

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
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Bendy White
Mayor Pro Tempore
Randy Rowse
Ordinance Committee Chair
Gregg Hart
Finance Committee Chair
Jason Dominguez
Frank Hotchkiss
Cathy Murillo



Paul Casey
City Administrator

Ariel Pierre Calonne
City Attorney

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

**JUNE 7, 2016
AGENDA**

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

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

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

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

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

ORDER OF BUSINESS

- 11:30 a.m. - Special Ordinance Committee Meeting, Council Chamber
- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room,
630 Garden Street
- 2:00 p.m. - City Council Meeting

SPECIAL ORDINANCE COMMITTEE MEETING - 11:30 A.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Continued Discussion of Recreational Vehicle Parking Regulations (120.03)

Recommendation: That the Ordinance Committee continue its discussion of the proposed forms of Recreational Vehicle Parking Ordinance Amendments and make recommendations to the City Council.

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

Subject: Alternatives To Increase Funding For Streets Capital (120.03)

Recommendation: That the Finance Committee hear a presentation on alternatives to increase the amount of funding available to support investment in the capital infrastructure related to City streets, including pavements, sidewalks, and storm drains.

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 (120.04)

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 June 30, 2016.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of April 12 and April 19, 2016.

3. Subject: Award Of Agreement For Electronic Bidding And Reverse Auction System (340.02)

Recommendation: That Council award a contract in an amount not to exceed \$52,475 to PlanetBids for their proposal to provide and host an electronic bidding and reverse auction system.

CONSENT CALENDAR (CONT'D)

4. Subject: Records Destruction For City Administrator's Office (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the City Administrator's Office.

5. Subject: Fiscal Year 2016 Agreement for Library Services, City Of Carpinteria (570.04)

Recommendation: That Council approve and authorize the City Administrator to execute an agreement with the City of Carpinteria to accept \$35,500 for the contribution for Library services for Fiscal Year 2015-2016.

6. Subject: Five Year License Agreement With Epic Cruises, Inc. (570.03)

Recommendation: That Council approve a five-year license agreement with Epic Cruises, Inc. for a water taxi service, shore boat service and limited charter service operating from Santa Barbara Harbor.

7. Subject: Lease Agreement With Dollyia And John Adams, Doing Business As Madame Rosinka (330.04)

Recommendation: That Council approve a five-year lease agreement with Dollyia and John Adams, doing business as Madame Rosinka at 221-B Stearns Wharf, at an initial rent of \$797.30 per month.

8. Subject: Introduction Of Ordinance For A Lease Agreement With Great Pacific Ice Cream (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with John K. Williams, Inc., a California Corporation, Doing Business as Great Pacific Ice Cream, at an Average Initial Base Rent of \$4,053 Per Month for the 395 Square Foot Restaurant Located at 219-A Stearns Wharf.

CONSENT CALENDAR (CONT'D)

9. Subject: Introduction Of Ordinance For A Lease Agreement With Old Wharf Trading Company (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with Stearns Wharf, Inc., a California Corporation, Doing Business as Old Wharf Trading Company, at an Average Initial Base Rent of \$13,278 Per Month, Adjusted Seasonally, for the 2,369 Square Foot Space Located at 217 Stearns Wharf, Suites A, B, and D.

10. Subject: Introduction Of Ordinance For A Lease Agreement With Char West (330.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease Agreement with One Five-Year Option with John K. Williams, Inc., a California Corporation, Doing Business as Char West, at an Average Initial Base Rent of \$4,231 Per Month for the 1,069 Square Foot Space Located at 221 Stearns Wharf.

11. Subject: Introduction Of Ordinance For The Assignment Of Lease Agreement No. 24,741 - Shoreline Beach Café (330.04)

Recommendation: That City Council introduce and subsequently adopt, by reading of title only, An Ordinance of the City of Santa Barbara Approving a Consent to assignment of Lease for Agreement No. 24,741 from Steve Marsh, Kevin Boss, and Beachrok, Inc, a California Corporation, Doing Business as Shoreline Beach Café, to Beachrok, Inc.

12. Subject: Professional Services Agreement With Bildsten Architecture And Planning, Inc. For The Louise Lowry Davis Center Renovation Project (570.07)

Recommendation: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute a professional services agreement with Bildsten Architecture and Planning, Inc. in the amount of \$59,510 to develop preliminary architectural, structural, mechanical, electrical, landscape, and civil engineering plans for the Louise Lowry Davis Center Renovation Project; and
- B. Authorize the Parks and Recreation Director to approve expenditures of up to \$6,000 to cover any cost increases that may result from necessary changes in the scope of work.

13. Subject: Sole-Source Personal Services Contract With iSurf, A California Corporation, For Provision Of 2016 Youth Traveling And Adult Surf Camps (570.06)

Recommendation: That Council authorize the Parks and Recreation Director to execute a personal services agreement with iSurf, a California Corporation, in an amount not to exceed \$45,000, for the provision of 2016 Youth Traveling and Adult Surf Camps.

14. Subject: Personal Services Contract With Jon Lee, An Individual, For Provision Of 2016 Beach Volleyball Camps (570.06)

Recommendation: That Council authorize the Parks and Recreation Director to execute a personal services agreement with Jon Lee, an individual, in an amount not to exceed \$100,000, for the provision of 2016 Beach Volleyball Camps.

15. Subject: Approval Of Parcel Map For Direct Relief Project At 6100 Hollister Avenue (610.08)

Recommendation: That Council approve and authorize the Mayor and City Administrator to execute and record Parcel Map Number 20,824 for the approved subdivision at 6100 Hollister Avenue.

CONSENT CALENDAR (CONT'D)

16. Subject: Approval Of Final Map And Execution Of Agreements For The Sandman At 3714-3744 State Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,812 and standard agreements relating to the approved subdivision at 3714-3744 State 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.

17. Subject: Purchase Order For Replacement Of Braemar Lift Station Valves (540.13)

Recommendation: That Council waive the formal bid procedure as authorized by Municipal Code Section 4.52.070 (L) and authorize the General Services Manager to issue a Purchase Order to Stanek Constructors, Inc., in their bid amount of \$120,000, for replacement of the Braemar Lift Station operational valves, Bid No. 5447; and authorize the General Services Manager to execute Purchase Order Change Orders up to \$12,000 for extra services that may result from change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

18. Subject: Local Coastal Program Planning Grant Application Resolution (650.04)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Supporting a Grant Application to Update the City of Santa Barbara Local Coastal Program to Complete a Comprehensive Update to the Land Use Plan, Prepare a Sea Level Rise Adaptation Plan, and Address Lower-Cost Visitor-Serving Accommodations.

19. Subject: Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2017 - Intention To Levy (290.00)

Recommendation: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report 2017; and

(Cont'd)

CONSENT CALENDAR (CONT'D)

19. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2017 Fiscal Year, at a Public Hearing to be Held on June 21, 2016, at 2:00 p.m.

