

# 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>

## DECEMBER 8, 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 30 minutes, and no individual speaker may speak for more than 2 minutes. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

**REQUEST TO SPEAK:** A member of the public may address the Finance or Ordinance Committee or City Council regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or City Council.

**CONSENT CALENDAR:** The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council considers the Consent Calendar.

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

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

## **ORDER OF BUSINESS**

12:30 p.m. - 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: Ordinance To Prohibit Parking Over 72 Hours And Parking Of Inoperable Vehicles In City Owned Parking Lots (120.03)**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.44 of the Municipal Code by Revising Sections 10.44.152, Regulation of Parking Upon Municipally Owned and/or Operated Parking Lots, and Establishing Section 10.44.153, Penalties for Vehicle Parking Over 72 Hours, or Parking of Inoperable Vehicles Upon Municipally Owned Parking Lots.

**2. Subject: Ordinance Allowing Taxicab Loading And Unloading In Green, Yellow, And White Zones (120.03)**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Revising Sections 10.48.110, Taxicab Stands - Curb Markings, and 10.48.130, Taxicab Parking.

### **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 December 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 November 16, 2015, the regular meeting of November 17, 2015, and the regular meeting (cancelled) of December 1, 2015.

### 3. **Subject: Introduction Of Ordinance For A Lease Agreement With Breakwater Restaurant (570.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with Two Five-Year Options Dated as of December 8, 2015, with Stephen and Sharon DeDecker, Doing Business As Breakwater Restaurant, at an Average Initial Base Rent of \$8,794.36 per Month, Allocated Seasonally, for the 4,053 Square-Foot Restaurant Located at 107 Harbor Way, Effective January 15, 2016.

### 4. **Subject: Five-Year Office Lease Agreement With Harbor Fuel Dock Manager Bob Meyer (330.04)**

Recommendation: That Council approve a five-year lease agreement with Bob Meyer for a 218 square-foot office located on the second floor at 125 Harbor Way, #12, at a rate of \$538.85 per month, subject to annual Cost of Living increases.

## CONSENT CALENDAR (CONT'D)

**5. Subject: Five-Year Lease Agreement With Marine Services (330.04)**

Recommendation: That City Council approve a two-year lease agreement and three, one-year options with Marine Services for 490 square feet of commercial space at 117-G Harbor Way in the Santa Barbara Harbor at a rent of \$1,200 per month.

**6. Subject: Introduction Of Ordinance To Establish A Definition For "Vessel" For Craft Berthed, Moored Or Anchored In The Harbor District (330.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Section 17.04.010 and Adding Section 17.12.050 Establishing a Definition of "Vessel" for Craft Berthed, Moored or Anchored in the Harbor District.

**7. Subject: Amendment To Public Safety Dispatcher Recruitment Incentive Program (520.04)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution 15-089 Establishing a Public Safety Dispatcher Recruitment Incentive Program Providing Referral Incentives for City Employees and Hiring Incentives for New Public Safety Dispatchers.

**8. Subject: Agreements For Franceschi Park And Skofield Park Resident Caretakers (570.05)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Franceschi Park with Charles Christman, commencing January 1, 2016, through December 31, 2016; and
- B. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Skofield Park with James Rumbley, commencing January 1, 2016, through December 31, 2016.

## CONSENT CALENDAR (CONT'D)

**9. Subject: Authorization Of Increase Of State Revolving Fund Loan For Wastewater Plant Upgrades To \$35 Million (540.13)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Amend Resolution 13-009 Stating the City's Intent to Reimburse Expenditures Paid Prior to Either the Issuance of Obligations or the Approval by the State Water Resources Control Board of the Project Funds for the Secondary Treatment Process Improvements Project at the El Estero Wastewater Treatment Plant.

**10. Subject: City Of Santa Barbara And Santa Barbara City College Joint Use Agreement (150.05)**

Recommendation: That Council authorize the City Administrator to enter into a Joint Use Agreement with Santa Barbara City College for the shared use of facilities for recreational and educational purposes.

**11. Subject: Approval Of Parcel Map And Execution Of Agreements For 33 West Victoria Street (640.08)**

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,810, and standard agreements relating to the approved subdivision at 33 West Victoria Street; and authorize the City Engineer to record, upon completion of any required public improvements, a recital document stating that the public improvements have been completed, and that the previously recorded Land Development Agreement may be removed from the title document.

**12. Subject: Memorandum Of Understanding With The Community Action Commission For The South Coast Youth Task Force On Youth Gangs (520.04)**

Recommendation: That Council authorize the City Administrator to execute a Memorandum of Understanding providing \$67,665 for the Community Action Commission for their work coordinating the South Coast Task Force on Youth Gangs for Fiscal Year 2016.

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

**13. Subject: Contract For Construction Of Santa Barbara High School Wellhead Project (540.10)**

Recommendation: That Council award a contract with Sansone Company, Inc., in their low bid amount of \$400,700 for construction of the Santa Barbara High School Wellhead Project, Bid No. 3772; and authorize the Public Works Director to execute the contract and approve expenditures up to \$40,070 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

**14. Subject: Request To Initiate Expansion Of Residential Permit Parking Near Santa Barbara City College (550.01)**

Recommendation: That Council direct the Transportation Engineer to conduct a public hearing and undertake the surveys and studies necessary to prepare a report and recommendations to City Council regarding the expansion of Permit Parking Area M near Santa Barbara City College.

**15. Subject: Contract For Downtown Parking Video Camera Installation And Video Storage Project (550.01)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Metro Video Systems, Inc., in the amount of \$326,955 for the Downtown Parking Video Camera Installation And Video Storage Project, and approve expenditures of up to \$32,695 for extra services that may result from necessary changes in the scope of work.

## **NOTICES**

16. The City Clerk has on Thursday, December 3, 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**

## **MAYOR AND COUNCIL REPORTS**

### **17. Subject: Appointments To City Advisory Groups (140.05)**

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

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

### **COMMUNITY DEVELOPMENT DEPARTMENT**

### **18. Subject: Possible Short-Term Home Sharing Rental Ordinance (640.09)**

Recommendation: That Council:

- A. Receive an update on the proposal to define, permit, regulate and tax short-term home sharing rentals in the City; and
- B. Provide direction to staff regarding the development of a short-term home sharing rental ordinance.

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

## **PUBLIC COMMENT (IF NECESSARY)**

## **CLOSED SESSIONS**

### **19. Subject: Conference with City Attorney - Anticipated Litigation (160.01)**

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsections 54956.9(d)(2) & (e)(2) of the Government Code and take appropriate action as needed. Significant exposure to litigation arising out of the Carpinteria Valley Water District's demand related to laboratory costs at the Cater Water Treatment Plant (Facts known to Plaintiff).

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

## **ADJOURNMENT**

CITY OF SANTA BARBARA

**ORDINANCE COMMITTEE MEETING**

MEETING AGENDA

DATE: December 8, 2015  
TIME: 12:30 p.m.  
PLACE: Council Chambers

Randy Rowse, Chair  
Frank Hotchkiss  
Cathy Murillo

Office of the City  
Administrator

Office of the City  
Attorney

Kate Whan  
Administrative Analyst

Ariel Pierre Calonne  
City Attorney

**ITEMS FOR CONSIDERATION**

**1. Subject: Ordinance To Prohibit Parking Over 72 Hours And Parking Of Inoperable Vehicles In City Owned Parking Lots**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.44 of the Municipal Code by Revising Sections 10.44.152, Regulation of Parking Upon Municipally Owned and/or Operated Parking Lots, and Establishing Section 10.44.153, Penalties for Vehicle Parking Over 72 Hours, or Parking of Inoperable Vehicles Upon Municipally Owned Parking Lots.

**2. Subject: Ordinance Allowing Taxicab Loading And Unloading In Green, Yellow, And White Zones**

Recommendation: That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Revising Sections 10.48.110, Taxicab Stands – Curb Markings, and 10.48.130, Taxicab Parking.



# CITY OF SANTA BARBARA

## ORDINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Ordinance Committee

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

**SUBJECT:** Ordinance To Prohibit Parking Over 72 Hours And Parking Of Inoperable Vehicles In City Owned Parking Lots

### RECOMMENDATION:

That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.44 of the Municipal Code by Revising Sections 10.44.152, Regulation of Parking Upon Municipally Owned and/or Operated Parking Lots, and Establishing Section 10.44.153, Penalties for Vehicle Parking over 72 Hours, or Parking of Inoperable Vehicles Upon Municipally Owned Parking Lots.

### DISCUSSION:

The City's Municipal Code addresses the regulation of parking in municipally owned and/or operated parking lots. Currently, there is no established regulation against parking within these parking lots for a period of more than seventy-two (72) consecutive hours. In addition, there is no regulation against leaving inoperable vehicles in these parking lots. Municipally owned parking lots are not intended for long-term storage of vehicles, nor are they intended for the storage of inoperable vehicles.

Therefore, staff recommends that Section 10.44.152 of the Santa Barbara Municipal Code be amended to prohibit parking for longer than 72 hours, unless a special permit is issued by the Public Works Director, and that 10.44.152 be amended to prohibit parking of inoperable vehicles.

Staff also recommends that Section 10.44.153 be established to define the penalties for these new prohibitions.

**ATTACHMENT:** Proposed Ordinance

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

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

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

**ORDINANCE COMMITTEE DISCUSSION DRAFT   /  /    
SHOWING CHANGES FROM THE CURRENT CODE  
NEW PROVISIONS SHOWN IN UNDERLINE**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING CHAPTER 10.44 OF THE MUNICIPAL CODE BY REVISING SECTIONS 10.44.152, REGULATION OF PARKING UPON MUNICIPALLY OWNED AND/OR OPERATED PARKING LOTS, AND ESTABLISHING SECTION 10.44.153, PENALTIES FOR VEHICLE PARKING OVER 72 HOURS, OR PARKING OF INOPERABLE VEHICLES UPON MUNICIPALLY OWNED PARKING LOTS

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

**SECTION 1. Chapter 10.44 of the Santa Barbara Municipal Code is revised to read as follows:**

**10.44.151 Regulation of Traffic Upon Municipally Owned and/or Operated Parking Lots.**

Whenever the Transportation Engineer shall determine the necessity of regulations governing the operation and parking of vehicles upon or the exclusion of vehicles from parking lots owned, operated or controlled by the City, the Transportation Engineer shall have the power and authority to erect signs or otherwise mark such lots to indicate such regulations; and when signs or markings authorized by the provisions hereof are in place giving notice thereof, no person shall operate, stand or park any vehicle upon such parking lot contrary to such regulations or directions of such signs or markings.

Any person parking a motor vehicle in violation of a curb marking or sign restricting parking to vehicles displaying a distinguishing license plate or placards issued to disabled persons pursuant to the Vehicle Code shall be punished by a fine of not less than twenty-five dollars (\$25.00). (Ord. 4759, 1992; Ord. 3913 §1, 1977; Ord. 3199 §2, 1967.)

**10.44.152 Regulation of Parking Upon Municipally Owned and/or Operated Parking Lots.**

- (a) No person shall park a motor vehicle in a municipally owned and/or operated parking lot and fail to pay the parking fee established by resolution and posted for the use of said lot. Said fee shall be paid no later than time of departure from the lot, except that a person departing a lot with no parking attendant present shall deposit said fee or mail said fee in accordance with the instructions on the

- envelope securely attached to the vehicle by the parking attendant before his departure from the lot; said fee to be mailed or delivered within three (3) days.
- (b) It shall be unlawful for any person to use or permit or cause to be used a monthly parking permit by a person not authorized in the permit agreement.
  - (c) Any person removing a vehicle from the lot and re-entering a lot for the sole purpose of avoiding payment of parking fees shall pay a parking fee as if said vehicle had not departed the lot.
  - (d) It shall be unlawful to present a subsequent, counterfeit, or other substitute evidence of entry into any municipally owned and/or operated parking lot for the purpose of reducing or avoiding the parking fee established for the use of said lot.
  - (e)       —In an action for violation of this section, proof that a person was the registered owner of a motor vehicle at the time the vehicle was parked unattended in a municipally owned and/or operated lot is prima facie evidence that the registered owner was the person who parked the vehicle. The registered owner shall be given written notice of the violation and an opportunity to respond as provided in Section 40202 of the Vehicle Code of the State of California as it exists today and may be amended in the future.
  - (f) In addition to the penalties provided for violation of this code, the use of a municipally owned and/or operated parking lot in violation of this Municipal Code, the regulations established by the Transportation Engineer, or the applicable fee requirements, shall be subject to use fees that are twice the fees for proper use.
  - (g) The Transportation Engineer shall make provision to mark, chalk, photograph, record or otherwise identify such use of municipally owned and/or operated parking lots as may be required for the reasonable enforcement of this Chapter. (Ord. 5061, 1998; Ord. 4760, 1992; Ord. 3864, 1976.)
  - (h) No person who owns, or has possession, custody or control of any vehicle shall park, stop or leave the vehicle in excess of a period of seventy-two (72) consecutive hours in a municipally owned parking lot.(i) Notwithstanding (h), the Public Works Director may issue a permit allowing for parking in excess of seventy-two (72) consecutive hours in a municipally owned parking lot.
  - (i) No person shall park, ~~or~~ stand, or permit to remain for a longer period than two (2) hours in any municipally owned parking lot, any motor vehicle which is wrecked or incapable of operating under its own power.

**SECTION 2. Chapter 10.44.153 is being added to the Santa Barbara Municipal Code to read as follows:**

**10.44.153 Penalties for Vehicle Parking Over 72 Hours in Parking Lots, ~~r~~ Or The Parking of Inoperable Vehicles**

**A. PENALTIES FOR VEHICLE PARKING OVER 72 HOURS, OR PARKING OF INOPERABLE VEHICLES, UPON MUNICIPALLY OWNED PARKING LOTS.** In the event a vehicle is parked, stopped or left standing in any of the municipally owned parking lots, except as permitted per Section 10.44.152 (h), in excess of a period of seventy-two (72) consecutive hours, or that the vehicle is inoperable per Section

10.44.152 (j), the vehicle may be cited and the vehicle may be removed from the municipally owned parking lots by any member of the Police Department authorized by the Chief of Police in the manner and consistent with the requirements of the California Vehicle Code.



# CITY OF SANTA BARBARA

## ORDINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Ordinance Committee

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

**SUBJECT:** Ordinance Allowing Taxicab Loading And Unloading In Green, Yellow, And White Zones

### RECOMMENDATION:

That the Ordinance Committee forward to Council for introduction An Ordinance of the Council of the City of Santa Barbara Amending Chapter 10.48 of the Municipal Code by Revising Sections 10.48.110, Taxicab Stands – Curb Markings, and 10.48.130, Taxicab Parking.

### DISCUSSION:

The City's Municipal Code address taxicab stands and taxicab parking. Currently, taxicabs are prohibited from picking up or dropping off passengers in any marked green zone (15-minute parking zone), yellow zone (loading zone), white zone (passenger loading zone), or red zone in the City. This prohibition limits the available loading and unloading areas to taxicab stands and regular on-street parking spaces. There are few established taxicab stands in Santa Barbara, and regular on-street parking spaces are typically fully occupied in the downtown area, resulting in limited loading and unloading opportunities for taxicabs.

Staff recommends that Section 10.48.130 of the Santa Barbara Municipal Code be amended to allow active loading and unloading of passengers from taxicabs in green, yellow, and white zones while maintaining the prohibition for taxicabs to stop, stand, or park in a red zone. Public Works consulted with the Santa Barbara Police Department, who concur with this recommendation.

Section 10.48.110 defines the curb and pavement markings for established taxicab zones. Currently, white curb with blue "taxicabs only" stencils are required, plus a white outline painted on the street. Staff recommends that Section 10.48.110 of the Santa Barbara Municipal Code be amended to remove the requirement for a white outline painted on the street.

**ATTACHMENT:** Proposed Ordinance

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

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

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

**ORDINANCE COMMITTEE DISCUSSION DRAFT \_\_/\_\_/\_\_  
SHOWING CHANGES FROM THE CURRENT CODE  
NEW PROVISIONS SHOWN IN UNDERLINE  
DELETIONS SHOWN IN ~~STRIKETHROUGH~~**

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING CHAPTER 10.48 OF THE MUNICIPAL CODE BY REVISING SECTIONS 10.48.110, TAXICAB STANDS – CURB MARKINGS, AND 10.48.130, TAXICAB PARKING

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

**SECTION 1. Section 10.48 of the Santa Barbara Municipal Code is amended to read as follows:**

**10.48.110 Taxicab Stands - Curb Markings.**

Taxi stands as designated by the City Council in the Central Traffic District shall be designated by white paint upon the surface of the street curb with the letters "taxicabs only." ~~in blue letters thereon. and a white line four inches (4") wide to be painted on the surface of the streets; such line to extend seven feet (7') out from the curb and to run the length of the cab stand. The words "taxicabs only" shall be painted on the surface of the street.~~ (Ord. 3913 §2,1977; Ord. 2713 §1(part), 1959; prior Code §31.90.)

**10.48.120 Taxicabs' Use of Stands.**

No owner or driver of any taxicab shall park, stop, or stand upon any street in the City for any period of time longer than is necessary to discharge or receive passengers then occupying or then waiting for such taxicab; provided, that the owner or driver of a taxicab may park in the taxicab stand authorized by the City Council. (Ord. 2713 §1(part), 1959; prior Code §31.90(part).)

**10.48.130 Taxicab Parking.**

Notwithstanding any other provision in Section 10.48.100 - 10.48.120 to the contrary, one (1) taxicab of each taxi company may park in each block of the City for the solicitation of business, subject to the following conditions:

- A. No taxicab shall be ~~parked~~ stopped in excess of the time designated by the zone in which such taxicab is ~~parked~~ stopped:

B. In any block in which taxi stands are designated on the curb, no taxicab shall be parked in such block other than in such designated taxi stand;

C. No taxicab shall be ~~parked-stopped~~ within a green or yellow zone in any block between the hours of nine a.m. (9:00) and six p.m. (6:00) of any day, Sundays and holidays excepted, except as ~~otherwise provided in this title~~ while actively loading or unloading passengers;

D. No taxicab shall be parked within a white zone in any block during such time as any parking limitation is in effect therein, except while actively loading or unloading passengers;

E. For the purpose of this section, a "taxi company" shall be defined as a corporation organized for the purpose of operating a taxi business, regardless of the various names under which such taxicabs operate, ~~and~~ the word "block" includes both sides of the street, and "active loading and unloading" shall mean passengers entering or exiting the taxicab with the doors to the taxicab open. (Ord. 3090 §1, 1965; prior Code §31.90A.)

F. No taxicab shall stop, stand, or park in a red zone.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 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 December 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 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 December 31, 2015.

**ATTACHMENT:** December 2015 Service Awards

**PREPARED BY:** Nicole Grisanti, City Administrator's Office Supervisor

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

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

**December 2015 SERVICE AWARDS**

December 8, 2015 Council Meeting

**5 YEARS**

Jeannie Darbison, Accounting Assistant, Finance Department

Federico Hernandez, Custodian, Public Works Department

Margaret Heinrich, Water Reclamation/Cross Connection Specialist,  
Public Works Department

Ryan Quiroga, Water Treatment Plant Operator III, Public Works Department

Randall Rowse, Councilmember, Mayor & City Council

**10 YEARS**

Anthony Boughman, Assistant Planner, Community Development Department

Blake Burgard, Police Officer, Police Department

Jose Cosio, Streets Maintenance Worker II, Public Works Department

Tina Diaz, Administrative Specialist, Public Works Department

Baldomero Garcia, Custodian, Public Works Department

**15 YEARS**

Jose Rojas, Equipment Operator, Parks and Recreation Department

**20 YEARS**

Jason Valenzuela, Custodial Supervisor, Public Works Department

**25 YEARS**

Susan Gonzalez, Human Resources Manager, Administrative Services Department

Rodolfo Villanueva, Water Treatment Chief Operator, Public Works Department

Patricia Vogel, Engineering Technician II, Public Works Department



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## ADJOURNED REGULAR MEETING November 16, 2015 806 ALBERTA AVENUE

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 1:36 p.m.

### ROLL CALL

Councilmembers present: Dale Francisco (1:40 p.m.), Frank Hotchkiss, Cathy Murillo, Randy Rowse, Mayor Schneider.

Councilmembers absent: Gregg Hart, Bendy White.

Staff present: City Administrator Paul Casey.

### PUBLIC COMMENT

No one wished to speak.

### NOTICES

The City Clerk has on Thursday, November 12, 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: 806 Alberta Avenue**

Recommendation: That Council make a site visit to the property located at 806 Alberta Avenue, which is the subject of an appeal hearing set for November 17, 2015, at 2:00 p.m.

#### Discussion:

Staff provided an overview of the project plans and spoke about the establishment of the relevant zoning policy in 2003. Councilmembers asked questions related to the location of a deck and open space. Visits were made to the back of the subject lot and to each of the neighbors' properties.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 2:15 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

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



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING November 17, 2015 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance 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, 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 Susan Tschech.

