

**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>

**OCTOBER 6, 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.

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 October 31, 2015.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Amendment To Professional Services Agreement With Lance, Soll & Lunghard For Independent Audit Services (220.03)

Recommendation: That Council approve and authorize the Finance Director to execute a First Amendment to the Professional Services Agreement (No. 00023809.1) with Lance, Soll & Lunghard for independent audit services, increasing the not-to-exceed total by \$8,500 for a total of \$120,365.

3. Subject: Home Tenant-Based Rental Assistance Grant To Transition House (660.01)

Recommendation: That Council:

- A. Approve a new \$60,000 grant to Transition House from federal Home Investment Partnership Program (HOME) funds for Tenant-Based Rental Assistance;
- B. Authorize transfer of remaining funds under Tenant-Based Rental Assistance Agreement No. 24,154 between the City and Transition House to the new grant agreement; and

(Cont'd)

CONSENT CALENDAR (CONT'D)

3. (Cont'd)

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

4. **Subject: PATH (Formerly Casa Esperanza) Shelter Agreement (660.04)**

Recommendation: That Council approve, and authorize the Community Development Director to execute, an Agreement with People Assisting the Homeless, or PATH, for the operation of a homeless shelter.

5. **Subject: City Documents Related To Casa Esperanza Homeless Center/PATH Statutory Merger (816 Cacique Street) (660.04)**

Recommendation: That Council:

- A. Approve amending and restating the 1999 Restricted Use Covenant;
- B. Approve a Declaration of Restrictions Established by City of Santa Barbara Conditional Use Permit; and
- C. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

6. **Subject: Service Agreement With Ecco Wireless To Provide Wireless Internet Service To The Harbor Area (570.03)**

Recommendation: That Council approve a five-year service agreement with Ecco Wireless USA, Inc., providing wireless internet service to the Harbor area users on a subscription basis, at no cost to the Waterfront Department.

CONSENT CALENDAR (CONT'D)

7. Subject: Set A Date For Public Hearing Regarding Appeal Of The Architectural Board Of Review Approval For 806 Alberta Avenue (640.07)

Recommendation: That Council:

- A. Set the date of November 17, 2015, at 2:00 p.m. for hearing the appeal filed by Catherine "Lily" Bastug Vicenti, David Hale, James & Karen Hurst, Roberta VanRossen, Susan Lafond, and Brian King, of the Architectural Board of Review's approval of an application for the demolition of an existing 182 square-foot, 1-car garage and chain link fence with gate and construction of a 633 square-foot, 2-story accessory dwelling unit and two attached 1-car garages of 210 square feet each at the rear of the site. The existing 650 square-foot dwelling unit at the front of the site will remain unchanged. Total development on this 5,061 square-foot parcel will be 1,703 square feet. One additional uncovered tandem parking space is proposed for a total of three parking spaces. This project addresses violations identified in enforcement case ENF2015-00308. Assessor's Parcel No. 043-241-012, Two-Family Residential Zone, General Plan Designation: Medium Density Residential (12 du/acre); and
- B. Set the date of November 16, 2015, at 1:30 p.m. for a site visit to the property located at 806 Alberta Avenue.

CONSENT PUBLIC HEARING

8. Subject: TEFRA (Tax Equity And Fiscal Responsibility Act) Hearing For 13-21 South Soledad (Pearl Gardens) And 211-221 Sycamore Lane (Sycamore Gardens) Debt Issuance (280.01)

Recommendation: That Council hold a public hearing and adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Approving the Incurring of a Tax Exempt Obligation by the Housing Authority of the City of Santa Barbara for the Purpose of Providing Financing for the Acquisition and Rehabilitation of Pearl Gardens and Sycamore Gardens Multifamily Rental Housing Facilities.