20. **Subject: A Resolution Denying The Appeal And Upholding The Decision Of Architectural Board of Review To Grant Project Design Approval For A Proposed New Seven-Unit Apartment Building at 1818 Castillo Street (640.07)**

Recommendation: That Council adopt, by reading of title only, A Resolution Of The Council Of The City Of Santa Barbara Denying The Appeal And Upholding The Decision Of Architectural Board of Review To Grant Project Design Approval For A Proposed New Seven-Unit Apartment Building at 1818 Castillo Street pursuant to Council's direction of March 8, 2016.

21. **Subject: Adoption Of Ordinance For Lease Agreement With Mulligan's Café Inc. At Santa Barbara Golf Club (330.04)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Parks and Recreation Director to Execute a Ten-Year Concession Lease Agreement dated as of May 24, 2016, with Mario and Elena Medina, Doing Business As Mulligan's Café Inc., a California Corporation, at an Initial Base Rent of \$130,000 Per Year, for the 3,480 Square Foot Restaurant Located at Santa Barbara Golf Club, 3500 McCaw Avenue, Effective July 1, 2016.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

22. 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.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

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

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Rolland Jacks, et al., v. City Of Santa Barbara*; Supreme Court Case No. S225589.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

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

Recommendation: That Council hold a closed session to consider anticipated litigation pursuant to subsections 54956.9(d)(2)&(3) of the Government Code. Significant exposure to litigation arising out of claims by Kendra L. Feshbach.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

ADJOURNMENT

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE MEETING

MEETING AGENDA

DATE: June 7, 2016
TIME: 11:30 a.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

ITEM FOR CONSIDERATION

Subject: Continued Discussion of Recreational Vehicle Parking Regulations

Recommendation: That the Ordinance Committee continue its discussion of the proposed forms of Recreational Vehicle Parking Ordinance Amendments and make recommendations to the City Council.



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Ordinance Committee

FROM: City Attorney's Office

SUBJECT: Continued Discussion of Recreational Vehicle Parking Regulations

RECOMMENDATION: That the Ordinance Committee continue its discussion of the proposed forms of Recreational Vehicle Parking Ordinance Amendments and make recommendations to the City Council.

DISCUSSION:

Attachment No. 3 to this Council Agenda Report is the PowerPoint presentation that was provided on May 17, 2016. The May 17, 2016 Agenda Report follows:

On November 24, 2015, Council Members Rowse and Francisco sought and received Council authority (5-2, Mayor Schneider and Council Member Murillo opposed) for the Ordinance Committee to re-examine the City's existing Recreational Vehicle (RV) parking regulations. The November Council memorandum stated that the purpose of this referral was to extend the discretionary authority of the Public Works Director and Police Chief to restrict excessive on-street RV parking in negatively impacted neighborhoods. The memorandum also suggested that the extended authority might cover any "sensitive" land use.

By way of background, SBMC section 10.44.205 authorizes the Public Works Director, with the advice of the Police Chief, to identify and post areas near certain land use types where "excessive" RV parking is incompatible with the public health and safety. Those land use types (i.e., schools, child care, parks, churches, etc.) have been described as "sensitive" because of their unusual and specific characteristics. The Council vigorously debated whether the term "sensitive" was too vague to be used to govern staff's discretion to regulate RV parking. Accordingly, the ultimate direction to staff provided direction to consider alternative regulatory options.

The Committee will recall that in 2015, Council amended SBMC section 10.44.205 in order to define "excessive" as meaning two or more recreational vehicles. Moreover, at the same time Council removed the prohibition on "temporary RV" parking because the code definition had become unacceptably vague under new federal court case law. At that time, we described the extensive history of the City's RV parking regulations. We will repeat it here for reference because it is clear that the Council's previous policy was

intended to limit staff's authority to post restricted RV parking areas as allowed by state law.

History of the "No RV" Parking Ordinances

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

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

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

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

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

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

On November 11, 2008, the Public Works and Police Departments approached the Ordinance Committee with a new RV parking ordinance. The report noted increasing and significant public nuisance problems associated with RVs, such as lack of proper sanitation or fire safety protection, littering, excessive noise, placement by RV owners of personal belongings outside of RVs, and illegal dumping. The report also noted that there had been an increase in certain criminal activity in those areas outside the waterfront where overnight RV parking was no longer prohibited, while crime in the restricted waterfront areas had decreased. Staff proposed a new ordinance that would give the Public Works Director authority, upon consultation with the Police Chief, to "designate those streets (or portions thereof) as no parking for recreational vehicles where it is necessary to decrease parking by **excessive** numbers of such vehicles." Despite the mention of "excessive" in the staff report, no objective locational or quantitative criteria for restrictions on RVs were proposed in the actual text of the ordinance. The Ordinance Committee generally approved of the concept, but asked to see additional objective criteria for limiting RV parking.

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

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

1. any School or Educational Institution;
2. any Child Care Center, Family Day Care Home, or Group Home;
3. any park, public library, or museum open to the public;
4. any community center or social service center, public or private;
5. any City or nonprofit recreational facility;
6. any Community Care Facility, Skilled Nursing Facility, health care facility, or hospital;

7. any homeless shelter;
8. any church or other religious facility;
9. any designated safe route to schools that would limit the locational and quantitative reach of the new ordinance.”

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

On August 4, 2011, Homes on Wheels again sued the City, this time alleging that the new (2008) ordinance reflected in SBMC 10.44.205 violated the equal protection, “travel,” and disability rights of certain named plaintiffs who wished to continue residing in RVs on City streets. The Santa Barbara Superior Court ultimately sustained the City’s demurrer to the Second Amended Complaint without leave to amend, thus ruling in the City’s favor. The Court flatly rejected the claim that the ordinance discriminated against the disabled; instead the Court found that the ordinance was neutral in its terms and applied equally to all RVs regardless of the disability status of the driver or occupants. The Court further rejected the notion that state or federal law created an obligation on the part of the City to create areas where disabled RV owners have an unqualified right to park. HoW did not appeal the trial court’s decision.

The Current Situation and Available Regulatory Options

Staff have engaged in serious discussions and factual analysis to identify two regulatory options. Staff discussions were founded upon a record of widespread and repeated public complaints to staff, generally from persons living in residential areas, about the nuisance and safety concerns they feel are posed by long-term RV parking adjacent to their stationary homes. These concerns include problems with litter, sewage disposal, and noise. Public concerns also arise due to the large size of many RVs, with attendant impacts on motor vehicle, bicycle and pedestrian safety. Many members of the public also articulate a generalized fear related to the transient nature of some RV dwellers.

