

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>

JULY 14, 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. - Ordinance Committee Meeting, Council Chamber

2:00 p.m. - City Council Meeting

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

1. Subject: Proposal To Designate Fishing Areas On Stearns Wharf (120.03)

Recommendation: That the Ordinance Committee review designated fishing areas on Stearns Wharf and forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Adding Section 17.13.060.

2. Subject: Solar Energy System Permits (State Assembly Bill 2188) (120.03)

Recommendation: That the Ordinance Committee review the proposed Solar Energy Systems Ordinance required by State Assembly Bill 2188 and forward the ordinance to Council for introduction.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

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

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through July 31, 2015.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the adjourned regular meeting of June 22, 2015, the regular meeting of June 23, 2015, and the regular meeting (cancelled) of July 7, 2015.

3. Subject: Designation Of Voting Delegate For The League Of California Cities Annual Conference (180.01)

Recommendation: That Council designate Mayor Helene Schneider as the voting delegate for the League of California Cities Annual Conference.

CONSENT CALENDAR (CONT'D)

4. Subject: Adoption Of Ordinance Establishing Speed Limits On Certain Portions Of Loma Alta Drive (530.05)

Recommendation: That Council 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 Amending Section 10.60.015, Establishing Prima Facie Speed Limits on Certain Portions of Loma Alta Drive.

5. Subject: Community Promotion Contract For The Santa Barbara Region Chamber Of Commerce To Support A Visitor Information Center (230.02)

Recommendation: That Council authorize the City Administrator to execute an annual community promotion contract with the Santa Barbara Region Chamber of Commerce in an amount of \$57,700 to support year-round expenses of the Visitor Information Center covering the period from July 1, 2015 to June 30, 2016.

6. Subject: Community Promotion Contract With Santa Barbara International Film Festival (230.02)

Recommendation: That Council authorize the City Administrator to execute an annual community promotion contract with Santa Barbara International Film Festival in the amount of \$78,300 to support film festival programming and year-round administrative expenses.

7. Subject: Increase The Settlement Authority Delegated To The City Administrator To Resolve A Claim For Damages (350.05)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing the Procedure for Handling Money or Damage Claims and Lawsuits Filed Against the City of Santa Barbara and Repealing Resolution Nos. 7966, 8336, 8337, 83-172, and 96-070.

8. Subject: Fiscal Year 2016 Agreement For Operation Of A County-Wide Library System (570.04)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute an Agreement For Operation of a County-wide Library System for Fiscal Year 2016 between the County of Santa Barbara and the Cities of Santa Barbara, Santa Maria and Lompoc; (Cont'd)

CONSENT CALENDAR (CONT'D)

8. (Cont'd)

- B. Approve an increase in estimated revenues and appropriations in the amount of \$97,874 for Fiscal Year 2016 in the General Fund Library Department budget to adjust the recently adopted Fiscal Year 2016 budget for the recently approved increase in Santa Barbara County per capita funding and increase to the Library Administration fee; and
- C. Approve an increase in estimated revenues in the amount of \$175,224 and appropriations in the amount of \$88,034 for the County Library Fund budget for Fiscal Year 2016, with the balance of \$87,190 intended to go to reserves.

9. **Subject: Sole Source Vendor For Airport Mosquito Control Services (560.01)**

Recommendation: That Council:

- A. Authorize the City's General Services Manager to issue a Purchase Order to the Mosquito and Vector Management District of Santa Barbara County (District) for Fiscal Year 2016 in the amount of \$80,817 pursuant to the Sole Source provisions of the Santa Barbara Municipal Code Section 4.52.070(K) for mosquito monitoring and control services at the Airport; and
- B. Authorize the City's General Services Manager to issue Purchase Orders and Change Orders to the District for four subsequent fiscal years for mosquito monitoring and control services, in amounts not to exceed the annual appropriated budget for the program in each year, as approved by City Council.

10. **Subject: Appropriation Of Federal Aviation Administration Airport Improvement Grant For Santa Barbara Airport (560.04)**

Recommendation: That Council increase appropriations and estimated revenue by \$3,338,276 in the Airport's Grant Fund for the Airport Lighting and Safety Upgrade Project and north General Aviation Ramp Replacement Project, to be funded from Federal Aviation Administration Airport Improvement Program (AIP) Grant No. 03-06-0235-49, in the amount of \$3,026,481 coupled with the City's 9.34% match of \$311,795, to be funded from the Airport Operating Fund.

11. **Subject: Records Destruction For Public Works Department (160.06)**

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

CONSENT CALENDAR (CONT'D)

12. Subject: Declaration Of Real Property Acquired For Cota And Mason Bridge Projects As Excess And Subject To Disposal By Public Auction (330.01)

Recommendation: That Council declare the real property located at 221 and 230 West Cota Street, 536 Bath Street, and 20 West Mason Street, as excess to the City's needs and authorize disposition of said property according to State and local guidelines by public auction, in accordance with Santa Barbara Municipal Code (SBMC) Chapter 4.28 and Section 520 of the Santa Barbara City Charter subject to the review and approval by the City Attorney.

13. Subject: Contract For Wastewater Rate Study (540.13)

Recommendation: That Council authorize the Public Works Director to execute a Professional Services contract with Raftelis Financial Consultants, Inc., in the amount of \$38,451, to provide a wastewater rate study for the City of Santa Barbara, and approve expenditures of \$3,845 for extra services that may result from necessary changes in the scope of work, for a total of \$42,296.

14. Subject: Cachuma Conservation Release Board Fiscal Year 2016 Budget Ratification (540.03)

Recommendation: That Council ratify the Cachuma Conservation Release Board Fiscal Year 2016 budget, with the City's proportional share not to exceed \$567,744.

NOTICES

15. The City Clerk has on Thursday, July 9, 2015, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

16. Subject: Proposed Milpas Business Improvement District (290.00)

Recommendation: That Council receive a status report from the Greater Eastside Merchants Association on proposed plans to create a Milpas Business Improvement District.

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.

PUBLIC WORKS DEPARTMENT

18. Subject: Stage Three Drought Update (540.05)

Recommendation: That Council receive an update on the status of the current drought, drought-response capital projects, and continuing conservation efforts.

19. Subject: Policy Direction Regarding Acquisition Of Additional State Water Project Water Rights (540.10)

Recommendation: That Council receive a presentation regarding the potential to reacquire Santa Barbara County Suspended Table A Water and direct staff on whether to pursue the opportunity any further.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

20. Subject: Assistant City Administrator Appointment (170.01)

Recommendation: That Council hold a closed session, per Government Code Section 54957(b)(1), to discuss the appointment for the position of Assistant City Administrator.

ADJOURNMENT

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE MEETING

MEETING AGENDA

DATE: July 14, 2015
TIME: 12:30 p.m.
PLACE: Council Chambers

Randy Rowse, Chair
Frank Hotchkiss
Cathy Murillo

Office of the City
Administrator

Office of the City
Attorney

Kate Whan
Administrative Analyst

Ariel Pierre Calonne
City Attorney

ITEMS FOR CONSIDERATION

1. Subject: Proposal To Designate Fishing Areas On Stearns Wharf

Recommendation: That the Ordinance Committee review designated fishing areas on Stearns Wharf and forward to Council for introduction an Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Adding Section 17.13.060.

2. Subject: Solar Energy System Permits (State Assembly Bill 2188)

Recommendation: That the Ordinance Committee review the proposed Solar Energy Systems Ordinance required by State Assembly Bill 2188 and forward the ordinance to Council for introduction.



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Ordinance Committee

FROM: Operations Division, Waterfront Department

SUBJECT: Proposal To Designate Fishing Areas On Stearns Wharf

RECOMMENDATION:

That the Ordinance Committee review designated fishing areas on Stearns Wharf and forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code by Adding Section 17.13.060.

BACKGROUND:

In 1973, Stearns Wharf sustained one of the many fires that have marked its history, forcing closure of the Wharf until 1981. When it reopened, informally designated fishing areas were established on the Wharf's seaward finger ("Plank Park") and its shoreward finger, with fish-cleaning stations installed at each. By the mid-1980s, however, Waterfront staff noticed that fishing was taking place well outside those areas, including behind buildings, at the Passenger Loading Ramp, at the Harbor Restaurant's valet parking lot, at the Wye between the main roadway and the shoreward finger and along the pedestrian right-of-way adjacent to the main roadway.

As fishing proliferated beyond the informally designated areas, staff initiated a signage program, painting "no fishing" notices in areas throughout the Wharf (mostly on railings and on old piles used for sitting benches), to help ensure the safety of fishermen, pedestrians and vehicles.

DISCUSSION:

While the "no fishing" signs have been generally effective in educating the public about where and where not to fish from Stearns Wharf, Waterfront staff occasionally has difficulty redirecting fishermen who choose to disregard the signs because the Santa Barbara Municipal Code is silent on this issue. This matter has come into sharp focus in recent months, as a few fishermen have refused to vacate (informally designated) "no fishing" areas, stating there is no law designating such no-fishing areas. Harbor Patrol, in turn, has no authority to issue citations in these areas.

Staff has created a map that designates proposed “Designated Fishing Areas” on Stearns Wharf. The map reflects traditional fishing areas on the seaward and shoreward fingers, and would serve as a reference exhibit for a proposed Ordinance that codifies currently informal designations.

The proposed Ordinance includes discretionary language allowing the Waterfront Director to alter the fishing areas as needed. This would likely only be used during special events, but staff believes this authority is essential to providing flexibility, should it be needed. In case of such special events, staff will post notices of such events at visible locations on Stearns Wharf.

Staff has contacted Frank Drew, operator of Stearns Wharf Bait and Tackle, who supports the recommended Ordinance. Harbor Commission voted unanimously on April 16, 2015 to forward this matter to Council for consideration and approval.

CONCLUSION

With one million pedestrians and 250,000 vehicles visiting Stearns Wharf every year, staff believes it important to help enhance the safety of fishermen and the public by designating permitted “Designated Fishing Areas” on Stearns Wharf, areas traditionally used for this purpose. The proposed Ordinance will also help Harbor Patrol enforce these designations.

ATTACHMENT: Draft Ordinance

PREPARED BY: Mick Kronman, Harbor Operations Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA AMENDING THE MUNICIPAL CODE BY
ADDING SECTION 17.13.060 PERTAINING TO
DESIGNATED FISHING AREAS ON STEARNS WHARF IN
THE SANTA BARBARA WATERFRONT

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

SECTION 1. Chapter 17.13 of Title 17 of the Santa Barbara Municipal Code is
amended by adding Section 17.13.060 which reads as follows:

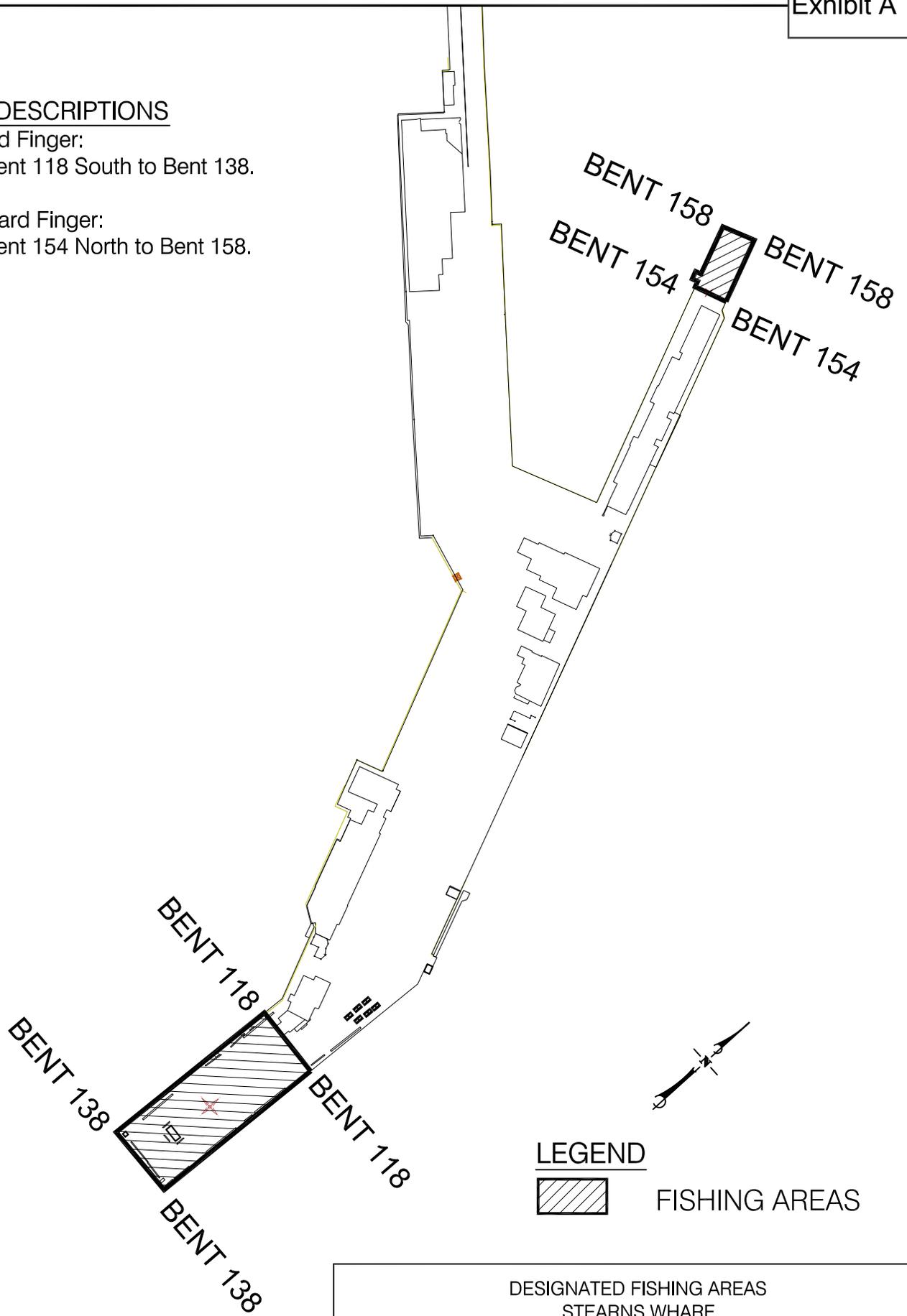
17.13.060. Stearns Wharf Designated Fishing Areas.

It shall be unlawful to fish from Stearns Wharf except in the areas depicted as
“Designated Fishing Areas” on the map attached as Exhibit “A” to Chapter 17.13. The
Waterfront Director, or his or her designee, may make temporary changes to the
boundaries of the “Designated Fishing Areas” as shown on Exhibit “A” to accommodate
special events. Exhibit “A” attached to Chapter 17.13 shall not be revised to reflect
such temporary changes but notice of such temporary changes will be posted at visible
locations on Stearns Wharf.

AREA DESCRIPTIONS

Seaward Finger:
From Bent 118 South to Bent 138.

Shoreward Finger:
From Bent 154 North to Bent 158.



LEGEND

 FISHING AREAS

DESIGNATED FISHING AREAS
STEARNS WHARF

REVISIONS	DATE:	3/11/2015	SCALE:	NONE	APPROVED BY:	M. KRONMAN	DRAWN BY:	T. LAWLER
	ADDRESS:	City of Santa Barbara Waterfront Department						SHEET NO.
							DRAWING NAME:	2000-107



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE REPORT

AGENDA DATE: July 14, 2015

TO: Ordinance Committee

FROM: Community Development Department

SUBJECT: Solar Energy System Permits (State Assembly Bill 2188)

RECOMMENDATION:

That Ordinance Committee review the proposed Solar Energy Systems Ordinance required by State Assembly Bill 2188 and forward the ordinance to Council for introduction.

DISCUSSION:

Since being signed into law on September 21, 2014, State Government Code section 65850.5 requires that cities and counties prepare and adopt, by ordinance, expedited and minimal cost, solar energy system permit processes that encourage the installation of solar energy systems. Solar energy systems capture solar energy and convert that energy into either electrical current to serve building outlets and equipment or convert the solar energy into heat in place of a water heater or boiler. Thus, solar energy systems reduce the demand for electricity from traditional power plants and the consumption of fossil fuels.

This State Government Code section prescribes the following objectives for the ordinance:

- Expedite the permit issuance of smaller solar energy systems equal to, or less than, 10 KW electrical power or 30 KW thermal (water heating);
- Limit the review of solar energy systems to only the review of health (including Zoning setback and building height) and life-safety requirements by the City. Discretionary design board reviews and approvals are specifically prohibited;
- Require local Fire Department consultation during ordinance development;
- Establish a solar energy system submittal checklist to expedite City review;
- Place the permit application and regulatory checklists on the City's web site;

- Make solar energy system permits available electronically;
- Require all solar energy system components to be properly certified and listed;
- Allow appeal of a solar energy system permit denial to the Planning Commission;
- Place the ordinance into effect no later than September 30, 2015.

As proposed, the attached ordinance complies with all of the above objectives. It is important to note that per State Assembly Bill 2188, the Historic Landmarks Commission, Architectural Board of Review, or any other discretionary review cannot be required for solar energy system permit approval. Instead, the scope of review mandated by the State includes only zoning setbacks, maximum building height, and life-safety code compliance. In order to encourage sensitive design, Planning staff will make available a handout recommending specific architectural best practices.

Prior to developing the attached ordinance, staff met with solar energy system stakeholders to consider their solar energy system permit process recommendations. These stakeholders are being updated on ordinance development and are encouraged to provide input during all public hearings.

SUSTAINABILITY IMPACT:

The State anticipates that implementing the proposed ordinance will make small, residential solar energy system permits more affordable and easier to obtain. Additionally, the State believes that implementation of the proposed ordinance will increase the number of solar energy system permits issued each year, thus reducing the overall electrical grid demand for energy.

ATTACHMENT(S): 1) Proposed Ordinance
2) Implementation Milestones and Timeline
3) State Assembly Bill 2188

PREPARED BY: Andrew Stuffer, Chief Building Official

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA BARBARA
ADDING CHAPTER 22.91 TO THE MUNICIPAL CODE AND
AMENDING SECTIONS 28.04.050 AND 28.93.030
RELATING TO PERMITTING PROCEDURES AND
CONSTRUCTION REQUIREMENTS FOR SOLAR ENERGY
SYSTEMS.

WHEREAS, Subdivision (a) of Section 65850.5 of the California Government Code provides that it is the policy of the State to promote and encourage the installation and use of solar energy systems by limiting obstacles to their use and by minimizing the permitting costs of such systems, including design review for aesthetic purposes; and

WHEREAS, Subdivision (b) of Section 65850.5 of the California Government Code provides that the requirements of local law shall be limited to those standards and regulations necessary to ensure that a solar energy system will not have a specific, adverse impact on the public health or safety; and

WHEREAS, Subdivision (g)(1) of Section 65850.5 of the California Government Code provides that, on or before September 30, 2015, every city, county, or city and county shall adopt an ordinance, consistent with the goals and intent of subdivision (a) of Section 65850.5, that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems; and

WHEREAS, The City's General Plan calls for a reduction in green-house gas emissions and promotes the use of local renewable energy sources, and solar photovoltaic electrical energy systems are a common means of reducing greenhouse gas emissions by reducing the demand for fossil fuel generated electricity; and

WHEREAS, The cost of pre-installing future solar photovoltaic electrical conduit in new a home during construction is a small fraction of the cost to retrofit the same conduit into an existing home; and

WHEREAS, The California Health and Safety Code, Section 17958.7(a) allows the California Building Standards to be amended by local authorities based on local climatic, geologic, or topographical conditions, and, because of the local topography and geology, the City of Santa Barbara's access to electrical utility infrastructure is limited to a single, remote system of electrical transmission infrastructure, and because the City of Santa Barbara experiences periods of high heat that maximize the demand for electrical current over this transmission system.

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

SECTION 1. Chapter 22.91 is added to Title 22 of the Santa Barbara Municipal Code to read as follows:

Chapter 22.91

Solar Energy System Review Process.

22.91.010 Definitions.

The following words and phrases as used in this Chapter 22.91 are defined as follows:

A. "Electronic submittal" means the utilization of one or more of the following:

1. e-mail, or
2. the internet, or
3. facsimile.

B. "Feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by the City on another similarly situated application in a prior successful application for a permit. The City shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (b) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

C. "Small residential rooftop solar energy system" is a solar energy system that satisfies all of the following elements:

1. A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal;
2. A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the City and paragraph (iii) of subdivision (c) of Section 714 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time;
3. A solar energy system that is installed on a single residential unit or two-residential unit (as defined in Chapter 28.04 of this Code); and
4. A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

D. "Solar energy system" has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code, as such section or subdivision may be amended, renumbered, or redesignated from time to time.

E. "Specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health and safety standards, policies, or conditions as they existed on the date the application was deemed complete.

22.91.020 Administrative Approval Process.

The City shall administratively approve applications to install solar energy systems pursuant to the provisions of this Chapter 22.91. If an application for a solar energy system satisfies all of the requirements of the Small Residential Rooftop Solar Energy System checklist, the application shall receive expedited review pursuant to Section 22.91.030. Otherwise, all applications to install solar energy systems shall be processed pursuant to this Section 22.91.020.

A. Application. Prior to submitting a solar energy system permit application to the City, the applicant shall:

1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and

2. Verify that the existing electrical system's current or proposed configuration will accommodate all new photovoltaic electrical loads in accordance with the edition of the California Electrical Code in effect at the time of solar energy system permit application; and

3. Verify that the proposal is exempt from, or otherwise complies with, the coastal development permit requirements pursuant to Public Resources Code 30610 and Sections 13250 to 13253 of Title 14 of the California Administrative Code.

B. Extent of Review. The review of all applications to install a solar energy system shall be limited to the Building Official's review of whether the proposed solar energy system meets all health and safety requirements of local, state, and federal law and the City Planner's review of applicable building height and setbacks pursuant to Title 28 of the Santa Barbara Municipal Code. If the Building Official makes a finding, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety, the City shall require the applicant to obtain a Performance Standard Permit.

C. Standards for Solar Energy Systems. All solar energy systems proposed for installation within the City of Santa Barbara shall meet the following standards, as applicable:

1. All solar energy systems shall meet applicable health and safety standards and requirements imposed by state and local permitting authorities, including building height, zoning setback, and permitted construction standards.

2. Solar energy systems for heating water in single family residences and solar collectors used for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined in the California Plumbing and Mechanical Codes.

3. A solar energy systems for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

4. Solar energy systems may be installed on a property with outstanding violations of the City's Municipal Code so long as the outstanding violations do not relate to the solar energy system or the building or structure on which the solar energy system is to be installed.

D. Performance Standard Permit. In the case where the Building Official makes a finding, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety, the solar energy system shall not be installed until a Performance Standard Permit has been issued for the solar energy system pursuant to Chapter 28.93 of this Code. The Performance Standard Permit shall require the installation or incorporation of methods or conditions necessary to minimize or avoid the specific, adverse impact.

E. Appeal. The Building Official's decision that a proposed solar energy system could have a specific, adverse impact upon the public health and safety is appealable in accordance with the following procedures:

1. Who May Appeal. The decision of the Building Official may be appealed to the Planning Commission by the applicant. No other persons can appeal.

2. Timing for Appeal. The applicant must file a written appeal with the Community Development Director no more than 10 calendar days following the Building Official's decision. The appeal shall include the grounds for appeal.

3. Grounds for Appeal. The decision of the Building Official may be appealed on the grounds that the Building Official's decision that a proposed solar energy system could have a specific, adverse impact upon the public health and safety is not supported by substantial evidence.

4. Scheduling an Appeal Hearing. The Community Development Department shall assign a date for an appeal hearing before the Planning Commission no earlier than 10 calendar days after the date on which the appeal is filed with the Community Development Director. The appeal hearing shall generally be held within 60 calendar days following the filing of the application for the hearing.