### PUBLIC COMMENT

Speakers: Michael Baker, United Boys & Girls Clubs; Wanda Livernois; W. Scott Burns; Robert Hansen; Nancy McCradie; Kurt Magness; Karla Alejandra Jaime; John; Ed Meyers; Jenny Slaughter, Nancy Ferguson, and Bill Hawksworth, Citizens to Preserve the Douglas Family Preserve.

### CONSENT CALENDAR (Item Nos. 1 – 6)

Motion:

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

Vote:

Unanimous voice vote.

**1. Subject: Receipt Of Grant From Santa Barbara County Community Awareness & Emergency Response For Outreach Materials In Spanish (520.02)**

Recommendation: That Council:

- A. Authorize the receipt of grant funds totaling \$750 from the Santa Barbara County Community Awareness & Emergency Response Committee; and
- B. Increase appropriations and estimated revenues by \$750 in the Fire Department's General Fund Emergency Services & Public Education Division for Fiscal Year 2016.

Action: Approved the recommendations (November 17, 2015, report from the Fire Chief).

**2. Subject: Five-Year Lease Agreement With The National Park Service, Channel Islands National Marine Sanctuary, And The Santa Barbara Maritime Museum For Visitor Center (330.04)**

Recommendation: That Council approve a five-year lease agreement with the National Park Service, Channel Islands National Marine Sanctuary, and the Santa Barbara Maritime Museum for a 547 square-foot public Visitor Center located on the third floor of the Waterfront Center Building at 113 Harbor Way.

Action: Approved the recommendation; Agreement No. 25,365 (November 17, 2015, report from the Waterfront Director).

**3. Subject: Approval Of Emergency Purchase Order For Lugar Del Consuelo Sewer Main Replacement (540.13)**

Recommendation: That Council approve an Emergency Purchase Order to Tierra Contracting, Inc., in the amount of \$36,400 to replace a failing sewer main on Lugar Del Consuelo.

Action: Approved the recommendation (November 17, 2015, report from the Public Works Director).

**4. Subject: Professional Services Agreement For Property Tax Management Services (270.06)**

Recommendation: That Council:

- A. Approve and authorize the Finance Director to execute a professional services agreement with HdL Coren & Cone to provide property tax management services, secured and unsecured parcel audits, budget projections, and Successor Agency support; and

(Cont'd)

**4. (Cont'd)**

- B. Allocate \$14,000 from General Fund appropriated reserves to the Fiscal Year 2016 Finance Department budget to cover the cost of the contract.

Action: Approved the recommendations; Agreement No. 25,366 (November 17, 2015, report from the Finance Director).

NOTICES

5. The City Clerk has on Thursday, November 12, 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.
6. Receipt of communication advising of vacancy created on the Building and Fire Code of Appeals with the resignation of Stephen Metsch. This vacancy will be part of the next recruitment.

This concluded the Consent Calendar.

**REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Randy Rowse reported that the Committee met to review a proposed ordinance to establish a definition of "Vessel" for craft berthed, moored or anchored in the Harbor District. The Committee approved and forwarded the ordinance to the City Council for introduction and subsequent adoption.

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

PUBLIC WORKS DEPARTMENT

**7. 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.

Documents:

- November 17, 2015, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Water Resources Manager Joshua Haggmark, Water Resources Specialist Madeline Ward, Public Works Director Rebecca Bjork.

(Cont'd)

## 7. (Cont'd)

### Discussion:

Staff presented information regarding the weather forecast for the next three months, water supply planning, Lake Cachuma and Gibraltar Reservoir operations, drought response capital projects, impacts to the Division's budget, and aspects of the Water Conservation Program. Councilmembers' questions were answered.

## MAYOR AND COUNCIL REPORTS

### 8. **Subject: Request From Councilmembers Hotchkiss And Francisco Regarding The Average Unit-Size Density Incentive Program (640.02)**

Recommendation: That Council consider the request from Councilmembers Hotchkiss and Francisco regarding the Average Unit-Size Density (AUD) Incentive Program.

### Documents:

- November 17, 2015, report from the City Administrator.
- PowerPoint presentation made by Councilmember Francisco.
- November 16, 2015, letters from Kaitlyn Wentz Fitzgerald, Jan Hochhauser, Sally Sphar.
- November 16, 2015, e-mails from Berni Bernstein, Sue Mellor.
- Undated letters from Manoel Bezerra Leite Filho, Wadih Mously.

### Speakers:

- Staff: City Planner Renee Brooke.
- Members of the Public: Monica Calles; Mr. Estrada; Mickey Flacks; Sheila Lodge; Eric Weinicke; Natasha Todorovic; Paul Hernadi, Citizens Planning Association; Keith Rivera; Barry Winick, American Institute of Architects Santa Barbara; Howard Wittausch; John Campanella; Sarah Griffin; Brian Cearnal; Tony Tomasello; Neil Dipaola.

### Discussion:

The Council discussed the implementation of the AUD Incentive Program and agreed that no changes to the program will be made at this time.

## RECESS

4:27 p.m. – 4:37 p.m.

## **PUBLIC HEARINGS**

### **9. Subject: Appeal Of Architectural Board Of Review Approval Of 806 Alberta Avenue (640.07)**

Recommendation: That Council:

- A. Deny the appeal of Catherine "Lily" Bastug Vicenti, David Hale, James and Karen Hurst, Roberta VanRossen, Susan Lafond, and Brian King, and uphold the Architectural Board of Review's Project Design Approval of the proposed accessory dwelling unit and new garages at 806 Alberta Avenue; and
- B. Direct Staff to return to Council with Decision and Findings reflecting the outcome of the appeal.

Documents:

- November 17, 2015, report from the Community Development Director.
- Copy of March 25, 2003, Council Agenda Report regarding amendments to the R-2 Two-Family Residence Zone.
- PowerPoint presentation prepared and made by Staff.
- Undated letter with exhibits submitted by Brian King.

Public Comment Opened:

4:39 p.m.

Speakers:

- Staff: Senior Planner Jaime Limón, Assistant City Attorney Scott Vincent, City Attorney Ariel Calonne.
- Architectural Board of Review: Member Howard Wittausch.
- Appellant: James Griffith, Attorney.
- Applicant: Jyl Ratkevich, Architect.
- Members of the Public: Brian King, Susan Lafond.

Public Comment Closed:

5:24 p.m.

Motion:

Councilmember Hotchkiss to uphold the appeal and refer the project back to the Architectural Board of Review with direction to the Applicant to redesign the proposed accessory dwelling unit to be one story in height.

The motion died for lack of a second.

(Cont'd)

**9. (Cont'd)**

Motion:

Councilmembers Francisco/Hart to deny the appeal and direct Staff to return to Council with a Decision and Findings resolution which includes the following project conditions of approval: 1) reconfiguration of the common open yard; 2) adjustment to the plans to reflect the proper location of the hedge; and 3) recordation against the property of a Zoning Compliance Declaration.

Vote:

Majority voice vote (Noes: Councilmember Hotchkiss).

**COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

Information:

- Councilmember Rowse commented on a site visit he made with Councilmember Hotchkiss to the Douglas Family Preserve and on the opening of the Police Department Fitness Center.
- Councilmember Murillo reported on recent meetings of the Rental Housing Mediation Board and Santa Barbara Youth Council; she also mentioned that the Westside Boys & Girls Club is coordinating a food security project with The Foodbank.
- Mayor Schneider reported that she has sent a letter to the City's State government representatives requesting legislation giving more local control over the design of projects such as the Sycamore Creek Mobilehome Park on Punta Gorda Street.
- Councilmember White described an oak tree planting project being undertaken at Cachuma Lake.

**RECESS**

5:55 p.m. – 6:04 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco, Hart, Hotchkiss, Murillo, Rowse, White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Casey, City Attorney Calonne, Deputy City Clerk Tschech.

**PUBLIC COMMENT**

No one wished to speak.

## MAYOR AND COUNCIL REPORTS

### 10. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council hold interviews of applicants to various City Advisory Groups.

(Continued from October 27, 2015, Item No. 16)

#### Speakers:

The following applicants were interviewed:

Access Advisory Committee:

James Marston

Architectural Board of Review:

Kirk Gradin

Kevin Moore

Arts Advisory Committee:

William Smithers

Nathan Vonk

Linda Wolcott Moore

Darian Bleacher

Thea Palencia

Community Development and Human Services Committee:

Doedy Orchowski

Community Events and Festivals Committee:

Antoinette Chartier

Katrina Carl

Creeks Advisory Committee:

James Hawkins

Kathleen "Betsy" Weber

Downtown Parking Committee:

Ed France

Ethan Shenkman

Fire and Police Pension Commission:

Scott Tracy

The Mayor stated that appointments to fill advisory group vacancies will be made on December 8, 2015.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 6:38 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

ATTEST:

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



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
December 1, 2015  
COUNCIL CHAMBER, 735 ANACAPA STREET**

---

The regular meeting of the City Council, scheduled for 2:00 p.m. on December 1, 2015, was cancelled by the Council on November 18, 2014.

The next regular meeting of the City Council is scheduled for December 8, 2015, at 2:00 p.m. in the Council Chamber.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

**FROM:** Business Services Division, Waterfront Department

**SUBJECT:** Introduction Of Ordinance For A Lease Agreement With Breakwater Restaurant

### RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with Two Five-Year Options Dated as of December 8, 2015, with Stephen and Sharon DeDecker, Doing Business As Breakwater Restaurant, at an Average Initial Base Rent of \$8,794.36 per Month, Allocated Seasonally, for the 4,053 Square Foot Restaurant Located at 107 Harbor Way, Effective January 15, 2016.

### DISCUSSION:

Stephen and Sharon DeDecker have operated Breakwater restaurant located at 107 Harbor Way since 1998 when the lease was transferred to them. The previous owners had operated the Breakwater Restaurant since 1984. The current lease format is outdated and lacks current insurance requirements and lease assignment provisions, as well as maintenance and default clauses. The proposed lease modernizes those provisions and brings the lease into compliance with current City of Santa Barbara practices.

The business terms of the proposed lease are as follows:

- **Term:** Five-year initial term with two, five-year options.
- **Base Rent:** An average of \$ 8,794.36 per month allocated seasonally.
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI).
- **Percentage Rent:** Ten percent (10%) of Tenant's Gross Receipts up to and including \$1,250,000 and 11.4% of Tenant's Gross Receipts in excess of \$1,250,000 per calendar year.

The Breakwater Restaurant is considered a tenant in good standing by the Department as they have no outstanding default notices on file and have been prompt with rent payments.

The Harbor Commission recommended that the City Council approve the lease agreement at their November 19, 2015 meeting. A copy of the lease is available for review at the Waterfront Administration office.

**ATTACHMENT:** Site Plan

**PREPARED BY:** Brian J. Bosse, Waterfront Business Manager

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

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

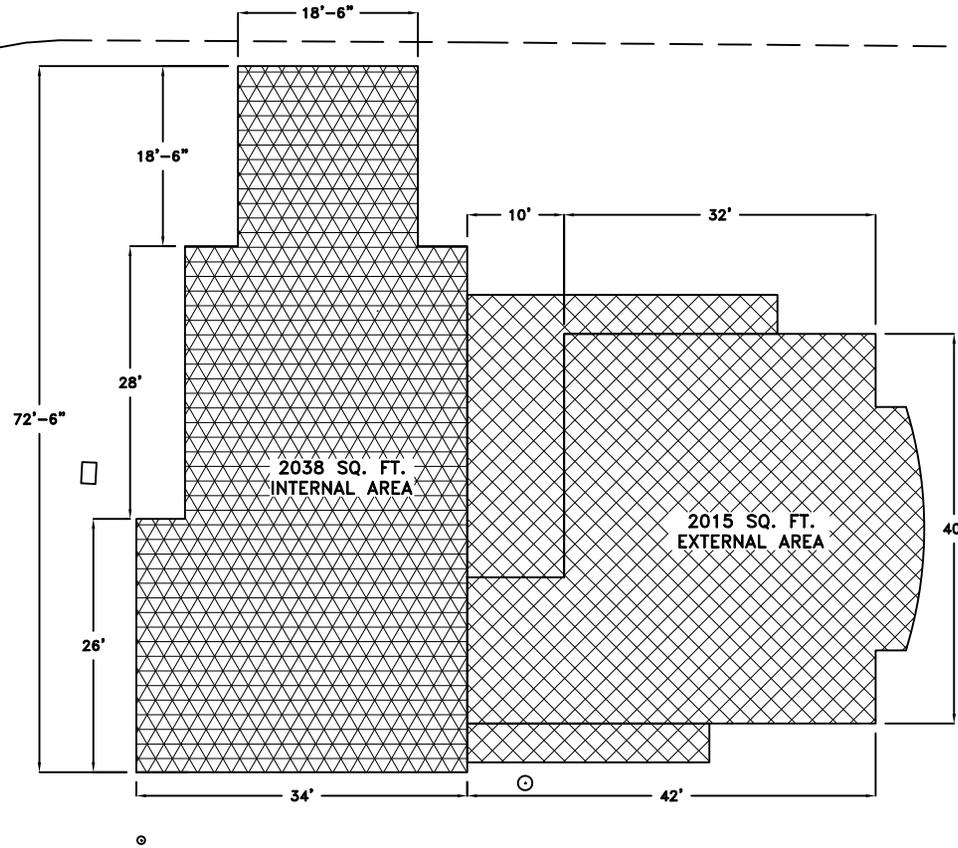
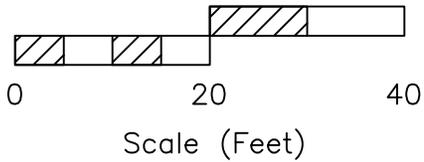
Project North



# LEASE AREA PLAN 107 Harbor Way (Breakwater Restaurant)

## Exhibit A

Total Area 4053 sf



NRC

### REVISIONS

## Breakwater Restaurant Lease Area

PLLOTTER SETTING	1=20	APPROVED BY		DRAWN BY	T. Lawler
DATE	08/02/15	ADDRESS	107 Harbor Way	DRAWING NO.	1070-002
City of Santa Barbara				SHEET NO.	
Waterfront Department				1 of 1	

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A FIVE-YEAR LEASE AGREEMENT WITH TWO FIVE-YEAR OPTIONS DATED AS OF DECEMBER 8, 2015, WITH STEPHEN AND SHARON DEDECKER, DOING BUSINESS AS BREAKWATER RESTAURANT, AT AN AVERAGE INITIAL BASE RENT OF \$8,794.36 PER MONTH, ALLOCATED SEASONALLY, FOR THE 4,053 SQUARE FOOT RESTAURANT LOCATED AT 107 HARBOR WAY, EFFECTIVE JANUARY 15, 2016.

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara Approving a Lease With Stephen and Sharon DeDecker doing business as Breakwater Restaurant, Effective January 15, 2016, is hereby approved.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

**FROM:** Business Services Division, Waterfront Department

**SUBJECT:** Five-Year Office Lease Agreement With Harbor Fuel Dock Manager Bob Meyer

### RECOMMENDATION:

That Council approve a five-year lease agreement with Bob Meyer for a 218 square-foot office located on the second floor at 125 Harbor Way, #12, at a rate of \$538.85 per month, subject to annual Cost of Living increases.

### DISCUSSION:

The harbor fuel dock has been leased to Union Oil Company of California (Unocal) since the 1950's. A local fuel distributor, McCormix Corporation, assumed the fuel dock lease following a Request for Proposals process in December 2003. Bob Meyer has managed the fuel dock since 1985 under management contracts with Unocal and Tosco, and continues to manage the fuel dock for McCormix Corporation.

Mr. Meyer currently leases office space at 125 Harbor Way, #12, on the second floor of the Marine Center Building. The lease expires on December 31, and Mr. Meyer would like to enter into a new lease with the City. The current rent is \$538.85 per month, subject to annual cost of living increases based on changes in the Consumer Price Index (CPI).

The basic lease terms of the proposed lease are as follows:

- **Term:** Five years
- **Rent:** \$538.85 per month (\$2.47 per square foot)
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI)
- **Utilities:** Tenant pays a fixed electrical surcharge in addition to the monthly rent equivalent to \$0.15 per square foot.

Bob Meyer is considered a tenant in good standing by the Department since he is prompt with rent payments and has no default notices on file. The proposed lease

agreement will allow Bob Meyer to continue with the on-site management of the fuel dock.

The Harbor Commission recommended approval of the lease agreement at the October 15, 2015, meeting.

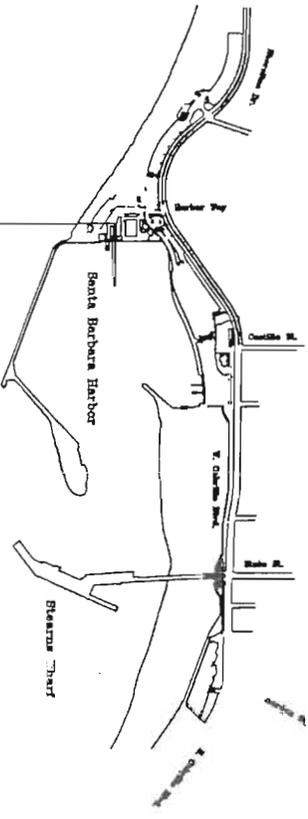
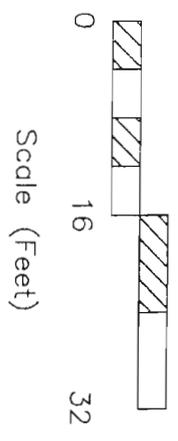
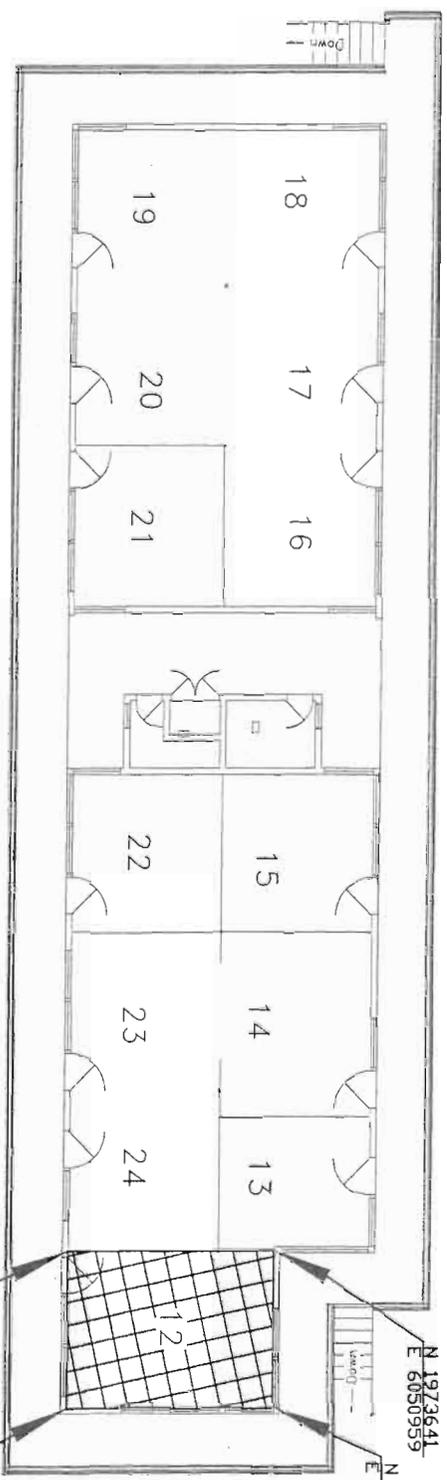
**ATTACHMENT:** Site Plan

**PREPARED BY:** Brian J. Bosse, Waterfront Business Manager

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

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

Second Floor Plan  
 125 Harbor Way #12  
 Bob Meyer, Union Marine Station, Inc.  
 Lease Area - 218 S.F.



Project Area  
 HARBOR VICINITY

N78

REVISIONS		DATE		DRAWN BY	
		7/28/04		L. Hirsch	
		ADDRESS		SHEET NO.	
		125 Harbor Way #12		1 of 1	
		CITY		SCALE	
		City of Santa Barbara		1250-030	
		DEPARTMENT			
		Waterfront Department			

Lease Area  
 Exhibit A



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

**FROM:** Business Services Division, Waterfront Department

**SUBJECT:** Five-Year Lease Agreement With Marine Services

### RECOMMENDATION:

That City Council approve a two-year lease agreement and three, one-year options with Marine Services for 490 square feet of commercial space at 117-G Harbor Way in the Santa Barbara Harbor at a rent of \$1,200 per month.

### DISCUSSION:

After a competitive Request For Proposal (RFP) process, Marine Services has been recommended by the Harbor Commission's RFP Committee and the full Harbor Commission to lease the space at 117-G Harbor Way.

The former site of TransPac Marine for many years, the site consists of approximately 490 square feet of leasable space and is located on the south side of the building. Marine Services plans on selling general and special order marine-engine parts including filters, impellers, alternator belts, oil, coolant, etc. The space is also proposed to be used as a showroom for various products such as Yanmar engines and Kohler generators, outboards motors and inflatable boats.

