety (OTS); the Active Transportation Program (ATP); and other regional, state and federal funding sources.

The Funding Working Group will administer and secure funding for projects, programs and activities that directly support the Vision Zero policy.



3 **Prop A** (2014): \$500 million bond that will invest in street safety projects and transit efficiency and reliability improvements
Prop B (2005): \$208 million primarily for street re-surfacing and maintenance, but also capital improvements, pedestrian and disabled access enhancements, bicycle upgrades, and other street-related physical improvements
Prop K (2003): A half-cent local sales tax for transportation ranging from signals to streetcars, bicycles to boulevards, and pedestrian safety improvements to paving.

Engineering

Purpose: Implement treatments and redesign streets to reduce the frequency and severity of collisions for everyone using San Francisco’s streets.

Outcomes:

- Safer and more forgiving transportation network citywide using a data-driven approach and evidence-based solutions.
- Transparent platform to demonstrate faster and more effective project delivery
- Integration of technology to advance Vision Zero through private sector partnership and city Information and Technology and innovation staff

Two Year Action Items	Lead Agency	Participating Agency	Milestone
Complete the 24 safety projects identified in SFMTA and Board of Supervisors Vision Zero resolutions	SFMTA, SFDPPW		Q1 2016
Use High Injury Network map to: <ul style="list-style-type: none"> • Prioritize projects already identified and ensure they are scoped with appropriate safety treatments for all agencies • Identify gaps and design and implement safety projects • Further prioritization based on vulnerable road users, child and senior injuries, schools, housing for seniors and people with disabilities, and communities of concern 	SFMTA	SFDPH, SFDPPW, SFPUC, SFFD	Q1 2015
Implement safety treatments along at least 13 miles of the High Injury Network annually, including: <ul style="list-style-type: none"> • WalkFirst • Muni Forward along with supplemental safety interventions 	SFMTA, SFDPPW		Q2 2015, Q2 2016
Implement universally beneficial treatments citywide (e.g. daylighting, signal timing, high visibility crosswalks, and proper bus stop lengths)	SFMTA	SFDPPW	Ongoing
Report progress of capital projects which support Vision Zero on Vision Zero website	SFMTA, SFDPPW, SFPUC		Q1 2015, ongoing
Develop and publish list of key treatments including efficacy to better communicate engineering solutions, building on WalkFirst	SFMTA		Q2 2015
Implement project integration process and project delivery to ensure all projects are appropriately scoped with respect to safety	SFMTA, Planning	SFDPPW, SFPUC	Q1 2015
Review coordinated projects at interagency director meeting to improve delivery time and reduce costs	SFMTA, SFDPPW	SFPUC	Q3 2015
Complete Living Labs pilot and develop strategy to engage with private sector, specifically for developing and/or utilizing technology to advance goal of Vision Zero	SFMTA, SFPUC	Mayor’s Office	Q2 2015 Q3 2015
Develop collision evaluation process to identify opportunities for increased inter-departmental coordination including site investigation of severe and fatal collisions to review street design and ensure all critical information is captured	SFMTA, SFPD, DA	SFDPH	Q2 2015
Develop a funding strategy to institutionalize engineering activities which support Vision Zero including: <ul style="list-style-type: none"> • Developing project menu as necessary • Evaluate need for dedicating percentage of project budget to finance safety countermeasures 	SFMTA, SFDPPW	Funding Working Group, Budget Office, Capital Planning Committee	Q2 2015

Enforcement

Purpose: Increase individual awareness of their responsibility to the safety of others and themselves. Cite and administer warnings, using a data-driven approach and focusing on violations of the California Vehicle Code and the San Francisco Transportation Code that are identified as causative and associated factors in severe and fatal collisions. This data-driven strategy will be supported by employing best practices and with the use of new technologies by continued coordination between the District Attorney’s Office and the SFPD to investigate and prosecute incidents where there is sufficient evidence to do so.