5. Power to Act on the Decision at Appeal Hearing. The Planning Commission may affirm, reverse, or modify the Building Official's decision that a proposed solar energy system could have a specific, adverse impact upon the public health and safety in accordance with the following:

a. A decision to affirm the decision of the Building Official shall require a finding based on substantial evidence in the record that the proposed solar energy system could have a specific, adverse impact upon the public health and safety.

b. If the Planning Commission determines that there is not substantial evidence that the solar energy system could have a specific adverse impact upon the public health and safety, then the decision of the Building Official shall be reversed and the project shall be approved.

c. If the Planning Commission determines that conditions of approval would mitigate the specific adverse impact upon the public health and safety, then the decision of the Building Official shall be reversed and the project shall be conditionally approved. Any conditions imposed shall mitigate at the lowest cost possible, which generally means the permit condition shall not cause the project to exceed 10 percent of the cost of the small rooftop solar energy system or decrease the efficiency of the small rooftop solar energy system by an amount exceeding 10 percent.

6. The decision of the City Planning Commission is final.

22.91.030 Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Energy Systems.

In compliance with Government Code Section 65850.5, the City has developed an expedited and streamlined permitting process for qualifying Small Residential Rooftop Solar Energy Systems. The submittal requirements and review procedures for applications of Small Residential Rooftop Solar Energy Systems are as follows:

A. Application Checklist. In order to be eligible for expedited review, prior to submitting a solar energy system permit application to the City, the applicant shall:

1. Verify to the applicant's reasonable satisfaction through the use of standard engineering evaluation techniques that the support structure for the solar energy system is stable and adequate to transfer all wind, seismic, and dead and live loads associated with the system to the building foundation; and

2. Verify that the existing electrical system's current or proposed configuration will accommodate all new photovoltaic electrical loads in accordance with the edition of the California Electrical Code in effect at the time of solar energy system permit application; and

3. Verify that the proposal is exempt from, or otherwise complies with, the coastal development permit requirements pursuant to Public Resources Code 30610 and Sections 13250 to 13253 of Title 14 of the California Administrative Code.

B. Application Submission. City accepts the submission of applications for Small Residential Rooftop Solar Energy Systems and the associated checklist and documentation in person at the Building Permit counter or by electronic submittal. The City shall accept signatures electronically for electronic submittals.

C. Application Review. The Building and Safety Division shall confirm whether the application and supporting documents are complete and meet the requirements of the City's Small Residential Rooftop Solar Energy System checklist. The Building and Safety Division shall review applications for Small Residential Rooftop Solar Energy Systems within 24 working hours (3 working days) of submission.

D. Complete Application. An application that satisfies the information requirements specified in the City's Small Residential Rooftop Solar Energy System checklist shall be deemed complete.

E. Incomplete Application. If the Building and Safety Division determines that an application for a Small Residential Rooftop Solar Energy System is incomplete, the Building and Safety Division shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance. Alternatively, if the Building and Safety Division determines that the proposed solar energy system, as proposed, will not qualify as a Small Residential Rooftop Solar Energy System, the Building and Safety Division may recommend that the applicant submit his or her application pursuant to Section 22.91.020.

F. Permit Approval. Upon confirmation by the Building and Safety Division that the application and supporting documents are complete and meet the requirements of the Small Residential Rooftop Solar Energy System checklist, the Building Official shall approve the application and issue all required permits or authorizations electronically.

G. Inspections. The installation of a Small Residential Rooftop Solar Energy System shall only require one building inspection which, if a fire inspection is required, shall be consolidated with the fire inspection. If the installation of the Small Residential Rooftop Solar Energy System fails the inspection, a subsequent inspection or inspections shall be required, at the applicants' expense, until the installation passes inspection or is cancelled and the solar energy system is removed to the satisfaction of the Building Official.

SECTION 2. Section 22.04.050 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is amended to read as follows:

22.04.050. Amendments to the California Electrical Code.

The 2013 California Electrical Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.050:

A. Article 89.108.8 California Electrical Code is deleted and readopted to read as follows:

89.108.8 Appeals Board. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 and Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020.

B. A new Article 690.4 (I) is added to the California Electrical Code to read as follows:

690.4 (I) Single Family Residences. New single family residences shall comply with the requirements of this Article.

(1) Conduit for Future Solar Photovoltaic System. Newly constructed single-family dwelling units shall include minimum 1-inch diameter, metallic electrical conduit installed per this Section to accommodate future installation of roof-mounted solar photovoltaic systems. The electrical junction box and the segment of conduit run in the attic, or where there is no attic, to the roof deck, shall be permanently and visibly marked as "For Future Solar Photovoltaic".

(2) Conduit and Junction Box Locations. One conduit run shall originate at a readily accessible attic or roof deck location with proximity to California Energy Code's "Solar Zone Area" and terminate at a minimum 4-inch-square approved electrical junction box located within 72 inches horizontally and 12 inches vertically of a main electrical panel. A second conduit run shall originate at the electrical junction box and terminate at the main electrical panel.

SECTION 3. Section 28.93.030 of Title 28 of the Santa Barbara Municipal Code is amended to read as follows:

28.93.030 Uses Permitted Upon Issuance of a Performance Standard Permit.

The following use(s) may be permitted subject to the approval of a Performance Standard Permit:

A. State-licensed Large Family Day Care Homes in the A, E, R-1, R-2, R-3, R-4 and PUD zones and in the HRC-2 zone where residential uses are permitted provided that the following performance standards are met:

1. There are no other State-licensed Large Family Day Care Homes within a 300 foot radius of the proposed Large Family Day Care Home measured from the nearest property lines of the affected Large Family Day Care Homes. A waiver from the 300-foot spacing requirement may be granted if it can be found that certain physical conditions exist and if the waiver would not result in significant effects on the public peace, health, safety and comfort of the affected neighborhood. Examples of physical conditions that may warrant granting of a waiver include intervening topography that creates a barrier or separation between the facilities such as hillsides or ravines, the presence of major nonresidential uses or structures between facilities or the presence of

a major roadway between the facilities.

2. The City finds that adequate off-street area or on-street area in front of the residence is available for passenger loading and unloading. The passenger loading and unloading area shall be of adequate size and configuration and shall allow unrestricted access to neighboring properties.

3. Outdoor play shall be limited to the hours between 8:00 a.m. and 6:00 p.m.

4. One additional parking space for employee parking shall be provided unless a finding is made that adequate on-street or off-street parking is available to support the proposed use.

B. Community care facilities, residential care facilities for the elderly, and hospices serving 7 to 12 individuals in the A, E, R-1, R-2, R-3, R-4, and PUD zones and in the HRC-2 zone where residential uses are permitted, provided that the following performance standards are met:

1. Adequate off-street parking is provided pursuant to Section 28.90.100 or as modified pursuant to Section 28.92.110.

2. The facility conforms to the extent feasible to the type, character and appearance of other residential units in the neighborhood in which it is located. This provision shall in no way restrict the installation of any special feature(s) necessary to serve disabled residents (e.g., ramps, lifts, handrails).

3. The intensity of use in terms of number of people, hours of major activities and other operational aspects of the proposed facility is compatible with any neighboring residential use.

C. Public works treatment and distribution facilities that are greater than 500 square feet and no more than 1,000 square feet in the R-3, R-4, and P-R zones subject to the requirements of Section 28.37.010.B., and less restrictive zones, provided that the following performance standards are met:

1. The setbacks of the proposed facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding residential properties is avoided.

2. The operation of the proposed facility is such that the character of the area is not significantly altered or disturbed.

3. The design and operation of non-emergency outdoor security lighting and equipment will not be a nuisance to the use of property in the area.

4. Construction (including preparation for construction work) is prohibited Monday through Friday before 8:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays, and holidays observed by the City of Santa Barbara.

5. If construction work is necessary before 8:00 a.m. or after 5:00 p.m., Monday through Friday, it must be approved by the Chief Building Official. If approved by the Chief Building Official, the applicant shall provide written notice to all property owners and residents within 300 feet of the project and the City Planning and Building Divisions at least 48 hours prior to commencement of any noise-generating construction activity.

6. The project will incorporate standard dust control measures to minimize air quality nuisances to surrounding properties.

D. Rehabilitation of existing water storage reservoirs or sludge basins in any zone, that are owned and operated by the City, provided that the following performance

standards are met:

1. That the design and operation of non-emergency outdoor lighting and equipment will not be a nuisance to the use of property in the area.

2. Construction (including preparation for construction work) is prohibited Monday through Friday before 8:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara.

3. If construction work is necessary before 8:00 a.m. or after 5:00 p.m., Monday through Friday, it must be approved by the Chief Building Official. If approved by the Chief Building Official, the applicant shall provide written notice to all property owners and residents within 300 feet of the project and the City Planning and Building Divisions at least 48 hours prior to commencement of any noise-generating construction activity.

4. The project will incorporate standard dust control measures to minimize air quality nuisances to surrounding properties.

E. Additional dwelling units. Notwithstanding any other provisions of this title, where a lot in an A-1, A-2, E-1, E-2, E-3, or R-1 Zone has an area of more than the required lot area for that zone and adequate provisions for ingress and egress, a Performance Standard Permit may be granted by the Staff Hearing Officer for the construction of additional one-family dwellings and allowable accessory buildings in these zones. However, the minimum site area per dwelling unit in these zones shall be the minimum lot area required for that zone, and the location of such additional dwellings shall comply with the provisions of all other applicable ordinances.

F. Solar Energy Systems. In the case where the Building Official makes a finding, based on substantial evidence, that a solar energy system could have a specific, adverse impact upon the public health and safety (as defined in Chapter 22.91 of this Code), the solar energy system shall not be issued until a Performance Standard Permit has been issued for the solar energy system.

1. Conditions of Approval . The Performance Standard Permit shall require the installation or incorporation of measures or conditions necessary to minimize or avoid the specific, adverse impact.

2. Grounds for Denial. The City shall not deny an application for a Performance Standard Permit to install a solar energy system unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily minimize or avoid the specific, adverse impact. If the applicant proposes any potentially feasible alternatives for preventing the specific adverse impact, the findings accompanying the denial of the Performance Standard Permit shall include the basis for the rejection for potential feasible alternatives of preventing the specific, adverse impact.

3. Appeal. The decision of the Staff Hearing Officer to deny an application for a Performance Standard Permit is appealable according to the following procedures:

a. Who May Appeal. The decision of the Staff Hearing Officer may be appealed to the Planning Commission by the applicant. No other persons can appeal.

b. Timing for Appeal. The applicant may appeal a decision of the Staff Hearing Officer by filing an appeal with the Community Development Director

no more than 10 calendar days following the decision. The application shall include the grounds for appeal.

c. Grounds for Appeal. The decision of the Staff Hearing Officer may be appealed on the grounds that the stated findings to deny the permit are not supported by substantial evidence.

d. Scheduling an Appeal Hearing. The Community Development Department shall assign a date for an appeal hearing before the Planning Commission no earlier than 10 calendar days after the date on which the appeal is filed with the Community Development Director. The appeal hearing shall generally be held within 60 calendar days following the filing of the application for the hearing.

e. Power to Act on the Decision at Appeal Hearing. The Planning Commission may affirm, reverse, or modify the Staff Hearing Officer's decision to deny a solar energy system in accordance with the following:

i. A decision to affirm the decision of the Staff Hearing Officer shall require a finding based on substantial evidence in the record that the proposed solar energy system would have a specific, adverse impact upon the public health and safety.

ii. If the Planning Commission determines that there is not substantial evidence that the solar energy system would have a specific adverse impact upon the public health and safety, then the decision of the Staff Hearing Officer shall be reversed and the project shall be approved.

iii. If the Planning Commission determines that conditions of approval would mitigate the specific adverse impact upon the public health and safety, then the decision of the Staff Hearing Officer shall be reversed and the project shall be conditionally approved. Any conditions imposed shall mitigate at the lowest cost possible, which generally means the permit condition shall not cause the project to exceed 10 percent of the cost of the small rooftop solar energy system or decrease the efficiency of the small rooftop solar energy system by an amount exceeding 10 percent.

f. The decision of the City Planning Commission is final.

SECTION 4. Severability. If any section, subsection, phrase, or clause of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this ordinance and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrases, or clauses be declared unconstitutional.

SECTION 5. Effective Date. This ordinance shall take effect thirty (30) days after passage thereof.

SECTION 6. Publication. This ordinance shall be published in accordance with the provisions of Government Code Section 36933.

Assembly Bill No. 2188

CHAPTER 521

An act to amend Section 714 of the Civil Code, and to amend Section 65850.5 of the Government Code, relating to solar energy.

[Approved by Governor September 21, 2014. Filed with Secretary of State September 21, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2188, Muratsuchi. Solar energy: permits.

(1) Existing law provides that it is the policy of the state to promote and encourage the use of solar energy systems, as defined, and to limit obstacles to their use. Existing law states that the implementation of consistent statewide standards to achieve timely and cost-effective installation of solar energy systems is not a municipal affair, but is instead a matter of statewide concern. Existing law requires a city or county to administratively approve applications to install solar energy systems through the issuance of a building permit or similar nondiscretionary permit. Existing law requires a solar energy system for heating water to be certified by the Solar Rating Certification Corporation or another nationally recognized certification agency.

This bill would specify that these provisions address a statewide concern. The bill would additionally require a city, county, or city and county to adopt, on or before September 30, 2015, in consultation with specified public entities an ordinance that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems, as specified. The bill would additionally require a city, county, or city and county to inspect a small residential rooftop solar energy system eligible for expedited review in a timely manner, as specified. The bill would prohibit a city, county, or city and county from conditioning the approval of any solar energy system permit on approval of that system by an association that manages a common interest development. The bill would require a solar energy system for heating water in single family residences and solar collectors for heating water in commercial or swimming pool applications to be certified by an accredited listing agency, as defined.

Because the bill would impose new duties upon local governments and local agencies, it would impose a state-mandated local program.

(2) Existing law prohibits any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of, or any interest in, real property, and any provision of a governing document from effectively prohibiting or restricting the installation or use of a solar energy system. Existing law exempts from that prohibition provisions that impose reasonable restrictions on a solar energy system that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance. Existing law defines the term "significantly," for these purposes, with regard to solar domestic water heating systems or solar swimming pool heating systems that comply with state and federal law, to mean an amount exceeding 20% of the cost of the system or decreasing the efficiency of the solar energy system by an amount exceeding 20%, and with regard to photovoltaic systems that comply with state and federal law, an amount not to exceed \$2,000 over the system cost or a decrease in system efficiency of

an amount exceeding 20%, as specified. Existing law requires a solar energy system for heating water subject to the provisions described above to be certified by the Solar Rating Certification Corporation or another nationally recognized certification agency.

This bill would instead define the term “significantly,” for these purposes, with regard to solar domestic water heating systems or solar swimming pool heating systems that comply with state and federal law, to mean an amount exceeding 10% of the cost of the system, not to exceed \$1,000, or decreasing the efficiency of the solar energy system by an amount exceeding 10%, and with regard to photovoltaic systems that comply with state and federal law, an amount not to exceed \$1,000 over the system cost or a decrease in system efficiency of an amount exceeding 10%, as specified. The bill would require a solar energy system for heating water in single family residences and solar collectors for heating water in commercial or swimming pool applications subject to the provisions described above to be certified by an accredited listing agency, as defined.

(3) Existing law requires an application for approval for the installation or use of a solar energy system to be processed and approved by the appropriate approving entity in the same manner as an application for approval of an architectural modification to the property and prohibits the approver from willfully avoiding or delaying approval. Existing law requires the approving entity to notify the applicant in writing within 60 days of receipt of the application if the application is denied, as specified.

The bill would instead require the approving entity to notify the applicant in writing within 45 days of receipt of the application if the application is denied, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

DIGEST KEY

Vote: MAJORITY Appropriation: NO Fiscal Committee: YES Local Program: YES

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

The Legislature finds and declares all of the following:

- (a) In recent years, the state has both encouraged the development of innovative distributed generation technology and prioritized the widespread adoption of solar power as a renewable energy resource through programs such as the California Solar Initiative.
- (b) Rooftop solar energy is a leading renewable energy technology that will help this state reach its energy and environmental goals.
- (c) To reach the state’s Million Solar Roofs goal, hundreds of thousands of additional rooftop solar energy systems will need to be deployed in the coming years.
- (d) Various studies, including one by the Lawrence Berkeley National Laboratory, show that, despite the 1978 California Solar Rights Act, declaring that the “implementation of consistent statewide standards to achieve the

timely and cost-effective installation of solar energy systems is not a municipal affair ... but is instead a matter of statewide concern,” the permitting process governing the installation of rooftop solar energy systems varies widely across jurisdictions and, contrary to the intent of the law, is both an “obstacle” to the state’s clean energy and greenhouse reduction goals and a “burdensome cost” to homeowners, businesses, schools, and public agencies.

(e) The United States Department of Energy, through its SunShot Initiative, has distributed millions of dollars in grants to local and state governments, including California jurisdictions, and nonprofit organizations to reduce the costs of distributed solar through streamlined and standardized permitting.

(f) A modernized and standardized permitting process for installations of small-scale solar distributed generation technology on residential rooftops will increase the deployment of solar distributed generation, help to expand access to lower income households, provide solar customers greater installation ease, improve the state’s ability to reach its clean energy goals, and generate much needed jobs in the state, all while maintaining safety standards.

SEC. 2.

Section 714 of the Civil Code is amended to read:

714.

(a) Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of, or any interest in, real property, and any provision of a governing document, as defined in Section 4150 or 6552, that effectively prohibits or restricts the installation or use of a solar energy system is void and unenforceable.

(b) This section does not apply to provisions that impose reasonable restrictions on solar energy systems. However, it is the policy of the state to promote and encourage the use of solar energy systems and to remove obstacles thereto. Accordingly, reasonable restrictions on a solar energy system are those restrictions that do not significantly increase the cost of the system or significantly decrease its efficiency or specified performance, or that allow for an alternative system of comparable cost, efficiency, and energy conservation benefits.

(c) (1) A solar energy system shall meet applicable health and safety standards and requirements imposed by state and local permitting authorities, consistent with Section 65850.5 of the Government Code.

(2) Solar energy systems used for heating water in single family residences and solar collectors used for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined in the Plumbing and Mechanical Codes.

(3) A solar energy system for producing electricity shall also meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

(d) For the purposes of this section:

(1) (A) For solar domestic water heating systems or solar swimming pool heating systems that comply with state and federal law, “significantly” means an amount exceeding 10 percent of the cost of the system, but in no case more than one thousand dollars (\$1,000), or decreasing the efficiency of the solar energy system by an amount exceeding 10 percent, as originally specified and proposed.

(B) For photovoltaic systems that comply with state and federal law, “significantly” means an amount not to exceed one thousand dollars (\$1,000) over the system cost as originally specified and proposed, or a decrease in system efficiency of an amount exceeding 10 percent as originally specified and proposed.

(2) “Solar energy system” has the same meaning as defined in paragraphs (1) and (2) of subdivision (a) of Section 801.5.

(e) (1) Whenever approval is required for the installation or use of a solar energy system, the application for approval shall be processed and approved by the appropriate approving entity in the same manner as an application for approval of an architectural modification to the property, and shall not be willfully avoided or delayed.

(2) For an approving entity that is an association, as defined in Section 4080 or 6528, and that is not a public entity, both of the following shall apply:

(A) The approval or denial of an application shall be in writing.

(B) If an application is not denied in writing within 45 days from the date of receipt of the application, the application shall be deemed approved, unless that delay is the result of a reasonable request for additional information.

(f) Any entity, other than a public entity, that willfully violates this section shall be liable to the applicant or other party for actual damages occasioned thereby, and shall pay a civil penalty to the applicant or other party in an amount not to exceed one thousand dollars (\$1,000).

(g) In any action to enforce compliance with this section, the prevailing party shall be awarded reasonable attorney’s fees.

(h) (1) A public entity that fails to comply with this section may not receive funds from a state-sponsored grant or loan program for solar energy. A public entity shall certify its compliance with the requirements of this section when applying for funds from a state-sponsored grant or loan program.

(2) A local public entity may not exempt residents in its jurisdiction from the requirements of this section.

SEC. 3.

Section 65850.5 of the Government Code is amended to read:

65850.5.

(a) The implementation of consistent statewide standards to achieve the timely and cost-effective installation of solar energy systems is not a municipal affair, as that term is used in Section 5 of Article XI of the California Constitution, but is instead a matter of statewide concern. It is the intent of the Legislature that local agencies not adopt ordinances that create unreasonable barriers to the installation of solar energy systems, including, but not limited to, design review for aesthetic purposes, and not unreasonably restrict the ability of homeowners and agricultural and business concerns to install solar energy systems. It is the policy of the state to promote and encourage the use of solar energy systems and to limit obstacles to their use. It is the intent of the Legislature that local agencies comply not only with the language of this section, but also the legislative intent to encourage the installation of solar energy systems by removing obstacles to, and minimizing costs of, permitting for such systems.

(b) A city or county shall administratively approve applications to install solar energy systems through the issuance of a building permit or similar nondiscretionary permit. Review of the application to install a solar energy system shall be limited to the building official's review of whether it meets all health and safety requirements of local, state, and federal law. The requirements of local law shall be limited to those standards and regulations necessary to ensure that the solar energy system will not have a specific, adverse impact upon the public health or safety. However, if the building official of the city or county makes a finding, based on substantial evidence, that the solar energy system could have a specific, adverse impact upon the public health and safety, the city or county may require the applicant to apply for a use permit.

(c) A city, county, or city and county may not deny an application for a use permit to install a solar energy system unless it makes written findings based upon substantial evidence in the record that the proposed installation would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact. The findings shall include the basis for the rejection of potential feasible alternatives of preventing the adverse impact.

(d) The decision of the building official pursuant to subdivisions (b) and (c) may be appealed to the planning commission of the city, county, or city and county.

(e) Any conditions imposed on an application to install a solar energy system shall be designed to mitigate the specific, adverse impact upon the public health and safety at the lowest cost possible.

(f) (1) A solar energy system shall meet applicable health and safety standards and requirements imposed by state and local permitting authorities.

(2) Solar energy systems for heating water in single family residences and solar collectors used for heating water in commercial or swimming pool applications shall be certified by an accredited listing agency as defined in the California Plumbing and Mechanical Codes.

(3) A solar energy system for producing electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers, and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.

(g) (1) On or before September 30, 2015, every city, county, or city and county, in consultation with the local fire department or district and the utility director, if the city, county, or city and county operates a utility, shall adopt an ordinance, consistent with the goals and intent of subdivision (a), that creates an expedited, streamlined permitting process for small residential rooftop solar energy systems. In developing an expedited permitting process, the city, county, or city and county shall adopt a checklist of all requirements with which small rooftop solar energy systems shall comply to be eligible for expedited review. An application that satisfies the information requirements in the checklist, as determined by the city, county, and city and county, shall be deemed complete. Upon confirmation by the city, county, or city and county of the application and supporting documents being complete and meeting the requirements of the checklist, and consistent with the ordinance, a city, county, or city and county shall, consistent with subdivision (b), approve the application and issue all required permits or authorizations. Upon receipt of an incomplete application, a city, county, or city and county shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

(2) The checklist and required permitting documentation shall be published on a publically accessible Internet Web site, if the city, county, or city and county has an Internet Web site, and the city, county, or city and county

shall allow for electronic submittal of a permit application and associated documentation, and shall authorize the electronic signature on all forms, applications, and other documentation in lieu of a wet signature by an applicant. In developing the ordinance, the city, county, or city and county shall substantially conform its expedited, streamlined permitting process with the recommendations for expedited permitting, including the checklists and standard plans contained in the most current version of the California Solar Permitting Guidebook and adopted by the Governor's Office of Planning and Research. A city, county, or city and county may adopt an ordinance that modifies the checklists and standards found in the guidebook due to unique climactic, geological, seismological, or topographical conditions. If a city, county, or city and county determines that it is unable to authorize the acceptance of an electronic signature on all forms, applications, and other documents in lieu of a wet signature by an applicant, the city, county, or city and county shall state, in the ordinance required under this subdivision, the reasons for its inability to accept electronic signatures and acceptance of an electronic signature shall not be required.

(h) For a small residential rooftop solar energy system eligible for expedited review, only one inspection shall be required, which shall be done in a timely manner and may include a consolidated inspection, except that a separate fire safety inspection may be performed in a city, county, or city and county that does not have an agreement with a local fire authority to conduct a fire safety inspection on behalf of the fire authority. If a small residential rooftop solar energy system fails inspection, a subsequent inspection is authorized, however the subsequent inspection need not conform to the requirements of this subdivision.