Waterfront staff is finalizing the installation of new windows, doors, and exterior paint. Marine Services will be improving the interior of the space to accommodate and showcase their new retail venture. It is anticipated that the retail store will open for business in March 2016.

The basic terms of the proposed lease agreement are summarized as follows:

- **Term:** Two-year initial term with three, one-year options.
- **Base Rent:** The lease rate will be \$1,200 per month and will be adjusted upward, but not downward, annually on July 1 in accordance with the Consumer Price Index.
- **Site:** Located at 117-G Harbor Way, the lease site consists of 490 square feet of commercial space in the Santa Barbara Harbor.

- **Insurance:** City standard insurance requirements including that lessee shall maintain a general liability insurance policy in the amount of \$2,000,000.

The Harbor Commission recommended City Council approval of the proposed lease agreement with Marine Services at its meeting on June 18, 2015.

**ATTACHMENT:** Site Plan

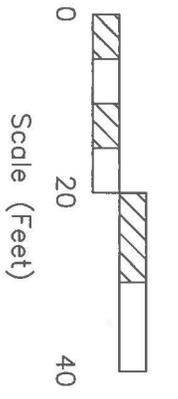
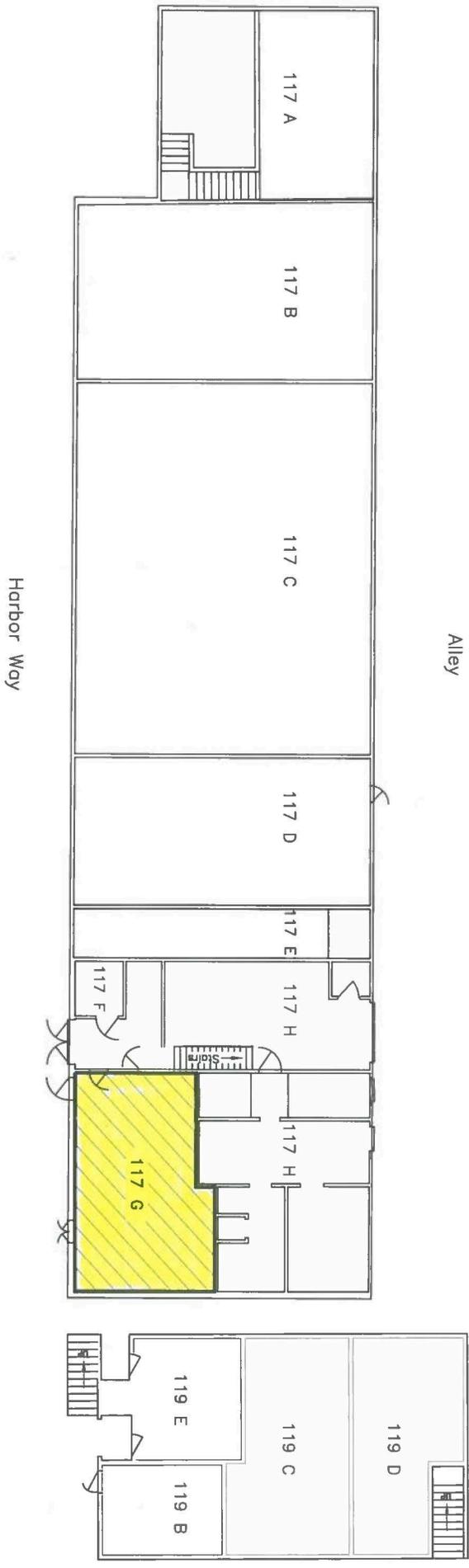
**PREPARED BY:** Brian J. Bosse, Waterfront Business Manager

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

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

# 117-G HARBOR WAY

490 SQ. FT.



<b>117-G</b>		DATE: 1/11/2014	APPROVED BY:	DRAWN BY: T. Lawler
<b>EXHIBIT "A"</b>		ADDRESS: 117 Harbor Way		SHEET NO. 1 of 1
City of Santa Barbara				DRAWING NO. 1170-027
Waterfront Department				
REVISIONS				



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

**FROM:** Operations Division, Waterfront Department

**SUBJECT:** Introduction Of Ordinance To Establish A Definition For "Vessel" For Craft Berthed, Moored Or Anchored In The Harbor District

### **RECOMMENDATION:**

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Amending Section 17.04.010 and Adding Section 17.12.050 Establishing a Definition of "Vessel" for Craft Berthed, Moored or Anchored in the Harbor District.

### **BACKGROUND:**

For years, there has existed an interest among some members of the public in placing man-made floating objects in the Harbor District of the City, especially in Santa Barbara Harbor. Owners of these floating objects ("floating homes") that are designed to remain stationary and never leave their slips, have found ways to meet the Department's "operability" requirement by demonstrating, solely for purposes of passing the test, an ability to maneuver safely under their own power from their point of origin to the open waters of the Pacific and back to their point of origin. Typically, this is done through deployment of small outboard engines, make-shift steering stations and temporary lookouts, all for the purpose of passing a single at-sea test—a purely ceremonial exercise without intent of using the floating object for actual boating purposes.

Berthing, mooring or anchoring these floating objects in the Harbor District directly conflicts with Coastal Act Section 30224Z: "Increased recreational boating use of coastal waters shall be encouraged," and Section 30234: "Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided." Also, the Harbor Master Plan states, "The Harbor shall be a working harbor with priority given to ocean dependent uses, such as commercial fishing and recreational boating."

Finally, using slips for floating homes that remain stationary does not serve the needs of persons on the Department's Slip Waiting List, some of whom have lingered decades on the list awaiting the opportunity to rent a slip and go boating.

## **DISCUSSION:**

In 2013, the United States Supreme Court took up the question of whether all floating homes are "vessels" under Maritime Law. The Court held that not every structure that floats is a vessel. Instead, it held that, "A floating residence is not a vessel... 'unless a reasonable observer, looking to the home's physical characteristics and activities, would consider it to be designed to any practical degree for carrying people or things on water.'"

The Supreme Court's recognition that not all floating objects are "vessels" has provided guidance to staff in developing a workable definition of "vessel" that precludes berthing, mooring or anchoring floating objects not designed or constructed for carrying people or goods over water (e.g. floating residences not intended for ocean travel) in the Harbor District. Working with the City Attorney's Office, staff drafted a definition of "Vessel" to be included in Title 17 of the City's Municipal Code that would serve the purpose of preserving use of the Harbor District for "vessels" that can actually be used for recreational boating or fishing.

There currently exists four floating objects in the Harbor District that do not meet the proposed definition of Vessel, and Waterfront staff consistently fields inquiries for more. The proposed amendment to the Municipal Code will not affect these existing floating homes. Only floating objects attempting to berth, moor or anchor in the Harbor District after December 1, 2015, or the effective date of the Ordinance amendment, whichever is later, will be precluded from doing so.

Additionally, the proposal to add a definition of "Vessel" to the Municipal Code has no effect on the Waterfront Department's liveaboard program.

Staff presented this proposal for discussion at the September, 2013 Harbor Commission meeting, returning to the Commission in September, 2014, earning conceptual approval of a proposed definition for "Vessel". Working with the City Attorney's Office, staff returned to the Commission in September, 2015 with proposed Municipal Code language that would codify these proposals, and recommended City Council approval. The Commission supported that recommendation.

Adoption of the Ordinance is Categorically Exempt under the California Environmental Quality Act, Guidelines Section 15305 (Minor Alteration to Land Use Limitations) and because it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

**CONCLUSION:**

With adoption of the proposed Ordinance, the City will have, as of the effective date of the Ordinance, the legal means to prevent the berthing, mooring or anchoring of man-made floating objects that do not meet the definition of "Vessel." This, in turn, will advance and protect the City's priority obligations to accommodate recreational boating and commercial fishing.

On November 17<sup>th</sup>, Ordinance Committee unanimously voted to forward the proposed Ordinance to City Council for introduction.

**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 SANTA BARBARA MUNICIPAL CODE BY AMENDING SECTION 17.04.010 AND ADDING SECTION 17.12.050 ESTABLISHING A DEFINITION OF "VESSEL" FOR CRAFT BERTHED, MOORED OR ANCHORED IN THE HARBOR DISTRICT.

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

**SECTION 1.** Section 17.04.010 of Chapter 17.04 of Title 17 of the Santa Barbara Municipal Code is amended to read as follows:

**17.04.010. Definitions.**

The following words and phrases shall have the meaning indicated, unless the context or usage clearly requires a different meaning:

**A. ANCHOR.** A heavy metal device, fastened to chain or line, designed to help hold a vessel in position.

**B. ANCHORING EQUIPMENT.** An Anchor, line or chain and associated gear that is retrievable, stowable, non-permanent ground tackle designed to engage the seafloor and through its resistance to drag maintain a vessel within a given radius.

**C. BERTH.** A water surface area, delineated by either floating or fixed dock structures, intended for the purposes of embarking, disembarking and the wet storage of boats. A Berth is also known as a "Slip."

**D. CITY-APPROVED MOORING INSPECTOR.** An individual who, by satisfactorily demonstrating appropriate qualifications, has been included on a City-approved list of inspectors eligible to install, inspect and repair ground tackle for Mooring Permittees in the Santa Barbara Mooring Area.

**E. CITY PIER.** The City Pier is located adjacent to the Breakwater at the Southeastern end of Harbor Way in the Santa Barbara Harbor formerly known as the "Navy Pier."

**F. DINGHY.** A small boat used as a tender to a larger vessel. A Dinghy is also known as a "Skiff."

**G. DISCHARGE.** To spill, leak, pump, pour, emit, empty, dump, deposit, or throw.

**H. DOCK.** A platform, either floating or fixed, provided in a marina for the wet storage of a boat and pedestrian access for and from the boat.

**I. DOCKAGE.** The daily rate assessed a vessel which ties up to any wharf or pier in the Harbor.

**J. FLOAT.** A wharf, pier, quay or landing.

**K. GROUND TACKLE.** All equipment used for Mooring or anchoring a vessel securely to the seafloor.

**L. HARBOR.** The area depicted on Exhibit "A" attached to Chapter 17.20 generally bounded by and including Stearns Wharf on the east, the Breakwater on the south, the seawall abutting Harbor Way and the Harbor commercial area on the west, the concrete walkway and seawall along currently-designated Marinas 2, 3 and 4 and including the area commonly known as West Beach on the north.

**M. HARBOR DISTRICT.** The entire Waterfront of the City, including all navigable waters and all tidelands and submerged lands, whether filled or unfilled, situated below the line of mean high tide, bounded by the limits of the City as now fixed or hereafter may be extended.

**N. HARBORMASTER.** The person designated by the Waterfront Director as the division manager of the Operations Division of the Waterfront Department.

**O. HARBOR PATROL SUPERVISOR.** The person designated by the Waterfront Director as the supervisor of the Harbor Patrol Officers in the Operations Division of the Waterfront Department.

**P. LIVE-ABOARD.** The use or occupancy of a vessel for habitation on any four (4) nights during a seven (7) day period. The term does not include the vacation use of a vessel, as defined in Section 17.18.090, by its registered owner and the owner's guests.

**Q. MARINA.** A connected system of slips in the Harbor.

**R. MARINE SANITATION DEVICE.** Equipment on board a vessel that is designed to receive, retain, treat, process, or discharge sewage.

**S. MINIMUM GROUND TACKLE SPECIFICATIONS.** The specifications for Ground Tackle used to moor a vessel, attached as Attachment "A" to the Resolution of the Council of the City of Santa Barbara Establishing Minimum Ground Tackle Specifications and Procedures for Installing, Inspecting and Repairing Moorings in the Santa Barbara Mooring Area, as may be amended from time to time by the Harbor Commission, with which all vessels intending to moor in the City of Santa Barbara Mooring Area must comply.

**T. MOORING.** An Anchor, chain, buoy, pendant, snubber, chafing gear and associated equipment, not typically stowed or carried aboard a vessel when underway, used to engage the seafloor and through its resistance to drag maintain a vessel within a given radius.

**U. MOORING INSPECTION REPORT.** A City form on which a City-Approved Mooring Inspector provides the results and recommendations of a Mooring Inspection.

**V. MOORING PERMIT.** An annual non-transferable Mooring Site rental agreement issued by the Waterfront Director to a Mooring Permittee to place a Mooring and vessel in a Mooring Site in the Santa Barbara Mooring Area.

**W. MOORING SITE.** A designated location within the Santa Barbara Mooring Area assigned by the Waterfront Director through a Mooring Permit to a Mooring Permittee for purposes of Mooring a vessel.

**X. OPERABLE.** A vessel's ability to maneuver safely under its own power from any place in the Harbor District to the open waters of the Pacific Ocean and back to its point of origin.

**Y. RODE.** All gear, collectively, that lies between a boat and its Anchor.

**Z. SANTA BARBARA MOORING AREA.** The area located in the City of Santa Barbara tidal waters east of Stearns Wharf as depicted on the reference map attached as Exhibit "A" to Chapter 17.20.

**AA. SEASONAL ANCHORAGE.** The area depicted on the reference map attached as Exhibit "A" to Chapter 17.20.

**BB. SEWAGE.** Human body wastes and the wastes from toilets and other receptacles intended to receive or retain body waste.

**CC. SLIP.** A docking space for a vessel within the Harbor.

**DD. SLIP FEE.** The monthly license fee paid by a slip permittee for berthing privileges in the Harbor, including the monthly fees paid for live-aboard privileges if applicable.

**EE. SLIP PERMIT.** A slip rental agreement issued by the Waterfront Director to a Slip Permittee to berth a vessel in a slip in the Santa Barbara Harbor.

**FF. SPECIAL ACTIVITY MOORING PERMIT.** A Mooring Permit issued by the Waterfront Director to individuals, organizations and governmental entities found to be operating research, scientific, clean-up or other functions necessary to the long-term health and operation of the Harbor District and marine environment, or critical to the safety, welfare and protection of persons and assets within the Harbor District.

**GG. STEARNS WHARF.** The wharf structure and all of its improvements located at the foot of State Street.

**HH. TRANSFER FEE.** The fee charged to transfer a Slip Permit.

**II. VESSEL.** A ~~self-propelled~~ craft whose physical characteristics indicate that it was designed and constructed for the purpose of carrying people or goods over water.¶

**JJ. WATERFRONT.** The Harbor, Stearns Wharf, West Beach and all City-owned or -operated parking lots and related structures and facilities along Cabrillo Boulevard or Shoreline Drive within the City of Santa Barbara. ¶¶

**KK. WHARFAGE.** The hourly rate assessed any vessel which uses or is tied up to any structure in the Harbor for the loading or unloading of merchandise, excluding the products of commercial fishing. ~~KK~~

**LL. YEAR-ROUND ANCHORAGE.** The area depicted on the reference map attached as Exhibit "A" to Chapter 17.20.

**SECTION 2.** Chapter 17.12 of Title 17 of the Santa Barbara Municipal Code is amended by adding Section 17.12.050 which reads as follows:

**17.12.050. Vessels Berthed, Moored or Anchored in the Harbor District.**

After December 1, 2015, only Vessels as defined in Section 17.04.010 II. shall be berthed, moored or anchored in the Harbor District. Man-made floating objects that are existing and berthed, moored or anchored in the Harbor District as of December 1, 2015, and do not meet the definition of "Vessel," as set forth in Section 17.04.010 II, shall be allowed to continue to berth, moor or anchor in the Harbor District and shall not be required to meet the definition of Vessel. All other requirements of Title 17 of the Santa Barbara Municipal Code shall apply to these man-made floating objects, with the following exceptions:

1. Waiver of operability requirements described in 17.20.005 K (I).
2. No length or beam variations after December 1, 2015.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

**FROM:** Administrative Services, Police Department

**SUBJECT:** Amendment To Public Safety Dispatcher Recruitment Incentive Program

### **RECOMMENDATION:**

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution 15-089 Establishing A Public Safety Dispatcher Recruitment Incentive Program Providing Referral Incentives For City Employees And Hiring Incentives For New Public Safety Dispatchers.

### **DISCUSSION:**

On November 10, 2015, Council approved the Public Safety Dispatcher Recruitment Incentive Program. However, the amount of the incentives that were stated in the Council Agenda Report and Resolution were incorrect. Therefore, the Police Department brings forth this amendment in order to provide the accurate amount of incentives to be given under the Public Safety Dispatcher Recruitment Incentive Program.

The Public Safety Dispatcher Recruitment Incentive Programs are revised as follows:

1. Referral Incentive
  - a. A City employee who refers a candidate for Public Safety Dispatcher Trainee or Public Safety Dispatcher that is hired into one of these positions by the City, will receive referral incentive payments of \$500 upon the candidate's first day of paid employment and an additional \$500 upon the new employee's successful completion of the probationary period as a Public Safety Dispatcher, for a potential total of \$1,000 per new hire.

2. Hiring Incentive

- a. The Police Chief may offer a candidate for Public Safety Dispatcher Trainee or Public Safety Dispatcher a hiring incentive paid as follows: \$1,500 upon completion of the Communications Training Officer (CTO) program, an additional \$1,500 upon successful completion of the probationary period as a Public Safety Dispatcher, and an additional \$3,000 upon the third anniversary of the employee's hire date, for a potential total of \$6,000 per new hire.

**BUDGET:**

Funding for the incentive program is covered in the current budget through salary savings from unfilled positions and would be effective immediately upon adoption.

**PREPARED BY:** Todd Stoney, Lieutenant/lsp

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

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

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA BARBARA AMENDING RESOLUTION 15-089 ESTABLISHING A PUBLIC SAFETY DISPATCHER RECRUITMENT INCENTIVE PROGRAM PROVIDING REFERRAL INCENTIVES FOR CITY EMPLOYEES AND HIRING INCENTIVES FOR NEW PUBLIC SAFETY DISPATCHERS

WHEREAS, the City Council has determined that in order to effectively address recruitment and hiring difficulties faced by the Santa Barbara Police Department pertaining to the positions of Public Safety Dispatcher Trainee and Public Safety Dispatcher, a Police Recruitment Incentive Program should be established; and

WHEREAS, a Police Referral Incentive will encourage current City employees to recommend qualified candidates to apply for these traditionally difficult-to-fill positions; and

WHEREAS, a Police Hiring Incentive will encourage Public Safety Dispatcher Trainee and lateral Public Safety Dispatcher candidates to accept positions with the Santa Barbara Police Department; and

WHEREAS, the Memorandum of Understanding with the Santa Barbara Police Officers Association allows the City to establish recruitment incentive programs, including an Employee Referral Bonus and/or a Signing Bonus.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Santa Barbara, adopts the following Police Recruitment Incentive Programs:

1. Referral Incentive

- a. A City employee who refers a candidate for Public Safety Dispatcher Trainee or Public Safety Dispatcher that is hired into one of these positions by the City will receive referral incentive payments of \$500 upon the candidate's first day of paid employment and \$500 upon the new employee's successful completion of the probationary period as a Public Safety Dispatcher, for a total of \$1,000 per new hire.
- b. Only one referral incentive will be paid for each new hire, and the new hire must designate the person to receive the referral incentive.
- c. All City employees will be eligible to participate in the Police Referral Incentive program with the exception of those directly involved in a candidate's hiring process, executive management employees, and elected officials.

2. Hiring Incentive

- a. The Police Chief may offer a candidate for Public Safety Dispatcher Trainee or Public Safety Dispatcher a hiring incentive paid as follows: \$1,500 upon completion of the Communications Training program, \$1,500 upon successful completion of the probationary period as a Public Safety Dispatcher, and \$3,000 upon the third anniversary of the employee's hire date, for a total of \$6,000 per new hire.
  - b. Only one hiring incentive can be paid to any person.
3. The City Administrator may establish additional standards and limitations for these incentives that are not inconsistent with these provisions.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

**FROM:** Parks Division, Parks and Recreation Department

**SUBJECT:** Agreements For Franceschi Park And Skofield Park Resident Caretakers

**RECOMMENDATION:** That Council:

- A. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Franceschi Park with Charles Christman, commencing January 1, 2016, through December 31, 2016; and
- B. Authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Skofield Park with James Rumbley, commencing January 1, 2016, through December 31, 2016.

### DISCUSSION:

The Parks and Recreation Department (Department) administers two resident caretaker agreements in Franceschi and Skofield Parks. Caretakers enter into a one-year lease agreement subject to City Council approval. Lease agreements are renewable annually for up to a total of three years. Historically, caretakers have been permanent City employees working for the Parks and Recreation Department. Caretaker duties may be required as part of normal work hours or as structured overtime. These normal work duties consist of:

1. Opening and closing the park parking lot entrance gates, Monday - Friday.
2. Conducting a daily site walk prior to park closure.
3. Maintaining a log of all time spent on caretaker services.
4. Submitting a monthly log to the Parks Manager for review and approval.

All other park maintenance and management duties are the responsibility of assigned Parks Division and/or Recreation Division employees.

In October, 2014, Charles Christman and James Rumbley were selected as caretakers for Franceschi Park and Skofield Park, respectively for one year from January 1, 2015 through December 31, 2015. Over the past year, both employees have done an excellent job serving as caretakers.

The Department recommends approval of one year renewal rental agreements with Charles Christman and James Rumbley effective January 1, 2016, through December 31, 2016, for caretaker services at Franceschi Park and Skofield Park, respectively.