NOTICES

9. The City Clerk has on Thursday, October 1, 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.
10. Receipt of communication advising of vacancies created on the Community Development and Human Services Committee with the resignation of Max Rorty and George Gorga; the Access Advisory Committee with the resignation of Brian Barnwell; and the Parks and Recreation Commission with the resignation of Jim Heaton. These vacancies will be part of the current City Advisory Groups Recruitment.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FIRE DEPARTMENT

11. Subject: El Niño Preparedness Presentation (520.02)

Recommendation: That Council receive a presentation on El Niño Preparedness Planning given jointly by the Public Works Department and Fire Department.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

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

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Kyle Hickman v. City of Santa Barbara*, WCAB case numbers ADJ9314406, ADJ8965284.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

ADJOURNMENT



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 6, 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 October 31, 2015.

DISCUSSION:

The City appreciates the loyalty to the community and the dedication to public service that are demonstrated by City employees throughout the organization every day. 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 invited 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 October 31, 2015.

ATTACHMENT: October 2015 Service Awards

PREPARED BY: Jennifer Jennings, City Administrator's Office Supervisor

SUBMITTED BY: Kristine Schmidt, Administrative Services Director

APPROVED BY: City Administrator's Office

OCTOBER 2015 SERVICE AWARDS

October 6, 2015 Council Meeting

5 YEARS

Cynthia Cornett, Parking Enforcement Officer, Police Department

Edward Montejano, Maintenance Worker II, Public Works Department

Amber Workman, Recreation Coordinator, Parks and Recreation Department

10 YEARS

Laura Bordon, Litigation Paralegal, City Attorney's Office

Jennifer Hopwood, Buyer, Finance Department

Brenda Nielsen, Administrative/Clerical Supervisor, Community Development Department

Douglas Klug, Police Officer, Police Department

Thomas Dietz, Maintenance Supervisor II, Waterfront Department

15 YEARS

Joshua Haggmark, Water Resources Manager, Public Works Department

25 YEARS

Geronimo Reyes, Police Officer, Police Department

Edwin MacGregor, Wastewater Treatment Plant Operator III, Public Works Department



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 6, 2015

TO: Mayor and Councilmembers

FROM: Administration Division, Finance Department

SUBJECT: Amendment To Professional Services Agreement With Lance, Soll & Lunghard For Independent Audit Services

RECOMMENDATION:

That Council approve and authorize the Finance Director to execute a First Amendment to the Professional Services Agreement (No. 00023809.1) with Lance, Soll & Lunghard for independent audit services, increasing the not-to-exceed total by \$8,500 for a total of \$120,365.

DISCUSSION:

In April 2014, the City Council approved a two-year professional services agreement between the City and the firm of Lance, Soll & Lunghard to provide independent audit services of the City's financial records and annual financial reports at a total cost of \$111,865 for the fiscal years ending June 30, 2014 and June 30, 2015.

In 2012, the Governmental Accounting Standards Board (GASB), the entity that establishes accounting and financial requirements for state and local government in the United States, issued Statement No. 68 entitled "*Accounting and Financial Reporting for Pensions.*" The primary objective of this Statement, according to GASB, is to improve accounting and financial reporting by state and local governments for pensions. While there is a fair amount of debate as to its value among local finance professionals, it does have a significant impact in the way state and local governments report the assets and liabilities associated with pension plans established for employees. One of the most significant changes is the inclusion of pension assets and liabilities within the financial statements issued by these agencies. This represents a dramatic change in how pension information has been reported for many years. For many years, this information has been included as required footnote disclosures only within the annual financial statements.

It is important to note, however, that this Statement does not affect the manner in which employer-sponsored pension plans are funded; it is strictly a change in how they are reported in the annual financial reports issued by these agencies, including the City of Santa Barbara.

As a result of the change, Certified Public Accounting (CPA) firms that perform audits of state and local governments have collectively adopted changes to their auditing standards and procedures. These new standards translate into performing new and increased testwork to assure themselves of the accuracy of the new pension-related information that must be included in the annual financial statements of their client agencies.