(i) A city, county, or city and county shall not condition approval for any solar energy system permit on the approval of a solar energy system by an association, as that term is defined in Section 4080 of the Civil Code.

(j) The following definitions apply to this section:

(1) "A feasible method to satisfactorily mitigate or avoid the specific, adverse impact" includes, but is not limited to, any cost-effective method, condition, or mitigation imposed by a city, county, or city and county on another similarly situated application in a prior successful application for a permit. A city, county, or city and county shall use its best efforts to ensure that the selected method, condition, or mitigation meets the conditions of subparagraphs (A) and (B) of paragraph (1) of subdivision (d) of Section 714 of the Civil Code.

(2) "Electronic submittal" means the utilization of one or more of the following:

(A) Email.

(B) The Internet.

(C) Facsimile.

(3) "Small residential rooftop solar energy system" means all of the following:

(A) A solar energy system that is no larger than 10 kilowatts alternating current nameplate rating or 30 kilowatts thermal.

(B) A solar energy system that conforms to all applicable state fire, structural, electrical, and other building codes as adopted or amended by the city, county, or city and county and paragraph (3) of subdivision (c) of Section 714 of the Civil Code.

(C) A solar energy system that is installed on a single or duplex family dwelling.

(D) A solar panel or module array that does not exceed the maximum legal building height as defined by the authority having jurisdiction.

(4) “Solar energy system” has the same meaning set forth in paragraphs (1) and (2) of subdivision (a) of Section 801.5 of the Civil Code.

(5) “Specific, adverse impact” means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, and written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

SEC. 4.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Employee Recognition – Service Award Pins

RECOMMENDATION:

That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through July 31, 2015.

DISCUSSION:

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

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

ATTACHMENT: July 2015 Service Awards

PREPARED BY: Myndi Hegeman, Administrative Specialist

SUBMITTED BY: Kristine Schmidt, Administrative Services Director

APPROVED BY: City Administrator's Office

JULY 2015 SERVICE AWARDS

July 14, 2015 Council Meeting

5 YEARS

Jared Layman, Waterfront Maintenance Worker II, Waterfront Department

10 YEARS

Raymond Lopez, Water Distribution Lead Operator, Public Works Department

15 YEARS

Rashun Drayton, Police Officer, Police Department

Lisa Hammerly, Parking Enforcement Officer, Police Department

John Rousseau, Traffic Technician II, Public Works Department

Stephen Sisler, Traffic Technician II, Public Works Department

Alicia Quinonez-Fisher, Accounting Assistant, Public Works Department

20 YEARS

Marck Aguilar, Project Planner, Community Development Department

Dan Tagles, Police Officer, Police Department

Mark Hunt, Police Officer, Police Department

Aaron Baker, Police Sergeant, Police Department

25 YEARS

Mark Johnson, Meter Reader / Water Distribution Operator-in-Training,
Public Works Department

Barbara Reed, Library Assistant II, Library Department



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

ADJOURNED REGULAR MEETING June 22, 2015 Franceschi House, 1510 Mission Ridge Road

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 1:30 p.m.

ROLL CALL

Councilmembers present: Frank Hotchkiss, Cathy Murillo, Randy Rowse, Mayor Schneider.

Councilmembers absent: Mayor Pro Tempore Gregg Hart, Councilmember Dale Francisco, Councilmember Bendy White.

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

PUBLIC COMMENT

No one wished to speak.

NOTICES

The City Clerk has on Thursday, June 18, 2015, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

SITE VISIT

Subject: Franceschi House, 1510 Mission Ridge Road

Recommendation: That Council make a site visit to the property located at 1510 Mission Ridge Road, which is the subject of an item set for June 23, 2015, at 2:00 p.m.

Discussion:

Staff gave an overview of the history of the building. Councilmembers were then led on a tour of the subject property which included a tour inside the building.

ADJOURNMENT

The meeting was adjourned at 2:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

DEBORAH L. APPLGATE
DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 23, 2015 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco (2:08), Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

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

PUBLIC COMMENT

Speakers: Melody Baker; Alejandro Vega; Phil Walker; Jordan Fabula, Neighborhood Legislature; Tom Widroe, City Watch; Andrea Roselinsky; Dr. Robert Johns; Lee Moldaver; Geof Bard.

CONSENT CALENDAR (Item Nos. 1 – 9)

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

Motion:

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

Vote:

Unanimous roll call vote.

CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of June 2 and June 9, 2015.

Action: Approved the recommendation.

2. Subject: Fiscal Year 2015 Interim Financial Statements For The Ten Months Ended April 30, 2015 (250.02)

Recommendation: That Council accept the Fiscal Year 2015 Interim Financial Statements for the Ten Months Ended April 30, 2015.

Action: Approved the recommendation (June 23, 2015, report from the Acting Assistant City Administrator/Finance Director).

3. Subject: Introduction Of Ordinance Approving Supervisors Memorandum Of Understanding And Salary Plans For Unrepresented Management (Safety And Non-Safety) And City Administrator (440.02)

Recommendation: That Council:

- A. Ratify the labor agreement with the Supervisory Employees bargaining unit through introduction and subsequent adoption of, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending The 2012-2015 Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Supervisory Employees Bargaining Unit, adopted by Ordinance No. 5587 and previously amended by Ordinance No. 5623, and extending the term through June 30, 2016;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth and Approving a Salary Plan for Unrepresented Managers and Professional Attorneys for Fiscal Year 2016 and Fiscal Year 2017;
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Setting Forth and Approving a Salary Plan for the City Administrator for Fiscal Year 2016 and Fiscal Year 2017; and
- D. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara For Paying and Reporting the Value of Employer Paid Member Contributions for Sworn Harbor Patrol Employees in the Supervisory Bargaining Unit effective June 27, 2015.

Action: Approved the recommendations; Resolution No. 15-049 (June 23, 2015, report from the Administrative Services Director; proposed ordinances).

4. Subject: Santa Barbara Beautiful And Chumash Foundation Grants For The Dolphin Fountain Landscaping Project (570.03)

Recommendation: That Council:

- A. Authorize the receipt of grant funds totaling \$5,000 from Santa Barbara Beautiful;
- B. Authorize the receipt of grant funds totaling \$5,000 from the Chumash Foundation; and
- C. Increase appropriations and estimated revenues for Fiscal Year 2016 by \$10,000 in the Waterfront Fund for the Dolphin Fountain Landscaping Project.

Action: Approved the recommendations (June 23, 2015, report from the Waterfront Director).

5. Subject: Professional Services Agreement With CJM::LA For The Cabrillo Ball Park Renovation Project (570.05)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a professional services agreement with CJM::LA, Inc. in the amount of \$38,000 to conduct a feasibility analysis, and prepare a preliminary landscape and civil engineering design for Cabrillo Ball Park Renovation Project; and
- B. Authorize the Parks and Recreation Director to approve additional expenditures up to \$3,800 to cover any cost increases that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement No. 25,226 (June 23, 2015, report from the Parks and Recreation Director).

6. Subject: Contract For Final Design Of The Las Positas Creek Restoration Project (570.05)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a Professional Services Agreement with Questa Engineering Corporation, in the amount of \$140,000 to prepare final design plans and construction specifications for the Las Positas Creek Restoration Project; and
- B. Authorize the Parks and Recreation Director to approve expenditures of up to \$14,000 for extra services from Questa Engineering Corporation that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Agreement No. 25,227 (June 23, 2015, report from the Parks and Recreation Director).

7. Subject: Youth Watershed Education Program Contract With Explore Ecology (540.01)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a 12-month professional services contract with Explore Ecology in the amount of \$59,719.60 for the provision of Creeks Program youth and community watershed education programs in Fiscal Year 2016; and
- B. Authorize the Parks and Recreation Director to execute annual professional services contracts, in a form acceptable to the City Attorney, with Explore Ecology for Fiscal Years 2017 and 2018, in an amount not to exceed \$65,000 per year.

Action: Approved the recommendations; Agreement No. 25,228 (June 23, 2015, report from the Parks and Recreation Director).

8. Subject: Buellton Library Property Lease (570.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Library Director to Execute a Lease Agreement between the City of Santa Barbara and the City of Buellton for the Buellton Library property.

Action: Approved the recommendation (June 23, 2015, report from the Library Director, proposed ordinance).

NOTICES

- 9. The City Clerk has on Thursday, June 18, 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 concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to consider: 1) increasing the claim settlement authority delegate to the City Administrator; 2) proposed amendment to Purchasing Code; 3) a loan to the Housing Authority of the City of Santa Barbara for a new affordable housing project located at 3869 State Street (Grace Village Apartments); 4) a benefit increase for employees enrolled in the 1927 Police and Fire Employee Retirement Plan. The Committee approved to forward recommendations to the full Council for its consideration in the upcoming months.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

10. Subject: Presentation On The 90th Anniversary Of The 1925 Earthquake From The Santa Barbara Historical Museum (180.01)

Recommendation: That Council receive a presentation from the Santa Barbara Historical Museum on their current exhibit about the 1925 Santa Barbara earthquake.

Documents:

- June 23, 2015, report from the City Administrator.
- Power-Point presentation prepared and presented by Staff.

Speakers:

- Members of the Public: Phil Walker.

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

FINANCE DEPARTMENT

11. Subject: Adoption Of The Two-Year Financial Plan For Fiscal Years 2016 And 2017 And The Operating And Capital Budget For Fiscal Year 2016 (230.05)

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

- A. A Resolution of the Council of the City of Santa Barbara Adopting the Two-Year Financial Plan for Fiscal Years 2016 and 2017;
 - B. A Resolution of the Council of the City of Santa Barbara Adopting the Budget for the Fiscal Year 2016 by Appropriating Moneys for the Use and Support of Said City from the Funds and to the Purposes Herein Specified;
 - C. A Resolution of the Council of the City of Santa Barbara Establishing the City's Appropriation Limitation for Fiscal Year 2016;
 - D. A Resolution of the Council of the City of Santa Barbara Establishing Certain City Fees and Rescinding Resolution Nos. 14-045 and 14-058;
 - E. A Resolution of the Council of the City of Santa Barbara Establishing Waterfront Harbor Slip, Mooring and User Fees and Rescinding Resolution Nos. 14-048 and 15-001;
 - F. A Resolution of the Council of the City of Santa Barbara Authorizing Classified and Unclassified Positions in the City's Service Effective July 1, 2015, and Providing a Schedule of Classifications and Salaries for the Same in Accordance with the Operating Budget for the 2016 Fiscal Year; and
- (Cont'd)

11. (Cont'd)

- G. A Resolution of the Council of the City of Santa Barbara Authorizing the Continuation of Capital and Special Project Appropriations to Fiscal Year 2016.

Documents:

- June 23, 2015, report from the Finance Director/Acting Assistant City Administrator.
- Proposed Resolutions.
- Power-Point presentation prepared and presented by Staff.

Speakers:

- Staff: Finance Director/Acting Assistant City Administrator Robert Samario.

Motion:

Councilmembers Hart/Francisco to approve the recommendations C, F, and G; Resolution Nos. 15-052, 15-056, and 15-057.

Vote:

Unanimous roll call vote.

Motion:

Councilmembers Francisco/White to approve recommendations A and B; Resolution Nos.: 15-050 and 15-051.

Vote:

Majority roll call vote. (Noes: Councilmember Hart).

Councilmember Rowse stated that he would abstain from voting on Recommendation D due to a conflict of interest relating to his ownership of a business located within the Parking and Business Improvement Area (PBIA) Assessment District.

Motion:

Councilmembers Francisco/Hart to approve recommendation D.

Vote:

Majority roll call vote (Abstention: Councilmember Rowse). Resolution No. 15-053.

Councilmembers Rowse and White stated that they would abstain from voting on Recommendation E due to a conflict of interests relating to their rental of slips in the harbor.

11. (Cont'd)

Motion:

Councilmembers Francisco/Hotchkiss to approve recommendation E; Resolution No. 15-055.

Vote:

Majority roll call vote (Abstention: Councilmembers White and Rowse). Resolution No. 15-055.

PARKS AND RECREATION DEPARTMENT

12. Subject: Discontinuation Of Efforts To Restore Franceschi House And Recommendation To Demolish (570.05)

Recommendation: That Council:

- A. Receive a report on past efforts to restore the Franceschi House;
- B. Conclude the 2002 Grant Agreement #20,312 between the City and the Pearl Chase Society to rehabilitate the Franceschi House, and accept \$138,593.02 from the Parks and Recreation Community (PARC) Foundation returning City granted funds for that project;
- C. Increase estimated revenues and appropriations for the Franceschi House Rehabilitation project in the Parks and Recreation General Fund capital budget by \$138,593.02; and
- D. Provide staff direction to proceed with plans to demolish the Franceschi House and develop an alternate project on site to recognize the contributions of Dr. Franceschi and others associated with the park.

Documents:

- June 23, 2015, report from the Parks and Recreation Director.
- Proposed Resolutions.
- Power-Point presentation prepared and presented by Staff.
- June 22, 2015, letter from The Fenzi Family.
- June 22, 2015, email from Kellam de Forest.
- June 23, 2015, email from Mary Louise Days.

Speakers:

- Staff: Parks and Recreation Director Nancy Rapp, Jill Zachery, Fire Prevention Supervisor Jim Austin; Urban Historian Nicole Hernandez.
- Pearl Chase Society: Barbara Lowenthaw, President.
- The Riviera Association: Bonnie Donovan.
- Parks & Recreation Commission: Beebe Longstreet.
- Members of the Public: Denise Laborde; Nathaniel Ward; William Wood; Vera Fenzi; Sheila Lodge; Susan Chamberlin; Kellam de Forest; Brigitte Forssell; Rick Closson; Tom Widroe, City Watch.

12. (Cont'd)

Motion:

Councilmembers Hart/Rowse to approve staff recommendations A – C and to return to Council in six months with more information on costs for demolition and preservation.

Vote:

Majority voice vote. (Noes: Councilmember Hotchkiss)

MAYOR AND COUNCIL REPORTS

13. Subject: Appointments To City Advisory Groups (140.05)

Recommendation: That Council make appointments to the City's advisory groups.

Documents:

June 23, 2015, report from the Administrative Services Director.

Speakers:

Santa Barbara Youth Council: Pablo Saleta.

Access Advisory Committee:

Motion:

Councilmembers Hotchkiss/Rowse to re-appoint Robert Burnham.

Vote:

Unanimous voice vote.

Appointment:

Robert Burnham was re-appointed as Disability Community representative for a term expiring December 31, 2017.

Community Development And Human Services Committee:

Motion:

Councilmembers Murillo/Rowse to appoint Amy Winslow, Zahra Nahar-Moore, Charlotte Gullap, and Alejandra Gutierrez.

Vote:

Unanimous voice vote.

13. (Cont'd)

Community Development And Human Services Committee: (Cont'd)

Appointment:

Amy Winslow was appointed as representative of the Disability Community for a term expiring December 31, 2016; Zahra Nahar-Moore as representative of the Downtown Neighborhood for a term expiring December 31, 2016; Charlette Gullap-Moore as representative of the African American Community for a term expiring December 31, 2017; and Alejandra Gutierrez as representative of Westside Neighborhood for a term expiring December 31, 2018.

Community Events & Festivals Committee:

Motion:

Councilmembers Hotchkiss/Francisco to appoint Barry Dorsey.

Vote:

Unanimous voice vote.

Appointment:

Barry Dorsey was appointed as Business/Lodging/Retail Industry representative for a term expiring December 31, 2015.

Downtown Parking Committee:

Nominees:

Ed France, James F. Scafide.

Vote:

- For France: Councilmembers Hart, Hotchkiss, Murillo, White, Mayor Schneider.
- For Scafide: Councilmembers Francisco, Rowse.

Appointment:

Ed France was appointed for a term expiring December 31, 2015.

Fire and Police Commission:

Nominees:

Jeannie Daniel, Robert Mercado, Kathleen (Missy) McSweeney-Zeitsoff.

Vote:

- For Jeannie Daniel: Councilmembers Francisco, Hart, Murillo, Rowse, White, Mayor Schneider.
- For Robert Mercado: Councilmembers Francisco, Hotchkiss, Rowse.
- For Kathleen McSweeney-Zeitsoff: Councilmembers Hart, Hotchkiss, Murillo, White, Mayor Schneider.

13. (Cont'd)

Fire and Police Commission: (Cont'd)

Appointment:

Jeannie Daniel was appointed for a term expiring December 31, 2018.
Kathleen McSweeney-Zeitsoff was appointed for a term expiring December 31, 2016.

Housing Authority Commission:

Motion:

Councilmembers Rowse/Murillo to re-appoint David Hughes.

Vote:

Unanimous voice vote.

Appointment:

David Hughes was re-appointed for a term expiring August 6, 2019.

Library Board:

Motion:

Councilmembers White/Murillo to appoint Will Tomlinson.

Vote:

Unanimous voice vote.

Appointment:

Will Tomlinson was appointed for a term expiring December 31, 2018.

Living Wage Advisory Committee:

Motion:

Councilmembers Rowse/White to appoint Gregory Freeland, Mario Quezada, and re-appoint Anna Kokotovic.

Vote:

Unanimous voice vote.

Appointment:

Gregory Freeland was appointed as Member of the Public at Large – Qualified Elector of the City representative for a term expiring June 30, 2018; Mario Quezada was appointed as Owner/Manager of a Service Contractor Subject to the City's Living Wage Ordinance representative for a term expiring June 30, 2019; Anna Kokotovic was re-appointed as Nominee of a Local Living Wage Advocacy Group representative for a term expiring June 30, 2017.

13. (Cont'd)

Measure P Committee:

Motion:

Councilmembers Murillo/Rowse to appoint Charlotte A. Gullap-Moore.

Vote:

Unanimous voice vote.

Appointment:

Charlotte A. Gullap-Moore was appointed as Medical Professional representative for a term expiring December 31, 2017.

Neighborhood Advisory Council:

Nominees:

Amy Dunphy, Kathleen McSweene-Zeitsoff.

Vote:

- For Amy Dunphy: Councilmembers Francisco, Hart, Hotchkiss, Murillo, White, Mayor Schneider.
- For Kathleen McSweene-Zeitsoff: Councilmember Rowse.

Appointment:

Amy Dunphy was appointed as Public at Large representative for a term expiring December 31, 2018.

Parks and Recreation Commission:

Motion:

Councilmembers Hart/Rowse to appoint Ed Cavazos.

Vote:

Unanimous voice vote.

Appointment:

Ed Cavazos was appointed for a term expiring December 31, 2017.

Rental Housing Mediation Task Force:

Motion:

Councilmembers Hotchkiss/Rowse to appoint Brian So.

Vote:

Unanimous voice vote.

13. (Cont'd)

Rental Housing Mediation Task Force: (Cont'd)

Appointment:

Brian So was appointed as Tenant (City) representative for a term expiring December 31, 2016.

Santa Barbara Youth Council:

Speakers:

- Staff: Recreation Supervisor Susan Young, Deputy City Clerk Deborah Applegate.
- Santa Barbara Youth Council: Pablo Saleta.

Motion:

Councilmember Murillo/Hart to accept the Santa Barbara Youth Council recommendation.

Vote:

Motion Failed. (Noes: Councilmember Francisco, Hotchkiss, Rowse, White, Mayor Schneider.)

Members From Local Alternative, Community, or Continuation High School

Motion:

Councilmembers Rowse/White to appoint Manny Rea.

Vote:

Unanimous voice vote.

Appointment:

Manny Rea was appointed as Local Alternative, Community, or Continuation High School representative for a term expiring December 31, 2017.

Dos Pueblos High School

Nominees:

Cindy Diaz, Nathaniel Getachew, Michelle Quin, Amanda Hagen.

Vote:

- For Cindy Diaz: Councilmembers: Francisco, Hart, Murillo, White, Mayor Schneider.
- For Nathaniel Getachew: Councilmembers: Hart, Murillo, Rowse, White, Mayor Schneider.
- For Michelle Quin: Councilmembers: Francisco, Hotchkiss, Rowse
- For Amanda Hagen: Councilmember: Hotchkiss.

13. (Cont'd)

Santa Barbara Youth Council: (Cont'd)

Dos Pueblos High School (Cont'd)

Appointment:

Cindy Diaz (County) and Nathaniel Getachew (County) were appointed as Dos Pueblos High School representatives for terms expiring June 30, 2017.

Santa Barbara High School

Motion:

Councilmembers White/Rowse to appoint Karim Cortez (City), Wilson Sherman (City), Charles Thrift (City).

Vote:

Unanimous voice vote.

Appointment:

Karim Cortez (City), Jensen Steady (City), and Charles Thrift (City) were appointed as Santa Barbara High School representatives for terms expiring June 30, 2017.

San Marcos High School

Nominees:

Kevin Acuna, Ari Chittick, Kendra Dayton, Adam Fuller, Grace Ingram, Daniella Trisler.

Vote:

- For Kevin Acuna: Councilmembers Francisco, Hart, Murillo, Mayor Schneider.
- For Ari Chittick: Councilmembers Rowse, White, Mayor Schneider.
- For Kendra Dayton: Councilmembers Rowse, White.
- For Adam Fuller: Councilmember Hotchkiss.
- For Grace Ingram: Councilmembers Francisco, Hart, Hotchkiss, Murillo.
- For Daniella Trisler: Councilmembers Francisco, Hart, Murillo, Rowse, Mayor Schneider.

Vote:

- For Acuna: Councilmembers Hart, Murillo, White, Mayor Schneider.
- For Ingram: Councilmembers Francisco, Hotchkiss, Rowse.

13. (Cont'd)

Santa Barbara Youth Council: (Cont'd)

San Marcos High School (Cont'd)

Appointment:

Kevin Acuna (City) and Daniella Trisler (City) were appointed as San Marcos High School representatives for terms expiring June 30, 2017.

Local Private High School

Motion:

Councilmembers Rowse/Francisco to appoint Ali Mikles and Ty Trosky.

Vote:

Unanimous voice vote.

Appointment:

Ali Mikles (County) and Ty Trosky (County) were appointed as Local Private High School representatives for terms expiring June 30, 2017.

Member At Large

Nominees:

Kendra Dayton, Ari Chittick, Adrian Abbud

Vote:

For Kendra Dayton: Councilmembers Rowse, White.

For Ari Chittick: Councilmembers Hart, Murillo, White, Mayor Schneider.

For Adrian Abbud: Councilmembers Francisco, Hotchkiss.

Appointment:

Ari Chittick was appointed as Member at Large representative for a term expiring June 30, 2017.

Sister Cities Board:

Motion:

Councilmembers Francisco/White to appoint Beatriz Molina.

Vote:

Unanimous voice vote.

Appointment:

Beatriz Molina was appointed as Representative of the City representative for a term expiring December 31, 2016.

13. (Cont'd)

Transportation and Circulation Committee:

Motion:

Councilmembers Murillo/Hart to appoint e Howard Green.

Vote:

Unanimous voice vote.

Appointment:

e Howard Green was appointed as Qualified Elector representative for a term expiring December 31, 2018.

Water Commission:

Nominees:

Dave Davis, Ken Goodenough, Mike Jordan, John C. Jostes.

Vote:

- For Dave Davis: Councilmembers: Hart, Murillo, Rowse, White, Mayor Schneider.
- For Ken Goodenough: Councilmembers: Francisco, Hotchkiss.
- For Mike Jordan: Councilmembers: Francisco, Hotchkiss, Rowse, Mayor Schneider.
- For John C. Jostes: Councilmembers: Hart, Murillo, White.

Appointment:

Dave Davis was appointed for a term expiring December 31, 2016.
Michael Jordan was appointed for a term expiring June 30, 2019.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

Councilmember Murillo reported on her attendance at Metropolitan Transit District Board meeting.

CLOSED SESSIONS

14. Subject: Conference With City Attorney – Anticipated Litigation (160.03)

Recommendation: That Council hold a closed session to consider initiating litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed. (one potential case).

Scheduling: Duration, 30 minutes; anytime

Report: Anticipated

(Cont'd)

14. (Cont'd)

Documents:

June 23, 2015, report from the City Attorney.

Time:

4:40 p.m. – 5:40 p.m.

Announcement:

City Attorney Calonne reported that Council directed initiation of litigation. He stated that details would be available on request after litigation is filed.

RECESS

5:40 p.m. – 6:00 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco (6:15), Hart, Hotchkiss, Murillo, Rowse, White, Mayor Schneider.