Copies of the lease agreements are available for public review in the City Clerk's Office.

**BUDGET/FINANCIAL INFORMATION:**

No rent will be received as revenue, as caretaker services are performed in lieu of rent.

**PREPARED BY:** Santos Escobar, Parks Manager

**SUBMITTED BY:** Jill E. Zachary, Acting Parks and Recreation Director

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Authorization of Increase of State Revolving Fund Loan For Wastewater Plant Upgrades to \$35 Million

### RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Amend Resolution 13-009 Stating the City's Intent to Reimburse Expenditures Paid Prior to Either the Issuance of Obligations or the Approval by the State Water Resources Control Board of the Project Funds for the Secondary Treatment Process Improvements Project at the El Estero Wastewater Treatment Plant.

### DISCUSSION:

The El Estero Wastewater Treatment Plant (El Estero) processes approximately six million gallons of wastewater each day. El Estero was originally constructed in 1952; however, a majority of its current infrastructure was constructed in 1978 to meet 1972 Clean Water Act requirements.

Although capital improvements have been made consistently in past years to maintain treatment quality, El Estero nonetheless has had longstanding issues with highly variable secondary effluent quality, operational inflexibility, and energy inefficiency. El Estero was originally designed to provide a high-rate activated sludge treatment system. While this system provides suitable secondary effluent quality to meet all regulatory requirements, this final effluent still has a higher level of turbidity than is desired for subsequent use in tertiary treatment or future advanced water treatment projects. This Project will modify El Estero's secondary treatment processes, provide a longer solids retention time prior to final effluent ocean discharge or usage in subsequent recycled water treatment.

The State Revolving Fund (SRF) loan program provides 20-year loans at an interest rate lower than the State General Obligation Bond rate. This low interest rate offers significant savings for wastewater rate payers. The SRF financing application process for this project with the State originally was initiated in 2012. The application process was complex and the State revamped its application process and related requirements

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Authorization of Increase of State Revolving Fund Loan for Wastewater Plant Upgrades to \$35 Million

December 8, 2015

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in early 2013. The City subsequently restarted its SRF financing application for this project to comport with the updated State application process requirements. At that time, a preliminary total cost estimate for these secondary treatment improvement projects approximated \$20 million.

On March 5, 2013, Council authorized a State Revolving Fund loan application and adopted Resolution No. 13-009 allowing City reimbursement for certain expenditures made prior to the final approval of the loan. It cited \$20 million as the maximum principal amount for the Project funds as that is the most the State would authorize ahead of bid based upon early consultant design cost estimates. During the final design process, additional project improvements were made that resulted in additional costs both for design services and final project construction cost estimation. The Project has now been competitively bid and total costs are estimated to be approximately \$35 million.

On September 24, 2013 and June 3, 2014, Council adopted resolutions to pledge the Wastewater Fund net revenue to payment of any and all Clean Water State Revolving Fund Program financing for the El Estero Wastewater Treatment Plant Air Process Improvements.

Staff recommends Council amend Resolution No. 13-009 to reflect \$35 million as the Project's maximum fund amount. The amended resolution will be provided to the State SRF Program staff with a request to amend the State Revolving Fund Loan agreement from \$20 million to \$35 million. Staff will return to Council in early 2016 to recommend award of the construction contract. A detailed project presentation will be made to Council at that time.

**SUSTAINABILITY IMPACT:**

This Project's construction will improve water quality for both recycled water production and treated effluent discharge into the ocean. These process improvements will also provide more energy efficient equipment at El Estero, resulting in reduced electrical energy costs.

**PREPARED BY:** Chris Toth, Wastewater System Manager/LA/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 TO AMEND RESOLUTION 13-009 STATING THE CITY'S INTENT TO REIMBURSE EXPENDITURES PAID PRIOR TO EITHER THE ISSUANCE OF OBLIGATIONS OR THE APPROVAL BY THE STATE WATER RESOURCES CONTROL BOARD OF THE PROJECT FUNDS FOR THE SECONDARY TREATMENT PROCESS IMPROVEMENTS PROJECT AT THE EL ESTERO WASTEWATER TREATMENT PLANT

WHEREAS, on March 5, 2013, the City Council adopted Resolution 13-009 in which the City stated its intent to reimburse expenditures paid prior to the issuance of obligations or approval by the State Water Resources Control Board of the Project Funds for the Secondary Treatment Process Improvements Projects at the El Estero Wastewater Treatment Plant ("Project");

WHEREAS, the Water Board and City entered into Installment Sale Agreement No. 14-809-550 dated as of July 28, 2014 in the amount of \$20,000,000;

WHEREAS, Project costs have increased and City intends to seek increased funding in the form of an amendment to Installment Sale Agreement No. 14-809-550 to increase the loan amount to \$35,000,000;

WHEREAS, Section 2 of Resolution 13-009 states that the reasonably expected maximum principal amount of the Project Funds is \$20,000,000; and

WHEREAS, the amount stated in Section 2 of Resolution 13-009 must be amended to reflect the amended loan amount of \$35,000,000.

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

SECTION 1. The City hereby states its intention and reasonably expects to reimburse Expenditures paid prior to the issuance of the Obligations or the approval by the State Water Board of the Project Funds.

SECTION 2. The reasonably expected maximum principal amount of the Project Funds is \$35,000,000.

SECTION 3. All other provisions of Resolution 13-009 shall remain in effect.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

**FROM:** Administrative Division, Parks and Recreation Department

**SUBJECT:** City of Santa Barbara and Santa Barbara City College Joint Use Agreement

### **RECOMMENDATION:**

That Council authorize the City Administrator to enter into a Joint Use Agreement with Santa Barbara City College for the shared use of facilities for recreational and educational purposes.

### **DISCUSSION:**

The City of Santa Barbara (City) and the Santa Barbara City College District (District) formed a Joint Use Agreement (Agreement) on March 24, 1938. The Agreement provides for the City and the District, which have a mutual interest and concern for the citizens of the City and students of the District, to cooperate and in the development and joint use of their recreational and educational property.

Since 1938, the original Agreement has been amended ten times to address development, construction, maintenance and changes in shared facility use as a result of growth of the student population or financial considerations. The most recent Agreement was executed on July 10, 1984.

### Proposed Joint Use Agreement

The Agreement recognizes the history of the Joint Use Agreement and the cooperative relationship between the City and the District for shared use of joint facilities. Additionally, the Agreement incorporates four key achievements: 1). Establishes a formal Joint Use Committee, 2). Clarifies ownership and the management of Joint Use facilities, 3). Consolidates three separate Agreements into one Joint Use Agreement, 4). Establishes the agreement term.

The Agreement authorizes City and District staff to work collaboratively (and to address and resolve issues as they arise) through a Joint Use Committee (Committee). The SBCC Vice President of Business Services and the City Parks and Recreation Director

will resolve all conflicts that cannot be settled by the Committee. If necessary, the District Board and City Council may be asked to provide final consideration and resolution on certain matters.

The Agreement includes City and District facilities covered by the Joint Use. As shown in Exhibit A, the list includes each of the shared facilities, including the owner, operations provider, and maintenance provider, as well as conditions for use, maintenance and fees. The Agreement incorporates the annual Agreements for Leadbetter Beach Parking Lots, La Playa Field Parking Lots and the biennial Agreement for Joint Use of Vehicles into one Joint Use Agreement. The Agreement will have a five-year term, with the option to automatically renew every five years and remain indefinite except upon mutual agreement of the parties.

The Agreement was approved by the Santa Barbara City College Board of Trustees on November 12, 2015.

The proposed agreement concerns the operation, maintenance, repair, and permitting of existing facilities and involves negligible or no expansion of use beyond the current use. Any expansion of the facilities or their use will be subject to separate environmental review. Therefore, the execution of this agreement is exempt from environmental review pursuant to CEQA Guidelines Section 15301.

A copy of the contract/agreement is available for public review in the City Clerk's Office.

**PREPARED BY:** Rich Hanna, Recreation Manager

**SUBMITTED BY:** Jill E. Zachary, Acting Parks and Recreation Director

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Approval Of Parcel Map And Execution Of Agreements For 33 West Victoria Street

### RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Parcel Map Number 20,810, and standard agreements relating to the approved subdivision at 33 West Victoria Street; and authorize the City Engineer to record, upon completion of any required public improvements, a recital document stating that the public improvements have been completed, and that the previously recorded Land Development Agreement may be removed from the title document.

### DISCUSSION:

A Tentative Map for the subdivision located at 33 West Victoria Street (Attachment 1), was conditionally approved on January 22, 2014, by adoption of the Staff Hearing Officer (SHO) Conditions of Approval, Resolution Number 004-14, (Attachment 2). The project involves the subdivision of one lot to create two commercial condominiums. This is the site of the Child Abuse Listening Mediation (CALM) office and Ensemble Theater. CALM is the current property owner and Ensemble Theater is a current tenant. Both will own their respective sites once the condominium subdivision occurs. Staff has reviewed the Parcel Map and has found it to be in substantial compliance with the previously approved Tentative Map, the Conditions of Approval, the State Subdivision Map Act, and the City's Subdivision Ordinance.

In accordance with the SHO, the Owner(s) (Attachment 3) have signed and submitted the Map and the required Agreements to the City. Council approval is required if Council agrees with the staff determination that the Map conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map.

Staff recommends that Council authorize the City Administrator to execute the required *Agreement Relating to Subdivision Map Conditions Imposed on Real Property* and the *Agreement for Land Development Improvements*.

The *Agreement Assigning Water Extraction Rights* does not require Council approval and will be signed by the Public Works Director in accordance with City Council Resolution Number 02-131.

**THE PARCEL MAP IS AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE.**

- ATTACHMENTS:**
1. Vicinity Map
  2. Conditions required to be recorded concurrent with Parcel Map Number 20,810 by the Staff Hearing Officer Conditions of Approval Resolution Number 004-14
  3. List of Owners/Trustees

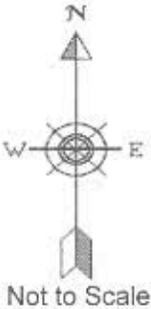
**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/MW/kts

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

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

**ATTACHMENT 1**

Vicinity Map  
33 West Victoria Street



**CONDITIONS REQUIRED TO BE RECORDED CONCURRENT WITH PARCEL MAP NUMBER 20,810 BY STAFF HEARING OFFICER CONDITIONS OF APPROVAL, RESOLUTION NO. 004-14**

**33 West Victoria Street**

Said approval is subject to the following conditions:

1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on January 22, 2014, is limited to a subdivision of a 14,990 square foot parcel to create two commercial condominiums and the improvements shown on the Tentative Subdivision Map signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
2. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits, and any access road, as appropriate.
3. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
4. **Required Private Covenants, Conditions and Restrictions (CC&Rs).** The Owners shall record in the official records of Santa Barbara County either private covenants, conditions and restrictions, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for the following:
  - a. **Common Area Maintenance.** An express method (e.g. a memorandum of understanding (MOU) agreement or a recorded covenant agreement) for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units. The Common Area Maintenance shall include an agreement between the theater and the condominium owners that details how each will maintain the shared fire rated floor (i.e. bathroom floor) and wall assemblies.
  - b. **Exterior Building Maintenance.** The entire building is designated a Structure of Merit (Former First Baptist Church Designated: October 11, 1979 {1910 and 1926}). A covenant shall be provided that describes how the future owners will work together to maintain the

c. overall structural and historic integrity of the building. The covenant shall ensure that the multiple owners clearly understand their responsibilities with respect to compliance with Chapter 22.22 of the Municipal Code (Historic Structures) for any proposed exterior alterations to the building.

d. **Solid Waste Offsite Agreement (Trash and Recycling).** Because there is no trash and recycling site on this property, an agreement allowing the shared use of the trash enclosure at 21 West Victoria Street shall be provided. The grantor and grantee must sign an Offsite Trash Agreement that is a legally binding easement for use of a trash enclosure. The following information shall be stated in the Offsite Agreement:

(1) **Trash Holding Area.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. In order to provide adequate recycling, it must contain one trash dumpster and one recycling dumpster with no multiple trash and recycling carts. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the Offsite Trash Agreement stating that the green waste will be hauled off site.

e. **Public Improvement Districts.** A covenant that includes a waiver to protest formation of public improvement districts.

f. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.

# **ATTACHMENT 3**

**CHILD ABUSE LISTENING MEDIATION Inc.,  
a California non-profit public benefit corporation,**

## **LIST OF OWNERS**

Cecilia Rodriguez, Chief Executive Officer

D'Arcy Cornwall, Secretary



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Memorandum of Understanding with the Community Action Commission For the South Coast Task Force on Youth Gangs.

### **RECOMMENDATION:**

That Council authorize the City Administrator to execute a Memorandum of Understanding providing \$67,665 for the Community Action Commission for their work coordinating the South Coast Task Force on Youth Gangs for Fiscal Year 2016.

### **DISCUSSION:**

In July 2010, the Community Action Commission (CAC) agreed to serve as the host agency for a regional effort to prevent youth gang violence in the Santa Barbara South Coast area. The City has been a co-sponsor since that time. The Cities of Goleta and Carpinteria and the County of Santa Barbara continue as sponsors and the Community Action Commission continues to act as the host agency.

The proposed Memorandum of Understanding (MOU) with CAC is for a one-year term and would commit the City's funding of \$67,665 for Fiscal Year 2016. The MOU states the guiding principles and vision of the program, defines the role of the Task Force Coordinator employed by the host agency, identifies planned program improvements and a program budget, and updates the basis for cost sharing in Fiscal Year 2016.

The City of Santa Barbara appreciates that the CAC is serving as the Host Agency by supervising the Task Force Coordinator and providing approximately \$38,000 of in-kind support each year. With a county-wide presence and a track record of success, the CAC is well-qualified and respected to continue this effort.

**BUDGET/FINANCIAL INFORMATION:**

The funding partners proposed updated contributions for this term are:

<u>Agency</u>	<u>2010-2014</u> <u>Annual</u> <u>Share</u>	<u>2015</u> <u>Proposed</u> <u>Share</u>	<u>2015</u> <u>Population</u> <u>Updated</u>	<u>2016</u> <u>Proposed</u> <u>Share</u>
City of Santa Barbara:	\$ 67,729	\$ 67,729	\$ 91,088	\$ 67,665
City of Carpinteria:	\$ 9,923	\$ 9,923	\$ 13,547	\$ 10,063
City of Goleta:	\$ 22,800	\$ 22,800	\$ 30,765	\$ 22,854
Unincorporated County South Coast:	\$ 50,434	\$ 50,434	\$ 67,716	\$ 50,303
	\$ 150,886	\$ 150,886	\$ 203,116	\$ 150,886
Cost Per Resident:		\$ 0.75		\$ 0.74
Annual Share from Local Government:		\$ 150,886		\$ 150,886
In-kind contribution by CAC:		\$ 37,370		\$ 38,442

Funding for this MOU is included in the adopted Fiscal Year 2016 budget.

A copy of the contract/agreement is available for public review in the City Clerk's Office.

**ATTACHMENT:** South Coast Task Force on Youth Gangs MOU 2015-16

**PREPARED BY:** Kate Whan, Administrative Analyst

**SUBMITTED BY:** Pamela Antil, Assistant City Administrator

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



**SOUTH COAST TASK FORCE ON YOUTH GANGS  
SPONSORS AND HOST AGENCY MEMORANDUM OF UNDERSTANDING**

July 1, 2015 – June 30, 2016

This Memorandum of Understanding, ("MOU") is entered into by and between the Community Action Commission of Santa Barbara County (hereinafter CAC-Host Agency) and the County of Santa Barbara, City of Santa Barbara, City of Goleta, and City of Carpinteria (hereinafter Sponsors). The term of this MOU shall be from July 1, 2015, through June 30, 2016.

Under the terms of this MOU CAC-Host Agency and "Sponsors," agree to work cooperatively to further the objectives of the South Coast Task Force on Youth Gangs, ("SCTF") The SCTF includes a Task Force Coordinator, a Task Force Council, a Task Force Strategy Team, and a Task Force Service Provider Network. **(Appendix A, B, C)**

**CAC-HOST AGENCY**

CAC-Host Agency agrees to:

- Follow the guiding principles, and vision of SCTF set forth in **Exhibits A and B**, attached hereto.
- Improve and update the Five-Year Strategic plan (**Exhibit C**), to include recommendations from SCTF;
- Serve as the Fiscal Agent and maintain accounting documents according to standard and acceptable accounting practices and annually report on the sources and uses of funds in compliance with the program budget;
- Hire, employ and provide on-site supervision to the Task Force Coordinator;
- Ensure the Task Force Coordinator fulfills his/her duties and responsibilities as outlined in **Exhibit D**, attached hereto.
- Provide in-kind financial support as set forth in the program budget (**Exhibit E.**)

**SPONSORS**

Sponsors agree to:

- Provide funds on a cost share basis as shown in **Exhibit F** subject to the applicable and required budgetary approval process of each sponsor.
- To procure funds, on an annual basis, to secure a five year funding stream, with the City of Santa Barbara serving as the lead agency in this effort.

- Establish an Executive Committee (City and County Administrators) to review the SCTF program and recommend how to achieve its goals and objectives.

## **NOTICES**

Any notice or consent required or permitted under this MOU shall be given to the respective parties in writing, by personal delivery or facsimile, or with postage prepaid by first class mail, registered or certified mail, or express courier service, as follows:

County of Santa Barbara:	Mona Miyasato, Chief Executive Officer 105 E. Anapamu Street Santa Barbara, CA 93101 Fax # (805) 568-3414
City of Santa Barbara	Paul Casey, City Administrator 735 Anacapa Street, Santa Barbara, CA, 93101, Fax # 805.897.1993
City of Goleta	Michelle Greene, City Manager 130 Cremona Dr. Goleta, CA, 93117 Fax # 805.685.2635
City of Carpinteria	David Durflinger, City Manager 5775 Carpinteria Ave., Carpinteria, CA, 93013, Fax # 805.684.5304
CAC-Host Agency	Fran Forman, Executive Director Community Action Commission 5688 Hollister Avenue, Suite 230 Santa Barbara, CA, 93117 Fax # (805) 683-8959

## **NOTICE OF TERMINATION**

Any party may withdraw from participation in the agreement by submitting a notice of termination, with or without cause, upon ninety (90) days prior written notice to the other parties involved. Any notice of termination shall specify the effective date of such termination. Sponsors shall have no obligation to make funding available with regard to the remainder of the term.

## **INDEPENDENT CONTRACTOR**

CAC-Host Agency, its employees, and agents are independent contractors and not employees of any of the Sponsors for any purpose whatsoever. Sponsors do not have an employer-employee relationship and in that regard exercise no control whatsoever of the manner and means by which the CAC as the Host Agency, its employees to include the Task Force Coordinator, and agents accomplish their work.

## **ASSIGNMENT**

None of the parties may transfer or assign this MOU without the written consent of the other parties.

## **NONDISCRIMINATION**

CAC-Host Agency agrees that Sponsors Unlawful Discrimination Ordinances and Codes (Article XIII of Chapter 2 of the Santa Barbara County Code; Santa Barbara Municipal Code § 9.126.020) applies to this MOU and are incorporated herein by this reference with the same force and effect as if the ordinance were specifically set out herein and CAC-Host Agency agrees to comply with said ordinances and codes.

## **NONAPPROPRIATION OF FUNDS**

Notwithstanding any other provision of this MOU, in the event that no funds or insufficient funds are appropriated or budgeted by federal, state, city or county governments, or funds are not otherwise available for payments in the fiscal year(s) covered by the term of this MOU, then Sponsors will notify CAC-Host Agency of such occurrence and Sponsors may terminate or suspend this MOU in whole or in part, with or without a prior notice period. Subsequent to termination of this MOU under this provision, Sponsors shall have no obligation to make funding available with regard to the remainder of the term.

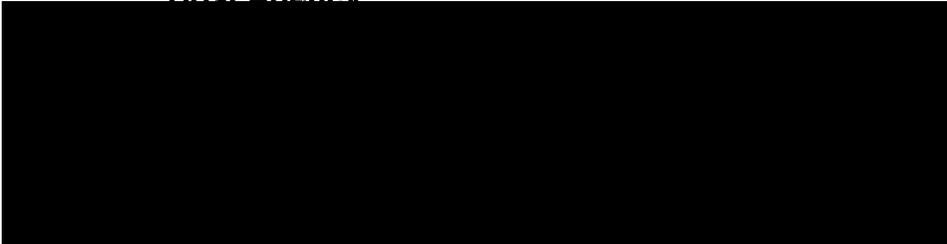
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**AMENDMENT**

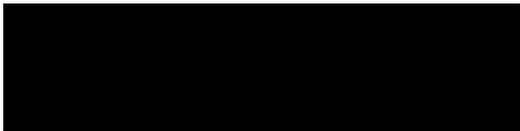
This MOU contains the entire agreement of the parties. No additional term or modification may be effected except as provided in writing, signed by the parties to this MOU.