The City's independent audit firm, Lance, Soll & Lunghard, has indicated that the extra testwork they will need to perform will cost \$8,500. Consequently, staff is recommending an increase to their contract accordingly.

BUDGETARY AND FINANCIAL IMPACT:

Staff anticipates the additional \$8,500 in audit costs can be funded out of the existing Finance Department budget for Fiscal Year 2016.

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 6, 2015

TO: Mayor and Councilmembers

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

SUBJECT: Home Tenant Based Rental Assistance Grant To Transition House

RECOMMENDATION: That Council:

- A. Approve a new \$60,000 grant to Transition House from federal Home Investment Partnership Program (HOME) funds for Tenant-Based Rental Assistance; and
- B. Authorize transfer of remaining funds under Tenant-Based Rental Assistance Agreement No. 24,154 between the City and Transition House to the new grant agreement; and
- C. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

DISCUSSION:

Background

In Fiscal Year 2012, the City provided Transition House a \$150,000 HOME Tenant Based Rental Assistance Grant to provide long-term (up to 24 months) rental assistance targeted to qualified low-income households that are homeless or at risk of becoming homeless. To date, under this grant, Transition House has assisted 36 households (43 adults and 66 children). Of the 36 households assisted, 32 (89%) have retained their housing.

Because this was a new program for the Housing Division of the City, some administrative issues needed to be resolved which resulted in three amendments to the Grant Agreement. An unspent balance of approximately \$34,000 remains under the Agreement. At this time, instead of amending the Grant Agreement for a fourth time, staff recommends terminating the original agreement, entering a new grant agreement for the new grant funds and adding the unspent balance to the new grant agreement.

Overview of Program

The proposed rental assistance grant will allow Transition House to continue to facilitate rental housing assistance to homeless persons (Rapid Rehousing) or to those at imminent risk of homelessness (Homelessness Prevention). Participants must be very low-income

households, with incomes at no more than 60% percent of Area Median Income—an amount determined annually by the federal Department of Housing and Urban Development (HUD). Annual income limits are based upon household size. For example, the maximum annual income limit is \$33,720 for a single-person household and \$48,120 for a family of four. Program case managers assist participants to find suitable rental units, inspect the units to ensure that they are decent and appropriately sized, and determine a reasonable amount for the rent in conjunction with the landlord. Participants contribute 30 percent of their income toward rent, and HOME funds make up the difference, with payments going directly to the landlord.

The funds requested will provide rental assistance for up to three (3) years to approximately 18 qualifying households. The number of assisted households will depend on actual figures for individual participant income, rent, and how long rental assistance is needed. A small portion of the grant (<10%) will be used by Transition House to offset their costs to perform income certifications and inspection of units.

The HOME Tenant Based Rental Assistance program is designed to be of limited duration. Transition House expects to move participants to Section 8, or in the best scenario, off housing assistance completely should circumstances like employment and increased income result from self-sufficiency efforts. Participants served by Transition House are required to participate in a minimum of six months of case management services after receiving rental assistance. Case management addresses issues such as management of household finances, career development, access to entitlements, and development of life skills and sound decision-making, all with the goal of sustaining housing. Participants are encouraged to build a financial safety net, including a savings account to help stabilize their housing situation. Transition House offers free, on-site evening classes providing education for at-risk families in computer skills, career development, English as a Second Language, and parenting skills. The case manager makes referrals for additional services including medical, mental health, or legal assistance.

The proposed Tenant Based Rental Assistance program is based on local housing needs and priorities established in the City's Consolidated Plan/Annual Action Plan and will conform to HUD guidelines.

The Finance Committee recommended that Council approve this grant award at their September 29, 2015 meeting.

BUDGETARY/FINANCIAL INFORMATION:

There are sufficient existing appropriations in the HOME Fund to cover the proposed grant award. Any remaining balance under previous Tenant-Based Rental Assistance Agreement No. 24,154 between the City and Transition House account shall be transferred to the account established for the new grant agreement.