Staff Present: City Administrator Casey, City Attorney Calonne, Deputy City Clerk Applegate.

PUBLIC COMMENT

No one wished to speak.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Council Direction On Short-Term Vacation Rental Regulations (640.09)

Recommendation: That Council provide direction to Staff regarding regulation and enforcement of short-term vacation rentals.

Documents:

- June 23, 2015, report from the Finance Director/Acting Assistant City Administrator and Community Development Director.
- Proposed Resolutions.
- Power-Point presentation prepared and presented by Staff.
- June 15, 2015 email from Sybil Rosen.
- June 15, 2015, email from Joel Ohlgren.
- June 15, 2015, email from Michael Towbes.
- June 15, 2015, email from Kathryn Berghoff.
- June 15, 2015, email from Ernest Salomon.
- June 15, 2015, email from Denise Plat.

(Cont'd)

15. (Cont'd)

Documents (Cont'd)

- June 16, 2015, email from Brooke Meek, SB Vacation Rentals.
- June 16, 2015, email from Aileen & Marc Zemel.
- June 16, 2015, email from Maureen Kafkis.
- June 17, 2015, email from Carla Scheifly.
- June 17, 2015, email from Mary Watkins.
- June 17, 2015, email from Robert Pearson, Santa Barbara Housing Authority.
- June 18, 2015, email from Merle Betz.
- June 18, 2015, letter from Rudy Castillo.
- June 18, 2015, email from Alex Perroy.
- June 18, 2015, email from Pat Saley.
- June 18, 2015, letter from David Sullins.
- June 18, 2015, letter from Mike and Rosie Conaway.
- June 22, 2015, email from Cathy Armstrong.
- June 22, 2015, email from Merle Betz.
- June 22, 2015, email from Cathy Armstrong.
- June 22, 2015, letter from Barbara Green.
- June 22, 2015, email from Rory Garzot.
- June 22, 2015, letter from Ken Hough, Dick Flacks, SB Can.
- June 22, 2015, email from Rory Garzot, (2).
- June 22, 2015, email from Sybil Rosen.
- June 22, 2015, email from Trish and John Housh.
- June 22, 2015, letter – no name.
- June 22, 2015, letter from Charles and Wendy Rockwood.
- June 22, 2015, letter from Tatiana Fenkner.
- June 22, 2015, letter from Rudy Castillo.
- June 22, 2015, letter from Sara Miller McCune.
- June 22, 2015, letter from Steven Amerikaner.
- June 22, 2015, letter from Antonio Vico.
- June 22, 2015, letter from Steve Fort/Craig Minus, Coastal Housing Coalition.
- June 22, 2015, email from Lou Bailey.
- June 22, 2015, letter from Julia Ullemeyer/Craig Minus, Coastal Housing Coalition.
- June 22, 2015, letter from Rory Garzot.
- June 22, 2015, letter from Steve and Diane Pearson.
- June 22, 2015, email from Susan Shields.
- June 22, 2015, letter from Jack Ucciferri.
- June 22, 2015, letter from Concerned Residents.
- June 23, 2015, email from George Buell.
- June 24, 2015, letter from Allan Hendrix and Frances Govean.
- June 24, 2015, letter from Warren Butler.
- June 24, 2015, letter from Barbara Levi.

(Cont'd)

15. (Cont'd)

Documents (Cont'd)

- June 24, 2015, letter from Ian Buist.

Speakers:

- Staff: Community Development Director George Buell.
- Members of the Public: Joel Ohlgren; Michael Conaway; Sybil Rosen; Sheila Lodge; Brian Kenut; Anna Huerta; Tom Widroe, City Watch; Jill Mosh; Bryan Smith; Loretta Gavin; Rino Romano; Sean O'Neil; Maggie Campbell, Downtown Santa Barbara; Kathy Janega-Dykes, Visit Santa Barbara; Cameron Porter; Charles King; Virginia King; Denise Woolery; David Bolton; Lori Coleman; Justin Tuttle; Stefan Van Imhof; Ken Oplinger, Santa Barbara Chamber of Commerce; Barry Keenan; Barbara Levi, Oceano Properties Owners Inc.; Kate Fritz; Ty Vernon; Stephen Pearsen; Diane Pearson; Jeanette Wesser, Santa Barbara Hotel Group; Elizabeth Wilson; Brooke Meek; Lisa Sands; Alex Perroy; Glenn Robertson; Mario Contreras; Samantha Ireland; Bradley Bennet; Jon Thomas; Reyne Stapelmann, Santa Barbara Association of Realtors; Suzy Dahl; Steve Fort, Coastal Housing Coalition; Michael J. Hofmann; David Cohen; Chelsea Lancaster; Barbara Bonadeo; Don Hall; Teresa E. Glenn; Jack Ucciferri; Tim Werner; Geoff Green, Housing Authority of the City of Santa Barbara.

Recess

8:10 p.m. – 8:22 p.m.

Speakers (Cont'd):

- Members of the Public (Cont'd): Rachel Nyes; Scott Gibson; Chris Bender; Pete Slaga; Joan Tomeo; Kevin Finnegan; Theo Kracke; Harry Liquorin; Glyn Davies; Rusty Brace; Rob Pearson, Housing Authority City of Santa Barbara; Fred Sweeney, President of the Upper East Association; Milt Hess, Upper East Association; Warner Butler, Blair Whitney; Robert Plude; Lynn, Matt La Brie.

Discussion:

Council gave direction to staff to: 1) prohibit Vacation Rentals, as defined; 2) work with the Planning Commission to develop a Zoning Ordinance amendment to allow home sharing where Residential Land Uses are currently allowed; 3) move forward with enforcement of Vacation Rentals; 4) work with City Attorney to develop an enforcement plan.

(Cont'd)

15. (Cont'd)

Motion:

Councilmembers White/Hotchkiss for staff to: 1) amend Zoning Ordinance to allow Home Sharing; 2) enforce existing regulations prohibiting Vacation Rentals; 3) return to Council with a work program which, focuses on enforcement of the existing regulations, and includes an amnesty period given to owners who have attempted to work with the City.

Vote:

Unanimous voice vote.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 9:59 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
DEBORAH L. APPLGATE
DEPUTY CITY CLERK



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
July 7, 2015
COUNCIL CHAMBER, 735 ANACAPA STREET**

The regular meeting of the City Council, scheduled for 2:00 p.m. on July 7, 2015, was cancelled by the Council on November 18, 2014.

The next regular meeting of the City Council is scheduled for July 14, 2015, at 2:00 p.m. in the Council Chamber.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER



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Council Action Advised by July 31, 2015

May 29, 2015

TO: Mayors, City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 30 – October 2, San Jose**

The League's 2015 Annual Conference is scheduled for September 30 – October 2 in San Jose. An important part of the Annual Conference is the Annual Business Meeting (*at the General Assembly*), scheduled for noon on Friday, October 2, at the San Jose Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, September 18, 2015. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates must be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one voter must be present at the

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Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Jose Convention Center, will be open at the following times: Wednesday, September 30, 8:00 a.m. – 6:00 p.m.; Thursday, October 1, 7:00 a.m. – 4:00 p.m.; and Friday, October 2, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, September 18. If you have questions, please call Kayla Gibson at (916) 658-8247.

Attachments:

- 2015 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

Annual Conference Voting Procedures 2015 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: Santa Barbara

2015 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, September 18, 2015. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: Helene Schneider

Title: Mayor

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail: _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, September 18, 2015

League of California Cities
ATTN: **Kayla Gibson**
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: kgibson@cacities.org
(916) 658-8247

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING CHAPTER 10.60 OF THE MUNICIPAL CODE BY AMENDING SECTION 10.60.015, ESTABLISHING PRIMA FACIE SPEED LIMITS ON CERTAIN PORTIONS OF LOMA ALTA DRIVE

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

SECTION 1. Chapter 10.60 of the Santa Barbara Municipal Code is revised to read as follows:

10.60.015 Streets of Modified Speed Limits.

In accordance with Section 10.20.015, and when properly sign posted, the prima facie speed limit on the following streets, or portions of streets, shall be as follows:

55 miles per hour:

LAS POSITAS ROAD – Cliff Drive to a point 870 feet north of Las Positas Place

45 miles per hour:

CALLE REAL - Las Positas Road to Hitchcock Way

HOLLISTER AVENUE - Fairview Avenue to the westerly City limits

MODOC ROAD - Las Positas Road to westerly City limits

OLD COAST HIGHWAY - Harbor View Drive to Hot Springs Road

40 miles per hour:

CALLE REAL - Hitchcock Way to La Cumbre Road

CARRILLO STREET - San Andres Street to La Coronilla Drive

CLIFF DRIVE – Loma Alta Drive to Las Positas Road

MEIGS ROAD - Cliff Drive to La Coronilla Road

35 miles per hour:

ALAMAR AVENUE - Foothill Road to State Street

ALSTON ROAD - City limits to Eucalyptus Hill Road

BARKER PASS ROAD - Eucalyptus Hill Road to the northerly City limits

CABRILLO BOULEVARD – Calle Cesar Chavez to US Highway 101

CLIFF DRIVE - Westerly City limits to Las Positas Road

FAIRVIEW AVENUE - Placencia Street to Calle Real, those portions within the City limits

HOPE AVENUE - State Street to Pueblo Avenue

HOPE AVENUE - Calle Real to State Street

LA CUMBRE ROAD - Via Lucero to northerly City limits

LA COLINA ROAD - La Cumbre Road to Verano Drive

LAS POSITAS ROAD - State Street to a point 870 feet north of Las Positas Place

LOMA ALTA DRIVE - Cliff Drive (SR 225) to Shoreline Drive
MEIGS ROAD - Cliff Drive to Salida Del Sol
MODOC ROAD - Mission Street to Las Positas Road
OLD COAST HIGHWAY - Salinas Street to Harbor View Drive
SHORELINE DRIVE - Castillo Street to La Marina
STATE STREET - Mission Street to the westerly City limits
VERONICA SPRINGS ROAD - Those portions within the City limits
YANONALI STREET – Calle Cesar Chavez to Garden Street

30 miles per hour:

ALAMAR AVENUE - De La Vina Street to Junipero Street
ALAMEDA PADRE SERRA - Los Olivos Street to Sycamore Canyon Road
ALAMEDA PADRE SERRA - Sycamore Canyon Road to Eucalyptus Hill Road
ANACAPA STREET - Arrellaga Street to Constance Avenue
ANAPAMU STREET - Santa Barbara Street to Milpas Street
BATH STREET - US Highway 101 northbound offramp to Mission Street
CABRILLO BOULEVARD – Castillo Street to Calle Cesar Chavez
CALLE REAL – Pueblo Street to Las Positas Road
CANON PERDIDO STREET - Santa Barbara Street to Milpas Street
CASTILLO STREET – Cabrillo Boulevard to Mission Street
CHAPALA STREET – Gutierrez Street to Alamar Avenue
CLIFF DRIVE – Montecito Street to Loma Alta Drive
CLINTON TERRACE - Samarkand Drive to Tallant Road
COAST VILLAGE ROAD - Olive Mill Road to Cabrillo Boulevard
CONSTANCE AVENUE - State Street to Garden Street
DE LA GUERRA STREET - Santa Barbara Street to Milpas Street
DE LA VINA STREET - State Street to Micheltorena Street
DE LA VINA STREET - Micheltorena Street to Haley Street
GARDEN STREET - Micheltorena Street to Junipero Street
HITCHCOCK WAY - Calle Real to State Street
LA CUMBRE ROAD - Southerly City limits (US Highway 101) to Via Lucero
~~LOMA ALTA DRIVE – Coronel Street to Canon Perdido Street~~
MILPAS STREET - Anapamu Street to Cabrillo Boulevard
MIRAMONTE DRIVE - Carrillo Street to Via Del Cielo
ONTARE ROAD - Sunset Drive to Foothill Road
SALINAS STREET - US Highway 101 to Sycamore Canyon Road
SAMARKAND DRIVE - De La Vina to Clinton Terrace
SAN PASCUAL STREET - Canon Perdido Street to Coronel Place
SAN ROQUE ROAD - Foothill Road to State Street
SANTA BARBARA STREET - Anapamu Street to Constance Avenue
SHORELINE DRIVE - Salida Del Sol to La Marina
STATE STREET – Victoria Street to Mission Street
TREASURE DRIVE - Tallant Road to Calle Real
VERANO DRIVE - Primavera Road to southerly City limits
YANONALI STREET - Garden Street to State Street

25 miles per hour:

- ANACAPA STREET - Arrellaga Street to US Highway 101
- BATH STREET – Mission Street to Quinto Street
- CARPINTERIA STREET - Milpas Street to Salinas Street
- CARRILLO STREET – Chapala Street to San Andres Street
- CASTILLO STREET – Mission Street to Pueblo Street
- COTA STREET – Santa Barbara Street to Alameda Padre Serra
- GUTIERREZ STREET – Santa Barbara Street to Alameda Padre Serra
- HALEY STREET – Chapala Street to Milpas Street
- MICHELTORENA STREET – San Andres Street to California Street
- MISSION STREET – Robbins Street to Anacapa Street
- ONTARE ROAD - State Street to Sunset Drive
- PUESTA DEL SOL - Alamar Avenue to easterly City limits
- SAN ANDRES STREET - Mission Street to Canon Perdido Street
- VALERIO STREET – Gillespie Street to westerly cul-de-sac

(Ord. 5684, 2015; Ord. 5563, 2011; Ord. 5530, 2010; Ord. 5491, 2009; Ord. 5466, 2008; Ord. 5251, 2002; Ord. 5194, 2001; Ord. 5157, 2000; Ord. 5127, 1999; Ord. 4988, 1996; Ord. 4958, 1996; Ord. 4875, 1994; Ord. 4818, 1993; Ord. 4769, 1992; Ord. 4734, 1991; Ord. 4660, 1990; Ord. 4566, 1989; Ord. 4527, 1988; Ord. 4516, 1988; Ord. 4486, 1987; Ord. 4398, 1986; Ord. 4384, 1986; Ord. 4367, 1985; Ord. 4341, 1985; Ord. 4322, 1985; Ord. 4309, 1984; Ord. 4290, 1984; Ord. 4267, 1984; Ord. 4248, 1984; Ord. 4233, 1983; Ord. 4232, 1983; Ord. 4069, 1980; Ord. 3787, 1975; Ord. 3775, 1975; Ord. 3697, 1974; Ord. 3629, 1974; Ord. 3628, 1974; Ord. 3611, 1973; Ord. 3551, 1972; Ord. 3457, 1970; Ord. 3429, 1970; Ord. 3348, 1969; Ord. 3299, 1968; Ord. 3294, 1968; Ord. 3208, 1967; Ord. 3168, 1966; Ord. 2713, 1959; prior Code §31.121.)



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Community Promotion Contract For The Santa Barbara Region Chamber Of Commerce To Support A Visitor Information Center

RECOMMENDATION:

That Council authorize the City Administrator to execute an annual community promotion contract with the Santa Barbara Region Chamber of Commerce in an amount of \$57,700 to support year-round expenses of the Visitor Information Center covering the period from July 1, 2015, to June 30, 2016.

DISCUSSION:

The Mayor and Council's Office Arts and Community Promotion budget includes \$57,700 for the Santa Barbara Region Chamber of Commerce to operate a Visitor Information Center. This amount reflects a 3% increase in funding from the prior year. This contract will help support year-round administrative expenses for the Visitor Information Center, including salary and benefit expenses, office supplies, and administrative expenses.

The Visitor Information Center located at 1 Garden Street assists visitors with wayfinding services, free maps, assistance with hotel reservations, and information on restaurants, points of interest, and arts and cultural activities. The Center provides services seven days a week for 55 hours per week between February and October and 50 hours per week between November and January.

To enhance tourism and support the cultural arts community, the City provides over \$2.6 million for events, festivals, and arts and community promotion organizations.

The contract is available for review in the City Clerk's Office at City Hall at 735 Anacapa Street.

PREPARED BY: Nina Johnson, Assistant to the City Administrator

SUBMITTED BY: Paul Casey, City Administrator

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Community Promotion Contract With Santa Barbara International Film Festival

RECOMMENDATION:

That Council authorize the City Administrator to execute an annual community promotion contract with Santa Barbara International Film Festival in the amount of \$78,300 to support film festival programming and year-round administrative expenses.

DISCUSSION:

The Mayor and Council's Office Arts and Community Promotion Program budget includes \$78,300 for the Santa Barbara International Film Festival for Fiscal Year 2016. This reflects a 3% increase in funding from the prior year. The funding will be used for the promotion of the festival and year-round administrative expenses. The term of the contract extends over the period of July 1, 2015 through June 30, 2016.

The festival has been recognized as one of the premiere film festivals, drawing thousands of visitors from outside Santa Barbara. The economic impact from arts and cultural events in Santa Barbara is significant. Cultural arts programs and events provide a major boost to the local economy through ticket sales, sponsorships, services, supplies, and employee salaries. Recognizing cultural arts as a vital component of the community's economic vitality and the importance of providing free entertainment to the community, the City provides over \$2.6 million for events, festivals, and arts and community promotion organizations.

The contract is available for review in the City Clerk's Office at City Hall at 735 Anacapa Street.

PREPARED BY: Nina Johnson, Assistant to the City Administrator

SUBMITTED BY: Paul Casey, City Administrator

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Risk Management Division, Finance Department

SUBJECT: Increase The Settlement Authority Delegated To The City Administrator To Resolve A Claim For Damages

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing the Procedure for Handling Money or Damage Claims and Lawsuits Filed Against the City of Santa Barbara and Repealing Resolution Nos. 7966, 8336, 8337, 83-172, and 96-070.

DISCUSSION:

There are several key Council policies that establish procedures to handle claims or lawsuits filed against the City.

Resolution 7966, adopted by Council on October 29, 1974, established the Workers' Compensation Trust Fund. Resolutions 8336 and 8337, adopted by Council on December 21, 1976, established the Insurance Trust Fund implementing a formal self-insurance program for general liability, auto liability, and workers' compensation. Resolution 83-172, adopted by Council on November 8, 1983, establishes specific procedures relating to the administration and handling of general and automobile liability claims. The resolution grants authority to the City Administrator, or his/her designee, to accept or reject a claim; and to enter into a settlement of a claim for an amount not to exceed \$5,000 per claim.

Resolution 96-070, adopted by Council on June 25, 1996, modified the previous Resolution #83-172. The changes included increasing the settlement authority delegated to the City Administrator from \$5,000 per claim to \$25,000 per claim. The Resolution also expanded the settlement authority to include all types of claims for damage presented to the City such as: general liability, auto liability, property, and workers' compensation.

The Consumer Price Index (CPI) expanded by nearly 54.6% since the Council action in 1996. The growth in the CPI indicates that the price of goods and services increased substantially over the last 18 years. The costs of goods and services are directly linked to the value of all types of claims filed against the City.

Council recently revised the authority for the City Administrator to bind the City, either with or without a written contract, for the acquisition of equipment, materials, supplies, labor, services or other items included within the budget approved by the City Council. The recent action by Council increased the value of the authority for the City Administrator to bind the City in contractual matters from \$25,000 to \$35,000.

Staff recommends that Council consider increasing the settlement authority delegated to the City Administrator to settle general liability, auto liability, property damage, and workers' compensation claims from \$25,000 to \$35,000. This proposed action by Council will improve internal efficiency relating to the review and approval of a proposed resolution on an individual claim for damages; and is consistent with the previous action by Council relating to the acquisition of goods and services by City staff.

PREPARED BY: Mark W. Howard, Risk Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ESTABLISHING THE PROCEDURE FOR HANDLING MONEY OR DAMAGE CLAIMS AND LAWSUITS FILED AGAINST THE CITY OF SANTA BARBARA AND REPEALING RESOLUTION NOS. 7966, 8336, 8337, 83-172, AND 96-070.

WHEREAS, in 1976 the City of Santa Barbara adopted a self-insurance program for handling money or damage claims and lawsuits filed against the City of Santa Barbara;

WHEREAS, since 1976 the City Council has adopted several resolutions establishing various procedures for handling money or damage claims and lawsuits filed against the City of Santa Barbara; and

WHEREAS, after reviewing changes in state law and considering the needs to effectively administer the self-insurance program, the Risk Manager recommends the establishment of the following procedures for the handling of money or damage claims and lawsuits filed against the City of Santa Barbara.

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

1. All money or damage claims and lawsuits against the City of Santa Barbara shall be filed with the City Clerk. All officers and employees of the City of Santa Barbara shall refer requests or inquiries regarding a claim or lawsuit to Risk Management.
2. The City Clerk shall send a copy of each claim to the City Administrator or his/her designee for review to determine compliance with the provisions of the California Government code. If the claim is found to be in compliance, the City Administrator or his/her designee shall forward a copy of the claim to the City Attorney and the City of Santa Barbara's contract claims service agency for a review of the claim and consultation with the City Administrator or his/her designee concerning disposition thereof.
3. As authorized by California Government Code § 935.4, the City Administrator or his/her designee is hereby authorized to
 - a. Reject any claim, and
 - b. Settle any claim in an amount not to exceed payment from City funds of Thirty Five Thousand Dollars (\$35,000) per claim.

4. As authorized by Government Code § 949, the City Administrator or his/her designee is hereby authorized to settle pending litigation in an amount not to exceed payment from City funds of Thirty Five Thousand Dollars (\$35,000) per action. The Finance Director shall cause a warrant to be issued based on the authority specified in Paragraphs 3 and 4.
5. Settlement of any claim or lawsuit requiring payment from City funds in excess of Thirty Five Thousand Dollars (\$35,000) shall be presented to the City Council either by the City Administrator or his/her designee or by the City Attorney for action. Unless the City Council determines otherwise, City Council consideration of a proposed settlement, and any action thereon, shall be conducted in closed session.
6. Following action on a proposed settlement of a claim or lawsuit by the City Council, the City Administrator or his/her designee shall notify the claimant or plaintiff, or his/her designated representative, of the action taken. Where settlement of a claim or lawsuit involves nothing further than payment of money in exchange for release of the claim or dismissal of the lawsuit, the City Administrator or his/her designee or the City Attorney is authorized to implement any settlement authorized by the City Council.
7. Where settlement of a claim or lawsuit requires the execution of a written settlement agreement by the parties, the City Council shall consider the terms and conditions of the proposed settlement in closed session. If the Council approves settlement, it may designate the Mayor, a Councilmember, or other appropriate City representative to execute the agreement on behalf of the City following approval of the proposed agreement by the City Council as part of its consent agenda. Terms of the proposed settlement shall not be disclosed as part of the discussion concerning the consent agenda item if to do so would be contrary to state law, court order, or the agreement of the parties to the dispute or litigation.
8. As authorized by California Government Code § 935, any claim by the State or by a state department or agency or by any other local public entity is subject to the claims procedures set forth in this resolution.
9. This resolution supersedes and repeals Resolution Nos. 7966, 8336, 8337, 83-172, and 96-070, and applies to actions taken after the adoption hereof.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Library Department

SUBJECT: Fiscal Year 2016 Agreement For Operation Of A County-wide Library System

RECOMMENDATION: That Council:

- A. Approve and authorize the City Administrator to execute an Agreement For Operation of a County-wide Library System for Fiscal Year 2016 between the County of Santa Barbara and the Cities of Santa Barbara, Santa Maria and Lompoc;
- B. Approve an increase in estimated revenues and appropriations in the amount of \$97,874 for Fiscal Year 2016 in the General Fund Library Department budget to adjust the recently adopted Fiscal Year 2016 budget for the recently approved increase in Santa Barbara County per capita funding and increase to the Library Administration fee; and
- C. Approve an increase in estimated revenues in the amount of \$175,224 and appropriations in the amount of \$88,034 for the County Library Fund budget for Fiscal Year 2016, with the balance of \$87,190 intended to go to reserves.

DISCUSSION:

The Agreement for Operation of a Countywide Library system for Fiscal Year 2016, which is recommended for approval and execution, provides for continued funding of library services for all Santa Barbara County residents and designates the Cities of Santa Barbara, Lompoc and Santa Maria as administrators of County Library Zones 1, 2, and 3, respectively. The City of Santa Barbara provides library service to all persons inhabiting Library Zone 1, which includes Carpinteria, Los Olivos, Montecito, Goleta, Santa Ynez, Solvang, and Buellton.