**Host Agency:**

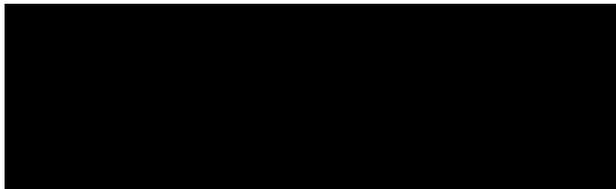


Executive Director  
Community Action Commission of Santa Barbara County

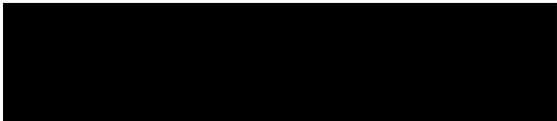
**Sponsors:**



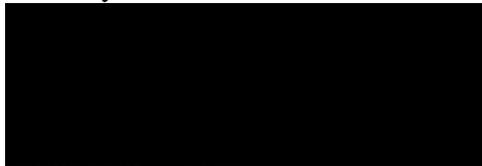
Paul Casey  
City Administrator  
City of Santa Barbara



Mona Miyasato  
Chief Executive Officer  
County of Santa Barbara



Michéne Greene  
City Manager  
City of Goleta



David Dunninger  
City Manager  
City of Carpinteria

**South Coast Task Force on Youth Gangs  
Guiding Principles**

1. The South Coast Task Force on Youth Gangs focuses on providing services to
  - Youth actively involved in gangs, are
  - gang affiliates, or potential gang members
2. The South Coast Task Force on Youth Gangs
  - advocates for client specific services based on the individual needs of the youth and his/her family
3. The South Coast Task Force on Youth Gangs
  - Advocates for the need of a youth gang case worker in every school to prevent, suppress and intervene with youth gangs.
  - Promotes a full range of services to assist the youth and his/her family to prevent, suppress and intervene with youth gangs.
  - Agrees that female youth are also involved with and affected by gangs.
4. The South Coast Task Force on Youth Gangs works with the community to establish reliable funding sources to support programs with a track record of success or new programs that satisfy unmet needs and which exhibit a potential for success.
5. The South Coast Task Force on Youth Gangs understands and accepts there will be successes and failures but doing nothing is not an option.
6. The South Coast Task Force on Youth Gangs understands and accepts that problems did not develop overnight; therefore, solutions will not be accomplished overnight.

**South Coast Task Force on Youth Gangs  
Our Vision**

- Caseworkers/Outreach Specialists work in every south coast junior high and high school as “front line persons” on gang intervention, suppression and prevention. They work with school counselors on client specific plans. Although Caseworkers/Outreach Specialists have school assignments, they will spend at least 25% of their time after school hours with youth and their family. The Caseworker/Outreach Specialists will connect youth and families with support services and programs directing them away from gangs.
- Services focused on the target population, namely, youth actively involved in gangs, gang affiliates, and youth at risk of becoming gang members.
- Reduction of youth gang violence and the number of active youth gang members and associates. Objectives will be set and measured to confirm successes or the need to change direction.
- A cooperative partnership of organizations, working as a team, to provide the south coast with prevention, intervention and suppression services in an effort to stamp out youth gangs. Leadership will come from schools, service providers and law enforcement agencies.
- A mechanism for early identification of youth potentially affected by gangs. The schools will take the lead in school based prevention programs.
- Client specific services based on the individual needs of youth and their families. Programs will include a full range of services to assist the youth and his/her family. Independent third parties will conduct program assessments.
- A funding stream to support programs with a track record of success or which satisfy unmet needs. We will build from the work of successful programs that are client driven and created through program coordination and pooling of resources. Independent third parties will conduct program assessments.

## **South Coast Task Force on Youth Gangs 5-Year Strategic Plan 2016 – 2020**

The purpose of the South Coast Task Force on Youth Gangs (SCTFYG) 5-Year Strategic Plan is to recalibrate the current guiding principles as well as drafting goals and measures for the next five years. At the start of the regional effort the rate of youth gang violence was much higher as was the number of youth identified within the target population. This plan will identify the direction and strategies to be put into practice going forward, with the goal of reducing youth violence over the longer term in the Santa Barbara south coast community.

The updated 5-Year Strategic Plan will (1) reaffirm the commitment of the Sponsors to continue to reduce youth gang violence (2) determine strategies which are and continue to be successful in keeping youth violence down, and (3) include a five year implementation plan for 2016-2021.

### **Scope of Work**

1. **To assess the perspective of the South Coast Task Force on Youth Gangs Council and Strategy Team in order to produce a 5-Year plan.**

- Hire Marcelo Lopez, retired City of Santa Barbara Assistant City Administrator as a consultant for this project.

2. **Produce, Publish and Implement the 5-Year Strategic Plan for the South Coast Task Force on Youth Gangs.**

- Present a final Plan to the SCTFYG Council.
- Conduct a public information campaign promoting the plan.
- Begin implementation and monitoring of the plan by January 2016.

**Cost: \$15,000**

## SOUTH COAST TASK FORCE ON YOUTH GANGS TASK FORCE COORDINATOR

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

### **DEFINITION**

The position, employed by the Community Action Commission of Santa Barbara County (CAC-Host Agency), serves as the lead staff to the South Coast Task Force on Youth Gangs Council and Strategy Team. (Appendix A, B)

### **SUPERVISION**

Supervised by the CAC Executive Director, the Task Force Coordinator implements policy decisions of the Strategy Team and Council. The Task Force Coordinator may exercise direct supervision over CAC-Host Agency's professional staff.

**ESSENTIAL FUNCTION STATEMENTS** – *Essential duties include, but are not limited to, the following:*

### **Essential Functions:**

1. Responsible for organizing, facilitating, and reporting at meetings, Council and Strategy Team, and Provider meetings. (4 Council meetings, 12 Strategy Team meetings, 6 Service Provider Network meetings)
2. Implement strategies in accordance with the guiding principles of the South Coast Task Force on Youth Gangs.
3. Participate in the development of a comprehensive plan eradicating the root causes of youth violence and gang affiliation. Develop and implement an evaluation tool which accurately measures the effectiveness of the plan.
4. Work with a wide range of community groups, service providers, youth and families to decrease youth gang involvement.
5. Promote and facilitate the coordination of youth gang prevention, intervention and suppression among sponsors.
6. Identify gaps in services and programs targeting youth gangs.
7. Monitor youth gang programs to ensure program goals and objectives are being met and recommend program adjustments based on client need.
8. Support the development of grants and proposals to secure public and private funds for youth gang prevention, intervention and suppression programs.

9. Assist the SCTF Council in procuring and distributing “partnership” and “pilot program” funds to south coast youth gang prevention, intervention and suppression program operators.
10. Develop and disseminate public information promoting the participation of youth gang members in program activities, informing the community on program efforts and needs, and securing necessary program funds, resources, and support.
11. Prepare and present periodic and annual reports to the SCTF Council with a focus on planned versus actual performance, program results and measurable action plans with goals and objectives for the coming year.
12. Develop and administer the budget.
13. Prepare and present milestone reports.
14. Perform related duties and responsibilities as required.

## **QUALIFICATIONS**

### **Knowledge of:**

- Operations, services and activities of youth gang programs, neighborhood services, and social programs.
- Principles of budget preparation and control.
- Development of grants and proposals to secure funds.
- Public relations practices and techniques.
- Office procedures and computer use.
- Principles of business letter writing and professional report preparation.
- Pertinent Federal, State, and local laws, codes and regulations.

### **Ability to:**

- Supervise, organize, and review the work of professional and technical CAC-Host Agency personnel.
- Select, supervise, train and evaluate CAC-Host Agency staff.
- Interpret and explain City and County policies and procedures.
- Identify resources based on community and neighborhood needs.
- Promote youth gang prevention programs.
- Respond to requests and inquiries from the general public.
- Prepare clear and concise reports.
- Communicate clearly and concisely, both verbally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.

Exhibit D

- Maintain physical condition necessary for the performance of assigned duties and responsibilities which may include the following:
  - *Walking, standing or sitting for extended periods of time*
  - *Operating a motor vehicle*

South Coast Task Force on Youth Gangs Budget						
	Actual			Budget		
	Sponsor			Sponsor		
	Contributio	CAC In-kind	Total	Contributio	CAC In-kind	Total
	n			n		
	7/1/2014 - 6/30/2015			7/1/2015 - 6/30/2016		
Revenues:		ACTUAL				
City of Santa Barbara			\$ -	\$ 67,665		\$ 67,665
City of Carpinteria			\$ -	\$ 10,063		\$ 10,063
City of Goleta			\$ -	\$ 22,854		\$ 22,854
Unincorporated County South Coast			\$ -	\$ 50,303		\$ 50,303
Program Contributions	\$ 2,830		\$ 2,830			\$ -
Benefits/Event Revenue	\$ 1,260		\$ 1,260			\$ -
Fund Balance from Prior Year	\$ 165,413		\$ 165,413	\$ 51,028		\$ 51,028
In-Kind Contribution by CAC		\$ 37,370	\$ 37,370		\$ 38,442	\$ 38,442
<b>Total Revenues</b>	<b>\$ 169,503</b>	<b>\$ 37,370</b>	<b>\$ 206,873</b>	<b>\$ 201,913</b>	<b>\$ 38,442</b>	<b>\$ 240,355</b>
Expenses:						
<b>Salaries:</b>						
Task Force Coordinator	\$ 47,779	\$ -	\$ 47,779	\$ 52,060		\$ 52,060
Program Director	\$ 11,855	\$ -	\$ 11,855	\$ 16,362		\$ 16,362
Administrative Office Assist.	\$ 2,265	\$ -	\$ 2,265	\$ 4,777		\$ 4,777
Executive Office Manager	\$ -	\$ 2,412	\$ 2,412		\$ 2,485	\$ 2,485
Executive Director	\$ -	\$ 7,365	\$ 7,365		\$ 7,512	\$ 7,512
Human Resource Director	\$ -	\$ 2,915	\$ 2,915		\$ 3,002	\$ 3,002
Controller	\$ -	\$ 4,860	\$ 4,860		\$ 5,006	\$ 5,006
<b>Total Salaries</b>	<b>\$ 61,898</b>	<b>\$ 17,552</b>	<b>\$ 79,450</b>	<b>\$ 73,199</b>	<b>\$ 18,005</b>	<b>\$ 91,204</b>
Fringe Benefits @ 36.5%/37% year 2	\$ 23,145	\$ 6,406	\$ 28,999	\$ 27,084	\$ 6,662	\$ 33,745
<b>Total Salaries &amp; Benefits</b>	<b>\$ 85,043</b>	<b>\$ 23,958</b>	<b>\$ 108,450</b>	<b>\$ 100,283</b>	<b>\$ 24,667</b>	<b>\$ 124,949</b>
<b>Operating Expenses:</b>						
Local Mileage	\$ 3,235	\$ 2,500	\$ 5,735	\$ 4,295	\$ 2,740	\$ 7,035
Out of Town Travel	\$ 1,649	\$ -	\$ 1,649	\$ 1,050		\$ 1,050
Space Rent (375 sq.ft. @ \$1.49)	\$ -	\$ 6,733	\$ 6,733		\$ 6,935	\$ 6,935
Equipment Rental (fax, copier)		\$ 325	\$ 325	\$ 1,200	\$ 355	\$ 1,555
Equipment Office Supplies (supplies, small office equipment etc.)		\$ -	\$ -	\$ 1,000		\$ 1,000
Contractual	\$ 750	\$ -	\$ 750	\$ 15,000		\$ 15,000
Telephone - Cell	\$ 744	\$ -	\$ 744	\$ 1,200		\$ 1,200
Telephone - Land		\$ 300	\$ 300	\$ 150		\$ 150
Liability Insurance		\$ 75	\$ 75	\$ 500	\$ 75	\$ 575
Program Activities	\$ 6,440	\$ -	\$ 6,440	\$ 350		\$ 350
Program Supplies	\$ 31		\$ 31	\$ 1,200		\$ 1,200
Meeting Expenses	\$ 9,816	\$ -	\$ 9,816	\$ 10,000		\$ 10,000
Public Information		\$ -	\$ -	\$ 5,000		\$ 5,000
Training	\$ 445	\$ -	\$ 445	\$ 640		\$ 640
Recruitment Costs	\$ -	\$ -	\$ -			\$ -
Vehicle Oil & Gas		\$ -	\$ -	\$ 1,000		\$ 1,000
Training & Training Aids		\$ -	\$ -	\$ 2,500		\$ 2,500
Printing & Postage		\$ 175	\$ 175	\$ 400	\$ 175	\$ 575
Advertising		\$ -	\$ -	\$ 450		\$ 450
<b>Total Operating Expenses</b>	<b>\$ 23,110</b>	<b>\$ 10,108</b>	<b>\$ 33,218</b>	<b>\$ 45,935</b>	<b>\$ 10,280</b>	<b>\$ 56,215</b>
<b>Total Direct Costs</b>	<b>\$ 108,152</b>	<b>\$ 34,066</b>	<b>\$ 141,667</b>	<b>\$ 146,218</b>	<b>\$ 34,947</b>	<b>\$ 181,164</b>
Indirect Cost @ 9.7% of Direct Cost/10% yea	\$ 10,323	\$ 3,304	\$ 13,742	\$ 14,622	\$ 3,495	\$ 18,116
<b>Total Cost</b>	<b>\$ 118,475</b>	<b>\$ 37,370</b>	<b>\$ 155,409</b>	<b>\$ 160,839</b>	<b>\$ 38,442</b>	<b>\$ 199,281</b>
Balance	\$ 51,028	0	\$ 51,464	\$ 41,074	\$ 0	\$ 41,074
Annual Funding Commitment			\$ 4,090			\$ 150,886
Fund not spend in prior year (Carry Over)			\$ 165,413			\$ 51,028
Annual Expenses			\$ 118,475			\$ 160,839
Amount used from Reserves			\$ 118,475			\$ 9,953
Difference			\$ 51,028			\$ 41,075

South Coast Task Force on Youth Gangs  
 City/County Contribution Formula  
 Factor: \$0.74 per resident  
 Updated Fiscal Year 2015

Exhibit F

**Updated Basis for Cost Share of the South Coast Youth Gang Task Force**

Agency	2010	2010-2014	2015	2015	2016
	Population	Annual Share	Proposed Share	Population Updated	Proposed Share
City of Santa Barbara	90,305	\$67,729	\$ 67,729	91,088	\$ 67,665
City of Carpinteria	13,231	\$9,923	\$ 9,923	13,547	\$ 10,063
City of Goleta:	30,400	\$22,800	\$ 22,800	30,765	\$ 22,854
Unincorporated County South Coast:	67,245	\$50,434	\$ 50,434	67,716	\$ 50,303
<b>TOTALS</b>	<b>201,181</b>	<b>\$150,886</b>	<b>\$ 150,886</b>	<b>203,116</b>	<b>\$ 150,886</b>
Cost Per Resident			\$0.75		\$0.74
Annual Share from Local Government			\$150,886		\$150,886
In-kind contribution by CAC:			\$37,370		\$38,442

Population Report

<http://www.dof.ca.gov/research/demographic/reports/estimates/e-1/view.php>

**South Coast Task Force on Youth Gangs  
Council Members**

Organization	Members	Title
County of Santa Barbara	Mona Miyasato	Chief Executive Officer
County of Santa Barbara	Bill Brown	Sheriff
City of Santa Barbara	Paul Casey	City Administrator
City of Goleta	Michelle Greene	City Manager
City of Carpinteria	Dave Durlinger	City Manager
City of Santa Barbara	Pamela Antil	Assistant City Administrator
Gevirtz Graduate School of Education, UCSB	Jill Sharkey	Academic Coordinator
City of Santa Barbara	Camerino Sanchez	Police Chief
County of Santa Barbara	Guadalupe Rabago	Chief Probation Officer
Santa Barbara County Education Office	Mark Leufkens	Administrator, Juvenile Court and Community Schools
Santa Barbara Unified School District	David Cash	Superintendent
CADA/Fighting Back	Ed Stonefelt	Executive Director
CAC	Fran Forman	Executive Director
Santa Barbara Foundation		VP of Community Investments
All for One	Richard Munoz	Executive Director
La Casa de la Raza	Raquel Lopez	Executive Director
Faith Community Representative	Gerardo Menchaca	New Beginnings Church
Faith Community Representative	Pat Hardy	Santa Barbara Quakers
County of Santa Barbara	Devin Drake	Deputy Director, Dept. of Social Services
Santa Barbara City College	Marsha Wright	Director of EOPS/CARES
Chamber of Commerce Representative	Kristen Miller	CEO/President Goleta Chamber
Santa Barbara Foundation Roundtable Appointee	Claudia Armann	Executive Director McCune Foundation
Carpinteria Unified School District	Micheline Miglis	Superintendent
Carpinteria Unified School District	Sharon Velarde	Special Programs Director
County of Santa Barbara	Salud Carbajal	Board of Supervisors
County of Santa Barbara	Janet Wolf	Board of Supervisors
County of Santa Barbara	Joyce Dudley	District Attorney

County of Santa Barbara Superior Court	Arthur Garcia	Presiding Juvenile Judge
Santa Barbara County Education Office	William Cirone	Superintendent
City of Carpinteria	Al Clark	Mayor
City of Carpinteria	Gregg Carty	Councilmember
City of Goleta	Paula Perotte	Councilmember
City of Santa Barbara	Helene Schneider	Mayor
Santa Barbara Board of Education	Monique Limon	Board Member
Carpinteria Board of Education	Terry Hickey Banks	Board Member
University of California, Santa Barbara	Merith Cosden	Interim Dean
Hispanic Chamber of Commerce	Luis Villegas	Vice President
Santa Barbara Foundation Roundtable Appointee	Jon Clark	Exec. Director Bower Foundation
Community/Family Representative	Christina Lopez	Representative
Youth Representative	Lizet Soto	Representative

## South Coast Task Force on Youth Gangs Strategy Team

Organization	Members	Title
City of Santa Barbara Parks and Recreation	Mark Alvarado	Neighborhood and Outreach Services Senior Supervisor
City of Santa Barbara	Pamela Antil	Assistant City Administrator
County of Santa Barbara	Craig Bonner	Office of the Sheriff Special Projects Lieutenant
County of Santa Barbara	Steve DeLira	Deputy Chief Probation Officer
CAC	Fran Forman	Executive Director
Carpinteria Unified School District	Barnaby Gloger	Principal Carpinteria Unified School District
City of Santa Barbara Police Department	Adrian Gutierrez	Beat Coordinator
City of Santa Barbara Police Department	Bryan Jensen	Investigative Division Youth Services
South Coast Task Force on Youth Gangs	Saul Serrano	Task Force Coordinator
Gevirtz Graduate School of Education, UCSB	Jill Sharkey	Academic Coordinator
Santa Barbara Unified School District	Frann Wageneck	Director of Student Services
Community Action Commission	Tracy Lang Wood	Director Family & Youth Services
City of Goleta Sheriff's Department	Dave Valadez	Community Resource Senior Deputy

**SCTFYG Service Provider Network**

<b>Organization</b>	<b>Representatives</b>	<b>Title</b>
City of Santa Barbara Parks and Recreation	Mark Alvarado	Senior Supervisor
Community Action Commission	Emmanuel Campuzano	Cal GRIP/Los Compadres Case Manager
County of Santa Barbara	Erin Cross	Deputy Chief Probation Officer
CADA	Ed Cue	Coordinator Carpinteria CalGRIP
City of Santa Barbara Police Department	Adrian Gutierrez	Beat Officer
Alternatives to Violence	Pat Hardy	Coordinator/Trainer
Santa Barbara Unified School District	Aaron Harkey	Teacher on Special Assignment
Community Action Commission	Christian Jaimes	Cal GRIP/Las Comadres Case Manager
Santa Barbara Police Activities League	Bryan Kerr	Officer
Life in Focus Education	Gerardo Menchaca	Director
Freedom 4 Youth	Billi Jo Starr	Director
City of Santa Barbara Police Department	Bryan Kerr	PAL Officer
Raquel Lopez	Raquel Lopez	Executive Director
All for One	Richard Munoz	Executive Director
Conflict Solution Center	Lizzie Rodriguez	Co-Executive Director
South Coast Task Force on Youth Gangs	Saul Serrano	Task Force Coordinator
County of Santa Barbara Workforce Investment Board	Julia Smedley	Career Employment Specialist Sr.
Cal-SOAP	Ismael Ulloa	Director



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Contract For Construction Of Santa Barbara High School Wellhead Project

### **RECOMMENDATION:**

That Council award a contract with Sansone Company, Inc., in their low bid amount of \$400,700 for construction of the Santa Barbara High School Wellhead Project, Bid No. 3772; and authorize the Public Works Director to execute the contract and approve expenditures up to \$40,070 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

### **DISCUSSION:**

#### Background

The Santa Barbara High School Well (High School Well) was constructed in 2004 and draws water from Groundwater Storage Unit 1 in the downtown area. It is located on a small easement near the northwest corner of 700 East Anapamu Street. Upon completion of the High School Well, the water was found to have taste and odor issues. In 2008, the City performed pilot testing to examine possible treatment methods. The testing determined that on-site treatment was not feasible. Therefore, the High School Well has remained decommissioned until the availability of a suitable treatment method. In 2013, the Ortega Groundwater Treatment Plant (OGTP) Rehabilitation Project was completed. The OGTP provides a suitable treatment method for the water produced from the High School Well. In the summer of 2015, a water main was installed connecting the High School Well site to the OGTP.