Outcomes:

- Comprehensive package of targeted enforcement efforts
- Improved method to identify priority enforcement locations
- Increased enforcement of most common offenses that result in severe and fatal collisions
- Increased transparency of enforcement efforts

Two Year Action Items	Lead Agency	Participating Agency	Milestone
Continue "Focus on the Five" enforcement campaign, targeting violations associated with severe and fatal injuries, high injury areas/corridors, schools, and housing for seniors and persons with disabilities	SFPD		Q4 2016
Implement additional strategic enforcement in support of Vision Zero	SFPD	SFMTA, SFDPH	Q1 2016
All existing and new officers to view pedestrian and bicycles safety video	SFPD		Ongoing
Explore needs for implementation of a vehicular manslaughter unit	DA	Funding Working Group	Q4 2015
Publish statistics on cases involving severe and fatal collisions	DA		Q4 2015
Advance implementation of Crossroads database for electronic collision data reporting and real-time data sharing with SFMTA and SFDPH	SFPD	SFMTA, SFDPH	Q4 2015
Explore implementation of E-Citation Pilot	SFPD, SFMTA	SFDPH	Q4 2015
Work with community stakeholders to expand training and education of SFPD officers regarding the rights and responsibilities of everyone on the road	SFPD		Ongoing
SFMTA Parking Control Officer (PCO) program will identify duties that support Vision Zero goals and complete PCO program resource optimization process and formalize means by which PCOs may be assigned those Vision Zero-supporting duties	SFMTA	SFPD	Q1 2015
Provide a report to the San Francisco Police Commission every quarter, to be calendared for the second Police Commission meeting of the quarter (report will also be made available to stakeholders), regarding the progress made toward Vision Zero including, but not limited to: <ul style="list-style-type: none"> • Number of traffic citations given (by total and by mode) • Number of collisions attributed to one of the five primary collision factors • Number of people receiving citations/arrests at the scene of traffic collisions vs. number of collisions • Number of operations around school facilities and senior zones • LIDAR (speed detection device) statistics 	SFPD		Q1 2015
Develop a funding strategy to institutionalize future enforcement activities which support Vision Zero including developing menu of needs as necessary for grants and other funding opportunities	SFPD, SFMTA	Funding Working Group	Q2 2015

Education

Purpose: Coordinate among City departments to create a citywide strategy for educational outreach and safety programs. Implement funded education programs, such as Safe Streets SF and Safe Routes to School to support and grow existing partnerships.

Outcomes:

- Increased departmental cooperation and coordination
- Increased stakeholder engagement
- Coordinated educational program based on best-practices
- Expand the number of coordinated educational programs
- Costs for a multi-faceted program will be identified and funding strategies developed
- Continued implementation of existing educational programs
- Increased awareness of major causes of collisions, fatalities and injuries among all transportation users
- Increased awareness of traffic laws, where the failure to follow them is identified as factor in collisions resulting in severe injury and fatalities.
- Measureable change in collision-related behaviors

Two Year Action Items	Lead Agency	Participating Agency	Milestone
Develop a best practice citywide education strategy	SFMTA	SFDPH, SFPD, SFUSD, DA, SFCTA, SFE, SFFD	Q1 2015
Implement year one of education strategy	SFMTA	SFDPH, SFPD	Q2 2015
Develop baseline understanding of educational needs	SFMTA	SFDPH, SFPD, SFUSD, DA, SFCTA, SFE, SFFD	Q3 2015
Expand education campaign underway: <ul style="list-style-type: none"> • Safe Streets SF • Large vehicle safe driving for all municipal vehicles including taxis and transit vehicles and increase coordination with transit operators as well as commercial operators • Administer existing targeted mini-grant program to support and expand community engagement along high injury corridors, including community-based organizations serving vulnerable populations (i.e, seniors, disabled, multilingual and multiethnic populations, etc) 	SFMTA, SFDPH	SFPD	Q1 2016
Develop a funding strategy to institutionalize future education efforts which support Vision Zero including developing menu of needs as necessary for grants and other funding opportunities	SFMTA, SFDPH	Funding Working Group	Q2 2016

Evaluation Analysis & Monitoring

Purpose: Monitor and analyze collision data to identify causal factors and high injury locations. Evaluate the impact of Engineering, Enforcement, Education and Policy efforts and provide recommendations for refinement. Coordinate with Subcommittees, City agencies and community stakeholders to ensure accuracy, relevance, and efficiency of data systems and reporting.