On June 30, 2015, the previous one-year contract expired. A new one-year contract allows the Library Zones to receive the recommended funding for library operations.

On June 10, 2015, the Santa Barbara County Board of Supervisors approved the Fiscal Year 2016 budget, which includes an unanticipated increase in the per capita funding for libraries from the recommended \$6.8030 to an increased amount of \$7.8000 per

capita. The increase in the County per capita revenue for the Central and Eastside libraries is an additional \$90,114 for fiscal year 2015-2016. In addition, the Library Administrative fee placed on County libraries will increase by \$7,760 for a total of \$97,874.

The increase in the per capita funding provides an additional \$175,224 for operations of the County Libraries in the Santa Barbara system under this agreement. Both revenues and appropriations will increase for County Libraries in Carpinteria, Montecito, Buellton, and Solvang. At the request of the City of Goleta, the Goleta Library will have increased revenues but no increases in appropriations as the additional funds will be used to offset the use of reserves for fiscal year 2015-2016.

On June 2, 2015, the County Board of Supervisors, on the recommendation of the County Library Advisory Board, voted to move the Buellton Library to Zone 1 as administered by the Santa Barbara Public Library System. This change will be effective July 1 with the commencement of the Agreement.

BUDGET/FINANCIAL INFORMATION:

Under the terms and conditions of this contract, the Santa Barbara Public Library System will receive a total of \$1,972,565 for library services.

- \$705,003 for support of the Central and Eastside Branch Libraries (City Libraries)
- \$1,072,562 of County per capita funds for support of the Carpinteria, Goleta, Los Olivos, Montecito, Santa Ynez, Buellton and Solvang Libraries (County Libraries)
- Estimated assessment revenue of \$195,000 collected within the unincorporated portion of County Service Area Number Three and available to the Goleta Library as a result of voter-approved Measure L

The City receives a total of \$149,717 as an administrative fee for managing the County Libraries within this contract.

PREPARED BY: Margaret Esther, Library Services Manager

SUBMITTED BY: Irene Macias, Library Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Maintenance Division, Airport Department

SUBJECT: Sole Source Vendor For Airport Mosquito Control Services

RECOMMENDATION: That Council:

- A. Authorize the City's General Services Manager to issue a Purchase Order to the Mosquito and Vector Management District of Santa Barbara County (District) for Fiscal Year 2016 in the amount of \$80,817 pursuant to the Sole Source provisions of the Santa Barbara Municipal Code Section 4.52.070(K) for mosquito monitoring and control services at the Airport; and
- B. Authorize the City's General Services Manager to issue Purchase Orders and Change Orders to the District for four subsequent fiscal years for mosquito monitoring and control services, in amounts not to exceed the annual appropriated budget for the program in each year, as approved by City Council.

BACKGROUND:

Mosquitoes, which reproduce in both fresh and brackish water, are known vectors for West Nile Virus and other diseases. Portions of the Goleta Slough Ecological Reserve on Airport property are major sources of several mosquito species. Because of the proximity to the UCSB campus, housing and Airport users, control of local mosquito populations is critical to prevent the transmission of disease.

The purpose of the Mosquito and Vector Management District of Santa Barbara County (District) is to provide vector surveillance, prevention, abatement, and control services to property owners and residents to ensure protection from vector annoyance, and to protect the public from the threat of vector-borne disease. District staff includes a biologist and vector technicians that are uniquely qualified to identify and treat mosquito and other vector sources within District boundaries to protect public health.

DISCUSSION:

The District has historically provided mosquito monitoring and abatement services for the Airport. Typically, the District pre-treats known mosquito sources during the dry season with an extended release product that is activated by winter rains. Throughout the

mosquito season the District monitors mosquito populations and recommends additional treatments based on conditions observed.

Under the proposed work plan the Airport will reimburse the District for time and the cost of materials associated with mosquito monitoring and control activities. The proposed scope of work represents time and materials needed for mosquito control during a wet year with an extended mosquito season.

BUDGET/FINANCIAL INFORMATION:

There are sufficient resources in the Airport Operating Fund to fund the proposed mosquito abatement activities.

SUSTAINABILITY IMPACT:

The District has been responsive to the requirements of the City's Integrated Pest Management program and has worked to minimize the amount and toxicity of pesticides used, while continuing to protect public health.

PREPARED BY: Jeffrey S. McKee, Airport Maintenance Superintendent

SUBMITTED BY: Hazel Johns, Airport Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Administrative Division, Airport Department

SUBJECT: Appropriation Of Federal Aviation Administration Airport Improvement Grant for Santa Barbara Airport

RECOMMENDATION:

That Council increase appropriations and estimated revenue by \$3,338,276 in the Airport's Grant Fund for the Airport Lighting and Safety Upgrade Project and north General Aviation Ramp Replacement Project, to be funded from Federal Aviation Administration Airport Improvement Program (AIP) Grant No. 03-06-0235-49, in the amount of \$3,026,481 coupled with the City's 9.34% match of \$311,795, to be funded from the Airport Operating Fund.

DISCUSSION:

On May 19, 2015, Council accepted and authorized the Airport Director to execute the Federal Aviation Administration (FAA) Airport Improvement Program grant offer in an amount not to exceed \$3,100,000. Staff has been notified that the grant amount will be \$3,026,481.

This grant will fund an upgrade and replacement of the airfield lighting system where the entire airfield electrical system will be replaced or rewired as necessary. The grant will also fund the replacement of approximately 9,000 square feet of concrete general aviation ramp in the northeast section of the airfield which is over sixty years old and in very poor condition and replace the eastern security fence. Signage and taxiway markings on the airfield to enhance clarity and safety will also be replaced.

BUDGET/FINANCIAL INFORMATION:

Federal legislation sets the local match for non-hub primary airports at 9.34% for the 2015 entitlement grant. Funds for the match were budgeted in the Airport's Fiscal Year 2016 Operating Fund.

PREPARED BY: Hazel Johns, Airport Director
SUBMITTED BY: Hazel Johns, Airport Director
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Administration Division, Public Works Department

SUBJECT: Records Destruction For Public Works Department

RECOMMENDATION:

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

DISCUSSION:

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

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

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

- The Engineering Division Records include Payroll files and credit card transactions from 2012 and Fiscal Year 2013.
- The Facilities Division Records are general administrative files from 2012.

- The Fleet Division Records include inspections of terminals and vehicle records between January 2010 and December 2012.
- The Transportation Division Records are billing files, monthly parking program information, maintenance files and accident/incident reports, inspection reports, Supervisor reports, Residential Parking Program Resident Information sheets, vendor files, calendars, complaints, various contracts and agreements prior to 2010, credit card transactions, equipment records, leases, memberships, staff recruitment files and internal reports and studies.
- The Water Resources Division Records are comprised of backflow device files, meter test reports, safety meeting minutes, water incident reports prior to 2009, and Discharge Self-Monitoring and Water Reclamation Plant reports.

SUSTAINABILITY IMPACT:

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

PREPARED BY: Michele DeCant, Business Manager/CC/mh

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 RELATING TO THE DESTRUCTION OF RECORDS HELD BY THE PUBLIC WORKS DEPARTMENT IN THE ENGINEERING, FLEET MANAGEMENT, FACILITIES AND ENERGY MANAGEMENT, TRANSPORTATION, AND WATER RESOURCES DIVISIONS

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

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

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

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

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

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

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

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

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

PUBLIC WORKS DEPARTMENT

Records SeriesDate(s)**ENGINEERING DIVISION****Engineering:**

Payroll Files

2012-June 2013

Credit Card Transactions

Fiscal Year 2013

FACILITIES DIVISION**Building Maintenance:**

General Administrative Files

2012

FLEET DIVISION

Biennial Inspection of Terminals

Jan. 2010 – Dec 2012

Vehicle Records

Jan. 2010 – Dec 2012

TRANSPORTATION DIVISION**Downtown Parking:**

Billing Files

Prior to May 2013

Location Files

Prior to May 2013

Monthly Parking Program Information

Prior to May 2013

Other Parking Program Files

Prior to May 2013

Parking Supervisor Maintenance Files/Accident & Incident Reports

Prior to May 2010

Parking Supervisor Maintenance Files/All Other Materials

Prior to May 2010

Parking Supervisor Maintenance Files/Inspection Reports

Prior to May 2010

Parking Supervisor Operation Files

Prior to May 2013

Residential Parking Program Resident Information Sheets

Prior to May 2013

Vendor History Files

Prior to May 2013

Calendars

Prior to May 2014

Complaints

Prior to May 2013

Records Common to Most Offices**Date(s)**

Contracts And Agreements

Prior to May 2010

Credit Card Transactions

Prior to Jan. 2014

Equipment Records

For equipment no longer in service

Leases

Prior to May 2011

EXHIBIT A

Memberships	Prior to May 2010
Personnel Recruitment Files	Prior to May 2010
Reading or Chronological Files	Prior to May 2013
Internal Reports and Studies – Final Report	Prior to May 2005
Internal Reports and Studies – Backup Data	Prior to May 2013
Internal Reports and Studies – Working Files	Prior to May 2013

WATER RESOURCES DIVISION

Water Distribution

Backflow Device Files	Jan – Dec 2008
Meter Test Reports	Jan 2003 – Dec 2008
Safety Meeting Minutes	Jan 2009 – Jun 2012
Water Incident Reports	Jan 2005 – Dec 2008

Wastewater Treatment

Wastewater Incident Reports	2002, 2004 - 2008
Discharge Self-Monitoring Reports	1978-2008
Safety Meeting Minutes	2011
Water Reclamation Plant Reports	1978-2008

Water Treatment

Safety Meeting Minutes	2011
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CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Declaration Of Real Property Acquired For Cota And Mason Bridge Projects As Excess And Subject To Disposal By Public Auction

RECOMMENDATION:

That Council declare the real property located at 221 and 230 West Cota Street, 536 Bath Street, and 20 West Mason Street, as excess to the City's needs and authorize disposition of said property according to State and local guidelines by public auction, in accordance with Santa Barbara Municipal Code (SBMC) Chapter 4.28 and Section 520 of the Santa Barbara City Charter subject to the review and approval by the City Attorney.

DISCUSSION:

BACKGROUND

The properties located at 221 and 230 West Cota Street, and 536 Bath Street, were acquired as necessary right of way acquisitions for the Cota Bridge Replacement Project. The 20 West Mason Street property acquisition was necessary for the Mason Bridge Replacement Project. The properties were acquired due to their proximity to the respective bridge replacement demolition, new construction work, and anticipated damage as a consequence of this work. Council approved the property acquisitions for 221 W. Cota and 536 Bath Streets by resolution adopted April 9, 2013; 230 W. Cota Street on July 16, 2013; and 20 W. Mason Street on May 7, 2013.

The property at 221 West Cota Street is a duplex consisting of two small one bedroom units with front and back yards. The 230 West Cota Street property is a two bedroom one bath single family residence, as is the 536 Bath Street location. The 20 West Mason Street property is a two-story triplex consisting of a one bedroom, one bath unit, and a two bedroom, one bath unit downstairs with a larger two bedroom, two bath unit with front and back decks on the second floor.

It is intended that these properties be available for resale upon substantial completion of the bridge projects and any repairs or appropriate renovations to the properties as necessary for their sale. There is a significant timeline for the disposition process under City Charter Section 520, Municipal Code Chapter 4.28, and California Government Code

Council Agenda Report

Declaration Of Real Property Acquired For Cota And Mason Bridge Projects As Excess And Subject To Disposal By Public Auction Council

July 14, 2015

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Section 54222. Therefore, staff is recommending that Council now declare these properties as excess so that the property disposition process and eventual sales can coincide with the anticipated substantial completion date of the bridge projects. The Cota and Mason Bridges are scheduled for substantial completion in early 2016 and late 2016, respectively.

PROPERTY DISPOSAL PROCESS

Staff will follow all necessary procedures, including noticing to agencies, public noticing of auction, and the preparation and coordination of the execution of documents by authorized parties, as required. All actions will be subject to the review and approval of the City Attorney to dispose of the properties by public auction in accordance with SBMC Chapter 4.28 and Section 520 of the City Charter.

Pending any interest expressed by state or local agencies being noticed of the excess land sale, staff is proposing to offer the property for sale via the City's public auction process. The public auction process has been successfully used in several excess property sales related to previously completed bridge replacement projects, most recently in 2012 for the sale of the Haley/De La Vina, Ortega Bridge, and 20 South Milpas Street properties. It is intended that the auction will be advertised with a deadline designated for receipt of sealed bids by interested parties. Bid packages containing general information and disclosures about the property, including an established minimum bid, will be made available.

In addition to this process, staff will evaluate proposals from local realtors to list and market the properties using the Multiple Listing Service and all other resources available to professional real estate broker companies. This is intended to result in more exposure of the properties to the market and subsequently a larger number of parties bidding, with the expectation of maximizing the proceeds from the excess property sales.

The properties will be appraised and the selected realtor shall utilize the appraisal, their market analysis of comparable sales, and local market knowledge to establish the highest listing price for sale at the auction. This listing/offer price shall also establish the minimum opening bid amount. Staff is recommending the hiring of one realtor for the sale of all properties. Staff is scheduled to return to Council in October 2015. At that time, the property disposal bidding process will be described in more detail.

USE OF SALES PROCEEDS

Proceeds from the sale shall be deposited in a specified Public Works Department account, per Federal Highway Administration (FHWA) standards, for the City's match portion of funding for future City bridge replacement projects, eligible for funding under the FHWA Highway Bridge Program (HBP). The success of these efforts has enhanced the City's ability to finance its share of the FHWA HBP grant projects. The Cota Bridge Project was funded at 88.53 percent by FHWA leaving 11.47 percent to fund by the City. The

Council Agenda Report

Declaration Of Real Property Acquired For Cota And Mason Bridge Projects As Excess
And Subject To Disposal By Public Auction Council

July 14, 2015

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Mason Bridge Replacement Project was funded at 100 percent for the real property and construction phases and 88.53 percent for the design phase.

ATTACHMENT(S): 1. Aerial map of property locations for Cota Bridge Project
2. Aerial map of property location for Mason Bridge Project

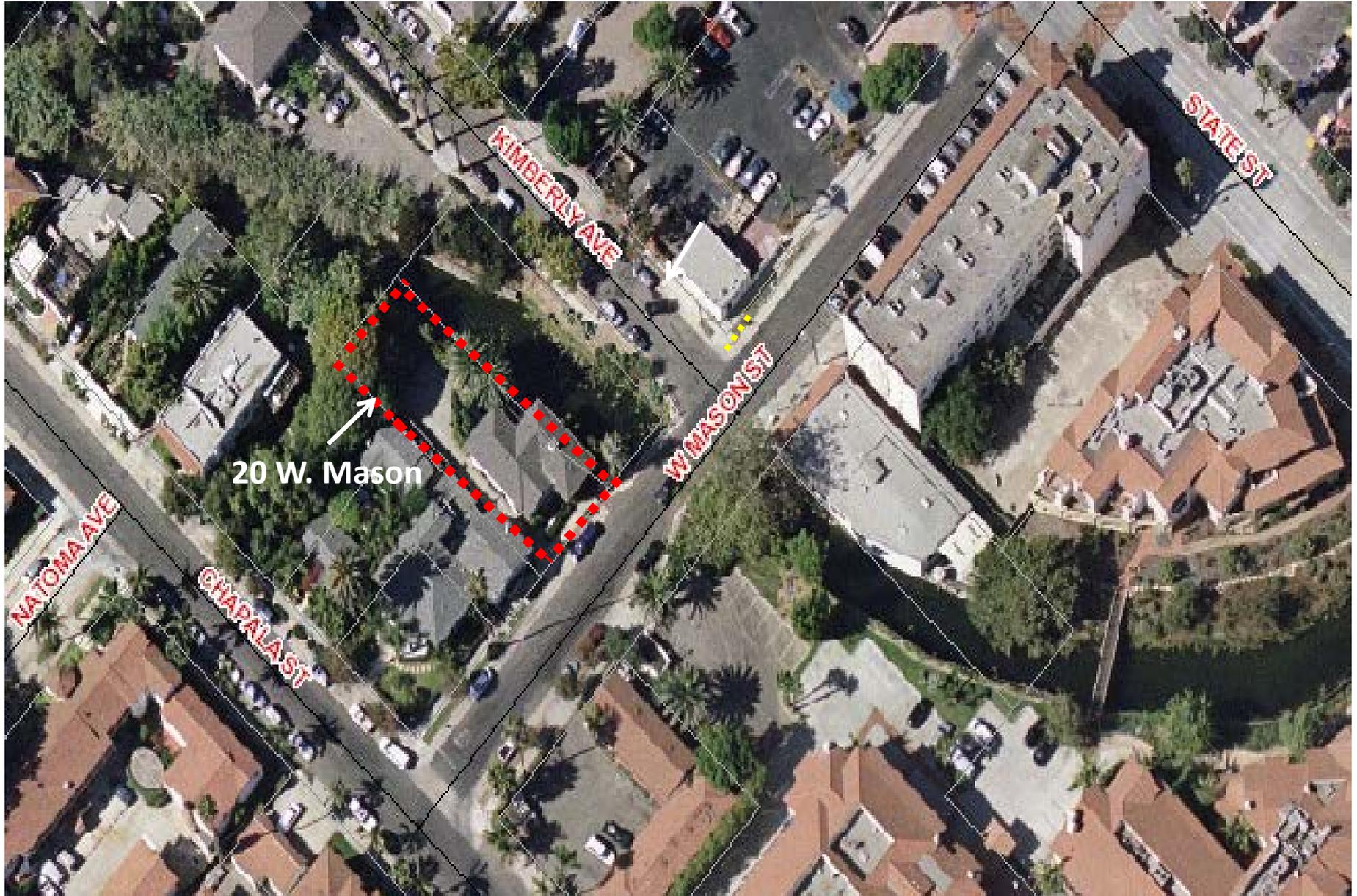
PREPARED BY: John Ewasiuk, Principal Civil Engineer/DT/kts

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

221, 230 W. Cota Street and 536 Bath Street properties to Declare Excess ATT 1







CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Contract For Wastewater Rate Study

RECOMMENDATION:

That Council authorize the Public Works Director to execute a Professional Services contract with Raftelis Financial Consultants, Inc., in the amount of \$38,451, to provide a wastewater rate study for the City of Santa Barbara, and approve expenditures of \$3,845 for extra services that may result from necessary changes in the scope of work, for a total of \$42,296.

DISCUSSION:

Wastewater utilities are dependent on user rates to fund most of the operations, maintenance, and capital improvements needed to keep utilities functioning reliably and in compliance with federal and state regulations. Wastewater rates were last reviewed by Raftelis Financial Consultants, Inc., (Raftelis) in 2013. Rate studies are recommended to be conducted at least every ten years. Due to drought-related revenue impacts to the Wastewater Fund, it is important to develop a rate structure now, providing a more stable source of revenues to maintain the fiscal health of the wastewater utility.

The City has a long standing approach of multi-year capital planning to identify and prioritize infrastructure needs. Using the projected capital needs, staff can develop an understanding of what level of revenues is needed to accomplish the required work.

Wastewater funding is challenging because the infrastructure is aging and requires increasing levels of investment. Additionally, due to increased conservation, wastewater flows are declining, which means that, for the near future, the City does not have to spend significant capital funds to add capacity at the El Estero Wastewater Treatment Plant. Because most of the operating costs of wastewater utilities are fixed costs and increase with inflation, rate payers will see increasing bills, even if their system usage is declining.

The work to be performed under the recommended contract is to evaluate the City's current wastewater rate structure based upon recent drought-related revenue losses, develop an updated rate structure, and assist the City in reviewing and updating its current cost allocation between user categories. As a part of this review, Raftelis will be asked to recommend a revenue plan that minimizes impacts on rate payers and provides sufficient revenues to accomplish the required capital work.

Raftelis was originally selected through a competitive Request for Proposal process. It has extensive experience providing rate review and recommendations for water utilities in Southern California. Given the importance of rate setting for proper cost allocation between user categories and ultimate water conservation, this local expertise is important. This work will also be integrated into a comprehensive financial modeling software that Raftelis has provided to the City under a previous contract. With updated wastewater rate analysis and wastewater user category cost allocation information, the City will be able to use this financial modeling software for wastewater utility financial planning going forward.

BUDGET/FINANCIAL INFORMATION:

Funding for this study was included in the Fiscal Year 2016 budget.

PREPARED BY: Joshua Haggmark, Water Resources Manager/mh

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Cachuma Conservation Release Board Fiscal Year 2016 Budget Ratification

RECOMMENDATION:

That Council ratify the Cachuma Conservation Release Board Fiscal Year 2016 budget, with the City's proportional share not to exceed \$567,744.

DISCUSSION:

The Cachuma Conservation Release Board (CCRB) is a joint powers authority agency consisting of three of the four South Coast members of the Cachuma Project: the City of Santa Barbara (City), the Goleta Water District, and the Montecito Water District. CCRB represents the interests of its members in matters relating to Cachuma Project water rights. Councilmember Dale Francisco represents the City on CCRB issues. The Carpinteria Valley Water District withdrew from CCRB on January 1, 2011.

The CCRB budget was approved by the CCRB Board on June 19, 2015, with some changes as reflected in the attached final budget. To take effect, the budget must be ratified by each member agency. The total CCRB budget to be assessed is \$1,388,807. The City's share is 40.88 percent, which is \$567,744.

The tables on the attached budget are divided into three major categories: Administrative, Legal Expenses, and Consultant Activities.

- The Administrative Budget of \$107,400 is approximately \$21,000 lower than last year. It reflects savings in 2014, when a General Manager position, with a physical office in Santa Barbara, was transitioned to a contract General Manager position. This resulted in a reduction in liability and worker compensation premiums; and the elimination of Federal Insurance Contributions Act, Medicare, and Federal Unemployment Tax Act payroll expenses, and fixed asset expenses.

- The Legal Expenses Budget of \$375,000 is \$200,000 higher than last year. \$150,000 of the increase is for possible litigation expenses in the *CalTrout v. United State Bureau of Reclamation* lawsuit. Other legal expenses include anticipated activity on the State Water Board Water Rights decision, re-consultation for the Biological Opinion on Cachuma Reservoir, and other general counsel activities.
- The Consultant Activities Budget of \$856,407 is approximately \$112,000 higher than last year. The Consultant Activities Budget includes a public outreach program, legislative and regulatory representation, hydrologic technical support, and a variety of consulting support related to the USBR re-consultation with the National Marine Fisheries Service and the eventual water rights process under the State Board.

In summary, the CCRB Fiscal Year 2016 budget is \$290,717 higher than the previous year; the City's portion of this increase is 40.88 percent or \$118,845.

During the CCRB budget adoption process, the CCRB Board decided to eliminate the annual rollover of funds that were assessed in previous budget years but not spent. This will result in a transition during the first quarter of the 2015-16 fiscal year where all unencumbered and unspent 2014-15 funds on the CCRB books will be returned on a pro-rata basis to the member agencies. As a result, funds of \$190,228 are anticipated to be returned to the City of Santa Barbara which will offset the budget increase.

BUDGET/FINANCIAL INFORMATION:

Appropriated funds are included in the recommended Fiscal Year 2016 Water Fund operating budget to cover the City's share of the CCRB Budget.

ATTACHMENT: CCRB Fiscal Year 2015-2016 Budget Ratification Memo

PREPARED BY: Joshua Haggmark, Water Resources Manager/KD/mh

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CACHUMA CONSERVATION RELEASE BOARD

*****REVISED***** RATIFICATION MEMORANDUM

DATE: July 6, 2015
TO: Board of Directors
FROM: Daniel E. Griset, General Manager
RE: 2015-16 CCRB Budget Ratification

Recommendation:

CCRB member agencies are requested to ratify the adopted CCRB budget for fiscal year 2015-16.

Discussion:

The 2015-16 CCRB adopted budget is presented as an attachment for use in the ratification process by each CCRB member agency.

The attached budget material has been further refined to respond to the approval action and direction the Board gave at its June 19, 2015 meeting.

Key among these refinements is the Board's decision to eliminate the annual rollover of funds from previous budget years that were assessed but not spent in the most recent year. This will result in a transition during the first quarter of the 2015-16 fiscal year where all unencumbered and unspent 2014-15 funds on the CCRB books will be returned on a pro-rata basis to the member agencies.