ATTACHMENT: Request Letter dated August 20, 2015

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

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office



August 20, 2015

Deirdre Randolph
Project Planner
Housing and Redevelopment
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

RE: Request for a new \$60,000 HOME TBRA Homelessness Prevention and Rapid Rehousing Grant

Dear Deirdre,

Transition House has been the grateful recipient of HOME funds for tenant based rental assistance (TBRA) for clients served through Transition House's Homelessness Prevention program since 2012. This letter is to request a new \$60,000 HOME TBRA grant for Homelessness Prevention and Rapid Rehousing to serve approximately 18 homeless individuals or families over the two year term of the grant.

Transition House has offered homelessness prevention case management services coupled with emergency rental assistance for seven years. Three years ago we also began offering security deposit and/or rental assistance to eligible homeless families living in our shelter in an effort to move them back into housing more quickly. This methodology of addressing homelessness is referred to as "rapid rehousing" and it is considered a best practice in our industry.

Clients served by Transition House for both homelessness prevention and rapid rehousing (HPRR) are required to participate in a minimum of six months of case management services after receiving assistance with rent payments (which are paid directly to the landlord). Case management addresses issues such as management of household finances, career development, accessing entitlements, and life skills and sound decision making, all with the goal of sustaining housing. Clients are encouraged to build a safety net, including a savings account to help stabilize their housing situation. Our program offerings also include free, onsite evening classes providing education for at-risk families in computer skills, career development, English as a Second Language, and parenting skills. Finally, the case manager makes referrals for additional services including medical, mental health, or legal assistance.

BOARD OF
DIRECTORS

Jim Buckley
President

Gayla Visalli
Vice President

Jessica Yacoub
Secretary

Andrew Gardner
Treasurer

Florence Michel
Auxiliary President

Richard Blake
Jim Carrillo
Kathryn Dinkin
Steve Epstein
James Griffith
Nicole Soria

Kathleen Baushke
Executive Director

Transition House's HPRR program follows strict guidelines in managing TBRA. Recipient households must make less than 60% AMI (as documented by pay stubs, tax returns, SSI letters of award, etc.); provide a pending eviction notice (if applying for homelessness prevention) and a copy of their long-term lease on their apartment; and be paying a "reasonable" rent. Reasonable rent is determined by following HUD Fair Market Rent (FMR) guidelines for the Santa Barbara area, and by research done by the case manager on rents being charged for similar-sized apartments in like neighborhoods.

Clients who are given TBRA security deposit assistance to move into a new apartment will be required to have the apartment inspected. The case manager is trained to conduct these inspections—they are quite similar to inspections that the Housing Authority conducts for Section 8 voucher rental units. The case manager will then work with the landlord to correct any issues arising from the inspection before the client takes occupancy of the unit.

To receive Homelessness Prevention assistance, the household must be determined to be in imminent danger of becoming homeless if not for TBRA assistance. Transition House not only collects information on the household's financial disposition and whether they have other options or resources to help them pay rent, but also screens for additional factors that are used to determine high risk for homelessness. To receive Rapid Rehousing assistance, the household must be homeless.

With all prospective clients, it must be determined that the household will have the means to pay rent and sustain the housing after the assistance has ended. That means that the household will be able to gain an adequate income source (for example, they may be in the midst of a job search, or waiting for paperwork on an entitlement to be processed), or a lesser rent (they may be on the section 8 waiting list, or a waiting list for other programs/housing that would result in a reduced rent).

Transition House utilizes a methodology that was developed by HUD to determine client eligibility, and to administer the program. Annual audits have been performed both by HUD staff, and by City and County staff, of Transition House's case files including required documentation, compliance with program regulations, case management strategy, and data collection methods. We have consistently received positive feedback on our program. Transition House will continue to follow HUD requirements.

Our statistics from previous TBRA assistance are attached. Please let me know any additional information you require at this time. Thank you for considering Transition House's request.