#### Project Description

The work consists of the installation of piping and equipment to connect the existing High School Wellhead to the existing raw water main buried within Anapamu Street.

The Santa Barbara High School Wellhead Project (Project) will allow for the continued use of the High School Well at its designed capacity.

Contract Bids

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

	<b>BIDDER</b>	<b>BID AMOUNT</b>
1.	Sansone Company, Inc. San Luis Obispo, CA	\$400,700
2.	Brough Construction, Inc. Arroyo Grande, CA	\$442,265
3.	A Bates General Construction, Inc. Simi Valley, CA	\$499,000
4.	Whitaker Construction Group, Inc. Paso Robles, CA	\$514,400
5.	Schock Contracting Santa Barbara, CA	\$538,000

The low bid of \$400,700 submitted by Sansone Company, Inc., is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$40,070, or ten percent, is typical for this type of work and size of project.

Funding

This Project is funded by the Water Drought Fund. There are sufficient appropriated funds in the Water Drought Fund to cover the cost of this Project.

The following summarizes the expenditures recommended in this report:

**CONSTRUCTION CONTRACT FUNDING SUMMARY**

	<b>Basic Contract</b>	<b>Change Funds</b>	<b>Total</b>
	\$400,700	\$40,070	\$440,770
<b>TOTAL RECOMMENDED AUTHORIZATION</b>			<b>\$440,770</b>

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

**ESTIMATED TOTAL PROJECT COST**

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

Design (by Contract)	\$94,830
Other Design Costs (if Contract)	1,500
City Staff Costs	41,366
<b>Subtotal</b>	<b>\$137,696</b>
Construction Contract	\$400,700
Construction Change Order Allowance	40,070
<b>Subtotal</b>	<b>\$440,770</b>
Other Construction Costs (testing, etc.)	\$0
Construction Management/Inspection (by Contract)	0
Construction Management/Inspection (by City Staff)	57,911
<b>Subtotal</b>	<b>\$57,911</b>
<b>TOTAL PROJECT COST</b>	<b>\$636,377</b>

**SUSTAINABILITY IMPACT:**

The City relies on groundwater as one of the many potable water sources meeting the needs of its customers. The High School Well will provide an additional supply to help maximize the use of the OGTP.

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

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

**FROM:** Downtown Parking, Public Works Department

**SUBJECT:** Request To Initiate Expansion Of Residential Permit Parking Near Santa Barbara City College

### **RECOMMENDATION:**

That Council direct the Transportation Engineer to conduct a public hearing and undertake the surveys and studies necessary to prepare a report and recommendations to City Council regarding the expansion of Permit Parking Area M near Santa Barbara City College.

### **DISCUSSION:**

#### Background

In 1984, Council established the Resident Parking Permit Program (RPP Program) as a tool to manage the parking needs of residents in mixed-use areas. The RPP Program preserves the availability of on-street parking for residents of older dwellings in areas where parking may be affected by nearby commercial, educational, or recreational uses. The RPP Program designates certain portions of the City as Permit Parking Areas (PPAs), establishes parking restrictions on certain blockfaces located within these PPAs, and provides an exemption from these restrictions for full-time residents of PPAs who purchase permits. It is governed by Chapter 10.46 of the Municipal Code, which outlines the process and requirements for establishing PPAs and posting permit parking restrictions, in addition to specifying the rules and regulations for parking permit use and eligibility.

Residential permit parking restrictions may only be posted on blockfaces located in designated PPAs. There are currently nine designated PPAs in the City. In 1991, Council adopted Resolution No. 91-135, establishing Permit Parking Area M (Area M) to prevent Santa Barbara City College commuter students from parking in campus-adjacent residential neighborhoods on the Mesa. The boundaries of Area M are depicted in the attached map (Attachment). Many of the blockfaces in Area M were posted with "Resident Parking Only/Permit Required" signage when the PPA was

initially established, and since that time, many more eligible blocks have petitioned to have signage posted.

The RPP Program in Area M has successfully prevented commuter student parking on residential streets that have had permit parking restrictions posted.

Today, nearly every blockface within Area M has been either posted with RPP signs or designated "No Parking" (see attachment). Each time a new blockface is posted, the student parking is pushed onto the nearest blocks with unrestricted parking, creating new parking problems for residents of these blocks. Because nearly every blockface in Area M has permit parking restrictions posted, the student parking has now migrated onto streets located outside the boundaries of Area M that are not currently eligible to participate in the RPP Program.

As a result, in March 2015, residents of the 400 and 500 blocks of La Marina submitted a petition to expand the boundaries of Area M to include these two blocks. This is the first formal request to expand Area M that the City has received since the area was established, and the petition was signed by residents of 86 percent of the dwelling units on these blocks. Although only two blocks have formally petitioned for expansion, staff has observed parking impacts on other blocks located outside the Area M boundaries, and residents of these blocks have contacted the City to complain about student parking. In anticipation of the future needs of Mesa residents, staff proposes expanding area M to include a larger area, as shown in the attached Map of Current and Proposed Area M Boundaries.

### Request and Implementation

In accordance with section 10.46.040 of the Municipal Code, City staff requests that Council initiate the expansion of Permit Parking Area M by directing the Transportation Engineer to complete parking studies and conduct a public hearing in order to understand neighborhood issues, determine whether a need exists, and determine whether there is sufficient neighborhood support to establish an expanded PPA (see attached Map of Current and Proposed Area M Boundaries within the Mesa neighborhoods adjacent to Santa Barbara City College). Upon completion of the studies and a public hearing, the Transportation Engineer will report back to Council to recommend whether Council should adopt a resolution resetting the current boundaries of Area M.

This proposal does not include posting any new parking restrictions at this time. Per the Municipal Code, residents of a neighborhood must demonstrate their desire for the City to regulate parking on their street. Residents of the 400 and 500 blocks of La Marina have demonstrated this desire via their petition request. Staff will use the parking studies and public hearing process to determine the extent to which residents of the remainder of the proposed expansion area wish to be included in Area M. The Transportation Engineer will include these findings in the final report to Council.

Council Agenda Report

Request To Initiate Expansion Of Residential Permit Parking Near Santa Barbara City College

December 8, 2015

Page 3

Staff believes that expanding Area M would allow the City to be more responsive to resident needs. Should student parking impacts shift further into the neighborhood, the streets in the newly expanded PPA would be able to petition the City to post permit parking signage without having to first go through the expansion process. It would save residents, staff, and Council from having to process multiple requests for expansion, and would allow the City to take a holistic view of the neighborhood's needs, rather than evaluating separate requests in a piecemeal fashion.

If Council approves the Area M expansion, residents within the newly eligible blocks may petition the City to have permit parking restrictions posted. Staff will evaluate these requests as they are received and post RPP restrictions in accordance with Resolution No. 84.171 if commuter student parking impacts are observed.

Recommendation

City staff has validated the petition from the residents of the 400 and 500 blocks of La Marina and, in an effort to proactively address the future needs of other Mesa residents, recommends expanding the boundaries of Permit Parking Area M west to Santa Cruz Boulevard, north to Cliff Drive, Santa Fe Place, Terrace Road, and the 400 and 500 blocks of La Marina Drive, and south to Shoreline Drive (see attached Map). Staff does not recommend posting any new parking restrictions at this time. Should Council approve the expansion of Area M, residents of this area may petition to have RPP restrictions posted on their street. Staff will evaluate these requests as they are received and will post new restrictions only where commuter student parking impacts are observed.

In accordance with SBMC 10.46.040, staff hereby requests that Council direct the Transportation Engineer to undertake studies and conduct a public hearing to determine whether Permit Parking Area M should be expanded as described. Upon completion of these studies, the Transportation Engineer will report to Council and recommend whether to adopt a resolution resetting the boundaries of Area M.

**BUDGET/FINANCIAL INFORMATION:**

The proposed parking studies would be performed by Public Works staff and no additional funding would be needed.

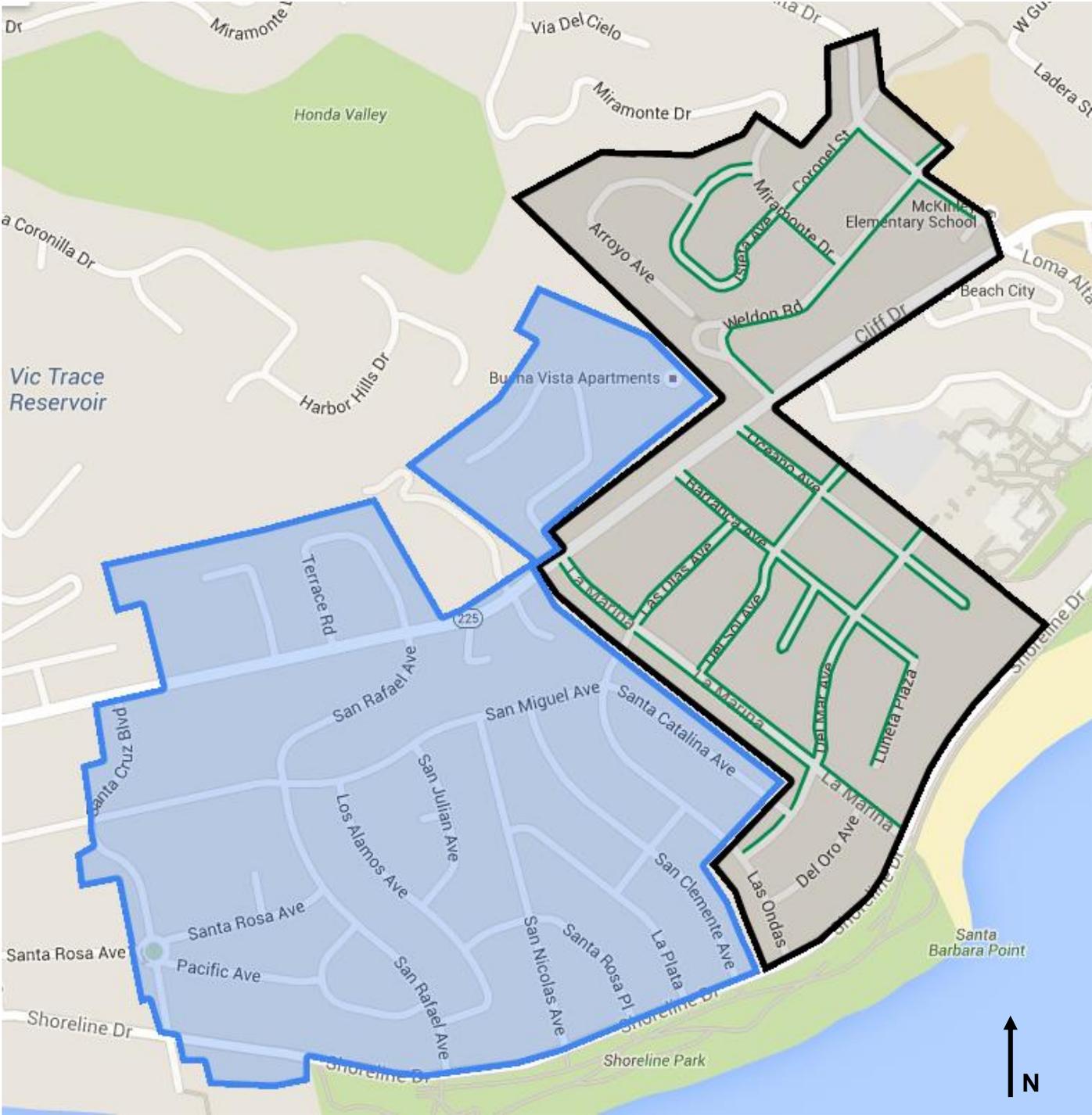
**ATTACHMENT:** Map of Current and Proposed Area M Boundaries

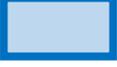
**PREPARED BY:** Browning Allen, Transportation Manager/VG/sc/mj

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

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

MAP OF CURRENT AND PROPOSED AREA M BOUNDARIES



	<b>Current Area M Boundaries</b>
	<b>Proposed Expansion</b>
	<b>Blocks with Permit Parking Signage</b>



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Contract For Downtown Parking Video Camera Installation And Video Storage Project

### **RECOMMENDATION:**

That Council authorize the Public Works Director to execute a City Professional Services contract with Metro Video Systems, Inc., in the amount of \$326,955 for the Downtown Parking Video Camera Installation And Video Storage Project, and approve expenditures of up to \$32,695 for extra services that may result from necessary changes in the scope of work.

### **DISCUSSION:**

#### Background

In 2012, Downtown Parking installed 14 security cameras in the Granada Garage. Staff expanded the use of video surveillance after several robberies at Downtown Parking kiosks, which prompted immediate safety measures for City staff and the public. On March 27, 2012, Council approved an emergency change order to the Granada Garage Camera Project to install 17 additional cameras in the Downtown Parking lot kiosks. The cameras have been a tremendous safety enhancement and have assisted in reducing vandalism, as well as assisted the Police Department with the investigation of crimes.

In 2014, the City updated its Video Retention Policy to comply with State statutes. Per Government Code Section 34090.6(c), video recordings from any of the City's security cameras must be retained for a minimum of one year. Written consent from the City Attorney and approval by Council is required prior to destruction of said recordings. Given the data storage requirement, Downtown Parking issued a Request for Proposal (RFP) to video camera system and management firms to get a proposal for services. Other City departments have also expressed an interest in a larger-scale video

surveillance system, but due to funding constraints, only Downtown Parking is proceeding with this system at this time.

## **PROJECT DESCRIPTION**

The Downtown Parking Video Camera Installation and Video Storage Project (Project) involves Metro Video installing additional video surveillance cameras in the Downtown Parking facilities. Metro Video will also provide additional video management hardware, software and upgrades that will supplement the existing video storage system, thus providing the one-year video storage requirement. The video management software allows for the recording of compressed video streams from network cameras and routes video to video monitors. The software also allows for camera and user administration. For example, the software allows remote monitoring of live video images using a network PC. Live video can also be accessed with an Internet web browser or any mobile device with Internet access (e.g., iPhone, BlackBerry). This allows specified staff or law enforcement officers to view video from a remote scene while en route to a location.

Metro Video will field verify that all existing and new Downtown Parking cameras have the proper resolution and field of view and meet night-time performance standards, that the picture quality and camera focus is good, and that camera supports are secure, and that wiring/cabling is functioning and well maintained.

## **CONSULTANT SERVICES**

Metro was selected as part of an RFP process. Metro is experienced in this type of work and has successfully worked with the City with the prior camera system installations in 2012. The Downtown Parking Committee is supportive of the Project and the funding as a part of the Council adopted Six-Year Downtown Parking Capital Program.

## **FUNDING**

The following summarizes all estimated total Project costs:

### **ESTIMATED TOTAL PROJECT COST**

Upgrade Video Management System	\$180,240
Install New Cameras	123,615
One Year Maintenance Contract	23,100
Extra Services	32,695
<b>TOTAL PROJECT COST</b>	<b>\$359,650</b>

There are sufficient appropriated funds in the Fiscal Year 2016 Downtown Parking Program Capital budget to cover these costs.

**PREPARED BY:** Browning Allen, Transportation Manager/JWG/mj

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Appointments To City Advisory Groups

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

### **DISCUSSION:**

Currently, there are 56 positions available for appointment to various City advisory groups. On October 20, October 27 and November 17, 2015, the Council interviewed applicants for these positions.

The Guidelines for the City of Santa Barbara Advisory Groups, Resolution No. 13-006, states that applicants are required to appear for an interview before the City Council. The names of applicants failing to appear for an interview are removed from the list of persons eligible for appointment. The attachment is a list of applicants eligible for appointment. Appointments to the advisory groups will be effective January 1, 2015.

**ATTACHMENTS:** List of Eligible Applicants

**PREPARED BY:** Deborah L. Applegate, Deputy City Clerk

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

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

**ACCESS ADVISORY COMMITTEE**

- One vacancy.
- Term Expiration:
  - One term: December 31, 2017
- Qualifications/Category: Resident of the City or a full-time employee of an entity doing business within the City who demonstrates an interest, experience, and commitment to issues pertaining to disability and access.
  - One representative from the Architectural/Engineering/Building Community.
- Appointees may not hold any full-time paid office or employment in City government.

<b>CATEGORY (Number of Vacancies)</b>	<b>APPLICANT</b>	<b>Incumbent Appt. Dates (Years Served)</b>	<b>Applicant's Preference (1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>)</b>	<b>Notes</b>
<i>Architectural/Engineering /Building Community (1)</i>	James R. Marston			

## ARCHITECTURAL BOARD OF REVIEW

- Two vacancies.
- Term Expirations:
  - December 31, 2019
- Qualifications/Category:
  - Qualified elector of the City.

(At this time ABR has met the minimum licensing requirements and may appoint non-licensed architects.)
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Elector of the City (2)</i></b>	Kirk B. Gradin	12/31/2011 - 12/31/2015 (4 years)		Licensed Architect
	Kevin Moore			Licensed Architect

## ARTS ADVISORY COMMITTEE

- Three vacancies.
- Term Expirations:
  - December 31, 2019
- Qualifications/Category:
  - Member should be a qualified elector with the City or County with acknowledged accomplishments in the arts and demonstrates an interest in and commitment to cultural and arts activities.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Elector of the City (2 or 3)</i></b>	Linda Wolcott Moore			
	Thea A. Palencia			
	Joan Rosenberg-Dent			
	William Smithers			
	Nathan Vonk	12/13/2011 – 12/31/2015 (4 Years)		
	Margie Yahyavi	12/09/2014 – 12/31/2015 (1 Year)		
<b><i>Qualified Elector of SB County (0 -1)</i></b>	Darian Bleecher	06/22/2004, 12/18/2007, 12/13/2011 – 12/31/2015 (11 Years)		
	Nancy Gifford			

## CIVIL SERVICE COMMISSION

- Two vacancies.
- Term Expirations:
  - December 31, 2019
- Qualifications/Categories:
  - Must be a qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government, and for one year after ceasing to be a member, shall not be eligible for any salaried office or employment with the City.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Elector of the City (2)</i></b>	Alan T. Kasehagen	11/25/2003, 12/18/2007, 12/13/2011 – 12/31/2015 (12 Years)		
	Donna Lewis	06/28/2005, 12/18/2007, 12/13/2011 – 12/31/2015 (10 Years)		

## COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE

- Five vacancies.
- Term Expirations:
  - One term expires December 31, 2016 (Lower Westside Neighborhood)
  - One term expires December 31, 2018 (Human Services Agencies)
  - Three terms expire December 31, 2019 (Eastside Neighborhood, Senior Community, Youth Oriented Services)
- Must be residents or employees of the designated organizations, but need not be qualified electors of the City, and must represent one of the specified categories or organizations. One representative from each:
 

➤ Lower Westside Neighborhood	➤ Human Services Agencies	➤ Youth Oriented Services
	➤ Eastside Neighborhood	➤ Senior Community
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b>Lower Westside Neighborhood (1)</b>	None.			
<b>Human Services Agencies (1)</b>	Veronica Loza	07/03/2007, 12/18/2007, 12/13/2011 – 12/31/2015 (8 Years)		
<b>Eastside Neighborhood (1)</b>	Nicolas M. Crisosto		1) Community Development & Human Services Committee 2) Neighborhood Advisory Committee 3) Rental Housing Mediation Board	
	Veronica Loza	07/03/2007, 12/18/2007, 12/13/2011 – 12/31/2015 (8 Years)		
<b>Youth Oriented Services (1)</b>	None.			
<b>Senior Community (1)</b>	Doedy Orchowski	06/24/2014 – 12/31/ 2015 (1 Year)		

## COMMUNITY EVENTS & FESTIVALS COMMITTEE

- Four vacancies.
- Term Expirations:
  - Four terms expire December 31, 2019 (Business/Lodging/Retail Industry, Cultural Arts)
- Qualifications/Category:
  - Three representatives from the Business/Lodging/Retail Industry.
  - One representative from Cultural Arts.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Business/Lodging/ Retail Industry (3)</i></b>	Katrina Carl*	12/17/2013 – 12/31/2015 (2 Years)		
	Antoinette Chartier			
	Barry Dorsey	06/23/2015 – 12/31/2015 (6 Months)		
	Brad Nack*	06/24/14 – 12/31/2015 (1 Year, 6 Months)		
	Doreen Stevenson			
<b><i>Cultural Arts (1)</i></b>	Katrina Carl*	12/17/2013 – 12/31/2015 (2 Years)		
	Brad Nack*	06/24/14 – 12/31/2015 (1 Year, 6 Months)		

\*Eligible for more than one category.