Prior to the completion of this transition the Board authorized staff to retain \$10,000 in remaining funds to meet any unexpected obligations that might occur prior to the closing of the 2014-15 fiscal year.

Going forward each new fiscal year will begin with a Zero Funds balance that, beginning with receipt of the first quarter's member assessments will begin to provide CCRB with the new funding needed to implement the tasks identified in the budget adopted for the new fiscal year.

At the Board's direction the Health and Safety tasks (Cardno-13.0 and Stetson-3.0) have been reduced from \$70,000 to \$25,000.

In addition to the Board's unanimous adoption of the new budget, the Board by a separate unanimous vote requested that the following actions be taken in the 2015-16 fiscal year :

- Monthly financial reports that track expenditures by individual tasks in the budget;
- A proposal for establishing a policy on discretionary budget authorities for the General Manager to be presented at the next CCRB Board meeting (July 22, 2015);
- A report on the CCRB cash position as of July 1, 2014 and the cash balance as of June 30, 2015, adjusted for expected unpaid invoices for the 2014-15 budget year (see Page 4 of the attached 2015-16 Budget);
- A proposal for reporting to the Board when consultant expenditures may exceed amounts or require further Board authorization as specified in the adopted budget (to be developed during the first quarter of the new fiscal year);
- A compilation of the scopes of work that will guide the consulting efforts in the new fiscal year (see attachment of consultant scopes); and,
- A mid-year budget review by the Board to monitor the effectiveness of new financial management controls aimed at real-time transparency and accountability and to determine whether any modifications in budgeted consultant work is needed.

SUMMARY OF KEY BUDGET AND MANAGEMENT CONTROL FEATURES

1. The total adopted CCRB budget for 2015-16 is \$1,480,275, an increase of more than \$380,000 when compared with the 2014-15 fiscal year. This increase is a result of certain increases in expenses, as well as a new budget format.

Though General and Administrative expenses are lower, Legal expenses are higher and subject to different application. Future legal expenses related to the Biological Opinion reconsultation (Account 7001) will no longer be shared with ID#1. Also of note, the CalTrout litigation expenses (see Account 7003) allow for activity that may become moot during the new fiscal year and result in a downward revision of the budget and of later member assessments.

The impact of a new budget format this year complicates comparisons with last year's budget that had a bifurcation between certain authorized and assessed consulting tasks and "contingent" tasks. Combining these two categories allows for some comparison of the 2014-15 budget accounts with the new 2015-16 budget proposed now for ratification.

For example, in the case of consulting expense related to the Biological Opinion (Account 6001), the apparent increase of \$245,375 owes to the presentation of only the authorized and assessed tasks in the 2014-15 budget. Not shown in the new 2015-16 budget is the total proposed consultant budget from 2014-15 which was \$1,099,000 and included a number of "contingent" tasks. These "contingent" tasks were to be considered by the Board for subsequent authorization and assessment should they be needed during the 2014-15 fiscal year. (Of these "contingent" 2014-15 tasks, only the Fish Passage tasks were eventually authorized by the Board in an amount of \$196,500.) Compared to the total proposed 2014-15 budget for Account 6001, this year's budget is \$749,875, a reduction of \$349,125.

The 2015-16 budget includes two accounts (6001 and 7200) where the expense for specified consulting work will be shared with ID#1; in such instances ID#1 will pay for 11.58% of the costs of that work.

2. The CCRB cash position in its Union Bank account on July 1, 2014 was \$828,688. Over the 2014-15 fiscal year CCRB received a total of \$476,104 in member assessments, along with less than \$100 in bank interest. The estimated fiscal year end cash that is unspent and unobligated before final adjustments is \$722,788. Allowing for \$10,000 of temporary cash retention (to be distributed by the end of the first quarter) and for funding of the Fish Passage Study by Cardno and Stetson (\$196,500) and for paying remaining unpaid 2014-15 invoices (estimated at \$50,955), all other remaining cash (\$465,333) will be distributed on a pro-rata basis to the CCRB member agencies by the end of July 2015.
3. After the 2014-15 cash adjustments the remaining surplus amount (\$465,333) available for a pro-rata distribution to the CCRB agencies is as follows: Goleta Water District-\$214,193; the City of Santa Barbara-\$190,228; and Montecito Water District-\$60,912. These amounts will be distributed by the end of July 2015. Any remaining unspent 2014-15 surplus funds will also be distributed on a pro-rata basis by the end of the first quarter of the new fiscal year.

4. The proposed quarterly CCRB assessments for 2015-16 are as follows: Goleta Water District-\$159,817; City of Santa Barbara-\$141,936; and Montecito Water District-\$45,449.
5. Because of the intensive restructuring of the CCRB budget this year, a new financial process will be implemented for monthly tracking of the various 2015-16 budget accounts and all tasks identified within a budget account. This structure for greater accountability and real-time management information will bring into real-time any spending that may be approaching exceedance of the amounts in the approved budget. This process will also expedite and simplify future preparation of CCRB budgets and contribute to greater financial transparency and accountability.
6. Any adjustments needed in the budget that involve transfers of funding between accounts or changes in the assessment of the CCRB members can be considered by the Board during any budget review occurring during the fiscal year. At the end of the 2015-16 fiscal year, any surplus funds that are unspent and unobligated will be refunded to the CCRB members.

Cachuma Conservation Release Board
FY 2015-16 Approved Budget

Account Number	Account Name	Authorized Budget FY 2014-15	Estimated Expenditures FY 2014-15	Approved Budget FY 2015-16	Variance FY 14-15 vs. FY 15-16	ID#1 Share FY 2015-16	CCRB Share FY 2015-16
GENERAL & ADMINISTRATIVE						0.00%	100.00%
5100	Audit	8,000	5,587	8,000	0	0	8,000
5200	Liability Insurance	14,000	4,186	4,200	(9,800)	0	4,200
5260	FICA/Medicare	4,590	125	0	(4,590)		
5201	Workers Comp. Insurance	1,000	682	700	(300)	0	700
5301	General Manager Compensation	60,000	66,000	66,000	6,000	0	66,000
5304	Administrative Support	4,500	5,823	5,000	500	0	5,000
5312	Misc. Administrative Expense	3,000	1,666	4,500	1,500	0	4,500
5313	Communications/Computer	7,500	3,329	7,000	(500)	0	7,000
5316	Admin Fixed Assets	3,000	0		(3,000)		
5330	Administrative Travel	2,000	1,351	3,000	1,000	0	3,000
5331	Travel For Federal and State Meetings	20,000	1,017	9,000	(11,000)	0	9,000
5332	Transportation	1,000	176	0	(1,000)		0
	<i>General and Administrative Total</i>	128,590	89,941	107,400	(21,190)	0	107,400
CCRB LEGAL EXPENSES						0.00%	100.00%
7000	General Legal	50,000	21,715	25,000	(25,000)	0	25,000
7001	BO Reconsultation Legal Support	125,000	53,385	150,000	25,000	0	150,000
7002	SWRCB Water Rights	0	913	50,000	50,000	0	50,000
7003	CalTrout v. USBR Litigation	0	47,079	150,000	150,000	0	150,000
	<i>Legal Expenses Total</i>	175,000	123,092	375,000	200,000	0	375,000
TOTAL GENERAL, ADMINISTRATIVE & LEGAL		303,590	213,033	482,400	178,810	0	482,400
CCRB ONLY CONSULTANT ACTIVITIES						0.00%	100.00%
7300	Public Outreach Program	30,000	0	30,000	0	0	30,000
7400	Governmental Affairs and Facilitation	150,000	150,000	108,000	(42,000)	0	108,000
7500	Hydrologic Technical Support	30,000	12,400	20,000	(10,000)	0	20,000
TOTAL CCRB ONLY CONSULTANT ACTIVITIES		210,000	162,400	158,000	(52,000)	0	158,000
SHARED CONSULTANT ACTIVITIES						11.58%	88.42%
6001	BO Reconsultation Activities	504,500	385,650	749,875	245,375	86,836	663,039
7200	SWRCB Proceedings Support	30,000	0	40,000	10,000	4,632	35,368
TOTAL SHARED CONSULTANT ACTIVITIES		534,500	385,650	789,875	255,375	91,468	698,407
CCRB CONTINGENCY						0.00%	100.00%
6500	Contingency	50,000	0	50,000	0	0	50,000
TOTAL BUDGET		1,098,090	761,083	1,480,275	382,185	91,468	1,388,807

= Amount on which Assessments are calculated.

Cachuma Conservation Release Board
Consultant Activities Summarized
FY 2015-16 Approved Budget

Account Number	Account Name	Authorized Budget FY 2014-15	Estimated Expenditures FY 2014-15	FY 15-16 Total Budget	Variance FY 14-15 vs. FY 15-16	ID#1 Share FY 2015-16 Budget	CCRB Share FY 2015-16 Budget
<u>CONSULTANT ACTIVITIES</u>							
6001	BO Reconsultation / Drought Activities	100.00%		100.00%		11.58%	88.42%
	Cardno	296,000	248,355	412,875	116,875	47,811	365,064
	Donahue	15,000	13,350	71,000	56,000	8,222	62,778
	Stetson Engineers	60,000	105,595	217,000	157,000	25,129	191,871
	Hanson Environmental	49,300	18,350	49,000	(300)	5,674	43,326
	Strategic Guidance	50,000	0	0	(50,000)	0	0
	ID1 Staff	25,000	0	0	(25,000)	0	0
	Reconsultation Contingency	9,200	0	0	(9,200)	0	0
	<i>Total</i>	504,500	385,650	749,875	245,375	86,836	663,039
7200	SWRCB Proceedings Support					11.58%	88.42%
	Cardno	10,000	0	10,000	0	1,158	8,842
	Stetson Engineers	10,000	0	20,000	10,000	2,316	17,684
	Hanson Environmental	10,000	0	10,000	0	1,158	8,842
	<i>Total</i>	30,000	0	40,000	10,000	4,632	35,368
7300	Public Outreach Program					0%	100%
	Communications Firm (TBD)	30,000	0	30,000	0	0	30,000
7400	Governmental Affairs and Facilitation					0%	100%
	California Strategies	150,000	150,000	108,000	(42,000)	0	108,000
7500	Hydrologic Technical Support					0%	100%
	Hydrologic Consultant	30,000	12,400	20,000	(10,000)	0	20,000
	TOTAL CONSULTANT ACTIVITIES	744,500	548,050	947,875	203,375	91,468	856,407

Cachuma Conservation Release Board
Consultant Activities Detail
FY 2015-16 Approved Budget - Cardno, Stetson, Hanson

Objective	Task	Task #	Consultant	Proposed	Authorized	Estimated	Approved	Variance	Estimated Work Timing	Dependent upon
				Budget FY 2014-15	Budget FY 2014-15	Expenditures FY 2014-15	Budget FY 2015-16	FY 2014-15 vs. FY 2015-16		
SWRCB Proceedings Support	Technical Support re SWRCB Draft Decision	1.0	Cardno	10,000	10,000	0	10,000	0	Q1-Q2	Delivery of SWRCB draft order
		2.1	Stetson	10,000	10,000	0	20,000	10,000		
		1.0	Hanson	10,000	10,000	0	10,000	0		
		<i>Total</i>			30,000	30,000	0	40,000		
Biological Opinion Support	Review & Respond to Draft BO	2.0	Cardno	83,000	83,000	80,000	70,000	(13,000)	Q1-Q2	Issuance of Draft BO
		2.0	Donahue	3,000	3,000	3,000	3,000	0		
		2.0	Hanson	1,600	1,600	1,600	10,000	8,400		
	Supplemental Analyses in Support of Draft BO and Review of Hydrologic Analyses from NMFS for LSYSR	1.1	Stetson	30,000	30,000	27,860	20,000	(10,000)	Q1-Q2	Issuance of Draft BO
		1.8	Stetson	8,000	8,000	0	5,000	(3,000)		
	Evaluate tributary creeks on South Coast Conduit (SCC)	1.8	Stetson	8,000	8,000	0	5,000	(3,000)	Q1-Q2	Issuance of Draft BO
	Hydrologic Analyses of Alternative Release Scenarios	1.2	Stetson	45,000	0	0	45,000	0	Q1-Q2	Issuance of Draft BO
	BA/BO negotiation meetings	3.0	Cardno	28,000	28,000	9,735	28,000	0	Q1-Q2	Issuance of Draft BO
		3.0	Hanson	24,100	24,100	0	14,000	(10,100)		
	Strategic Literature Survey and Build the Administrative Record	4.0	Cardno	10,000	10,000	900	2,000	(8,000)	Q1-Q2	
	Linking BA Conservation actions to the Recovery Plan	5.0	Cardno	13,500	13,500	3,325	10,175	(3,325)		
	Finalize the BA	Cardno	40,000	40,000	40,000	0	(40,000)		Completed FY14-15	
		Hanson	19,600	19,600	13,000	0	(19,600)			
<i>Total</i>			305,800	260,800	179,420	207,175	(98,625)			
BA/BO Supporting Studies	Evaluate NMFS's comments on Water Rights Order	6.0	Cardno	14,700	14,700	0	14,700	0	Q1-Q2	NMFS comments on the draft order
		2.2	Stetson	0	0	0	10,000	10,000		
	Confidential Study #1 (Downey Brand)	7.0	Cardno	36,000	0	0	36,000	0	Q1-Q2	3,000
		7.0	Donahue	56,000	0	0	56,000	0		
		1.7	Stetson	20,000	0	0	20,000	0		
	Confidential Study #2 (Downey Brand)	8.0	Cardno	69,000	0	0	69,000	0	Q3-Q4	rainfall and water in SYR
		1.6	Stetson	25,000	0	0	25,000	0		
	Impacts of Beaver on Steelhead in the LSYSR Basin	9.0	Cardno	34,000	34,000	3,785	22,000	(12,000)	Q3-Q4	rainfall and water in SYR
	Impacts of Nonnative Predators on Steelhead in the LSYSR Basin	10.0	Cardno	29,000	29,000	10,110	29,000	0	Q3-Q4	rainfall and water in SYR
	Flow Regimes to Address Beaver and Bass in the LSYSR	11.0	Cardno	28,800	28,800	5,500	25,000	(3,800)	Q1-Q2	
		1.4	Stetson	15,000	15,000	0	15,000	0		
	Adult Steelhead Passage Flow Analysis for the LSYSR*	Cardno	161,500	0	0	0	(161,500)	Q3-Q4	Flow in SYR	
		1.3	Stetson	35,000	0	0	0			(35,000)
Geomorphic Analysis of Changes in Mainstem Corridor	1.5	Stetson	12,000	0	0	12,000	0	Q3-Q4	Flow in SYR	
<i>Total</i>			536,000		19,395	333,700	(202,300)			
Strategic Support	Strategic Support	12.0	Cardno	15,000	15,000	37,000	52,000	37,000	Q1-Q4	
		1.9	Stetson	7,000	7,000	30,810	30,000	23,000		
		4.0	Hanson	4,000	4,000	3,750	5,000	1,000		
		12.0	Donahue	12,000	12,000	10,350	12,000	0		
		<i>Total</i>			26,000	26,000	71,560	87,000		61,000

* Tasks were removed from FY2015-16 budget based on Board authorization on June 19, 2015 to conduct and fund these tasks with FY2014-15 contingency and existing unencumbered, unbudgeted CCRB funds.
 = Highlighted tasks to be assessed but will require authorization for implementation by the Board when needed

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Objective	Task	Task #	Consultant	Proposed Budget FY 2014-15	Authorized Budget FY 2014-15	Estimated Expenditures FY 2014-15	Approved FY 2015-16 Budget	Variance FY 14-15 vs. FY 15-16	Estimated Work Timing	Dependent upon
Water Supply / Health and Safety	Continued Health and Safety Analysis	13.0	Cardno	new task	new task	n/a	15,000	n/a	Q1-Q2	
		3.0	Stetson	new task	new task	n/a	10,000	n/a		
		Total		0	0	25,000	25,000			
Contingency	Contingency	14.0	Cardno	58,000	0	58,000	40,000	(18,000)	as needed	
		1.10	Stetson	27,000	0	46,925	25,000	(2,000)		
		5.0	Hanson	50,000	0	0	20,000	(30,000)		
		Total		135,000		104,925	85,000	(50,000)		
Total for all Tasks by Consultant			Cardno	630,500	306,000	248,355	422,875	(207,625)		
			Donahue	71,000	15,000	13,350	71,000	0		
			Stetson	234,000	70,000	105,595	237,000	3,000		
			Hanson	109,300	59,300	18,350	59,000	(50,300)		
Grand Total				1,044,800	450,300	385,650	789,875	(254,925)		

= Highlighted tasks to be assessed but will require authorization for implementation by the Board when needed

**FY 2015-16 CCRB MEMBER UNIT SURPLUS DISTRIBUTIONS AND
COST ALLOCATIONS**

Distribution of FY 2014-15 CCRB Surplus		
CCRB Cash Balance (as of 6-22-15)		722,788
Passage Study Task Funding for Cardno & Stetson		(196,500)
Estimate of Remaining Unpaid Invoices		(50,955)
Surplus Amount Retained until Final Distribution		(10,000)
Remaining Cash for CCRB Member Return		465,333
<u>Allocation of Surplus:</u>		
Goleta Water District	46.03%	214,193
City of Santa Barbara	40.88%	190,228
Montecito Water District	13.09%	60,912
TOTAL DISTRIBUTION	100.00%	465,333

Allocating FY 2015-16 CCRB Budget Expenses of:	\$1,388,807	PERCENT %	Annual
Goleta Water District		46.03%	639,268
City of Santa Barbara		40.88%	567,744
Montecito Water District		13.09%	181,795
TOTAL		100.00%	1,388,807

Quarterly Assessments for Adopted Budget	PERCENT %	Quarterly*
Goleta Water District	46.03%	159,817
City of Santa Barbara	40.88%	141,936
Montecito Water District	13.09%	45,449
TOTAL	100.00%	347,202

* Quarterly assessments subject to Board mid-year budget review

CARDNO
SCOPE OF WORK



Cardno

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July 1, 2015

Mr. Dan Griset
General Manager
Cachuma Conservation Release Board
629 State Street, Suite 244
Santa Barbara, CA 93101

Subject: Proposed Fiscal Year 2015-16 Scope of Work and Cost Estimate for Cachuma Project Biological Opinion Reconsultation Support

Dear Mr. Griset:

Cardno is pleased to submit this proposed scope of work to support Cachuma Conservation Release Board (CCRB) and Santa Ynez River Water Conservation District, Improvement District #1 (ID#1) with the consultation on Southern California Steelhead with the National Marine Fisheries Service under Section 7 of the Endangered Species Act. For Fiscal Year 2015-16, we have identified sixteen tasks that will provide CCRB and ID#1 with information critical to the consultation. These are described fully in the scope of work below. The total estimated cost to complete this scope of work in FY2015-16 is \$231,700 plus \$409,300 in estimated roll-over budget from FY2014-15. The majority of the rollover funds were for tasks which were rainfall and flow dependent, or and/or which have not yet been authorized by CCRB.

Ms. Jean Baldrige will continue to be Cardno's primary contact and technical lead supported by Joel Mulder for day-to-day project management, quality assurance, and additional technical support will be provided by Sarah Horwath or other Cardno staff.

Cardno values our long-term relationship with the CCRB and ID#1. In reflection of this valued relationship, Cardno is continuing to provide Ms. Baldrige's services at a 40 percent discount from her standard hourly rate. Additionally, we have reduced our expense and subcontractor markup from 15% to 5%.

Thank you for your consideration of this scope of work. We are available to address any question or comments you have concerning this work.

Sincerely,

Joel Mulder
Senior Project Scientist for Cardno

Cachuma Conservation Release Board
July 1, 2015

Cardno
Cachuma Project Biological Opinion Reconsultation Support

Scope of Work
Fiscal Year 2015-16

This scope of work presents the tasks and budget for assisting Cachuma Conservation and Release Board (CCRB) and the Santa Ynez River Water Conservation District, ID #1 (ID #1) with Reconsultation under Section 7 of the Endangered Species Act with the National Marine Fisheries Service (NMFS) for the operation and maintenance of the Cachuma Project on the Lower Santa Ynez River (LSYR). This scope of work assumes that the State Water Resources Control Board's (SWRCB) Water Right's Hearing Process is completed in Fiscal Year (FY) 2015-16. Table 1 (at the end of the document) provides a summary of the proposed budget for FY 2015-16. All cost estimates are based on the Cardno FY2015-16 Schedule of Fees (attached).

Overview

The reconsultation on the Cachuma Project can take three possible pathways to arrive at a final Biological Opinion (BO). The first step for all three pathways is submission of the Draft Biological Assessment (BA) by Reclamation to NMFS. This was completed in November 2013. NMFS determined that the draft BA was sufficient to begin formal consultation. Thus, no Final BA is will be necessary , however additional information will need to be developed to support areas of the BA that were not developed in the draft and to address question raised by Reclamation or NMFS. Reclamation has received a number of additional information requests related to the Draft BA. Cardno and other consultants have assisted Reclamation with these responses. NMFS may continue to request additional information or clarification of material submitted from Reclamation that will require support from the consulting team and attorneys.

NMFS will produce a Draft BO which will be either a) a non-jeopardy opinion, b) a jeopardy opinion with Reasonable and Prudent Alternatives (RPAs) to avoid harming the steelhead population, or 3) recommended changes to the Proposed Action to avoid a jeopardy opinion. Reclamation will comment on the Draft BO and may choose to negotiate changes to the Proposed Action to avoid a jeopardy opinion in the Final BO (Path 2) or comment on the RPAs associated with the jeopardy opinion (Path 3).

It is uncertain how long it will take NMFS to release the Draft BO, however, we anticipate the BO may be released in late 2015. The Draft BO has been delayed by consultation between NMFS and Reclamation on the critical drought and fish water releases to the lower river, as is required in the 2000 BO and other drought consultations that have been prioritized over the long-term BO for the Cachuma Project.

We also anticipate comments from NMFS on the SWRCB's Draft Water Rights Order within 30-45 days of the Draft Order. These comments are likely to provide some insights on NMFS's direction for comments on the Draft BA and potential outcomes for the Draft BO. In this scope of work, we propose examining both NMFS's comments on the Draft Water Rights Order and the SWRCB's final Water Rights Order to determine if modifications to the Proposed Action in the BA will be required. If the Draft BO is released prior to the Draft Water Rights Order, this task may not be necessary.

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TASK 1.0 – Technical Support for SWRCB Water Rights Order Public Review Draft

Total Estimated Budget: \$10,000

The timing of the release of the SWRCB's Water Rights Order public review draft has been uncertain due to the statewide drought emergency. The Order may require actions on the part of Reclamation that could include additional water releases to support steelhead in the LSYSR and/or studies in the Upper Basin. Cardno will evaluate the draft Order to determine if changes to the Proposed Action included in the Draft BA are needed.

We will provide CCRB/ID#1 and Reclamation with a written summary of the implications of the draft Order on the Draft BA and our recommendations for refinements of the Proposed Action to avoid a potential jeopardy opinion. Discussions with Reclamation and CCRB/ID#1 will further evaluate potential changes to the Proposed Action, and if they are required, Cardno will revise the effects analysis in the BA as directed.

If the water rights order is released by mid-May 2015, this task may be accomplished in FY2014-15 and will not be required for FY2015-16.

TASK 2.0 – Review & Respond to Draft BO

Estimated Budget: \$70,000

Under this task, Cardno will review and respond to a Draft BO, including review and comment by CCRB/ID#1 and Reclamation. The review will include additional analyses that are responsive to NMFS's RPAs/RPMs and CCRB/ID#1 and Reclamation's direction. This task also includes new and re-analyses required to address issues raised by Reclamation or CCRB/ID#1 in light of any NMFS additional information requests and comments. The response to the Draft BO may also incorporate additional data derived from focused studies (described in Tasks 5 through 11 below). One potential outcome of the Draft BO review may be changes or additions to the proposed action. If this is the case, Cardno will revise the proposed action and complete the effects analyses associated with any changes in the proposed action.