Sincerely,



Kathleen Baushke
Executive Director

Transition House service level and outcomes with City of Santa Barbara TBRA funding as of August 15, 2015

Total	118,376.41	
Families	36	
Average Per family	\$ 3,288.23	Percentages
Chronic all Homeless Families	9	25%
Total Individuals	109	
Children	66	61%
Adults	43	39%
# of families receiving Section 8	12	33%
Families still housed	32	89%
Families with Unknown housing status	2	6%
Families no longer housed.	2	6%



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 6, 2015

TO: Mayor and Councilmembers

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

SUBJECT: PATH (Formerly Casa Esperanza) Shelter Agreement

RECOMMENDATION:

That Council approve, and authorize the Community Development Director to execute, an Agreement with People Assisting the Homeless, or PATH, for the operation of a homeless shelter.

DISCUSSION:

As of July 1, 2015, Casa Esperanza Homeless Shelter merged with and is now a program of PATH. On July 21, 2015, City Council authorized the Community Development Director to execute assignment agreements and related documents between the City and PATH in connection with the merger and transfer of the property from Casa Esperanza to PATH. Community Development Block Grant and Human Services grants awarded to Casa Esperanza have also been assigned to PATH.

During the City's Fiscal Year 2015 budget approval process, Casa Esperanza requested, and Council approved, an additional \$125,000 in General Fund support for the operation of the Casa Esperanza Homeless Shelter and related supportive services. This funding was renewed in Fiscal Year 2016. The City also contributes an annual allocation of General Fund monies each year to help support the emergency winter shelter (\$77,100 for Fiscal Year 2016).

This agreement with PATH, totaling \$202,100, combines the \$77,100 winter shelter funding and the additional \$125,000 in General Fund Support approved by Council for Fiscal Year 2016 shelter operations. A copy of the agreement is available in the City Clerk's office for public review.

BUDGET/FINANCIAL INFORMATION:

There is no impact to the General Fund as both the winter shelter and additional funding were approved by Council during the Fiscal Year 2016 budget process.

PREPARED BY: Sue Gray, Community Development Business Manager

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 6, 2015

TO: Mayor and Councilmembers

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

SUBJECT: City Documents Related To Casa Esperanza Homeless Center/
PATH Statutory Merger (816 Cacique Street)

RECOMMENDATIONS: That Council:

- A. Approve amending and restating the 1999 Restricted Use Covenant;
- B. Approve a Declaration of Restrictions Established by City of Santa Barbara Conditional Use Permit; and
- C. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

BACKGROUND:

On July 1, 2015, the statutory merger of Casa Esperanza Homeless Center (Casa) and PATH (People Assisting the Homeless) was finalized; however, transfer of the real property (816 Cacique Street) from Casa to PATH is still in process. In lieu of a grant deed, the statutory method of transferring real property according to the Corporations Code is to record a Secretary of State-certified copy of the merger filing. Following that process, the City will record the documents described below to ensure that current use restrictions are continued.

DISCUSSION:

The "Restricted Use Covenant Imposed on Real Property for Operation of a Homeless Shelter and Related Services" (Recorded 8/17/99 as 1999-0064812) has been amended and restated to incorporate current use restrictions. Upon Council action today, this document will be executed by the City, the County of Santa Barbara, and PATH. This document will be recorded with the Office of the County Recorder.

A second document entitled "Declaration of Restrictions Established by City of Santa Barbara Conditional Use Permit Resolution No. 008-09" will also be recorded with the

Council Agenda Report
City Documents Related To Casa Esperanza Homeless Center/PATH Statutory Merger
(816 Cacique Street)
October 6, 2015
Page 2

Office of the County Recorder to make a matter of record the conditional use restrictions imposed by City of Santa Barbara Planning Commission.

BUDGET/FINANCIAL INFORMATION:

These agreements will have no financial impact.