Staff’s factual analysis focused upon the size and character of RVs, rather than the status of RV dwellers. With respect to size, RVs are often very large in relation to city streets and other vehicles. This poses line of sight and street width challenges, especially on Santa Barbara’s historic and narrow streets in older neighborhoods. With respect to the character, the troublesome characteristics of RVs arise from the fact that they are intended to be at least temporary dwelling spaces. City streets are not designed or intended for human occupancy, even temporary in nature; there are no human sanitation facilities, there is no access to utilities, there is no private open space, and there is no access to garbage removal or postal services. The Committee should

weigh and evaluate these facts in order to identify the health, safety and general welfare concerns which support new regulations.

Option One: Add Locational Traffic Safety as a Criterion for No RV Parking Posting

The first approach identified by staff builds upon the existing street location identification system established in SBMC section 10.44.205. Quite simply, in addition to the categorical list of sensitive land uses, Council could add authority for the Public Works Director to post no RV parking signs in areas where it is necessary or desirable for traffic safety reasons. The specific language, set forth in Attachment 1 to this Report, provides, in pertinent part, that:

. . .the Public Works Director may designate those streets or portions of streets (including specific block faces) within the City where it is necessary to prohibit or restrict the stopping, standing, or parking of Recreational Vehicles in order to avoid the impairment or potential impairment of the safety of travel and passage by motor vehicles, bicycles or pedestrians. These streets or portions of streets (including block faces) may include, but are not limited to, those areas with narrow travel lanes or where sight distances may be impaired by large vehicles or other obstructions.

While the safety impairment determination requires judgment and discretion, it is quite specific in identifying the purpose and objective of no RV parking areas. We believe it is a reasonable and rationale standard for the exercise of staff discretion. Sign posting would be required in prohibited areas.

Option Two: Prohibit Oversized Vehicles

The second approach identified by staff would create a ban on all oversized vehicle parking, subject to a series of special exemptions. The proposed size criteria, which are used in many cities, provides:

“Oversized vehicle” means any vehicle, as that word is defined in state Vehicle Code Section 670, or a combination of connected vehicles, which exceeds twenty-five (25') feet in length, or eighty (80") inches in width, or eighty-two (82") inches in height, exclusive of such projecting lights or devices as are expressly allowed pursuant to the state Vehicle Code as it now exists or hereafter may be amended. Oversized vehicle shall not mean or include a pickup truck, which is less than twenty-five (25') feet in length and eighty-two (82") inches in height.

Staff believes these size criteria would encompass many RVs. Sign posting would be required.

An oversized vehicle prohibition would require several exceptions in order to be workable and practical. The staff proposal includes the following exceptions:

- Any oversized vehicle actively engaged in the loading or unloading of persons, materials, supplies or goods, in the delivery of goods, wares, merchandise, or other materials, or in the course of construction or other work at an adjacent residence or business;
- Any oversized vehicle to which a person is actively engaged in making temporary or emergency repairs;
- Any vehicle belonging to federal, state, or local government authorities, or a public utility, and any emergency vehicles as defined by state Vehicle Code Section 165;
- Any oversized vehicle properly displaying valid disabled placard or license plates issued by a governmental entity; or
- Any oversized vehicle that has been issued and is displaying a permit issued by the City.

The last exception category, i.e., oversized vehicles with City permits, would require funding for the Public Works Department to issue and administer issuance of City permits. Cost recovery would be provided through the imposition of a fee for a permit. Permits would be allowed for short-term periods (5 days at a time, not to exceed 10 days in any 90 day period). Permits would be available to residents, their visitors and commercial enterprises providing services at the site.

BUDGET/FINANCIAL INFORMATION:

The oversized vehicle ordinance approach would require Council to adopt cost recovery fees to cover the cost of issuing and managing a permit system. Each ordinance approach would create some financial impact through the sign posting requirements.

ATTACHMENT(S): 1. Traffic Safety Ordinance Option
2. Oversized Vehicle Ordinance Option
3. PowerPoint Presentation dated May 17, 2016

SUBMITTED BY: Ariel Pierre Calonne, City Attorney

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNCIL OF THE CITY
OF SANTA BARBARA AMENDING SECTION
10.44.205 OF THE SANTA BARBARA MUNICIPAL
CODE WITH RESPECT TO RECREATIONAL
VEHICLE PARKING**

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

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

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

A. RECREATIONAL VEHICLES. For the purposes of this section, the term
“Recreational Vehicle” shall be as defined in Section 18010 of the state Health and
Safety Code, as it is presently enacted or hereafter amended.

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

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

2. any Child Care Center, Family Day Care Home, or Group Home;

3. any park, public library, or museum open to the public;

4. any community center or social service center, public or private;

5. any City or nonprofit recreational facility;

6. any Community Care Facility, Skilled Nursing Facility, health care facility, or hospital;

7. any homeless shelter;

8. any church or other religious facility;

9. any designated safe route to schools.

C. AUTHORITY OF PUBLIC WORKS DIRECTOR – PARKING OF RECREATIONAL VEHICLES IN AREAS WHERE MOTOR VEHICLE, BICYCLE, OR PEDESTRIAN SAFETY MAY BE IMPAIRED. In accordance with the authority provided by state Vehicle Code Section 22507, the Public Works Director may designate those streets or portions of streets (including specific block faces) within the City where it is necessary to prohibit or restrict the stopping, standing, or parking of Recreational Vehicles in order to avoid the impairment or potential impairment of the safety of travel and passage by motor vehicles, bicycles or pedestrians. These streets or portions of streets (including block faces) may include, but are not limited to, those areas with

narrow travel lanes or where sight distances may be impaired by large vehicles or other obstructions.

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

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

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

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNCIL OF THE
CITY OF SANTA BARBARA AMENDING THE
MUNICIPAL CODE BY ADDING SECTION
10.44.220 WITH RESPECT TO OVERSIZED
VEHICLE PARKING**

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

SECTION 1. Chapter 10.44 of Title 10 of the Santa Barbara Municipal Code is
amending by adding Section 10.44.220 which read as follows:

10.44.220 Restriction of Oversized Vehicle Parking.

A. DEFINITIONS. "Oversized vehicle" means any vehicle, as that word is
defined in state Vehicle Code Section 670, or a combination of connected vehicles,
which exceeds twenty-five (25') feet in length, or eighty (80") inches in width, or eighty-
two (82") inches in height, exclusive of such projecting lights or devices as are expressly
allowed pursuant to the state Vehicle Code as it now exists or hereafter may be
amended. Oversized vehicle shall not mean or include a pickup truck, which is less
than twenty-five (25') feet in length and eighty-two (82") inches in height.

B. RESTRICTION ON OVERSIZED VEHICLE PARKING. No person shall
park or leave standing any oversized vehicle on any streets or portions of streets,
except as provided in Subsection C. of this section.