This scope of work assumes that NMFS will provide a Draft BO during the 2015-16 fiscal year. While awaiting it, Cardno proposes a list of parallel actions to complete in preparation for responding to RPAs that may be included as part of a possible jeopardy opinion. Efforts to support preparation of the Draft BO have been ongoing during FY2014-15 and will be continued in FY2015-16. Sub-tasks for preparing for the Draft BO include:

- Complete analysis of monitoring data to determine statistically-robust, credible population estimates for the LSYSR, led by Dr. Bill Warren-Hicks, Technical Director of Statistics.
- Strategic guidance: internal calls and meetings with managers, attorneys and project team members; calls and meetings with Reclamation, led by Ms. Jean Baldrige, Technical Director.
- Incorporate results from additional studies and analyses conducted during FY2014-15.
- Incorporate comments from CCRB/ID#1 and Reclamation on the Draft BO for Reclamation to submit to NMFS.
- Respond to NMFS and Reclamation requests for additional information.

Cardno will be supported on this task by Ed Donahue (FEC): \$3000

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TASK 3.0 – BO Negotiation Meetings

Estimated Budget: \$28,000

NMFS will produce a Draft BO which will be either a) a non-jeopardy opinion, b) a jeopardy opinion with Reasonable and Prudent Alternatives (RPAs) to avoid harming the steelhead population, or 3) recommended changes to the Proposed Action to avoid a jeopardy opinion. Reclamation will comment on the Draft BO and may choose to negotiate changes to the Proposed Action to avoid a jeopardy opinion in the Final BO or comment on the RPAs associated with the jeopardy opinion.

Cardno will support CCRB, ID#1, and Reclamation during this process, utilizing information from studies and analyses conducted in preparation for negotiations and/or RPAs. This effort will be led by Ms. Jean Baldrige, Technical Director.

TASK 4.0 – Strategic Literature Survey and Build the Administrative Record

Estimated Budget: \$9,000

Strategic survey of the literature and building the administrative record for the Section 7 consultation will ensure relevant, recent NMFS BAs and BOs and other studies or literature are analyzed for potential influence or consequences on the reconsultation, and so they can be referenced during potential future legal actions. This task was started in FY 2012-13 as component of the draft BA preparation with investigation into strategic literature by James Lecky. It will be continued in FY2015-16 in order to complete the administrative record.

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TASK 5.0 – Linking the Biological Assessment to Southern California Steelhead Recovery Plan Recovery Actions

Estimated Budget: \$10,175

We anticipate that in preparing the Draft BO, NMFS will refer to the recovery actions outlined in the Recovery Plan in developing additional conservation measures and potential RPAs (if a jeopardy opinion is determined). NMFS has already indicated that these are likely to include passage around Bradbury Dam and increased passage and summer rearing flows in the LSZR.

In order to protect CCRB/ID#1's water supplies, Cardno will assess the suite of recovery actions in the Recovery Plan to identify additional conservation measures NMFS could require of Reclamation in the BO. The assessment would 1) identify the recovery action as cited in the Recovery Plan; 2) evaluate the feasibility and practicability of the action for implementation in the Santa Ynez River; and 3) describe reasons why the action is not included in the current Draft BA. The evaluation would also include a description of how the conservation measures in the Draft BA provide the benefits and support the desired outcomes of the recovery plan, making direct linkages from the measures to the recovery plan goals. We will prepare a technical memo that would support Reclamation during discussions with NMFS in the negotiation of the Final BA and, if required, negotiations of the RPAs, providing them with documentation of the benefits of the conservation measures already proposed in the Draft BA. Work on a draft document was completed in FY 2014-15 and a final document will be prepared in FY 2015-16

TASK 6.0 – Evaluate NMFS's Comments on SWRCB Water Rights Order Public Review Draft

Total Estimated Budget: \$14,700

As described in Task 1 above, the timing of the SWRCB's Water Rights Order public review draft has been uncertain due to the statewide drought emergency; however it may be available before June 2016. NMFS's comments on the Draft order may provide insight on the direction they will take in the ESA consultation, both during the informal portion of the reconsultation and in their Draft BO. Cardno will evaluate NMFS's comments on the draft Order to determine if changes to the Proposed Action are needed to avoid a potential jeopardy opinion.

We will provide CCRB/ID#1 and Reclamation with a written summary of the implications of NMFS's comments on the Draft BA and our recommendations for refinements of the Proposed Action to avoid a potential jeopardy opinion. As directed, we will incorporate the recommendations into the Proposed Action and revise the effects analysis as needed to address the revised Proposed Action.

TASK 7.0 – Confidential Study #1 (Downey Brand)

Estimated Budget: \$36,000

Cardno will be supported on this task by Ed Donahue (FEC): \$56,000

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TASK 8.0 – Confidential Study #2 (Downey Brand)

Estimated Budget: \$69,000

TASK 9.0 – Impacts of Beaver on Southern California Steelhead in the LSYR watershed

Estimated Budget: \$22,000

Beavers alter the hydrology, biogeochemistry, vegetation, and production of the waterways they inhabit and are considered to be habitat-modifying keystone species in freshwater ecosystems. The most cited negative impact of beaver dams on salmonids is the creation of passage impediments to upstream and downstream movements. Impacts of Beaver on steelhead were partially addressed under this task in for the Beaver Management Plan in FY 2014-15. In FY 2015-16, a study will evaluate the impacts of dams on steelhead movement and migration, which could have important ramifications relating to passage flow supplementation and passage improvement projects. It is critical to document the impacts of beaver dams on the steelhead population so that appropriate management actions can be developed to support the steelhead population in the LSYR.

This study includes two tasks: (1) a smolt retention survey to determine if downstream migration of smolts may be impeded by beaver dams, and (2) assessment of beaver dams as upstream passage barriers.

The upstream passage barrier assessment portion of the study was to be completed in FY2012-13, prior to the June 2013 BA submittal date. However, because WY2013, WY 2014, and WY 2015 were extremely dry years without sufficient flows to conduct the study, the fieldwork for this study was postponed and is planned for completion in FY2015-16. The smolt retention survey and the passage barrier assessments will be conducted pending rainfall and sufficient flow in the river. This task will be led by Mr. Joel Mulder for Cardno, who will provide field leadership, project coordination and oversight to Cardno staff, reporting and analysis.

TASK 10.0 – Impacts of Non-native Predators on Southern California Steelhead in the LSYR watershed

Estimated Budget: \$29,000

Since implementation of the flow targets at the Alisal and Refugio reaches in the LSYR mainstem as required by the 2000 BO, COMB fisheries staff have observed an increase in warm-water nonnative, predatory fish (particularly largemouth bass) in the Alisal and Refugio reaches during fisheries surveys. It is hypothesized that predation of steelhead fry and juveniles by bass is impacting the steelhead population in the LSYR. The BA requires an analysis of all direct and indirect effects of the project on all steelhead life stages. Water releases which result in an increase in steelhead predators could be considered an indirect effect under the ESA. Evaluation of the impact of non-native predators on steelhead is critical for effective management and continuation of target flows in the Refugio and Highway 154 Reaches, and as partial justification for discontinuation of the Alisal Reach target flows.

In WY2014, this study was commenced to sample largemouth bass from the Long Pool for stomach contents analysis. Field efforts were performed by Cardno staff and COMB fisheries staff. The results of DNA analysis confirmed that bass prey upon steelhead. However, due to the drought of WY2014 and lack of flow events to facilitate downstream movement of many smolts from Hilton Creek to the LSYR mainstem, the sampling was conducted following rescue and relocation of *O. mykiss* to the Long Pool which had resulted from a HCWS failure. Further, snorkel surveys in the mainstem prior to sampling indicated that few *O. mykiss* were present in

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the lower mainstem reaches, possibly due to the drought conditions; thus, sampling only occurred in the Long Pool.

To more fully evaluate the impacts of non-native species on juvenile steelhead, this study will be continued in FY2015-16, pending rainfall and flow events. Future efforts will increase sample size and the extent of the study. To quantify predation during seasonal volitional passage of juvenile steelhead, sampling of predators will be conducted following out-migration inducing flow events, as monitored by the migrant trapping program in Hilton Creek. Additional locations in the LSYR mainstem will be sampled, ideally in the Refugio and Alisal reaches.

Cardno holds the required permits to complete this work and will lead the effort, with support from COMB fisheries staff.

TASK 11.0 – Flow Regimes to Address Beaver and Bass in the LSYR

Estimated Budget: \$25,000

Since implementation of the flow targets at the Alisal and Refugio reaches in the mainstem LSYR as required by the 2000 BO, COMB fisheries staff have observed an increase in warm water, nonnative, predatory fish (particularly largemouth bass) in the Alisal and Refugio Reaches. Since initiation of the flow targets, annual monitoring has also documented a notable increase in the number of beaver dams on the LSYR and tributaries. It is hypothesized that predation of steelhead fry and juveniles by bass is impacting the steelhead population in the LSYR, and predation on steelhead by bass was confirmed during the 2014 predator stomach sampling study. Beaver dams create passage barriers that likely impede both upstream and downstream migration and that create pond-like habitats potentially favoring non-native predators.

During the analyses conducted in preparing the Draft BA, the magnitude of the impacts on steelhead from both beaver and bass in the Highway 154 and Refugio Reaches became apparent. A more extensive management strategy is needed to address the impacts of beavers and bass. Steelhead could potentially benefit from a flow regime that more closely mimics natural flow conditions and which may reduce beavers and bass in the LSYR. Such a management strategy may include allowing the lower river to go dry during dry years. The current Proposed Action eliminates target flows in the year after a spill in the Alisal Reach in an effort to reduce the bass population.

In FY2014-15, we began working with Stetson Engineers to develop an appropriate flow regime to protect steelhead and reduce beaver and bass populations. The flow regimes will be further refined and a report to CCRB/ID#1 will be completed in FY2015-16. This task includes revising the Proposed Action based on the refined target flow management approach and re-evaluating the effects analysis in response to the Draft BO.

NMFS has expressed a desire for additional flow releases to support habitat in Hilton Creek and permanent flow every year in the Alisal Reach. Given NMFS's likely concerns with reducing summer rearing flows in some years rather than increasing them, the revised analysis will clearly describe the advantages and disadvantages of such a strategy on steelhead population-level dynamics. The analysis will identify ways in which the conservation measures in the BA, taken as a whole, will increase steelhead population without supporting beaver and bass habitat. This analysis will include linkages to the Recovery Plan to demonstrate how the revised flow management, in the context of the overall conservation measures, will support the recovery goals.

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TASK 12.0 – Strategic Support Tasks

Estimated Budget: \$52,000

Considerable strategic development and coordination between CCRB/ID #1, Reclamation, Cal Strategies, the consultant team, and attorneys has been underway and is expected to continue to be required to address strategic considerations, including strategic memos to the Board Members, meetings with the City of Santa Barbara, and the Boards of the Goleta Water District and Montecito Water District, meetings and discussions with elected officials and their staffs and other as yet unforeseen strategic efforts.

Cardno will be supported on this task by Ed Donahue (FEC): \$12,000

TASK 13.0 – Continued Drought Support and Health and Safety Analysis

Estimated Budget: \$40,000

Water year 2014-15 was the fourth year of drought in Southern California, which has put stress on the water supplies for the South Coast. As Lake Cachuma water levels have continued to drop, the Member Units, with Cardno's support, have conducted analysis of future water availability for human health and safety uses on the South Coast. Cardno will continue to support CCRB in FY2015-16 with ongoing health and safety analysis. Cardno will also support additional critical drought consultation work between Reclamation and NMFS related to determining releases for fish to the lower river during the critical drought, as needed.

TASK 14.0 – Contingency

Estimated Budget: \$40,000

This scope of work includes a contingency for additional strategic tasks and meetings as requested by the individual Boards and City. The budget estimates for the above tasks are based on our understanding of the level of effort required to adequately complete the tasks as described. We anticipate additional funding may be needed due to the uncertainty in the timing and elements of some of these tasks. The contingency funds may be used to support additional effort for these tasks or for new, unanticipated efforts on other tasks on an as-needed basis. Contingency funds will only be utilized as directed by the CCRB General Manager.

Key Staff

The following key staff will participate in the development of the BA and studies to support the Reconsultation process.

Ms. Jean Baldrige, Technical Director, Water Resources Management

Ms. Baldrige has twenty years' experience with the Cachuma Project and extensive experience with complex, controversial ESA salmonid consultations in a variety of watersheds throughout the west. Ms. Baldrige provided expert witness testimony on behalf of CCRB/ID#1 during the series of State Water Resources Control Board Water Rights Hearings and was the principle author of the 2000 BA, providing technical support to CCRB/ID#1 and Reclamation during the initial ESA consultation with NMFS in 2000. Ms. Baldrige is Cardno's technical and strategic lead for the Reconsultation process and brings considerable institutional knowledge, technical

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expertise and strategic perspective to the project leadership. She is a key author of the BA and provides technical oversight of the supporting studies.

Mr. James Lecky, Senior Consultant, Fisheries/ESA Expert

Mr. Lecky has 36 years of experience as a biologist with the NMFS. He served as Assistant Regional Administrator for NMFS in California and spent seven years as the Director, Office of Protected Resources for NMFS in Washington, D.C. During his tenure at NMFS, Mr. Lecky worked with a myriad of federal agencies in many arenas to discover ways for Federal Actions to proceed without jeopardizing the continued existences of threatened and endangered species or resulting in the destruction or adverse modification of critical habitat. He consulted with Reclamation on the present BOs for the Cachuma Project, Robles Fish Passage Project and Vern Freeman Diversion Project. He was also instrumental in many other consultations throughout California. For instance, he consulted with both USACE and Reclamation on a number of other California water projects, including those for the Salinas Valley Water Project, Russian River Operations and Maintenance, Shasta Dam, Redbluff Diversion Dam and the Central Valley Water Project and State Water project.

Mr. Joel Mulder, Senior Project Scientist, Fisheries Biologist

Mr. Mulder is a fisheries biologist with five years' experience on the Cachuma Project and extensive steelhead experience throughout Southern California. Mr. Mulder is the key author of the BA and technical lead for the supporting studies.

Ms. Sarah Horwath, Senior Staff Scientist, Fisheries Biologist

Ms. Horwath is a fisheries biologist with four years' experience on the Cachuma Project, including significant experience in steelhead monitoring as a member of the COMB fisheries staff. Ms. Horwath provides key support in the development of the BA chapters and implementation of the supporting studies.

Table 1: Summary of Estimated Fiscal Year 2015-16 Cardno Budget.

Reconsultation Support	Total Budget FY 15-16
<i>CCRB Funded Tasks</i>	
Task 1: Evaluate SWRCB Water Rights Order Public Review Draft	\$10,000
Task 2: Review & Respond to Draft BO	\$70,000
Task 3: BO Negotiation Meetings	\$28,000
Task 4: Strategic Literature Survey and Build the Administrative Record	\$2,000
Task 5: Linking the BA to the Recovery Plan	\$10,175
Task 6: Evaluate NMFS's Comments on SWRCB Water Rights Order Public Review Draft	\$14,700
Task 7: Confidential Study #1 (Downey Brand)	\$36,000
Task 8: Confidential Study #2 (Downey Brand)	\$69,000
Task 9: Impacts of Beaver on Southern California Steelhead in the LSYS watershed	\$22,000

Cachuma Conservation Release Board
July 1, 2015

Reconsultation Support	Total Budget FY 15-16
Task 10: Impacts of Non-native Predators on Southern California Steelhead in the LSJR watershed	\$29,000
Task 11: Flow Regimes to Address Beaver and Bass in the LSJR	\$25,000
Task 12: Strategic Support Tasks	\$52,000
Task 13: Continued Health and Safety Analysis and Drought Consultation	\$15,000
Task 14: Contingency	\$40,000
<i>SWRCB WR Order Total</i>	<i>\$10,000</i>
<i>BO/BA Reconsultation/Drought Total</i>	<i>\$343,700</i>
TOTAL PROJECT COST	\$422,875

* Task was removed from FY2015-16 budget based on Board authorization on June 19, 2015 to conduct and fund these tasks with FY2014-15 contingency and existing unencumbered, unbudgeted CCRB funds.

Table 2: Summary of Estimated Fiscal Year 2015-16 FEC (Ed Donahue) Budget.

Reconsultation Support	Total Budget FY 15-16
<i>CCRB Funded Tasks</i>	
Task 2: Review & Respond to Draft BO	\$3,000
Task 7: Confidential Study #1 (Downey Brand)	\$56,000
Task 12: Strategic Support	\$12,000
TOTAL PROJECT COST	\$71,000

Cardno project costs include a 3% Communications Fee. This fee, standard on the CCRB contract for over 20 years, is charged in lieu of time-of-use fees and unit costs associated with long-distance telephone and cell phone usage, conference call fees, photocopying and printing, cd/dvd preparation charges, and related project-specific charges.

STETSON
SCOPE OF WORK

STETSON ENGINEERS
PRELIMINARY SCOPE OF WORK FOR CCRB AND ID NO.1
FY 2015- 2016

The scope of work by Stetson Engineers in conjunction with the BO reconsultation and the SWRCB decision for the Cachuma Project consists of the following tasks for Fiscal Year 2015 – 16 (July 1 through June 30).

TASK 1: REVISED BO RECONSULTATION SUPPORT **\$197,000**

This work is performed in connection with the reconsultation by the National Marine Fisheries Service (NMFS) on the existing Biological Opinion (BO) for the Cachuma Project. The primary subtasks that Stetson will perform are described below:

a) Task 1.1- Supplemental Analyses in Support of Draft BA and Review of Hydrologic Analyses from NMFS **(\$20,000)**

The U.S. Bureau of Reclamation (Reclamation) submitted a draft BA to NMFS in November 2013. This task provides for any additional hydrologic analysis, information, and/or clarifications in response to comments or questions by NMFS regarding the material and analyses submitted in the draft BA. This task also includes furnishing information on supplemental data requests by NMFS on the Project operations

b) Task 1.2- Hydrologic Analyses of Alternative Release Scenarios **(\$45,000)**

As part of NMFS’s review of the draft BA, it is likely that NMFS will set forth its description of the proposed project, including a revised downstream release schedule and pertinent scientific information in support of their analyses. This alternative downstream release schedule could be proposed within two types of processes: either during NMFS’ formal consultation with Reclamation or in response to a draft Jeopardy Opinion. Stetson will review the hydrologic components of NMFS’ analyses and related studies. Stetson will undertake analyses and provide comments and questions on NMFS’ scientific studies used to justify their proposals. NMFS has provided a report entitled “Annual Hydrograph Assessment for Steelhead Migration in the Santa Ynez River” by Humboldt State University River Institute dated June 30, 2014. Stetson has

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performed work by analyzing this report in FY 2014-15. The key hydrologic studies and data that NMFS has acquired but not yet released include:

- Hydrodynamic 3-D model of the river channel that relates flow quantity with specific habitat properties (i.e. depth and area);
- Additional water quality monitoring that NMFS has performed to justify their release proposals.

Stetson will perform a thorough review of NMFS’ hydraulic model, hydrologic analysis of pre-dam conditions, and water quality analyses. The review will evaluate the scientific merit of their analyses as it pertains specifically to the underpinnings of NMFS’ alternative release schedule.

This task also provides for extensive modeling and other hydrologic analyses to assess the effects of any revisions to the proposed action by NMFS as well as by the Member Units. Most likely there will be several alternative scenarios of Cachuma Project operations that will be need to be tested, as well as several model iterations or refinements to the scenarios requested by the different parties involved. Stetson will perform these analyses in order to set forth the preferred approach for any variations to the proposed project using the most recent data, such as different release scenarios. Unless the Santa Ynez River RiverWare Model (SYRRM) has been fully calibrated, the Santa Ynez River Hydrology Model (SYRHM) will continue to be the primary modeling tool. Daily flows will be estimated from the model output similar to the modeling platform used for the existing BO, based on the disaggregation technique using key gaged tributary flows. The key impacts to the Cachuma Project water supply of the Member Units during drought periods will be assessed, as well as impacts to the magnitude, frequency, and pattern of flows downstream of Cachuma Reservoir for fishery purposes. Stetson will consult with Cardno-Cardno, CCRB, ID No. 1, and Reclamation on any potential changes or technical refinements to the flow-related components of the BA.

d) Task 1.4 – Modeling to support flow regime proposals to manage beavers and bass in the LSZR (\$15,000)

To respond to anticipated suggestions from NMFS on the draft BA for increased and/or decreased releases downstream to manage beavers and bass, a hydrologic analysis is needed to determine what the water cost to the Member Units will be from the Cachuma Project. This task

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involves undertaking model analysis of the lower Santa Ynez River channel to determine the water supply costs and downstream hydrologic conditions for different scenarios.

e) Task 1.5 – Geomorphic Analysis of Changes in Mainstem Corridor (\$12,000)

The results of the 2013-14 study for the evaluation of the changes in location and extent of critical riffles would be reviewed with Reclamation and NMFS. A report would be prepared based on the field data, mapping and aerial photos. Mr. Matt Smeltzer of Geomorph Design will be working with Stetson on this task.

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f) Task 1.6 – Confidential Study #2 (\$25,000)

g) Task 1.7 – Confidential Study #1 (\$20,000)

h) Task 1.8 – Evaluate Tributary Creeks on South Coast Conduit (SCC) (\$5,000)

Undertake the refinement of watershed model analysis on selected creeks, such as Mission and Carpinteria creeks, to determine the potential flow regimes for steelhead. Coordinate those analyses with Cardno-Cardno in connection with the NMFS’ consultation on the SCC.

i) Task 1.9 – Meetings/Telephone Conference Calls and Coordination with Project Team, Reclamation and NMFS (\$30,000)

This task relates to working with CCRB, ID No. 1, Cardno-Cardno and Reclamation including strategic planning, participating in meetings and conference calls, and supplying data, information, and feedback during reconsultation with NMFS. This task also may involve meetings with NMFS on reconsultation including discussions of technical and hydrological aspects of the proposed project.

j) Task 1.10 – Miscellaneous Hydrologic Support (\$25,000)

This subtask relates to miscellaneous work items (unforeseen tasks) related to potential strategic analyses and answering questions from the Project Team. Often new topics of concern are identified as needing special attention during the BO reconsultation process. They also pertain to Cachuma Project storage and operations. Additionally, this task includes contingency for some of the work items that may require added efforts.

TASK 2: TECHNICAL SUPPORT FOR SWRCB DECISION (\$30,000)

a) Task 2.1 – Review Draft Decision and Provide Technical Support (\$20,000)

This subtask is performed in connection with reviewing and analyzing the draft decision by the State Water Resource Control Board (SWRCB) for the Cachuma Project water rights. This task includes preparing and testifying in a hearing (one day) on the draft decision at the SWRCB. This task may involve additional hydrology analyses to address potential concerns raised by the

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draft decision.

b) Task 2.2 – Prepare Response to NMFS’s Comments on Proposed Order (\$10,000)

This subtask would provide analyses to respond to NMFS’ comments on the State Water Resource Control Board (SWRCB) draft water rights order, and any additional flow related studies that may be included in the SWRCB order. It also includes technical support to the attorneys in preparing for potential challenges to the SWRCB Final Decision on Cachuma Permits 11308 and 11310.

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TASK 3: CONTINUED DROUGHT SUPPORT **(\$10,000)**

Lake Cachuma is currently in the fourth year of a historical drought (2012, 2013, 2014, and 2015) since the spill in 2011 and rainfall has only averaged about 10 inches over these four years. This task involves continuing hydrologic support during this severe drought including, but not limited to, projecting available water supplies, lake elevations, and analyses in support of the Section 7 consultation between Reclamation and NMFS on the drought supply operations.