Outcomes:

- Comprehensive, timely transportation injury surveillance and analysis to inform targeted investments
- Coordinate current data being shared to inform Vision Zero investments to address risk factors at the highest injury locations
- Monitoring and evaluation to assess impact of initiatives and overall progress towards Vision Zero goals
- Web-based data sharing and tracking systems to increase transparency and accountability

Two Year Action Items	Lead Agency	Participating Agency	Milestone
Institutionalize and continue to expand the capacity of TransBASESF.org * as the central repository of monitoring, evaluation, and injury data in support of Vision Zero.	SFDPH	SFMTA, SF Planning, SFDPW, SFCTA, SFDPW, SFPUC	Ongoing
Train key staff on TransBASESF.org and customize TransBASESF.org data and interface to support Vision Zero monitoring, evaluation and analysis.	SFDPH	SFMTA, SFDPW, SF Planning	Ongoing
Pilot a comprehensive Transportation-related Injury Surveillance System (TISS**) and integrate findings into TransBASESF.org .	SFDPH	SFMTA, SFPD, SFFD	Q4 2015
Expand Pedestrian Strategy metrics to include all modes for Vision Zero monitoring and report annually	SFDPH, SFMTA		Q1 2015
Implement targeted evaluation of key Vision Zero Engineering, Education, and Enforcement initiatives.	SFDPH	SFMTA, SFPD, Controller's Office, SFDPW, SFCTA	Education (Q1 2015) Engineering (Q2 2015) Enforcement (Q3 2015)
Develop a web-based system to post Vision Zero monitoring data, including timely reporting of fatalities and annual reporting of other key metrics.	SFDPH, SFMTA, SFDPW	Controller's Office	Q1 2015 – Q3 2015
Demonstrate TransBASE and online tools at public meetings related to Vision Zero to increase public knowledge of and access to those tools and obtain feedback regarding how to improve.	SFDPH	SFMTA	Ongoing
Develop High Injury Corridor/Network map(s) that address severe/fatal injuries for all transportation modes	SFDPH	SFMTA	Q1 2015
Continue to update High Injury Corridor maps that inform the prioritization of Vision Zero initiatives.	SFDPH	SFMTA	Ongoing
Develop a funding strategy to institutionalize future evaluation and monitoring needs which support Vision Zero including developing menu of needs as necessary for grants and other funding opportunities	SFDPH	Funding Work Group	Q2 2015

* [TransBASESF.org](#): SFDPH has developed TransBASESF.org as an open platform database linking all transportation injury related data from multiple agencies with community and environmental factors with a goal of being the central repository of this information for the city.

** TISS: SFDPH with SFGH and Trauma Center is developing a comprehensive Transportation-related Injury Surveillance System to conduct accurate and timely monitoring of transportation-related injuries and inform the evaluation of specific interventions. The creation of this database will vastly expand the City's capacity to analyze the causes, costs, and consequences of transportation-related injuries.



Policy

Purpose: Identify an agreed upon set of policy initiatives that partners can support and mobilize behind at the local and state levels to advance awareness of Vision Zero and enable programs and projects that support the goals of Vision Zero.