PREPARED BY: Deirdre Randolph, Community Development Programs Supervisor
(SG)

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrators Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 6, 2015

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Service Agreement With Ecco Wireless To Provide Wireless Internet Service To The Harbor Area

RECOMMENDATION:

That Council approve a five-year service agreement with Ecco Wireless USA, Inc., providing wireless internet service to the Harbor area users on a subscription basis, at no cost to the Waterfront Department.

DISCUSSION:

Ecco Wireless (Ecco) has been providing wireless internet service to slips in the Harbor since the fall of 2011. Ecco was the selected company following a competitive Request For Proposal process to provide wireless internet services in the Harbor. Since that time, Ecco has provided consistent service to slips in the Harbor and has continually upgraded their infrastructure to better serve the public. The business terms of the proposed agreement are summarized as follows:

- **Term:** Five-year service agreement;
- **Concession Fee Paid To Waterfront:** \$900 per year.
- **Service Options Paid By Subscribers:** \$4.95/hour, \$9.95/day, \$24.95/three days or \$39.95/week, paid by the subscriber.

There is only a nominal fee from this concession, since the primary purpose of the WiFi service is to provide an amenity for Harbor users rather than a revenue source for the Department. The Harbor Commission recommended approval of the Ecco Wireless agreement at the August 13, 2015, meeting.

PREPARED BY: Brian J. Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Department

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 6, 2015

TO: Mayor and Councilmembers

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

SUBJECT: TEFRA (Tax Equity And Fiscal Responsibility Act) Hearing For 13-21 South Soledad (Pearl Gardens) And 211-221 Sycamore Lane (Sycamore Gardens) Debt Issuance

RECOMMENDATION:

That Council hold a public hearing and adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Approving the Incurring of a Tax Exempt Obligation by the Housing Authority of the City of Santa Barbara for the Purpose of Providing Financing for the Acquisition and Rehabilitation of Pearl Gardens and Sycamore Gardens Multifamily Rental Housing Facilities.

DISCUSSION:

The Housing Authority of the City of Santa Barbara ("Housing Authority") currently owns a 15-unit apartment complex located at 13-21 South Soledad Street, commonly known as Pearl Gardens, and a 20-unit apartment complex located at 211-221 Sycamore Lane, commonly known as Sycamore Gardens (collectively the "Housing Facilities").

The Housing Authority has indicated that it intends to issue debt obligations that may be in the form of a loan evidenced by a note or tax-exempt revenue bonds ("Bonds") in the approximate aggregate amount of \$11,000,000. The proceeds of the Bonds will be used to: (1) finance the acquisition and rehabilitation of the Housing Facilities and (2) pay certain expenses incurred in connection with the issuance of the Bonds. The facilities to be financed are to be owned by SB Housing Partnership IV, L.P., a California limited partnership (the "Borrower") formed by the Housing Authority, and the facilities will be operated initially by the Housing Authority or another entity selected by the Borrower. All or a portion of the rental units in the facilities will be rented to persons and families of low or very low income.

Under federal and state law, the governing body of any local entity within which bond proceeds are to be spent must: (1) conduct a public hearing and (2) approve the issuance

of the debt. Therefore, because the new Bonds will benefit the Housing Facilities, which are located within the City of Santa Barbara, the City Council must hold a public hearing and adopt a resolution approving the debt issuance. Council has held numerous such hearings, including TEFRA (Tax Equity and Fiscal Responsibility Act) hearings.

It is important to understand that the City is in no way associated with the debt issuance and is not obligated to make debt service payments on the Bonds. In addition, holding a public hearing and adopting a resolution will in no way make the City a party to the debt issuance. Federal laws governing these types of hearings recognize that non-profit agencies typically do not have the facilities to conduct their own public hearings; therefore, the local jurisdictions are allowed to lend their facilities and process to hold public hearings for the benefit of the issuing agency.