C. EXCEPTIONS. This section shall not apply to:

1. Any oversized vehicle actively engaged in the loading or unloading of
persons, materials, supplies or goods, in the delivery of goods, wares, merchandise, or

other materials, or in the course of construction or other work at an adjacent residence or business;

2. Any oversized vehicle to which a person is actively engaged in making temporary or emergency repairs;

3. Any vehicle belonging to federal, state, or local government authorities, or a public utility, and any emergency vehicles as defined by state Vehicle Code Section 165;

4. Any oversized vehicle properly displaying valid disabled placard or license plates issued by a governmental entity; or

5. Any oversized vehicle that has been issued and is displaying a permit issued pursuant to subsection D.

D. PERMITS. An oversized vehicle may be parked on a highway in a residential area or a commercial area if an oversized vehicle parking permit is issued by the City pursuant to the following:

1. Purpose. The purpose of authorizing the issuance of oversized vehicle parking permits is to allow a resident, out-of-town visitor, or commercial enterprise to park on a highway adjacent to the residence where he or she lives, is visiting, or conducting business, respectively, for a designated time period.

2. Issuance of Permits. Oversized vehicle parking permits shall be issued by the Public Works Director, or his or her designee.

3. Requirements for Oversized Vehicle Parking Permits. Any City resident, out-of-town visitor to a resident, or commercial enterprise operating within the City may

obtain an oversized vehicle parking permit authorizing the resident, visitor or commercial enterprise to park an oversized vehicle on streets or portions of streets (including specific block faces) adjacent to a specified residence where he or she lives, is a guest, or a location where the enterprise is conducting business, respectively.

4. Application Forms--Fees. Each applicant desiring an oversized vehicle parking permit shall file with the Public Works Director a completed City application form and pay an application fee approved by City Council Resolution.

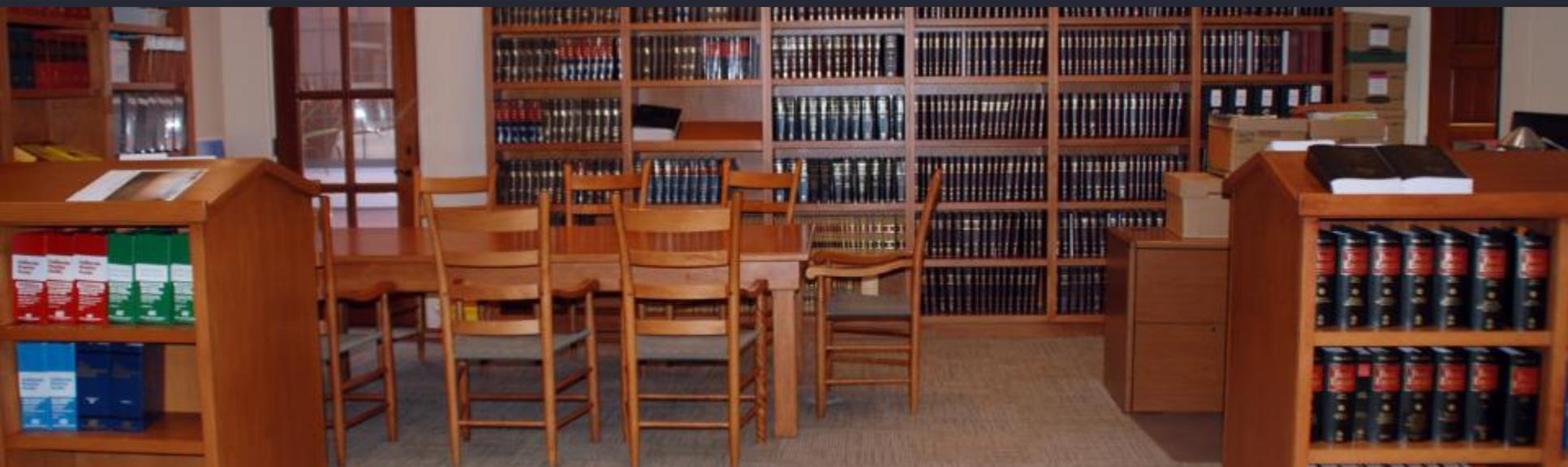
5. Description of Permits. Oversized vehicle parking shall be issued on a form approved by the Public Works Director, and shall include the license plate number of the oversized vehicle to which it relates, the address or location the vehicle is approved to park, and the dates of issuance and expiration of the permit.

6. Display. All permits shall be placed at the lower driver's side of the windshield of the oversized vehicle to which it relates, so it is clearly visible from the exterior of the oversized vehicle.

7. Oversized Vehicle Permit--Duration-- Renewal. An oversized vehicle parking permit shall be valid for a period not to exceed five (5) consecutive calendar days. A resident may apply for and be granted an extension if the resident or commercial enterprise still qualifies under the conditions set forth herein. In no event shall oversized vehicle parking permits be issued to a specific residence for a total period in excess of ten (10) days within any consecutive ninety (90) day period.

E. NOTICE OF RESTRICTIONS. When signed or marked in accordance with state Vehicle Code requirements, no person shall stop, stand, or park an oversized

vehicle in or on any street, portion of street or block face so designated generally
(where designated).



OFFICE OF THE CITY ATTORNEY

RECREATIONAL VEHICLE PARKING

History, Issues & Options



Overview

- **Introduction**
 - State Law Preemption of Local Control
 - Existing City Parking Regulations
 - Recent History of City RV Parking Regulation
- **On-Street RV Parking Impacts**
- **Regulatory Options**
- **Parking for the Disabled**



STATE LAW PREEMPTION OF LOCAL CONTROL



California Supreme Court

- “The right of control over street traffic is an exercise of a part of the sovereign power of the state.”

Ex parte Daniels (1920) 183 Cal. 636, 639



California Vehicle Code

Vehicle Code section 21:

Except as otherwise expressly provided, . . . a local authority shall not enact or enforce any ordinance or resolution on the matters covered by this code”

(1935 & 1959)



What Cities Can Do About Parking

“Local authorities “may, by ordinance or resolution, prohibit or restrict the stopping, parking, or standing of vehicles, including, but not limited to, vehicles that are six feet or more in height . . .within 100 feet of any intersection, on certain streets or highways, or portions thereof, during all or certain hours of the day.” Veh.Code section 22507.



What Cities Can Do About Parking

“In our view, the more logical construction of section 22507 is that local authorities may prohibit or restrict the stopping, parking or standing of ***any type of vehicle*** on certain streets or highways, or portions thereof, during all or certain hours of the day, including, but not limited to, vehicles of a certain size parked within 100 feet of an intersection.” People v. Garth (1991) 234 Cal.App.3d 1797



What Cities Can Do About Parking

A City “may remove a vehicle . . . under the following circumstances:

- When a vehicle is parked or left standing upon a highway for **72 or more consecutive hours** in violation of a local ordinance authorizing removal.
- . . .a vehicle shall not be removed unless signs are posted giving notice of the removal. Vehicle Code section 22651.