## CREEKS ADVISORY COMMITTEE

- Four vacancies.
- Term Expirations:
  - December 31, 2019
- Qualifications/Category:
  - Member must be a resident of the City or County of Santa Barbara and shall have some experience in ocean use, business, environmental issues and provide community-at-large representation.
  - Total of four (4) positions open
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Resident of the City or County of Santa Barbara (0-4)</i></b>	James Hawkins	12/17/2013 – 12/31/2015 (2 Years)		City
	Lee Moldaver	07/11/2006, 12/18/2007, 12/13/2011 – 12/31/2015 (9 Years)		City
	Kathleen “Betsy” Weber	12/13/2009, 12/13/2011 – 12/31/2015 (5 Years)		City

## DOWNTOWN PARKING COMMITTEE

- Two vacancies.
- Term Expirations:
  - December 31, 2019
- Qualifications/Category:
  - Appointee shall demonstrate an interest and knowledge of downtown parking issues and must be a resident of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Resident of the City (2)</i></b>	Ed France	06/23/2015 – 12/31/2015 (6 Months)		
	Ethan Shenkman			

## FIRE AND POLICE COMMISSION

- Two vacancies.
- Term Expirations:
  - Two terms expire, December 31, 2019.
- Qualifications/Category:
  - Qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Electors of the City (2)</i></b>	Melody Joy Baker			
	Jennifer Christensen	12/15/2009, 12/13/2011 – 12/31/2019 (10 Years)		
	John J. Torell	12/13/2011 – 12/31/2015 (4 Years)		

## FIRE AND POLICE PENSION COMMISSION

- Three vacancies.
- Term Expirations:
  - One term expires December 31, 2017 (Active/Retired Police Officer)
  - Two terms expire December 31, 2018 (Qualified Electors)
- Qualifications/Categories:
  - Two qualified electors of the City who are not an active fire fighters or police officers.
  - One active or retired police officer who is a member of the Fire and Police Pension System who need not be a resident or elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Electors (2)</i></b>	Scott Tracy	12/16/2008, 12/07/2010 – 12/31/2015 (7 Years)		
<b><i>Active or Retired Police Officer Who is a Member of the Fire and Police Pension System (1)</i></b>	None.			

## HARBOR COMMISSION

- Two vacancies.
- Term Expirations:
  - December 31, 2019
- Qualifications/Categories:
  - Qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Elector of the City (2)</i></b>	Stephen MacIntosh	06/24/2014 – 12/31/2015 (1 Year, 6 Months)		

## HISTORIC LANDMARKS COMMISSION

- Two vacancies.
- Term Expiration:
  - Two terms: December 31, 2019
- Qualifications/Categories: One member shall be a qualified elector of the City (Public at Large) and one member may be a non-resident (Public at Large).
  - Two members must be a qualified electors of the City and two members may be non-residents (Public at Large)
  - (At this time HLC has met the minimum architect licensing requirements and may appoint non-licensed architects.)
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Public at Large (2)</i></b>	Michael Drury	07/01/2008, 12/13/2011 – 12/31/2015 (6 Years, 6 Months)		City (Public at Large)
	Anthony Grumbine			Non-resident (Public at Large)

**COUNTY OF SANTA BARBARA LIBRARY ADVISORY COMMITTEE  
CITY OF SANTA BARBARA REPRESENTATIVE**

- One vacancy.  
One member from each County District (5), 8 City Nominees (Carpinteria, Santa Barbara, Lompoc, Santa Maria, Solvang, Guadalupe, Goleta, and Buellton), and 1 County Service Area 3 representative.
- Term Expiration:
  - June 30, 2016
- Qualifications/Categories:
  - Member must be a qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Qualified Elector (1)</i>	Patricia Saley			

## LIBRARY BOARD

- Two vacancies.
- Term Expirations:
  - December 31, 2019
- Qualifications/Categories:
  - Qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Qualified Elector (2)</i>	None.			

## LIVING WAGE ADVISORY COMMITTEE

- One vacancy.
- Term Expirations:
  - June 30, 2016 (Employee of Local Santa Barbara Area Non-Profit Entity)
- Qualifications/Categories:
  - One member of the Committee shall be employed by a local Santa Barbara area non-profit entity.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Employed by a Local Santa Barbara Area Non-Profit Entity (1)</i>	None.			

## MEASURE P COMMITTEE

- Four vacancies.
- Term Expirations:
  - One term expires December 31, 2016 (Criminal Defense Attorney)
  - One term expires December 31, 2016 (Civil Liberties Advocate)
  - One term expires December 31, 2018 (Resident of the City)
  - One term expires December 31, 2018 (Drug Abuse, Treatment & Prevention Counselor)
- Qualifications/Categories:
  - Criminal Defense Attorney
  - Resident of the City
  - Civil Liberties Advocate
  - Drug Abuse, Treatment & Prevention Counselor
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Criminal Defense Attorney (1)</i>	None.			
<i>Civil Liberties Advocate (1)</i>	None.			
<i>Resident of the City (1)</i>	None.			
<i>Drug Abuse, Treatment &amp; Prevention Counselor (1)</i>	None.			

## NEIGHBORHOOD ADVISORY COUNCIL

- Three vacancies.
- Term Expirations:
  - Terms expire December 31, 2019
- Qualifications/Categories:
  - Public at Large (2)
  - One representative must be from the Eastside Neighborhood
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Public at Large (0-1)</i></b>	Nicolas M. Crisosto*		1) Community Development and Human Services Committee 2) Neighborhood Advisory Committee 3) Rental Housing Mediation Task Force	
<b><i>Eastside Neighborhood Representative (1-2)</i></b>	Nicolas M. Crisosto*		1) Community Development and Human Services Committee 2) Neighborhood Advisory Committee 3) Rental Housing Mediation Task Force	

\*Eligible for more than one category.

## PARKS AND RECREATION COMMISSION

- Two vacancies.
- Term Expiration:
  - One term expires December 31, 2016
  - One term expires December 31, 2019
- Qualifications/Categories:
  - Qualified electors of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Qualified Elector of the City (2)</i>	LeeAnne French	12/09/2014 – 12/31/2015 (1 Year)		

## PLANNING COMMISSION

- Two vacancies.
- Term Expirations:
  - December 31, 2019.
- Qualifications/Categories:
  - Qualified elector of the City
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Elector of the City (2)</i></b>	John P. Campanella	01/24/2012 – 12/31/2015 (3 Years)		
	Addison Thompson	12/31/2011 – 12/31/2015 (4 Years)		

## RENTAL HOUSING MEDIATION BOARD

- Four vacancies.
- Term Expirations:
  - Terms expire December 16, 2019
- Qualifications/Categories: Non-City members must be affiliated with a landlord tenant organization within City limits.
  - Two Tenants (City or County)
  - One Landlord (City or County)
  - One Homeowner (City or County)
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Tenant - City or County (2)</i></b>	Lynn E. Goebel	06/30/2009, 12/15/2009, 12/17/2013 – 12/31/2015 (5 Years, 6 Months)		City
<b><i>Landlord – City or County (1)</i></b>	None.			
<b><i>Homeowner – City or County (1)</i></b>	Nicolas M. Crisosto		1) Community Development and Human Services Committee 2) Neighborhood Advisory Committee 3) Rental Housing Mediation Board	City

## SANTA BARBARA YOUTH COUNCIL

- One vacancy.
- Term Expiration:
  - One term expires June 30, 2016, (Local Alternative, Community, or Continuation HS)
- Qualifications/Categories: Members must be between the ages of 13-19 years.
  - One member from local alternative, community, or continuation high school (City or County).

\*Applicants must appear for an interview before the Santa Barbara Youth Council and City Council.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<i>Members From Local Alternative, Community, or Continuation High School (1)</i>	None.			

## SINGLE FAMILY DESIGN BOARD

- Two vacancies.
- Terms expire June 30, 2019 (Professional Qualifications); and One term expires June 30, 2018 (Licensed Architect).
- Members shall reside within Santa Barbara County.
- One member shall be a licensed architect;
- One member shall possess professional qualifications in fields related to architecture, including, but not limited to, building design, structural engineering, industrial design, or landscape contracting.
- Members may serve on the Architectural Board of Review or the Historic Landmarks Commission and the Single Family Design Board.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Licensed Architect (1)</i></b>	(Fred L. Sweeney)*	06/28/2011 – 12/31/2015 (4 Years)		*Did not attend interviews but spoke at Public Comment on Nov. 10, 2015.
<b><i>Professional Qualifications (1)</i></b>	Lisa E. James	06/26/2012 – 12/31/2015 (2 Years, 6 Months)		

## WATER COMMISSION

- Two vacancies.
- Term Expirations:
  - Terms expire December 31, 2019.
- Qualifications/Categories:
  - Qualified elector of the City.
- Appointees may not hold any full-time paid office or employment in City government.

CATEGORY (Number of Vacancies)	APPLICANT	Incumbent Appt. Dates (Years Served)	Applicant's Preference (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> )	Notes
<b><i>Qualified Elector (2)</i></b>	Megan Birney	06/26/2012 – 12/31/2015 (3 Years)		
	James Davis			
	Larry C. Falberg			
	Barry Keller	07/01/2008, 12/13/2011 – 12/31/2015 (6 Years, 6 Months)		



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Possible Short-Term Home Sharing Rental Ordinance

**RECOMMENDATION:** That Council:

- A. Receive an update on the proposal to define, permit, regulate and tax short-term home sharing rentals in the City; and
- B. Provide direction to staff regarding the development of a short-term home sharing rental ordinance.

### **BACKGROUND:**

Since March 2015, the City Council has been actively involved in addressing the proliferation of short-term rentals in the City. The Zoning Ordinance defines a short-term rental ("Hotel") as the renting of a building, or portion of a building that is designed for or occupied as the temporary abiding place of individuals for less than 30 consecutive days. This type of rental is considered a transient, commercial use similar to hotels, motels or bed and breakfast operations, and is prohibited in most residential zones of the City.

On June 23, 2015, the City Council directed staff to enforce the City's existing Zoning Ordinance regulations regarding vacation rentals and to develop an enhanced enforcement plan. On August 11, 2015, Council allocated funding for staff to conduct proactive enforcement of unlawful short-term vacation rentals. The effort is expected to take two to three years to complete the initial work, with ongoing enforcement efforts continuing into the future. Given the relatively long timeframe, City Council directed staff to return with an enforcement status report in six months, which will occur in early 2016.

At the August 11 meeting, in response to public input, the City Council also initiated a Zoning Ordinance Amendment to consider allowing short-term home sharing rentals. Due to the complexity of issues involved with short-term home sharing rentals, Council directed staff to first meet with the Planning Commission to refine the definition and general regulations for short-term home sharing, and then return to Council for further direction.

## **DISCUSSION:**

### **Planning Commission Discussion**

On October 15, 2015, the Planning Commission held a public hearing and discussed the opportunities and challenges of regulating short-term home sharing rentals (Attachment 1 – Planning Commission Staff Report). It is important to note that staff posed three specific questions to the Commission in order to focus comments on the concept of allowing and regulating short-term home sharing rentals, and deterred the Commission from getting into details of a potential ordinance. If an ordinance is further pursued by Council, staff expects to have several public meetings with the Planning Commission about those details. The Commission was not asked to consider their recommendations in light of staff workload or budget implications, as those issues are generally under the purview of the City Council.

The Planning Commission generally supported the concept of allowing short-term home sharing rentals in the City, but was cautious about the enforcement challenges, costs and staffing resources required to successfully implement such an ordinance (Attachment 2 – Planning Commission Minutes). Similarly, while the majority of the Planning Commission believed that short-term home sharing rentals should be “hosted,” with the homeowner or primary resident present during the guest’s stay, they recognized the significant challenge in enforcing such a requirement.

The Commission generally supported regulating short-term home sharing rentals by a land use permit and performance measures rather than an annually renewable license, similar to a business license. Commissioners acknowledged that the land use standards would need to be clearly defined and measurable and that additional staff may be required to proactively monitor and enforce the regulations.

### **Enforcement Challenges**

The primary challenge with developing and enforcing an ordinance allowing short-term home sharing rentals is attempting to regulate activities within private residences that are not easily observed. In most cases, a physical inspection of the property will not inform staff about a potential violation. In addition, without the cooperation of management companies and hosting platforms, it is very difficult to track the number of total or consecutive rental days and to prove that a financial transaction has taken place. Accordingly, enforcement efforts must then focus on neighbors and/or staff monitoring and documenting activities, such as guests coming and going, potentially over very long periods, in order to confirm an alleged violation.

Another issue is that the City’s current administrative citation of \$100 per first offense is negligible in relation to the potential revenue generated by operating a short-term home sharing rental. Increasing the citation amount and/or requiring the owner to sign a settlement agreement could incentivize compliance and provide a proper deterrent to

unlawful short-term rentals; however, those methods are only useful once staff has confirmed that a violation has occurred.

If legalization and regulation of short-term home sharing is pursued by the Council, staff recommends that rentals be authorized via an annually renewable license, as opposed to a land use permit. Land use permits are typically issued after an applicant has demonstrated compliance with the applicable regulations and the permit approval runs with the land, and is not subject to a relatively easy revocation process. Regardless of the method used to permit short-term home sharing rentals, proving a violation would be challenging, as discussed above. However, if a license is revoked or not renewed for noncompliance, it is far easier to demonstrate a violation of the Municipal Code for operating a short-term home sharing rental without a license than it is to build up a case each time that the operator is alleged to be in violation of certain performance standards.

### **General Plan and Zoning Ordinance Considerations**

When considering policy changes, an important analysis is determining consistency with the City's General Plan and Zoning Ordinance. The 2011 General Plan reaffirms the City's commitment to "living within our resources," which requires managing future growth. Changing existing zoning regulations to allow short-term overnight accommodations in residential zones could possibly alter the balance of land uses that is key to the character of the City. Furthermore, strict measures are currently in place to limit the amount of new commercial growth in the City, including overnight accommodations in hotels, motels and bed and breakfast establishments. Allowing homeowners to rent their homes out for short-term stays without similar growth control measures would be contrary to the City's General Plan goals and provide an economic advantage to home sharing rentals over hotels and motels.

The City's Zoning Ordinance is clear in that the regulations for the One-Family, Two-Family, and the Limited Multiple-Family Residence Zones are "designed and intended to establish, maintain and protect the essential characteristics of the districts, to develop and sustain a suitable environment for domestic life including the raising of children, and to prohibit all activities which would tend to be inharmonious with or injurious to the preservation of a residential environment." There is concern that short-term rentals of any type may negatively impact the character and dynamics of a residential neighborhood, and may contribute to other nuisances, such as noise, litter and on-street parking impacts.

### **Conclusion**

Since June 2015, staff and the Council have been open to developing regulations that would allow short-term home sharing rentals to be permitted and regulated differently than vacation rentals. However, after thoughtful consideration, staff does not recommend further pursuit of a home sharing ordinance at this time.

Since June, it has become clearer to staff that it is very difficult to distinguish between vacation rentals and home sharing rentals. They both involve the renting of individual bedrooms or entire homes for less than 30 consecutive days, and both are incredibly difficult to monitor and enforce.

There is a growing concern with vacation rentals and home sharing in the City, the region, and throughout the world. Many cities are attempting to address the issues and balance opportunities and impacts. None are finding it easy, and there are no simple solutions. Until all hosting platforms cooperate with each other and local jurisdictions to regularly report bookings or provide other methods to confirm compliance with local regulations, pursuing short-term home sharing rental regulations at this time is not an efficient use of staff resources, and it would likely place a tremendous burden on individuals and neighborhoods.

If Council agrees, staff will continue to enforce the current zoning regulations and use the additional staff dedicated to vacation rental enforcement to proactively enforce short-term home sharing rentals, with a priority on those for which complaints have been filed.

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

Since June 2015, the City has stopped accepting new business license applications for any type of short-term rental operation. The City continues to collect Transient Occupancy Taxes (TOT) from any existing vacation rentals and short-term home sharing rentals that have not ceased operation due to enforcement action. In Fiscal Year 2015, the City's General Fund received approximately \$1.19 million in TOT revenues from the 349 registered short-term vacation and home sharing rentals. With the staff recommendation to continue enforcement of existing zoning regulations, this General Fund revenue stream will diminish over time with increased enforcement.

**ATTACHMENT(S):** 1. Planning Commission Staff Report (October 15, 2015)  
2. Planning Commission Minutes (October 15, 2015)

**PREPARED BY:** Elizabeth Limón, Project Planner

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

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



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** October 8, 2015  
**AGENDA DATE:** October 15, 2015  
**PROJECT:** Potential Ordinance Amendment to Allow Short-Term Home Sharing Rentals  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470, extension 4569  
 Renee Brooke, City Planner  
 Elizabeth Limón, Project Planner

### I. INTRODUCTION

Short-term home sharing rentals occur when a resident hosts visitors in their home for a fee for less than 30 consecutive days. Currently, all residential short-term rentals are in violation of the Zoning Ordinance.

On August 11, 2015, the City Council initiated an ordinance amendment to consider allowing short-term home sharing rentals in the City. Council also directed staff to meet with the Planning Commission to refine the definition and types of home sharing that may be acceptable. The purpose of this Planning Commission meeting is to hold a public hearing and discuss the opportunities, challenges and enforcement issues regarding short-term home sharing rentals.

### II. BACKGROUND

On June 23, 2015, the City Council held a public hearing and discussed the growth of vacation rentals, another form of short-term rentals, in the City. At the conclusion of the public hearing, the Council was unanimous in their support for continued enforcement of the City's existing Zoning Ordinance regulations prohibiting all residential short-term rentals, unless properly permitted. Noting concerns regarding neighborhood compatibility and the loss of housing to a commercial enterprise, Council directed staff to develop a proactive enforcement program. Council also directed staff to develop a work program to define, regulate and permit short-term home sharing rentals anywhere residential uses are allowed.

On August 11, 2015, the Council allocated additional funding to the City Attorney's Office, Finance Department and the Planning Division's Zoning and Enforcement Section to conduct proactive enforcement of unlawful vacation rentals. The departments are working closely together and expect the effort to take two to three years to complete the initial work, with an ongoing need for enforcement resources beyond. Given the enforcement complexities and the long timeframe, City Council directed staff to return with an enforcement status report in six months.

The City Council also initiated a Zoning Ordinance Amendment to consider allowing short-term home sharing rentals. Again, due to the complexity of the issues involved in developing these new regulations, the Council directed staff to meet with the Planning Commission to refine the definition and types of short-term home sharing rentals that may be acceptable. Staff will then return to Council to confirm the parameters prior to drafting an ordinance and completing the review process.

#### Existing Zoning Ordinance Definitions

The City's Zoning Ordinance contains distinct definitions for residential units and hotels, which have existed for decades. The length of stay, less than 30 days, determines the transient nature of home/room rentals.

The sharing economy and use of the Internet to book commercial transactions (transportation, rooms or homes) did not exist when the City's zoning definitions and regulations were adopted. Applying existing regulations to this new and rapidly expanding phenomenon has proven challenging.

The City Attorney has determined that renting out homes/rooms for a fee for less than 30 days is currently a Municipal Code violation based on the definition of hotel in the Zoning Ordinance.

#### SBMC §28.04.395 Hotel:

“A building, group of buildings or a portion of a building which is designed for or occupied as the temporary abiding place of individuals for less than thirty (30) consecutive days including, but not limited to, establishments held out to the public as auto courts, bed and breakfast inns, hostels, inns, motels, motor lodges, time share projects, tourist courts, and other similar uses.”

Accordingly, a Zoning Ordinance amendment will be required to implement a short-term home sharing rental program. Adding relevant, modern definitions and clarifying regulations will be beneficial to both the public and staff.

As described below, many cities do not define short-term home sharing rentals in their Zoning Ordinance. Permits and performance standards are implemented through the business license section of the Municipal Code while the Zoning Ordinance is silent. In these cases, short-term home sharing rentals are considered a type of temporary use or home occupation and not a commercial land use activity.

In June, the City Council was presented with options regarding regulating short-term vacation rentals and home sharing rentals. Council directed staff to enforce existing regulations for unlawful short-term vacation rentals and to consider amending the Zoning Ordinance to allow short-term home sharing rentals. The option of permitting and regulating short-term home sharing rentals through other sections of the Municipal Code (keeping zoning silent) was not selected.

### III. DISCUSSION

#### Definition of Home Sharing

To date, Staff has provided the following definitions in Council Agenda Reports for the purpose of discussion. These are not terms or definitions currently found in the City's Municipal Code.

"Home Sharing Rental" – A resident(s) hosts visitors in their home for short periods of time (less than 30 days) while at least one of the primary residents lives on-site throughout the stay. Guests pay a nightly fee and enjoy non-exclusive shared use of the unit with the person(s) who lives there. Typically, the primary resident actively hosts the guests during the visit.

"Vacation Rental" – The rental of any un-hosted dwelling unit to any person for exclusive transient use of less than 30 days. Guests pay a nightly fee and enjoy the exclusive private use of the unit.

During public hearings and through public comment, the City Council frequently heard requests for more flexibility in the definitions of home sharing, such as:

- Part-time Santa Barbara residents who want to rent their home during the parts of the year they are not here.
- Full-time Santa Barbara residents who want to rent their home out while they vacation or travel.
- Residents who want the ability to rent out separate units such as guest houses on larger properties.
- Residents who are willing to stay with friends and family while they rent out their home short-term.