Outcomes:

- Advance package of administrative and legislative initiatives to support Vision Zero
- Gain support from local, regional, state and federal policy bodies
- Ensure safe design practices are incorporated during the planning stage of development

Two Year Action Items	Lead Agency	Participating Agency	Milestone
Advance Automated Safety Enforcement initiative at the state level <ul style="list-style-type: none"> • Consider as San Francisco-only pilot around school zones, housing for seniors and people with disabilities • Formalize support from city agencies and key stakeholders 	SFMTA	Mayor's Office, BoS, SFPD, SFDPH	Q1 2015
Evaluate opportunity for apparatus on vehicles to ensure: <ul style="list-style-type: none"> • Safety of transit only lanes • Safe driving behavior of all transit and municipal vehicle fleet 	SFMTA		Q1 2015
Partner with Office of Traffic Safety, Caltrans, SafeTrec, Department of Motor Vehicles, CHP, CDPH, CalSTA, NHTSA and MTC to advance goals of Vision Zero <ul style="list-style-type: none"> • Convene on-site workshop/assessment with regional, state and national leadership on Vision Zero administrative and legal issues 	SFMTA, SFDPH, SFPD	Mayor's Office, BoS, SFCTA	Q2 2015
Work with state agencies including Office of Traffic Safety to streamline state traffic collision data timelines	SFMTA, SFDPH, SFPD	Mayor's Office	Ongoing
Work with key policy makers to reduce speeds on city streets	SFMTA	SFDPH, Mayor's Office	Q4 2015
Report to Vision Zero Task Force annually on the following: <ul style="list-style-type: none"> • Include Vision Zero goal in near term and long term planning documents including the San Francisco General Plan • Review General Plan Referrals to be consistent with Vision Zero goals • Review development projects and inform project sponsors to design projects to be consistent with Vision Zero goals • Require projects subject to streetscape plans per Planning Code Section 138.1, to include pedestrian and bicycle safety improvements to the greatest extent feasible, particularly on identified high-injury corridors and intersections • Incorporate safety measures in all streetscape and public realm plans where feasible 	Planning		Q1 2016
Develop a funding strategy to institutionalize future policy efforts which support Vision Zero including developing menu of needs as necessary for grants and other funding opportunities	SFMTA	Funding Work Group	Q4 2015

*Note, the next two-year state legislative session starts in January 2015

Benchmarks

The annual reporting of fatal and severe traffic injuries will be the primary benchmark of success in reaching San Francisco's Vision Zero goal. The following measures are key indicators of progress on Engineering, Enforcement, Education, Evaluation and Monitoring, and Policy efforts to advance the City's goal of zero traffic deaths.

Annual Metrics	Direction of Change	Previously Identified in Pedestrian or Bicycle Strategy?
GENERAL		
Total severe and fatal injuries	Decrease	Yes
Proportion of severe and fatal injuries by Supervisorial District, transportation mode, by age and in Communities of Concern	Decrease inequities	Yes
Medical costs at SF General Hospital for transportation collisions	Decrease	
ENGINEERING		
Number of engineering projects implemented, and miles of streets/intersections receiving safety improvements	Increase	Yes
ENFORCEMENT		
Speeds on San Francisco Streets (85th percentile, average, percent exceeding speed limit)	Decrease	Yes
Citations issued: a) Focus on the Five b) per SFPD officer, c) by violation type and by police district	a) 50% for Focus on the Five by District b) Increase by 25% per officer based on full staff c) Monitor correlation between primary violations in severe/fatal injuries and citation locations /violation types cited.	
Investigation and prosecution of vehicular manslaughter	Increase in investigation	
EDUCATION		
Public awareness of Vision Zero, its principles, underlying safety issues and traffic safety laws	Increase	
POLICY		
Policy change made at local and state levels to advance Vision Zero	Increase	

Organizational Structure

Oversight

These elected officials, appointed bodies and community stakeholders will provide critical oversight and feedback as the Vision Zero Action Strategy moves forward. Quarterly progress reports will be provided to oversight bodies and also be available to the public.

- Mayor Edwin M. Lee
- City Agency Boards & Commissions
- Vision Zero Task Force
- San Francisco County Transportation Authority Vision Zero Committee

Implementation

A number of City agencies have committed to the Vision Zero policy and will work to complete the action items outlined in the Two-Year Action Strategy.



SFMTA
Municipal
Transportation
Agency



City Staff Steering Committee

To ensure collaboration and progress, a City Staff Steering Committee will meet monthly. The steering committee includes staff representatives from the implementing City agencies.