EXISTING CITY PARKING REGULATIONS



Existing City Parking Regulations

No person who owns or has possession, custody or control of any vehicle shall park such vehicle upon any street or alley for more than a consecutive period of seventy-two (72) hours. . . . [the Police] . . . may remove the vehicle from the street in the manner and subject to the requirements of the Vehicle Code. SBMC section 10.44.060



SBMC section 10.44.205

- Enacted in 2008
- Establishes Locational Restrictions on Recreational Vehicle Parking
 - Based Upon the Nature of Surrounding Land Uses



Existing City Parking Regulations

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

- A. Any public park.
- B. Any public street.
- C. Any public parking lot or public area, improved or unimproved.
- D. Any public beach. SBMC section 15.16.080



What is a Recreational Vehicle?

A motor home, slide-in camper, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy. SBMC section 28.04.555



What is Camping?

The use of camping facilities such as tents, tarpaulins or temporary shelters, the use of non-City designated cooking facilities and similar equipment, or the use of cots, beds or hammocks. "Camping" shall not include merely sleeping outside or the use of a sleeping bag, bedroll, or mat, and no more personal possessions than can reasonably be carried by an individual. SBMC section 15.16.060 B.



RVs Are Allowed Off-Street

Notwithstanding . . . any other provision of this Code, the overnight use of a paved parking area by the registered owner of a recreational vehicle . . . is allowed under the following expressly limited circumstances:

- Up to 5 in Church & Nonprofit Parking Lots
- 1 per parcel in M-1 North of 101 & C-M East of SB Street (2007 Map)
- City Lots Designated by Resolution

SBMC section 28.87.180



RECENT HISTORY OF CITY RV PARKING REGULATION

2002-2016: Ordinances, Lawsuits and Case Law



2002: Ordinance No. 5263

No person shall park or stand or permit to remain for a longer period than two (2) hours on any street . . . Any recreational vehicle or temporary recreational vehicle.

No person shall park . . . any recreational vehicle or temporary recreational vehicle . . . between the hours of two (2:00) a.m. and six (6:00) a.m. SBMC section 10.44.200



2002: Ordinance No. 5263

“ . . . the ordinance or resolution shall not apply until signs or markings giving ***adequate notice*** thereof have been placed.” Vehicle Code section 22507(a)

City Transportation Engineer posted 33 locations which . . . “the City Attorney contended were entrances to the City.”



2003 Lawsuit: *Homes on Wheels 1*

- HoW seeks a preliminary injunction against the ordinance
- HoW alleges
 - Ordinance targeted the homeless population “to banish them from the City”
 - Ordinance violates Vehicle Code section 22507
- City defeats injunction in trial court



2004: HoW 1 Appeal

- HoW Drops Homeless Claim on Appeal
- HoW Argues Two Issues
 - City Cannot Single Out RVs, Must Ban All Vehicles or None
 - Sign Posting Inadequate



HoW 1 Appeal Decision

- Published Opinion Makes Law
- *Homes on Wheels v. City of Santa Barbara* (2004) 119 Cal.App.4th 1173
- City wins on 1st Issue: **“Legislature gave the City the power to select the type of vehicles that are regulated. It did not impose an “all vehicles or none” standard.”**



2004: HoW 1 Appeal Decision

- City Loses On Sign Posting
 - “Here the City did not post signs on all the streets to which the ordinance applies. It placed signs at 33 locations which the City Attorney contended were entrances to the City.”
 - But . . .



2004: HoW 1 Appeal Decision

“[W]e do not necessarily agree . . . that the City must post every street corner in town. ***Yet . . . the City's evidence was insufficient to show adequate posting. The City presented no testimony and the City Attorney's oral argument was not evidence. . . . [The City Engineer's] declaration did not explain the reasons for the selection of each of the 33 sites.***”



2004-2006: HoW 1 Trial Preparation

- **2 More Years of Litigation**
 - Trial Court Orders Mediation

- **8 Point Settlement Reached after Extensive Negotiations**



2007: HoW 1 Settlement

1. Limited RV Overnight Parking Ban to "a defined Waterfront area south of the freeway"
2. Post Signage Only At The Perimeters Of The Area
3. Expand RV Alternative Parking Lot Site Program in 28.87.180 B. by No Less Than 8 Parking Spaces in City Lots



HoW 1 Settlement

4. Create Private Property Parking Program in M-1 North of US 101 and C-M East of Santa Barbara Street
5. City Will Request Priority Affordable Housing Placement for RV Alternative Site Parking Program Participants
6. City Council Will Support Program Encouraging More Non-Profit Participation in RV Parking Program



HoW 1 Settlement

7. City Will Support ADR Procedure for Conflicts Between RV Residents in Permitted RV Parking Locations and Neighborhoods

8. City Pays \$20,000 in Attorney's Fees to Homes on Wheels



2007: City Implements Settlement

- **Ordinance No. 5411**

- Creates Waterfront No RV Parking Area with Entrance/Perimeter Signage Only
- Amends Zoning to Allow Limited Off-Street RV Parking in Church and Non-Profit Lots, Parts of M-1 and C-M, and City Parking Lots



2007: City Implements Settlement

- **Resolution No. 07-026**

- Authorizes Non-Profit RV Parking Management Contract (New Beginnings)
- Designates City Lots: Carrillo-Castillo Commuter, Cota Commuter, Garden-Cabrillo Visitor Center
 - 14 New City RV Spaces Created (cf. 8)



2008: New City RV Ordinance

- Staff Seeks Broad Posting Authority With New SBMC section 10.44.205
- Ordinance Committee Action
 - Limits Authority of the Public Works Director, with Advice from the Police Chief, to Post No RV Parking Signs Only When an **Excessive** Number of RVs Park **Within 500 Feet of Certain Areas**



2008: New City RV Ordinance

- **Posting Allowed Within 500 Feet of**
 - Schools
 - Child Care Center, Family Day Care, or Group Homes
 - Parks, Public Libraries, or museums
 - Public & Private Community Centers



2008: New City RV Ordinance

- **Posting Allowed Within 500 Feet of**
 - Recreational Facilities
 - Hospitals, Community Care, Skilled Nursing, And Health Care Facilities
 - Homeless Shelters
 - Churches
 - Designated Safe Routes To Schools



2011 Lawsuit: *Homes on Wheels 2*

- **HoW Sues Again (August 2011)**

- Alleges New Ordinance Violates RV Dwellers' Equal Protection, Travel, and Disability Rights
- Trial Court Flatly Rejects Disability Discrimination Claim
- Court Finds No City Obligation to Create Areas Where Disabled RV Dwellers Have an Unlimited Right To Park



2014: HoW Approaches City With 2 Concerns

- Asserts That Staff is (Unlawfully) Finding a Single RV to be “Excessive” Under SBMC 10.44.205
- In the Waterfront “No RV” Zone, RVs With Disabled Placards Should Not Be Prohibited From Parking In Blue Curb Zones



2014: *Desertrain* Civil Rights Case

- Federal Appeals Court Strikes Down Los Angeles Ordinance Prohibiting Use of Vehicles “as living quarters either overnight, day-by-day, or otherwise” *Desertrain v. City of Los Angeles* (9th Cir. 2014) 754 F.3d 1147