Staff recommends that the City hold the public hearing and adopt the resolution approving the issuance of Bonds by the Housing Authority.

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

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Attorney's Office

RESOLUTION NO. 15-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA BARBARA APPROVING THE INCURRING OF A TAX EXEMPT OBLIGATION BY THE HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA FOR THE PURPOSE OF PROVIDING FINANCING FOR THE ACQUISITION AND REHABILITATION OF PEARL GARDENS AND SYCAMORE GARDENS MULTIFAMILY RENTAL HOUSING FACILITIES

WHEREAS, the Housing Authority of the City of Santa Barbara (the "Authority") is authorized by Chapter 1 of Part 2 of Division 24 of the Health and Safety Code of the State of California, as amended (the "Act"), to incur indebtedness and to make loans for housing purposes specified in the Act; and

WHEREAS, the Authority currently owns a 15 unit apartment complex located at 13-21 South Soledad Street in the City of Santa Barbara (the "City") commonly known as Pearl Gardens, and a 20 unit apartment complex located at 211-221 Sycamore Lane in the City commonly known as Sycamore Gardens (collectively, the "Housing Facilities"), and the Authority has established SB Housing Partnership IV, L.P., a California limited partnership (the "Borrower") and intends to sell the Housing Facilities to the Borrower; and

WHEREAS, in order to assist the Borrower in acquiring and rehabilitating the Housing Facilities, the Authority has indicated that it intends to issue debt obligations (which may be in the form of a loan evidenced by a note or tax-exempt revenue bonds, and referred to in this Resolution as the "Bonds") in the approximate aggregate amount of \$11,000,000, and to loan the proceeds of the Bonds to the Borrower; and

WHEREAS, a portion of the units in the Housing Facilities will be rented to persons and families of low or very low income as required by the Act and the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the Bonds will be considered to be a "qualified exempt facility bonds" under Section 142(a) of the Code; and

WHEREAS, Section 147(f) of the Code requires that the "applicable elected representative" with respect to the Authority approve the issuance by the Authority of the Bonds following the holding of a public hearing with respect thereto; and

WHEREAS, the Authority has determined that the City Council of the City is the "applicable elected representative" to approve the issuance by the Authority of the Bonds because the Housing Facilities are located in the City; and

WHEREAS, notice of a public hearing by the City Council regarding the financing of the Housing Facilities has been duly given as required by the Code; and

WHEREAS, the City Council has held the public hearing at which all interested persons were given an opportunity to be heard on all matters relative to the location, operation and financing of the Housing Facilities, including the Authority's issuance of the Bonds and subsequent lending of the proceeds thereof to the Borrower to finance the Borrower's acquisition and rehabilitation of the Housing Facilities; and

WHEREAS, it is in the public interest, for the public benefit and in furtherance of the public purpose of the City that the City Council approve the issuance by the Authority of the Bonds for the aforesaid purposes;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA BARBARA THAT the issuance of the Bonds by the Authority for the purpose of providing funds to make a loan to the Borrower to enable the Borrower to finance the acquisition and rehabilitation of the Housing Facilities is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 6, 2015

TO: Mayor and Councilmembers

FROM: Emergency Services Division, Fire Department
Administration Division, Public Works Department

SUBJECT: El Niño Preparedness Presentation

RECOMMENDATION:

That Council receive a presentation on El Niño Preparedness Planning given jointly by the Public Works Department and Fire Department.

DISCUSSION:

The National Oceanic and Atmospheric Administration recently issued an advisory warning that predicts a 95% chance of El Niño this year. Weather events associated with the El Niño could lead to disastrous flooding, mudslides and other emergencies. In anticipation of this potentially historic and intense El Niño season, the Fire and Public Works Departments have jointly created a presentation for Council and the community that highlights the emergency preparations being planned in case of such an event.