Within the steering committee are five subcommittees – Engineering, Education, Enforcement, Evaluation and Data, and Policy – focused on implementing specific types of projects. In addition, working groups on communications, funding, schools and the citywide vision will engage with and inform the subcommittees.

Two Year Action Items	Lead Agency	Participating Agency	Milestone
Create Steering Committee charter and define roles/responsibilities of members	Mayor's Office		Q1 2015
Develop monitoring framework and accountability tools for Sub-Committees	Mayor's Office, SFMTA, SFDPH		Q1 2015
Report to accountability bodies including SFCTA and Agency Boards that have supported the Vision Zero policy	SFMTA, SFDPH		Ongoing
Implement communications strategy	SFMTA, Mayor's Office	SFDPH	Q2 2015
Develop information sharing plan to ensure all relevant City Departments are informed	Mayor's Office	SFMTA, SFDPH	Q2 2015
Develop and coordinate long-term funding strategy	SFMTA, SFCTA, Mayor's Office	Funding Working Group	Q4 2015

Vision Zero Task Force

The Vision Zero Task Force is chaired by the San Francisco Municipal Transportation Agency (SFMTA) and the San Francisco Department of Public Health (SFDPH). Its meetings are open to the public and attended by the Vision Zero Steering Committee, city agency representatives and members of the Vision Zero Coalition.

The task force meeting aims to improve accountability and transparency as well as provide a forum for the public to receive updates and share feedback, ensuring that the whole San Francisco community has an opportunity to participate in creating safer, more livable streets. The Task Force meets quarterly and all are welcome to attend and participate.

SFCTA Vision Zero Committee

The SFCTA Vision Zero Committee is comprised of five members of Board of Supervisors acting as Transportation Authority Commissioners on the San Francisco County Transportation Authority Vision Zero Committee, and meets quarterly; this meeting is also open to the public.

- **Jane Kim**, *Chair*
- **Mark Farrell**
- **Scott Wiener**
- **Norman Yee**, *Vice Chair*
- **Eric Mar**

Vision Zero Pledge

The Vision Zero Two-Year Action Strategy lays the foundation for the next two years and solidifies the city's long term commitment to achieve zero traffic fatalities by 2024. San Francisco continually strives to provide a traffic environment that prioritizes safe and excellent transportation choices for all of our residents, employees and visitors. On behalf of the following city agencies, we commit to work together in partnership with stakeholders to implement this Strategy and do what is needed over the next ten years to reach our goal of zero traffic fatalities in San Francisco.



Edwin M. Lee
Mayor



Chief Joanne Hayes-White
San Francisco Fire Department



Ben Rosenfield
City Controller



Edward D. Reiskin
San Francisco Municipal Transportation Agency



Carla Johnson
Mayor's Office on Disability



Chief Greg Suhr
San Francisco Police Department



Tilly Chang
San Francisco County Transportation Authority



John Rahaim
San Francisco Planning Department



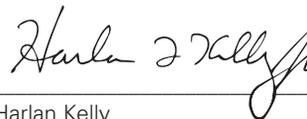
Barbara Garcia
San Francisco Department of Public Health



Monique Moyer
Port Commission of San Francisco



Mohammed Nuru
San Francisco Department of Public Works



Harlan Kelly
San Francisco Public Utilities Commission



Deborah Raphael
San Francisco Department of the Environment



Superintendent Richard Carranza
San Francisco Unified School District



VISION ZERO SF







Agenda Item No. 17

File Code No. 440.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: May 12, 2015

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Conference With Labor Negotiator

RECOMMENDATION:

That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Administrative Services Director, regarding negotiations with the Fire Management Association, Supervisors Association, and regarding salaries and fringe benefits for unrepresented management.

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

PREPARED BY: Kristine Schmidt, Administrative Services Director

SUBMITTED BY: Kristine Schmidt, Administrative Services Director

APPROVED BY: City Administrator's Office