- Finds Federal Civil Rights Violation



2014: *Desertrain* Civil Rights Case

- Los Angeles Officials Held a “Town Hall on Homelessness” to Address Complaints of Homeless Individuals with Vehicles Living on Local Streets in Venice
- At the Town Hall, City Officials Said Their Concern Was **Not** Homelessness
 - Illegal Dumping of Trash and Human Waste on Streets Was Endangering Public Health



2014: *Desertrain* Civil Rights Case

- But, LAPD Created the Venice Homelessness Task Force to Cite and Arrest Homeless People Using Their Automobiles as “Living Quarters”
- Task Force officers were to use Section 85.02 to Cite and Arrest Homeless People in Automobiles Used as “living quarters”



2014: *Desertrain* Civil Rights Case

- Ordinance Unconstitutionally Vague Because It Did Not Define “Living Quarters”
- “Vagueness may invalidate a criminal law for either of two independent reasons. First, it may fail to provide the kind of notice that will enable ordinary people to understand what conduct it prohibits; second, ***it may authorize and even encourage arbitrary and discriminatory enforcement.***”



2014: *Desertrain* Civil Rights Case

- Court Found That a Reasonable Person Could Not Determine Whether Simply Keeping a Sleeping Bag in a Car Might Convert it into “Living Quarters”
- Ordinance Promoted Arbitrary Enforcement that Targets the Homeless Because It Gave No Limits on the Discretion an Officer Might Use to Determine Whether a Car Was Being Used as Living Quarters



2014: SBMC Amendments

- City Attorney Proposes Amendments to SBMC 10.44.205
 - Define “Excessive” as 3 or More
 - Delete Vague “Temporary Recreational Vehicle” Term Based Upon *Desertrain* Case
- No Change in Disabled Placard Interpretation



2014: Ordinance Committee Review

- Committee Recommends 2 or More RVs as “Excessive” (2-1, Hotchkiss, Rowse Aye, Murillo No)
- Committee Recommends Elimination of “Temporary RV” Term (3-0)



2015 Lawsuit: *Homes on Wheels 3*

- Filed March 4, 2015
- “Cookie Cutter” Complaint
Duplicating *Homes on Wheels 2*
- Same Plaintiffs as *HoW 2*, Adds 2
New Plaintiffs



May 2015: Council Approval

- Council Approves Ordinance Committee Changes to SBMC section 10.44.205 on May 12, 2015 (6-1, Murillo No)



June 2015: *HoW* 3 Dismissed

- Trial Court Rejects *HoW* 3 Lawsuit
 - Barred by Res Judicata – Same Plaintiffs Can't Re-Litigate *HoW* 2, New Ones Can Amend Case
 - New Plaintiffs Fail to Amend
- *HoW* Appeals
- Appeal Now Pending



November 2015: Council Action

- Council Members Rowse and Francisco Request Council Referral to Ordinance Committee
- Expand SBMC 10.44.205 to Allow Posting Near Sensitive Land Uses
- Council Approves 5-2 (Schneider, Murillo No)



ON-STREET RV PARKING IMPACTS



Community Health & Safety

- Litter
- Sewage Disposal
- Noise
- Large Size of Many Parked RVs
- Impacts on Residential Privacy



Traffic Safety

- Size of RVs
 - RVs Are Often Very Large in Relation to City Streets and Other Vehicles
- Line of Sight and Street Width Challenges, Especially on Santa Barbara's Historic and Narrow Streets in Older Neighborhoods



Street Dwelling

- RVs are Intended to be Temporary Dwelling Spaces
- City Streets Are Not Designed or Intended for Human Occupancy, Even Temporary in Nature
 - No Human Sanitation Facilities
 - No Access to Utilities
 - No Private Open Space
 - No Access to Garbage Removal



REGULATORY OPTIONS

Locational Traffic Safety and Oversized Vehicle Regulation



Option 1: Locational Traffic Safety

- Builds Upon Existing SBMC
10.44.205
- Not Land Use Based
- Empowers the Public Works Director to Post No RV Parking Signs Where it is Necessary or Desirable for Traffic Safety Reasons



Option 1: Locational Traffic Safety

“to avoid the impairment or potential impairment of the safety of travel and passage by motor vehicles, bicycles or pedestrians. These streets or portions of streets (including block faces) may include, but are not limited to, those areas with narrow travel lanes or where sight distances may be impaired by large vehicles or other obstructions.”



Option 1: Locational Traffic Safety

- Continues 2008 Council Policy
Control Over Posting Decisions
- Based Upon a Clear Policy Rationale
- Provides Clear Guidance to Staff on
Acceptable Posting Locations



Option 2: Oversized Vehicle Regulation

- Prohibit Oversized Vehicle Parking Citywide
 - Must Define “Oversized”
- Must Consider Several Exceptions
- This Approach is Used in Many California Cities



Option 2: Definition of Oversized

“Oversized vehicle” means any vehicle . . . or a combination of connected vehicles, which exceeds:

- 25 feet in length, or
- 80 inches in width, or
- 82 inches in height, exclusive of projecting lights or devices
- Does not include a pickup truck that is less than 25 feet in length and 82 inches in height.



Oversized Vehicle Exceptions

- Five Exception Categories
 1. Loading or Unloading of Persons, Materials, Supplies or Goods, in the Delivery of Goods, Wares, Merchandise, or Other Materials, or in the Course of Construction Or Other Work at an Adjacent Residence or Business



Oversized Vehicle Exceptions

2. Active Engagement in Temporary or Emergency Repairs
3. Federal, State, Local Government Authorities, Public Utility, and Any Emergency Vehicle
4. Valid Disabled Placard or License Plates
5. Short-Term City Permit



Oversized Vehicle Permits

Purpose is to allow a resident, out-of-town visitor, or commercial enterprise to park on a street adjacent to the residence where they live, are visiting, or conducting business for a limited time period



Proposed Permit Time Limits

- Valid for no more than 5 consecutive days
- Permittee may apply for and be granted an extension
- Maximum time of 10 days within any consecutive 90 day period



WHAT DOES AN OVERSIZED VEHICLES LOOK LIKE?

Draft Size Limits:

25' L

80" W

82" H



73' Long





May Exceed 25' in Length



Type A Motorhome



**The largest
motorized RV**

**Built on a specially
made chassis**

**Length: 21 to 45
feet**

Type B Motorhome



Smallest self-contained motorhome (van conversion)

Built on a van Chassis

Length: 16 to 24 feet

Type C Motorhome



Mini-motorhome built on a van or pickup truck chassis

Similar to type As but more compact

Length: 20 to 35 Feet

Bus Conversion



Motorhome built using a bus shell that is converted for recreation vehicle use

Length: 35 to 45 feet



Mini
Motorhome
21' L
95.5" W
113.5" H



25' Long

Height?

Width?