ATTACHMENT: El Nino/Southern Oscillation (ENSO) Diagnostic Discussion

SUBMITTED BY: Pat McElroy, Fire Chief

APPROVED BY: City Administrator's Office

EL NIÑO/SOUTHERN OSCILLATION (ENSO) DIAGNOSTIC DISCUSSION

issued by

CLIMATE PREDICTION CENTER/NCEP/NWS
and the International Research Institute for Climate and Society
10 September 2015

ENSO Alert System Status: El Niño Advisory

Synopsis: There is an approximately 95% chance that El Niño will continue through Northern Hemisphere winter 2015-16, gradually weakening through spring 2016.

During August, sea surface temperature (SST) anomalies were near or greater than +2.0°C across the eastern half of the tropical Pacific (Fig. 1). SST anomalies increased in the Niño-3.4 and Niño-3 regions, were approximately unchanged in the Niño-4 region, and decreased in the Niño-1+2 region (Fig. 2). Large positive subsurface temperature anomalies persisted in the central and east-central equatorial Pacific during the month (Fig. 3), with the largest departures exceeding 6°C (Fig. 4). The atmosphere remained coupled to the anomalous oceanic warmth, with significant low-level westerly wind anomalies and upper-level easterly wind anomalies persisting from the western to east-central tropical Pacific. Also, the traditional and equatorial Southern Oscillation Index (SOI) were again negative, consistent with enhanced convection over the central and eastern equatorial Pacific and suppressed convection over Indonesia (Fig. 5). Collectively, these atmospheric and oceanic anomalies reflect a strong El Niño.

All models surveyed predict El Niño to continue into the Northern Hemisphere spring 2016, and all multi-model averages predict a peak in late fall/early winter (3-month values of the Niño-3.4 index of +1.5°C or greater; Fig. 6). The forecaster consensus unanimously favors a strong El Niño, with peak 3-month SST departures in the Niño 3.4 region near or exceeding +2.0°C. Overall, there is an approximately 95% chance that El Niño will continue through Northern Hemisphere winter 2015-16, gradually weakening through spring 2016 (click [CPC/IRI consensus forecast](#) for the chance of each outcome for each 3-month period).

Across the contiguous United States, temperature and precipitation impacts associated with El Niño are expected to remain minimal during the early Northern Hemisphere fall and increase into the late fall and winter (the [3-month seasonal outlook](#) will be updated on Thursday September 17th). El Niño will likely contribute to a below normal Atlantic hurricane season, and to above-normal hurricane seasons in both the central and eastern Pacific hurricane basins (click [Hurricane season outlook](#) for more).

This discussion is a consolidated effort of the National Oceanic and Atmospheric Administration (NOAA), NOAA's National Weather Service, and their funded institutions. Oceanic and atmospheric conditions are updated weekly on the Climate Prediction Center web site ([El Niño/La Niña Current Conditions and Expert Discussions](#)). Forecasts are also updated monthly in the [Forecast Forum](#) of CPC's Climate Diagnostics Bulletin. Additional perspectives and analysis are also available in an [ENSO blog](#). The next ENSO Diagnostics Discussion is scheduled for 8 October 2015. To receive an e-mail notification when the monthly ENSO Diagnostic Discussions are released, please send an e-mail message to: ncep.list.enso-update@noaa.gov.

Climate Prediction Center
National Centers for Environmental Prediction
NOAA/National Weather Service
College Park, MD 20740



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 6, 2015
TO: Mayor and Councilmembers
FROM: City Attorney's Office
Risk Management Division, Finance Department
SUBJECT: Conference With City Attorney – Pending Litigation

RECOMMENDATION:

That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

The pending litigation is *Kyle Hickman v. City of Santa Barbara*, WCAB case numbers ADJ9314406, ADJ8965284.

Scheduling: Duration, 20 minutes; anytime
Report: None anticipated

PREPARED BY: Ariel Calonne, City Attorney
Mark W. Howard, Risk Manager
SUBMITTED BY: Robert Samario, Finance Director
APPROVED BY: City Administrator's Office