TOTAL TASKS 1-3: **\$237,000**

COST ESTIMATE FOR CCRB AND ID NO. 1
SOW for Cachuma Project by Stetson Engineers
FY 2015-2016

Stetson Totals

	Principal		Senior		Associate		Assistant		Word Processing		
	hrs	\$225	hrs	\$154	hrs	\$127	hrs	\$88	hrs	\$68	
Task 1: BO Reconsultation Support	256	\$57,600	591	\$91,014	458	\$58,166	252	\$22,176	47	\$3,196	\$197,000
1.1 Supplemental Analyses in Support of Draft BA and Review of Hydrologic Analyses from NMFS	20	\$4,500	55	\$8,470	50	\$6,350	5	\$440	4	\$272	\$20,000
1.2 Hydrologic Analyses of Alternative Release Scenarios	30	\$6,750	125	\$19,250	120	\$15,240	40	\$3,520	4	\$272	\$45,000
1.3 Model Analysis for Downstream Routing Passage Flows	17	\$3,825	100	\$15,400	100	\$12,700	32	\$2,816	4	\$272	\$35,000
1.4 Modeling to Support Flow Regime Proposals to Manage Beavers and Bass in the LSYR	12	\$2,700	45	\$6,930	30	\$3,810	15	\$1,320	4	\$272	\$15,000
1.5 Geomorphic Analysis of Changes in Mainstem Corridor	28	\$6,300	12	\$1,848	8	\$1,016	25	\$2,200	10	\$680	\$12,000
1.6 Confidential Study #2	2	\$450	2	\$308	20	\$2,540	16	\$1,408	4	\$272	\$25,000
1.7 Confidential Study #1	80	\$18,000	60	\$9,240	19	\$2,413	0	\$0	5	\$340	\$20,000
1.8 Evaluate Tributary Creeks on South Coast Conduit (SCC)	30	\$6,750	78	\$12,012	20	\$2,540	39	\$3,432	4	\$272	\$5,000
1.9 Meetings/Telephone Conference Calls and Coordination with Project Team, Reclamation and NMFS	42	\$9,450	96	\$14,784	0	\$0	48	\$4,224	23	\$1,564	\$30,000
1.10 Miscellaneous Hydrologic Support	28	\$6,300	64	\$9,856	0	\$0	32	\$2,816	15	\$1,020	\$25,000
	14	\$3,150	32	\$4,928	0	\$0	16	\$1,408	8	\$544	
	60	\$13,500	55	\$8,470	40	\$5,080	22	\$1,936	15	\$1,020	\$30,000
Task 2: Technical Support for SWRCB Proceedings											\$30,000
1.1 Review Draft Decision and Provide Technical Support											\$20,000

1.2 Prepare Response to NMFS's Comments on Proposed Order

\$10,000

Task 3: Continued Drought Support

\$71,100	\$99,484	\$63,246	\$24,112	\$4,216	\$10,000
				<u>TOTAL</u>	<u>\$237,000</u>

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D R A F T 5/26/2015

CALIFORNIA STRATEGIES
SCOPE OF WORK
(For Confidential Distribution)

NORMAN BROWN
SCOPE OF WORK
(For Confidential Distribution)



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Proposed Milpas Business Improvement District

RECOMMENDATION:

That Council receive a status report from the Greater Eastside Merchants Association on proposed plans to create a Milpas Business Improvement District.

DISCUSSION:

In May 2015, the Greater Eastside Merchants Association contacted the City about creating a business improvement district that would formalize the identity of the Milpas merchants. Miguel Avila from the Association will make a presentation to Council regarding a proposal to create a Milpas Business Improvement District that would assess businesses between the 200 and 600 blocks of Milpas Street for economic development and cleaning and security services during public events.

Under the California Streets and Highway Code, the Property and Business Improvement District Law of 1994 allows the creation of improvement districts for the purpose of providing improvements and activities through the levy of an assessment on the businesses or real property who receive a specific benefit. The law authorizes cities to collect the assessment on behalf of a nonprofit entity that is under contract by the city to implement activities outlined by the management district plan. Specifically, state law allows the district to provide the following activities:

- Promotion of public events which benefit businesses or real property in the district,
- Furnishing of music in any public place within the district,
- Promotion of tourism within the district,
- Marketing and economic development, including retail retention and recruitment,
- Providing security, sanitation, graffiti removal, street and sidewalk cleaning, and other municipal services supplemental to those normally provided by the municipality, and
- Activities which benefit businesses and real property located in the district.

The Greater Eastside Merchants Association is proposing an improvement district that would assess businesses for a flat rate determined by business type. The assessment rates would range from \$35 to \$70 with the full rate schedule available in the Proposed Management District Plan. The district would extend from the 200 to 600 block of Milpas Street (see Attachment). The proposed district is estimating an annual collection and budget of \$5,975 with the assessment expiring in 5 years, beginning on November 1, 2015 and ending October 31, 2020. Each year, the Association would provide an annual report to the City Council. At the anniversary of the district formation, a 30-day period would begin for business owners representing more than 50% of the assessment value to protest and initiate a Council hearing on district termination.

In accordance with state law, the first step for the Association to form a new district is the development of a Management District Plan and petitioning affected businesses. When the Association submits petitions from businesses that exceed 50% of the assessment value, the City's process to review and evaluate the proposal will officially begin. The City Council retains considerable discretion and control over the approval of the district, amount of the assessment, and the types of improvements and activities to be funded. Upon petition submittal, staff will verify that sufficient petitions were received and will prepare for Council consideration a Resolution of Intention to initiate proceedings to levy an assessment with official public noticing and protest procedures. In thirty days following the adoption of the Resolution of Intention, the City Council would conduct a public hearing and determine whether there is a lack of a majority protest (receiving protest letters representing 50% or more of the assessment value). If the public hearing is considered successful due to a lack of majority protest, the City Council would consider adopting a Resolution of Formation and a Resolution Establishing the District.

The specific responsibilities of the City and the Greater Eastside Merchants Association would need to be established under a contract, consistent with the proposed activities outlined in the Management District Plan. The Proposed Management District Plan is scheduled to be available to the public by the end of July.

It should be noted that another petition gathering effort is currently underway for a Milpas-Eastside Business Improvement District, coordinated by the Milpas Community Association. They presented a proposal to City Council in November 2014 and are anticipating returning to Council with petitions in late summer.

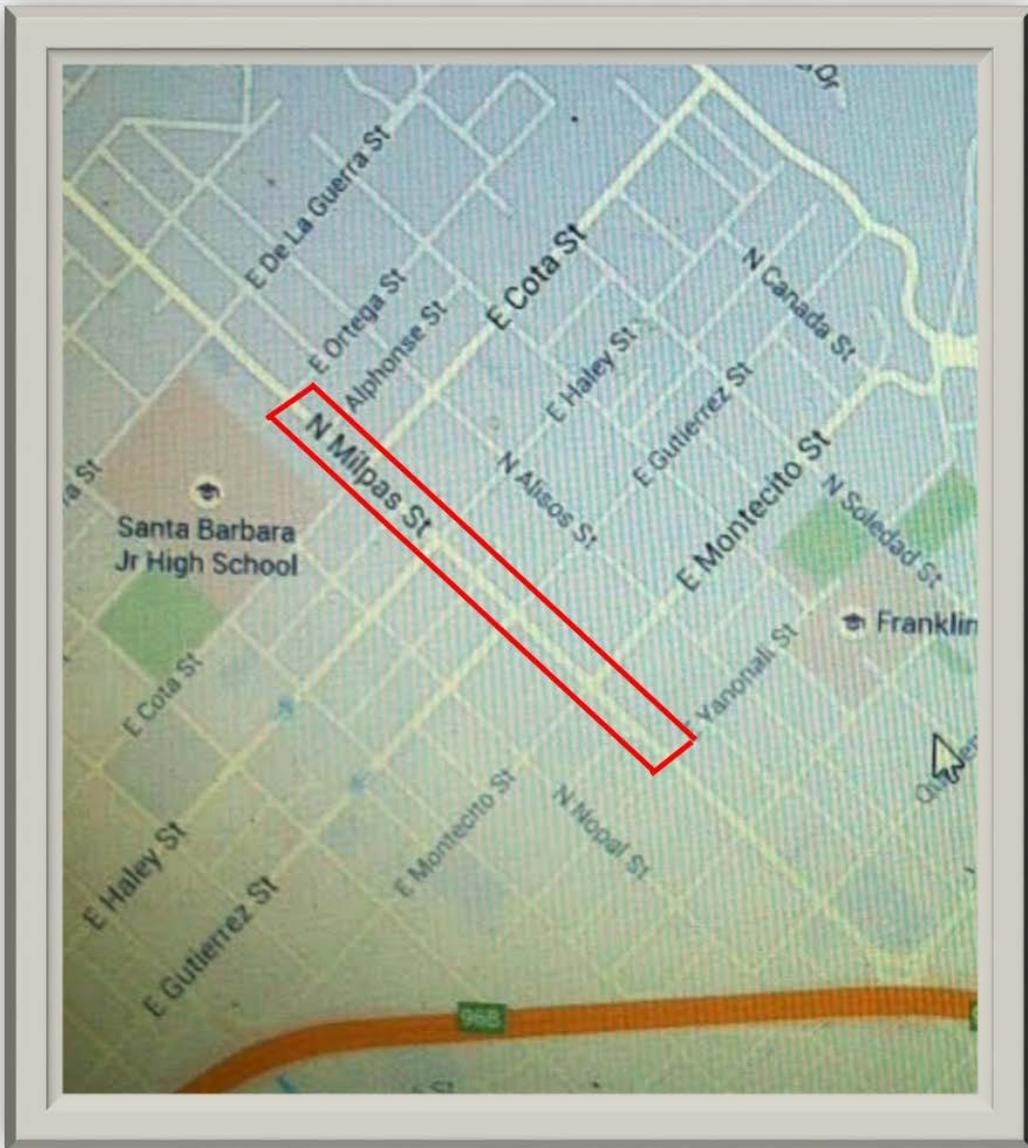
ATTACHMENT: Map of Proposed Milpas Business Improvement District Boundaries

PREPARED BY: Nina Johnson, Assistant to the City Administrator

SUBMITTED BY: Paul Casey, City Administrator

APPROVED BY: City Administrator's Office

Map of Proposed Milpas Business Improvement District Boundaries





CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Chief's Staff, Police Department

SUBJECT: Police Department Update

RECOMMENDATION:

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

DISCUSSION:

As requested by the Mayor and City Council, Police Chief Cam Sanchez provides regular briefings on updates concerning the Police Department and its operations. This presentation is part of a series of updates and occurs on a periodic basis. The following topics will be covered:

- Community Service Officer Update
- Compstat
- Patrol Division Update
- Training, Recruitment and Hiring Update
- Detective Bureau Update

PREPARED BY: Chief Sanchez, Police Chief

SUBMITTED BY: Cam Sanchez, Police Chief

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Stage Three Drought Update

RECOMMENDATION:

That Council receive an update on the status of the current drought, drought-response capital projects, and continuing conservation efforts.

DISCUSSION:

On February 11, 2014, Council declared a Stage One Drought Condition and set a goal to reduce customer water use by 20 percent. Council requested that staff provide a monthly status update on the City's water supplies, conservation efforts, and current work efforts. On May 20, 2014, Council declared a Stage Two Drought Condition in response to a third consecutive year of below-average rainfall, and because water conservation fell short of meeting the 20 percent target. On May 5, 2015, in response to what has now become the driest four-year period on record, Council declared a Stage Three Drought Emergency, increased the community's water conservation target to 25 percent, and provided direction to staff on final wording of a resolution to adopt Stage Three regulations. This Resolution was adopted on May 12, 2015, as Resolution No. 15-036.

This report will cover the following items:

- Water Supply Outlook/Weather Forecast
- Drought Response Capital Projects
- Conservation Efforts

Water Supply Outlook

Rainfall for the last four years has averaged less than half of the long-term average. Consistent with the City's Long Term Water Supply Plan (LTWSP), depleted surface water supplies have been replaced with increased groundwater production and

purchases of supplemental water. This strategy has been successful in securing supplies sufficient to meet demand for the 2015 and 2016 water years, assuming there is a 25 percent reduction in customer water use. However, supply projections must recognize the potential for the current dry weather pattern to continue. Accordingly, staff's supply projections beyond 2016 assume no significant deliveries from Gibraltar Reservoir, no additional Cachuma entitlement, and insufficient rainfall in Northern California to allow for dependable supplemental water purchases or state water deliveries. By 2017, the primary remaining potable supply would be our groundwater, which has a limited production capacity, and the groundwater basins will have been significantly depleted. Consistent with the LTWSP, the remaining supply option is the reactivation of the City's Charles E. Meyer Desalination Plant (Desalination Plant).

Recent media reports have discussed an increased potential for strong El Niño conditions in Water Year 2016. Such conditions are often associated with significant rainfall. However, there have also been years with strong El Niño conditions that have produced drier than average years. Given the unpredictable nature of El Niño events, this phenomenon cannot be counted on to improve the water supply situation.

Drought Response Capital Projects

Staff continues to work on drought-related capital projects, including completion of the new Alameda Park Well, which should be in service by fall 2015. Preliminary test results suggest that the well will have a greater production rate than originally predicted. Efforts are also continuing to put the High School Well into service before spring 2016.

The rehabilitation of the City's Recycled Water Treatment Plant (RWT Plant) has suffered delays related to the membrane design. Completion of this project is now anticipated for fall 2015. Conservative estimates were used for water supply planning related to the RWT Plant coming online, so the delayed start will not cause a significant impact to the City's water supplies. Recycled water customers will continue to be asked to reduce their water usage by the targeted 25 percent until the RWT Plant is in service. Staff is working closely with the project's contractor and design firm to resolve the design issues.

Staff has completed a year-long process of preliminary design and solicitation of proposals to reactivate and operate the Desalination Plant. In March 2015, staff conducted interviews with potential Design/Build/Operate (DBO) contractors and subsequently completed negotiations with the top firm, IDE/Kiewit. On June 16, 2015, Council authorized the award of the design portion of the DBO contract, with award of the build and operate portions held pending state approval of the state Revolving Fund (SRF) loan. The state has completed the SRF loan, and award of the build and operate portions of the DBO contract is now being recommended.

Conservation Efforts

The City's most recent water conservation numbers for June 2015 show a 40 percent reduction in water use, compared to 2013 water demands, and an overall average monthly demand reduction of 26 percent. The 2013 reference is the state's baseline for comparison and reporting on statewide water conservation efforts. Santa Barbara has been one of the few water agencies statewide that has consistently met and exceeded the state's water use reduction targets.

Under the state's current regulations, adopted in May 2015, mandated water use reductions for urban water suppliers range from four to 36 percent, depending on residential per-capita water use. For Santa Barbara, the state-mandated water use reduction is 12 percent, which is a result of the summer 2014 residential water use of 79.6 gallons per person per day. However, the severity of the drought's impact on local water supplies requires a citywide 25 percent reduction target to ensure the City has adequate supplies for the 2016 water year.

With the Stage Three Drought declaration and the need for a 25 percent reduction, the Water Conservation Outreach Program has continued its enhanced public information campaign of targeted outreach to specific user types, including:

- increased weekly messaging through social media, online news outlets, and industry contacts;
- presentations to community and industry groups;
- additional printed materials with drought messaging;
- targeted utility bill messaging;
- drought signage at city facilities; and
- additional training and workshops.

Stage Three water rates took effect on July 1, 2015 and will appear on water bills mailed during August 2015. During the coming months, staff will monitor conservation efforts and consider possible recommendations for further water use regulations or development of restrictions in fall 2015, if necessary.

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

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Policy Direction Regarding Acquisition Of Additional State Water Project Water Rights

RECOMMENDATION:

That Council receive a presentation regarding the potential to reacquire Santa Barbara County Suspended Table A Water and direct staff on whether to pursue the opportunity any further.

DISCUSSION:

Executive Summary

In 1963, the County of Santa Barbara executed a contract for the delivery of up to 57,700 acre feet per year (AFY) of State Water Project (SWP) Table A water. However, construction of facilities for delivery of the water to Santa Barbara County did not commence until 1991, at which time the water purveyors in Santa Barbara County only contracted for 45,486 AFY of water rights. The remaining 12,214 AFY was suspended and reserved for future re-acquisition within Santa Barbara County.

At this time, the City of Santa Maria is interested in reacquiring the water rights to the remaining 12,214 AFY. As such, all members of the Central Coast Water Authority, including the City of Santa Barbara, have been requested to indicate their interest in reacquiring these water rights so that they can be apportioned appropriately among the interested agencies.

Over the last 10 years, the average deliveries of SWP water have been 44 percent of contract water rights, with deliveries ranging from 5 percent to 67 percent of the contract amounts. In recent drought years, deliveries have been 35 percent in 2013, 5 percent in 2014, and 20 percent in 2015. During this time, the City has received 1,980 AF of allocation out of a maximum of 9,900 AF, if full contract deliveries had been made.

While there is value to having additional allocations when supplies are limited, any additional water rights allocations would be of greatest benefit from a reliability standpoint if the water available in normal to wet years could be stored (or banked) for use in drought years. However, opportunities to increase storage have not been developed for Santa Barbara County water purveyors at this time. It should also be noted that additional costs are associated with the right to store water, and banking water results in additional water losses from the water system. (The water taken out of groundwater storage is typically less than what was put in).

Thus, since banking the additional allocations during normal and wet years is not currently an option, the overall cost of the Table A water rights, increased responsibility for future SWP costs, and lack of reliability of the SWP water deliveries lead staff to recommend against continuing to pursue additional SWP water rights. However, because this is the last unallocated water in the state water project, it is unlikely that there will be a future opportunity to acquire additional SWP water rights.

Background

The State Department of Water Resources (DWR) has rights for water deliveries through the State Water Project. When an agency contracts with the DWR to receive the water rights, Table A of the contract refers to the maximum annual delivery amount. These Table A contracts are given first priority in allocating deliveries to the various SWP contractors. When insufficient water is available to meet all of the SWP obligations, water is allocated proportional to Table A amounts. Thus, additional water rights would likely result in an increased allocation to Santa Barbara County agencies.

In 1963, the County executed a water supply contract with the DWR for a Table A amount of up to 57,700 AFY from the State Water Project. After a 1979 bond election for construction of in-county water conveyance facilities failed, the County sought financing through agreements with local water purveyors to pay for the County's cost to maintain future water supplies. Contracts with local water purveyors total 45,486 AFY of the 57,700 AFY Table A amount, leaving the remaining 12,214 AFY to be suspended or relinquished. Of the 45,486 AFY, the City's contracted Table A amount is 3,300 AFY.

Payments to DWR for the remaining Table A amount of 12,214 acre feet (AF) were suspended under Amendment 9 of the SWP contract. In a 1987 settlement agreement between the County and the DWR, the DWR granted an option for the County to reacquire all or part of the 12,214 AF suspended in Amendment 9.

The Central Coast Water Authority (CCWA) was formed to manage SWP operations on behalf of its members. An agreement transferring most authorities from the County to CCWA was executed in return for CCWA (and its members) accepting responsibility for all SWP related costs. However, the full assignment of the contract could not be

transferred because the SWP water supply contract with the DWR requires the contracting agency to have taxing ability. As a result, the County must act in certain SWP contract relations.

Over the years, CCWA has pursued reacquisition of the suspended Table A water. The most recent pursuit occurred in 2008 and 2009. However, the request was withdrawn because of financial concerns brought about by the recession.

At the request of the City of Santa Maria, CCWA is currently reinitiating the process of reacquiring the suspended 12,214 AF as an additional drought buffer for those CCWA project participants who wish to participate in the reacquisition.

Staff is requesting direction from Council regarding participation in the next phase of the reacquisition process, which would commit the City to the administrative and legal costs for developing contracts. It would not commit the City to the actual reacquisition, which would be determined at the time of signing a future agreement. The administrative and legal expenses have not been estimated. However, this report analyzes the estimated costs of a potential reacquisition to determine whether further pursuit is warranted.

Reliability of Table A Water Deliveries

The existing Coast Branch pipeline, constructed to deliver water to Santa Barbara County, is designed for a capacity of 45,486 AFY. Since there is no physical capacity for the 12,214 AF in the Coastal Branch pipeline, the water would act as a drought buffer to increase the amount of water allocated to CCWA when deliveries are less than 100 percent of the contract.

Table A deliveries are hydrology dependent (primarily dependent on the snow pack), which causes significant variation in the amount of water actually received from year to year. DWR prepares a biannual State Water Project Delivery Capability Report, which provides modeling estimates for the projected Table A deliveries. Based on the DWR's Draft 2015 Report, the average future Table A deliveries are projected to range between 43 percent and 69 percent. This is based on a number of factors, such as environmental needs and conveyance infrastructure. With alternative conveyance infrastructure (known as the Twin Tunnels Project), as proposed in the Bay Delta Conservation Plan (BDCP), average Table A deliveries are estimated on the higher end at 69 percent.

Over the last 10 years, the average Table A deliveries has been 44 percent of contract, ranging from 5 percent to 67 percent. In recent drought years, the Table A deliveries were 35 percent in 2013, 5 percent in 2014, and 20 percent in 2015. During this time, the City received a total Table A supply of 1,980 AF (out of 9,900 AF max, based on a contract amount of 3,300 AFY over a 3-year period). Because of its limited availability

during droughts, any additional Table A water would have the greatest reliability benefit if the water that is delivered in normal to wet years could be stored (or banked) for use in drought years. However, a banking opportunity to increase storage has yet to be developed in terms of feasibility and cost.

Cost of Additional Table A Water

While the actual terms of acquisition have yet to be negotiated, preliminary estimates of a one-time acquisition cost are \$2,550/AF, plus fixed annual costs of \$150/AF. These costs do not include the variable cost to convey or treat the water.

For the purpose of analysis, a proposed acquisition of 3,000 AFY of suspended Table A water is evaluated for the City. This would result in a one-time cost of \$7,650,000. Assuming this amount is financed over 10 years, with a 6 percent interest rate, the annual payment would be approximately \$1 million. Annual fixed expenses would be \$150/AFY X 3000 AFY = \$450,000. Total annual costs for 10 years would be \$1.45 million. Assuming an average Table A delivery reliability of 50 percent (based on assumptions of the Long Term Water Supply Plan), the City would receive an average annual yield of 1,500 AFY, at an average cost of \$967/AF.

Annual Cost to Acquire (based on 10-year loan at 6%)	Annual Fixed Costs to DWR (3,000 AF at \$150/AFY)	Total Annual Costs	Projected Average Yield (based on 50% average delivery)	Unit Cost, \$/AF
\$1,000,000	\$450,000	\$1,450,000	1,500 AF	\$967

An important consideration with acquiring Table A water is that it increases the City's proportional share of future State Water Project costs, including any project to fix issues related to water flow through the Delta and other DWR expenses, which are currently unknown. This makes it difficult to quantify the true long-term expense of acquiring additional Table A water. In addition, the Water Fund may not have the capacity to finance the \$7.65 million one-time cost through conventional debt (e.g., revenue bonds) without further increases to water rates, and the use of reserves to this degree may not be advisable.

Comparison of Additional Table A with Short-Term Water Purchases

As discussed above, preliminary estimates suggest that an additional Table A contract of 3,000 AF could be purchased for \$967/AF, with an average yield of 1,500 AFY and a 3-year drought yield of 1,800 AF (based on 2013-2015). In comparison, the City was able to secure short-term water purchases of 7,203 AF in 2014-2015 for a total of \$4.5 million, resulting in a unit purchase price of roughly \$625/AF. Therefore, the unit cost of additional Table A water could be more expensive than the recent water purchases. It

should be noted that there is no guarantee that the City will be able to secure future water purchases when needed. This is a function of water availability and price.

Recommendation

Staff recommends discontinuing the pursuit of additional Table A allocation.

The limited reliability of Table A water during droughts, compounded by the current limitations on the ability to store SWP water for times of drought, and unknown issues related to future SWP costs such as the Twin Tunnels Project, all lead staff to recommend that the City instead pursue short-term water purchases, as needed.

If it is desirable to increase imported water deliveries in the future (e.g., for a groundwater banking program), the City could pursue short-term or long-term water purchases in normal to wet years, when the purchase price is anticipated to be significantly less expensive. It should be noted that groundwater storage generally involves additional delivery costs and water losses.

BUDGET/FINANCIAL INFORMATION:

The Fiscal Year 2016 budget does not include the cost to acquire or pursue additional Table A water. Any costs would need to be funded by Water Fund Reserves or through debt financing.

PREPARED BY: Joshua Haggmark, Water Resources Manager/KD/mh

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



Agenda Item No. 20

File Code No. 170.01

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 14, 2015
TO: Mayor and Councilmembers
FROM: City Administrator's Office
SUBJECT: Assistant City Administrator Appointment

RECOMMENDATION:

That Council hold a closed session, per Government Code Section 54957(b)(1), to discuss the appointment for the position of Assistant City Administrator.

SCHEDULING: Duration: 20 minutes; anytime
REPORT: Report anticipated
PREPARED BY: Kristy Schmidt, Administrative Services Director
SUBMITTED BY: Paul Casey, City Administrator
APPROVED BY: City Administrator's Office