25' Long



30' Long



36' L
12' 4" H
96" W



25' 6" L
11' 3" H
94" W



36' 3" L
8'6" W
12'10" H



46' Long



PARKING FOR THE DISABLED

Questions Under State and Federal Law



Vehicle Code section 22511.5

- Disabled Placard Parking Without Time Limits is Allowed:
 - On Streets with Preferential Parking Privileges and Height Limits
 - In Any Parking Zone with Posted Time Restrictions
 - At Meters with No Charge
- **BUT . . .**



Vehicle Code section 22511.5

“This subdivision does not apply to a zone for which state law or ordinance absolutely prohibits stopping, parking, or standing of all vehicles, ***or which the law or ordinance reserves for special types of vehicles***, or to the parking of a vehicle that is involved in the operation of a street vending business.”



Vehicle Code section 22511.5

- What Does This Phrase Mean?
 - *“which the law or ordinance reserves for special types of vehicles”*
- Does No RV or No Oversized Parking “Reserve” the Space for Other Vehicles?
- Is It a Reservation or Exclusion?



California Case Law on Disabled Parking

“ . . . the Legislature did not intend to confer greater parking privileges on disabled persons if there is no posted sign limiting the amount of time that a motorist can park his vehicle.” *Spicer v. City of Camarillo* (2011) 195 Cal.App.4th 1423, 1427



Americans with Disabilities Act

“[N]o qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the ***services, programs, or activities of a public entity***, or be subjected to discrimination by any such entity. 42 U.S.C.A. section 12132



Federal ADA Case Law

- 2014 Federal Appeals Court Ruling
- Legal Issue Presented:
 - ***Is the provision of public on-street parking a “service, program, or activity” under the ADA?***
 - *Fortyune v. City of Lomita* (9th Cir. 2014) 766 F.3d 1098, 1102, cert. denied sub nom. *City of Lomita, Cal. v. Fortyune* (2015) 135 S.Ct. 2888 [192 L.Ed.2d 924]



Fortyune v. City of Lomita

“Robin Fortyune is a paraplegic who uses a wheelchair for mobility. He filed suit against the City of Lomita . . . alleging that he experiences “great difficulty, discomfort and, even[] fear for his safety” when frequenting facilities in the City because ***none of the City's public on-street parking is accessible*** to people with disabilities.”

Fortyune v. City of Lomita (9th Cir. 2014) 766 F.3d 1098, 1100



Fortyune v. City of Lomita

“The City argued that, absent the adoption of ADA implementing regulations specifically targeted toward on-street parking, it is not required to provide accessible on-street parking.”

Fortyune v. City of Lomita (9th Cir. 2014) 766 F.3d 1098, 110



Fortyune v. City of Lomita

- **The Court Turned to Federal Regulations:**
 - A public entity shall operate each service, program, or activity so that the service, program, or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. 28 C.F.R. § 35.150



Fortyune v. City of Lomita

- Court Concludes that the ADA Requires Local Governments to Maintain Accessible On-Street Public Parking, Even in the Absence of Regulatory Design Specifications for On-Street Parking Facilities



ADA Allows Gives Little Flexibility

“[P]ublic entities have some flexibility in handling existing inaccessible facilities. For instance, ***they are not required to make structural changes to all existing on-street parking facilities*** if they can make public on-street parking accessible by other means, such as by providing accessible on-street parking at other nearby sites.” *Fortyune v.*

City of Lomita (9th Cir. 2014) 766 F.3d 1098, 1102-03



Equal Access is Required

“[A] public entity's programs and services, viewed in their entirety, must be equally accessible to disabled

persons. . . .” *Cohen v. City of Culver City* (9th Cir. 2014) 754 F.3d 690, 695

“. . . a public entity may require disabled individuals to **‘take a marginally longer route’**” *Fortyune v. City of Lomita* (9th Cir. 2014) 766 F.3d 1098, 1103



ADA Parking Rules Are Uncertain

- No Way for the City to Comply With Technical Standards That Do Not Exist
- In *Fortyune*, the City of Lomita Provided Absolutely No Accessible On-Street Parking Citywide
- ***So, How Much Accessible Parking Must Be Provided and Where?***



ADA Parking Rules Are Uncertain

- No Way for the City to Comply With Technical Standards That Do Not Exist
- In *Fortyune*, the City of Lomita Provided Absolutely No Accessible On-Street Parking Citywide
- ***So, How Much Accessible Parking Must Be Provided and Where?***



U.S. Access Board Proposed Right of Way Guidelines

R214 On-Street Parking Spaces. Where on-street parking is provided on the block perimeter and the parking is marked or metered, accessible parking spaces complying with R309 shall be provided in accordance with Table R214. Where parking pay stations are provided and the parking is not marked, each 6.1 m (20.0 ft) of block perimeter where parking is permitted shall be counted as one parking space.



Table R214 Accessible Parking Spaces

| Total Number of Marked or Metered Parking Spaces on the Block Perimeter | Minimum Required Number of Accessible Parking Spaces |
|--|---|
| 1 to 25 | 1 |
| 26 to 50 | 2 |
| 51 to 75 | 3 |
| 76 to 100 | 4 |
| 101 to 150 | 5 |
| 151 to 200 | 6 |
| 201 and over | 4% of total |



Disabled Parking Conundrum

- Must the City Provide On-Street Parking for the Disabled Owners of RVs and Oversized Vehicles, Even in Zones Where the Vehicles are Generally Not Allowed?
- Must the City Provide Off-Street Parking Opportunities for Homeless RV Dwellers?



CONCLUSIONS



Conclusions

- **The City May Regulate RV or Oversized Vehicle On-Street Parking Using Either a Locational Traffic Safety or Oversized Vehicle Approach**
- **Each Approach Requires Sign Posting**



Conclusions

- **The Locational Traffic Safety Approach Maintains Existing Council Policy Control Established in 2008**
- **A Citywide Oversized Vehicle Ordinance Allows Greater Staff Flexibility, But Requires A Permit Administration System**



Conclusions

- **The City Has a Duty to Provide the Disabled with “Equal Access” to City Programs, Services, or Activities, Including On-Street Parking**
- **The Extent of the City’s Duty is Legally Unclear**



Conclusions

- **The Land Use-Based Locational Approach of Existing SBMC section 10.44.205 Raises Important Policy and Legal Issues**
 - Must the City Provide RV Disabled Access to Essential Services?
 - Why is RV Parking Harmful in Those Locations?



QUESTIONS AND ANSWERS

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: June 7, 2016

Gregg Hart, Chair

TIME: 12:30 P.M.

Bendy White

PLACE: David Gebhard Public Meeting Room
630 Garden Street

Jason Dominguez

Paul Casey
City Administrator

Robert Samario
Finance Director

ITEM TO BE CONSIDERED:

Subject: Alternatives To Increase Funding For Streets Capital

Recommendation: That the Finance Committee hear a presentation on alternatives to increase the amount of funding available to support investment in the capital infrastructure related to City streets, including pavements, sidewalks, and storm drains.