#### Feasibility of Home Sharing

##### Regulatory Approaches in Other Communities

Staff has researched how other jurisdictions allow and regulate, or prohibit and enforce, short-term vacation rentals and short-term home sharing rentals. In many jurisdictions, all short-term rentals in residential neighborhoods are prohibited. Short-term rentals are usually viewed as a commercial activity and considered no different than a hotel.

A recent trend is to make a distinction between short-term vacation rentals and short-term home sharing rentals and regulate them separately. San Francisco, Santa Monica and the City of San Luis Obispo have recently moved to prohibit short-term vacation rentals but allow short-term home-sharing rentals, if the owners meet specified requirements and also remit Transit Occupancy Tax (TOT) to the City.

Communities that allow and regulate short-term home sharing rentals use some or all of the following techniques to manage their impacts in residential neighborhoods:

- Permit(s) and license(s) required, with grounds for denial
- Transit Occupancy Tax payment

- Annual Verification of primary residence through the homeowner's property tax exemption or other documentation
- Performance Standards such as:
  - Minimum length of stay, maximum number of stays per dwelling unit (annual, consecutive)
  - Limits on occupancy (# guests per bedroom or house or total guests allowed)
  - Advance notification (neighbors, landlord, city)
  - Owner occupancy requirement; non-owners prohibited from renting
  - Inspection requirements for Building, Safety and Fire Code compliance
  - Minimum separation between vacation rentals
  - Minimum insurance requirements
  - Trash/recycling collection and receptacle location requirements
  - Noise Ordinance compliance
  - Site Plan showing at least one off-street parking in addition to the required residential parking
  - Sign Ordinance compliance
  - Preparation of Nuisance Response Plans
  - Designated emergency contact within 30 miles, available 24 hours/day for complaints
  - Posting of permit and conditions in unit
  - Require that a City-issued registration number be disclosed when listing online
  - Annual limits on number of permits issued
  - Surety Bond (an alternate form of deposit the City could access to collect administrative fines not paid)
  - Violations, noticing, permit modification or revocation procedures
  - Enforcement and Citation Provisions

Many cities include these regulations in the business, revenue and taxation sections of their Municipal Codes, rather than the Zoning Ordinance. Failure to comply with home sharing regulations, or failure to pay the required TOT, is typically grounds for business license revocation and short-term home sharing rental operation closure.

#### Enforcement Challenges

The primary challenge with developing and enforcing an ordinance allowing short-term rentals is that they operate within private residences. In most cases, a physical inspection of the property will not inform enforcement staff about a potential violation. Enforcement efforts must then focus on monitoring and documenting activities, potentially over very long periods, to confirm an alleged violation. Without some mechanism to track the type (primary resident, or not) and number of occupants, length of stay, and general conduct throughout the stay, it will be impossible to enforce many of the standards described above. Without the cooperation of hosting platforms, it is also very difficult to prove that a financial transaction has taken place. In some enforcement cases, the property owner has told City staff that they were hosting "friends" and that money was not exchanged. Other cities have reported that short-term renters are advised to respond to enforcement staff in this manner if queried.

Another issue is that the City's current citations are negligible in relation to the revenue generated by short-term vacation rentals or a short-term home sharing rental. Increasing the

citation amount could incentivize compliance with the Municipal Code and provide a proper deterrent to unlawful short-term rentals. This issue will be addressed through the vacation rental enforcement program.

Also of concern is that strict regulations may force short-term home sharing rentals underground. In that case, operators would be less likely to comply with performance standards, and would not obtain a business license or pay required TOT taxes.

#### **Potential Impacts to Housing Supply**

The General Plan places a high priority on housing development and preservation of existing rental units. The Average Unit-Size Density (AUD) Incentive Program provides significant incentives for the development of rental housing. Allowing short-term home sharing rentals could place additional stress on the City housing market supply, resulting in increased rents and home prices. However, the General Plan also contains policies to encourage residential property owners to improve the conditions of their property. Many public speakers at the Council hearings stated that renting out portions of their home on a short-term basis provided much needed income to support their housing costs, including maintenance.

Based on the short-term rentals that have been paying TOT (without land use or other approvals), many are located in the East Beach, West Beach, and West Downtown neighborhoods. Enforcement efforts to gain compliance with existing regulations that prohibit vacation rentals will be complex and require at least two to three years to implement, with ongoing resources necessary to manage compliance. In response to these enforcement efforts, it is unclear how many vacation rentals will continue to operate in some form with or without any proposed short-term home sharing rental ordinance. Therefore, the effect that the proposed short-term home sharing rental ordinance will have on the City's housing supply cannot be quantified at this time.

#### **IV. RECOMMENDATION**

Staff recommends that the Planning Commission:

- Hold a public hearing,
- Discuss the opportunities, challenges and enforcement issues regarding short-term home sharing rentals, and
- Provide input to City Council about the feasibility and scope of a short-term home sharing rental ordinance.

In particular, staff recommends the Planning Commission discuss and provide input regarding the following:

- Hosting requirements
  - Should the “host” be present in the home during the stay?
  - If a host is required, must it be a homeowner, or is a primary resident acceptable? Could a host delegate that responsibility to another person?
- Regulatory Standards
  - Permitting mechanism (zoning approval and/or business license)?
  - Quantitative limitations (e.g., length of stay, occupancy limit, maximum number of stays per dwelling per calendar year), if any.

- Location restrictions (e.g., zoning, neighborhoods, distance between rentals), if any.
- Physical improvements required/verified (e.g., parking, trash/recycling receptacles, building and fire code compliance), if any.
- Enforcement Mechanism(s)
  - Complaint-basis only?
  - Annual review/renewal of permit or license, with grounds for denial?

V. **NEXT STEPS**

Prior to undertaking the detailed work of drafting an ordinance amendment, staff will to return to the Council with the Planning Commission input and seek further direction from Council.



# City of Santa Barbara Planning Division

## PLANNING COMMISSION MINUTES

October 15, 2015

### CALL TO ORDER:

Chair Thompson called the meeting to order at 1:00 P.M.

### I. ROLL CALL

Chair Addison Thompson, Vice-Chair John P. Campanella, Commissioners Jay D. Higgins, Mike Jordan, Sheila Lodge, June Pujo, and Deborah L. Schwartz.

### STAFF PRESENT:

George Buell, Community Development Director  
Renee Brooke, AICP, City Planner  
Beatriz Gularte, Senior Planner  
Liz Limón, Project Planner  
Ariel Calonne, City Attorney  
N. Scott Vincent, Assistant City Attorney  
Julie Rodriguez, Planning Commission Secretary

### II. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

None.

C. Review, consideration and action on the following draft Planning Commission Minutes and Resolutions:

1. Minutes of October 1, 2015

#### MOTION: Jordan/Schwartz

Approve the minutes.

This motion carried by the following vote:

Ayes: 5 Noes: 0 Abstain: 2 (Pujo, Thompson) Absent: 0

- D. Comments from members of the public pertaining to items not on this agenda.

Chair Thompson opened the public hearing at 1:02 P.M. and, with no one wishing to speak, closed the hearing.

### III. DISCUSSION ITEM

#### ACTUAL TIME: 1:02 P.M.

#### POTENTIAL HOME SHARING ORDINANCE AMENDMENTS

The Planning Commission held a public hearing and discussed the opportunities, challenges and enforcement issues regarding short-term home sharing rentals. Short-term home sharing rentals occur when a resident hosts visitors in their home for a fee for less than 30 consecutive days. Staff is requesting that the Planning Commission make a recommendation to City Council about the feasibility and scope of a short-term home sharing rental ordinance.

Contact: Elizabeth Limón, Project Planner

Email: [ELimon@SantaBarbaraCA.gov](mailto:ELimon@SantaBarbaraCA.gov)

Phone: (805) 564-5470, ext. 4569

Elizabeth Limón, Project Planner, gave the Staff presentation. George Buell, Community Development Director; Ariel Calonne, City Attorney; and Renee Brooke, City Planner were available to answer the Commission's questions.

Chair Thompson opened the public hearing at 1:51 P.M.

The following people provided public comment:

1. Michael Conaway submitted written comments in support of Short-Term Home Sharing Rentals. He rents his home and has been paying the Transient Occupancy Tax (TOT). He does not believe that the owner should be required to be present on the premises during the home stay, but be nearby and available. Approving Home-Sharing would contribute to the City's (TOT).
2. Deborah Pentland, 32 year resident, supports Home Share rentals with non-occupied home owner present. Rather than being more restrictive, we need to be more embracing about Home Sharing and look into converting livable areas for more affordable housing.
3. Dorothy Wallstein operates home-share use of her home. As a widow, this additional income allows her to keep her home and make it available for returning family when they visit. She supports shared home rentals. She cannot contribute to the City's housing stock, but can support the community with shared home rental.
4. Tiffany Haller, Haller Coastal Homes, SBAOR; sees a problem with vacation rentals and home sharing and how they are designated. She asked that the City clean up an outdated ordinance with vacation rentals that should not be considered a commercial use. She is currently going through the Vacation Rental process and finds it to be disjointed and dynamic and needs an overhaul.

5. Todd Jacobs opposes the Home Sharing Ordinance and finds it worse than Vacation Rental by Owner (VRBO). It exacerbates noise, parking and other associated problems with having too many people in a house. The profit and commissions go to agents and speculators, while costs go to neighbors for preserving the neighborhood. This ordinance will be hard to enforce and easy to game. Without a resident owner, this will become a back-door means of operating a vacation rental. Short-term rentals are hard on neighbors and neighborhoods.
6. Brian Kenny concurred with Mr. Jacobs and does not think that an ordinance will be enforceable. Homestay Ordinance will lead to backdoor vacation rentals and not be enforceable.
7. Dick Buford, 25-year Bel Air Knolls resident, gave an example of a home in his neighborhood that became a vacation rental and operated with intermittent hosts that were not always on-site or available. Home sharing will turn residential neighborhoods into blighted commercial zones. He said that he was told by the Housing Authority that, in the last several years, the housing stock has fallen 1,400 units in Santa Barbara due to these commercial driven investments used as vacation rental operations. Ninety percent of residents don't like the current situation.
8. James Fenkner owns a vacation rental in Santa Barbara that he and his family rent out during the summer while they are away using other vacation rentals. We need to put in perspective that the number of complaints received are less than 1%, when you consider only 8 complaints have been filed out of 1000 units. Don't ban, manage. Does not think that the owner should be in the home of a vacation rental when it is rented out.
9. Samantha Ireland, Vacation Rentals of Santa Barbara, supports the City pursuing home sharing and stated that the current vacation rental process that exists today is cumbersome. Owner should not need to be present, but there should be someone designated with 24 hour availability that can respond to that home and is present to manage it and noted with the City on permits. Would like to understand the significant difference in renting a room for 29 days versus 31 days and the impact to the neighborhood. Would also like to compare vacation rental's effects with the growth of city college and the lack of city college housing for its growth.
10. Sean O'Neill supports home sharing and its enforcement. Technology has made it easier to network between homeowners and renters. Recommends licensing and regulation since home sharing is already here. Concerns can be mitigated between owners and neighbors. We have created Santa Barbara as a tourism destination so need to address visitors that cannot stay at hotels. He challenges the 1000-unit number given due to multiple listings over many websites. This ordinance presents an opportunity for the City to keep up with technology.
11. Steve Pearson submitted written comments. He has a small cottage that he rents out on a short term basis and pays TOT. Supports a limited home stay limited to 2 persons per bedroom/ 4 persons total per unit. Suggested limiting guest frequency, requiring off-street parking, and allowing cottages and accessory buildings to be used. He has no position on business licenses but asked that any business licenses that become required are workable.

12. Susan Claire Reed, 41-year resident, submitted written comments in support of home sharing. As a home share provider, she always remains in residence when she has guests. She is one of approximately 350 units that has a business license and pays TOT. She supports licensing and/or performance standards and host on site.
13. Bradley Bennett, 46-year resident, supports home sharing. He operates a home share and has been present when he has guests. Home sharing income has allowed his start up business to create 10 jobs in the City. Fair regulation is the best solution to addressing vacation rental concerns.
14. Theo Kracke, 34-year resident, supports home sharing rentals. One of the reasons why this process is being addressed is because of the shortage of affordable housing and the impact by short term rentals. Many factors are affecting the housing supply include the growth of City College students, the growth of foreign language schools, and growth of high tech business, such as Sonos. Another reason we are having this discussion is because of the impact of short term rentals on the character of neighborhoods. He gave examples of cities (Nashville, TN; Austin, TX) that limited the number of short term rentals by a percentage and suggested this as a means of preserving neighborhoods. A new definition of commercial use is needed as he does not see a difference between a 29 day rental versus a 30 day stay since they are all rentals and do not provide goods or services. He does not think an owner should be required to be present or that a minimum number of nights should be enforced.
15. Bryan Smith, 40-year resident, has a license for vacation rentals and pays TOT. He lives off-site when renting his home and provides a set of rules to all guests to live with neighbors. Regulation, enforcement, and monitoring are key issues that he sees will be more problematic with home sharing than with vacation rentals that can be tracked online. The staff report referenced 40 complaints in 10 years which he does not see as an emergency. Urges the Planning Commission to study home sharing and vacation rentals and help the City become a leader for years to come.
16. Jack Ucciferri, Our Town Property Management, submitted written comments and the benefit he provides homeowners by being present and available 24 hours a day as a property manager for home shared units. There are a number of enforcement tools that are available to the City and outlined in his letter. Home sharing presents a generational difference in viewpoints when seen by a younger generation.
17. David Bolton, vacation rental owner, noted that there are more single-family homes putting multiple cars on the street in his neighborhood than his vacation rental does. He gave examples in his neighborhood with 7 and 12 residents in one home, all parking on the street. We do not have enough hotel stock to go around and that is where vacation rentals fill in. Visitors also contribute to the economy. Vacation rentals tend to be utilized in trends. Summer is always full. During the fall, Monday-Thursdays are usually empty with visitors coming on weekends. This changes around February on when visitors seek a warmer climate. If he were to rent his units long term, he would end up with 14 cars on the street, based on his bedroom count, as opposed to zero now.
18. Barbara Bonadeo, 40-year resident, stated that neighborhoods are being destroyed by short term rentals impacting the character of residential neighborhoods. There is a difference between one night renters versus 30 day renters. The comings and goings

of travelers coming at all hours of day and night are the hallmark of a motel environment and expected in commercial zones. Once you turn a private residence into a commercial enterprise, it change the character of a neighborhood. Current laws that have not been enforced show a disregard to people. Reinstate and enforce original zoning laws that disallow commercial business use in residential neighborhoods.

19. Jenna Berg is in favor of home sharing and short-term rentals. We are a growing economy and there is no shutting down tourism which is a clean industry. There is a democratization of the tourist dollar when it comes to home sharing. She does not know where hotel income goes, but knows that short term rentals provide affordable housing for renters and supports local minimum wage increases.
20. Kipp Young, resident, was concerned with the efficiency of government and use of tax money. He sees no point in throwing good tax money out the window by using it to enforce something that is a relative non-issue. Suggested coming up with simple, less-invasive solutions, with enforcement based fines. Revoke licenses of offenders when they incur sufficient fines. Suggested guest pay a refundable fine deposit, refunded when they leave if no complaints received. Allow people to keep their housing due to changes in the economy by operating short term rentals. Sees short term rentals as a way to increase housing stock by turning unused rooms to used rooms. Don't create issues that force people to go underground.
21. Jane Fehrenbacker, 48 year resident, previously offered short term rentals to foreign students while living in her home. She now has a smaller home and does not do VRBO, except for twice a year without issue. She supports modifying the ordinance to include home sharing. Home sharers have more control over choosing who stays at a house, where hotels do not.

With no one else wishing to speak, the public hearing was closed at 2:42 P.M.

Commissioners Comments: Question No 1: Is a Home-Sharing Ordinance (HSO) worth Pursuing? 6/1 in favor

- Commissioner Pujo supports pursuing a home share ordinance, whether or not the host is present, as long as the rental is ancillary to the primary use of the residence, is very short-term, and has performance measured requirements that provide safeguards against nuisances.
- Commissioner Jordan reflected on neighborhood dynamics over time. Unlike any changes that were mitigated with his neighbors over time, he sees home sharing use as having these dynamics constantly present. He does not think that a HSO can be pursued because he does not see where the ordinance would be enforceable.
- Commissioner Jordan thinks that home sharing is already operating underground and should continue this way as long as it has good quality management, cooperation among neighbors, and if it rises to a level of complaints, then it is handled.
- Commissioner Jordan added that the purpose of TOT was to mitigate the impacts of tourism on the City's infrastructure. He cannot see home sharers needing to pay

- TOT when they do not generate as much impact on the infrastructure as hotels that generate a constant flow of people coming to town. Using a management company is not Home Sharing. If owner is not present, then it is a Vacation Rental
- Commissioner Lodge said that while the ordinance should be pursued, it may not be able to be enforced.
  - Commissioner Campanella supports the ordinance because it is a temporary use of a residence and can convert back based on seasonality. This does not change the long term use of the property. It is a less intensive use and serves to absorb the demand that cannot be met by hotels/motels. He is open to looking at home sharing rentals in residential neighborhoods but wants to be cognizant that home owners are more protective of their neighborhood than they would be under a month-to-month lease.
  - Commissioner Schwartz is hesitant in her support because she would like to see home sharers provide more of a commitment to renting to seniors or the workforce as opposed to a commercial use for tourism. She does not see this support in the letters that were received by the Planning Commission. She would like to see home sharing provide more of a balance with the housing needs of the community.
  - Commissioner Thompson agreed with City Council that homes used for Vacation Rentals by out of town owners are not what the City wants. Home Sharing rentals are not going to go away, so we need to work together to make it work. We already allow home occupations in residential zones and a home sharing could meet the current definition of a home occupation.
  - Commissioner Thompson cautions on putting too much into an ordinance. The more that is added, the more complicated and difficult it will be for Staff to enforce.

Question No 2: If yes, should it be regulated:

a) By Planning Permits and Performance Regulations? 5 in support

- Commissioner Schwartz stated that if we go this route we need to have the most robust and proactive monitoring and enforcement program in the City with swift due diligence on complaints. It cannot be a reactive complaint-driven program. All performance standards should be thoroughly vetted and wording used should be defined (home, resident, host, visitors, dwelling, etc.) so that the community is clear. This will require beefing up Planning Staff and City Attorney resources.

OR

b) Business License and registration? 2 in support

- Commissioner Higgins supports licensing issued with a list of standards that have consequences if they are failed. If complaints are received, then the license is revoked and a more extensive permitting can be done by the Planning Division

with performance standards. Inspections and monitoring bonds can also be considered. Expressed concern about unenforceable standards. He is curious to see how Staff later defines what constitutes a violation.

- Commissioner Higgins stated that the limitations of Planning Staff and the City Attorney's office may make this unenforceable.
- Commissioner Thompson said to keep it simple and just add it to the list of business license businesses. Just verify that it is the home of the business license applicant. If sufficient complaints of owner absence are received, then the business license can be revoked.

Question No 3: Should host be present in the home during stay? 5/2 in support

- Commissioners Pujo and Higgins do not think it is necessary to have the host present if there are a strong set of performance standards in place.
- Commissioner Schwartz stated that 'host' is too broad of a term and should be the home owner. The homeowner should not be allowed to delegate their responsibility to a friend or relative.
- Commissioner Jordan stated that the owner should be present. If not, then it is a Vacation Rental.
- Commissioner Thompson believes that a host should be present, but does not see this as enforceable.

#### IV. ADMINISTRATIVE AGENDA

##### ACTUAL TIME: 3:44 P.M.

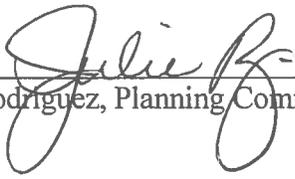
##### E. Committee and Liaison Reports

1. Staff Hearing Officer Liaison Report
  - a. Commissioner Jordan reported on the Staff Hearing Officer meeting of October 14, 2015.
2. Other Committee and Liaison Reports
  - a. Commissioner Schwartz reported on the Water Commission meeting of October 12, 2015.
  - b. Commissioner Lodge reported on the Historic Landmarks Commission meeting of October 7, 2015.

#### V. ADJOURNMENT

Chair Thompson adjourned the meeting at 3:50 P.M.

Submitted by,

  
\_\_\_\_\_  
Julie Rodriguez, Planning Commission Secretary



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** December 8, 2015  
**TO:** Mayor and Councilmembers  
**FROM:** City Attorney's Office  
**SUBJECT:** Conference With City Attorney – Anticipated Litigation

**RECOMMENDATION:**

That Council hold a closed session to consider anticipated litigation pursuant to subsections 54956.9(d)(2) & (e)(2) of the Government Code and take appropriate action as needed.

Significant exposure to litigation arising out of the Carpinteria Valley Water District's demand related to laboratory costs at the Cater Water Treatment Plant. (Facts known to Plaintiff)

**SCHEDULING:** Duration, 30 minutes; anytime  
**REPORT:** None anticipated  
**SUBMITTED BY:** Ariel Calonne, City Attorney  
**APPROVED BY:** City Administrator's Office