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Finance Committee

FROM: Transportation Division, Public Works Department

SUBJECT: Alternatives To Increase Funding For Streets Capital

RECOMMENDATION:

That the Finance Committee hear a presentation on alternatives to increase the amount of funding available to support investment in the capital infrastructure related to City streets, including pavements, sidewalks, and storm drains.

DISCUSSION:

Background

At the Council meeting on February 2, 2016, Council directed staff to work with the Finance Committee to develop options for increasing the amount of funding available for streets, sidewalks, storm drains, streetlights, traffic signals, and other related infrastructure (Streets Infrastructure).

On March 1, 2016, the Finance Committee heard staff presentations related to the Streets Fund revenue projections and related expenditures. In Fiscal Year 2016, Utility Users Tax and Gas Tax revenues are expected to be below budget by approximately \$308,159. In Fiscal Year 2017, those same revenues are estimated to be approximately \$399,427 less than originally proposed. Measure A revenue has seen modest growth.

On March 15, 2016, the Finance Committee heard a staff presentation related to the LA Consulting report dated August 2015. The report highlighted current Street Section activities and the potential to achieve monetary savings through the implementation of improved field-level maintenance planning activities.

On April 12, 2016, the Finance Committee heard a staff presentation related to the City's Capital Improvement Program Streets Funds related projects. There are currently over 30 Capital projects in various stages of completion. The vast majority are funded primarily, and in some cases entirely, through grants. The amount of capital funds available is far short of the amount of funding necessary to maintain the Streets Infrastructure, and grants are not available for basic maintenance needs, including

pavement and sidewalk maintenance. This presents a difficult choice between leveraging the limited City funds for grants and allocating these funds for maintenance without leveraging grant funds.

On April 26, 2016, the Finance Committee heard a staff presentation related to the Streets Funds Operating Program. The Public Works Department's Transportation Division is currently reducing operating expenses by increasing efficiencies associated with ongoing maintenance work. These operating expense savings will directly translate to future capital fund increases, although these savings will not be sufficient to bridge the gap between current funding levels and maintenance needs.

On May 10, 2016, the Finance Committee heard a presentation from staff regarding the unfunded needs for capital for streets and general fund assets. The presentation highlighted the funding gap needed for maintenance of City parks, buildings, fire stations, roads, sidewalks, and storm drains.

At this meeting, staff will present steps that have already been initiated to reduce costs and increase efficiencies. Additionally, staff will present a list of potential cost shifts to move costs for existing services to other funding sources. If directed by Council to make funding shifts, it is expected that they would occur at the first quarter adjustments in Fiscal Year 2017. Staff will also present a list of potential new revenue sources. Staff will seek input from the Finance Committee on any other funding sources that have not been considered, and seek direction from the Finance Committee at the next meeting about which potential revenue sources to bring back for further consideration.

BUDGET/FINANCIAL INFORMATION:

The City's infrastructure relies heavily on funds from special purpose or restricted funds. Funds for this infrastructure are flat or declining, while construction costs continue to rise. Deferral of these projects' construction results in continued deterioration of citywide assets and ultimately accelerates the final construction costs needed for improvement of these assets.

PREPARED BY: Chris Toth, Transportation Division Manager/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

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 June 30, 2016.

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 June 30, 2016.

ATTACHMENT: June 2016 Service Awards

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

SUBMITTED BY: Kristine Schmidt, Administrative Services Director

APPROVED BY: City Administrator's Office

June 2016 SERVICE AWARDS

June 7, 2016 Council Meeting

5 YEARS

Jason Esp, Carpenter, Public Works Department

10 YEARS

Jay Benson, Police Officer, Police Department

Guadalupe "Lupe" Castillo, Custodian, Public Works Department

Linda Cherry, Library Technician, Library

Michael Epstein, Police Officer, Police Department

Alison Grube, Graphic Designer, Community Development Department

Peter Lawson, Associate Planner, Community Development Department

Matthew "Matt" Lombardi, Senior Wastewater Collection System Operator,
Public Works Department

Gerardo "Gary" Lopez, Senior Wastewater Treatment Plant Operator,
Public Works Department

Tom Mozako, Wastewater Compliance Specialist, Public Works Department

15 YEARS

Richard Ames, Fire Engineer, Fire Department

Renee Brooke, City Planner, Community Development Department

Alejandro "Alex" Mayorga, Automotive Service Writer, Public Works Department

Olga Pascua, Grounds Maintenance Worker II, Parks and Recreation Department

Dana Versola, Senior Grounds Maintenance Worker,
Parks and Recreation Department



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 12, 2016 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Jason Dominguez (2:04), Gregg Hart, Frank Hotchkiss, Cathy Murillo, Bendy White (2:04), Mayor Schneider.

Councilmembers absent: Randy Rowse.

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

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring April as National Poetry Month (120.04)

Action: Proclamation presented to City of Santa Barbara Poet Laureate Sojourner Kincaid Rolle and former Poet Laureates David Starley and Chrissy Yost.

2. Subject: Proclamation Declaring April 10-16 as National Library Week (120.04)

Action: Proclamation presented to representatives of the City's Library Department.

3. 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 April 30, 2016.

Documents:

- April 12, 2016, report from the Administrative Services Director.

Speakers:

- Staff: Assistant City Administrator Pam Antil, Award Recipients Kenneth Brown and Lupo Guterrez.

By consensus, the Council approved the recommendation and the following employees were recognized:

10 Years

Hillary Allen, Administrative Specialist, Finance Department
Andrew Bermond, Project Planner, Airport Department
Thomas Churpek, Firefighter, Fire Department
George Gonzales, Grounds Maintenance Worker II, Parks and
Recreation Department
Anthony Lamarca, Firefighter, Fire Department
Tia Rose Rodriguez, Firefighter, Fire Department
Moses Romo, Fire Engineer, Fire Department
Craig Stuart, Fire Engineer, Fire Department
Aaron Vaughn, Fire Engineer, Fire Department

15 Years

Marcos Mendoza, Grounds Maintenance Worker II, Parks and Recreation
Department

20 Years

Cindy Leyva, Administrative Specialist, Parks and Recreation Department
Carol Lupo, Executive Assistant, Fire Department

25 Years

Hector Balboa, Streets Maintenance Worker II, Public Works Department
Kenneth Brown, Parks Supervisor, Parks and Recreation Department
Vidal Gonzalez, Streets Maintenance Worker II, Public Works Department
Louis Gutierrez, Wastewater Collection Systems Lead Operator,
Public Works Department
Jose Medina, Custodian, Public Works Department

CHANGES TO THE AGENDA

Item Removed from Agenda

Assistant City Administrator Antil advised that the following item was being removed from the agenda:

23. Subject: Conference With Labor Negotiator (440.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiator Kristine Schmidt, Administrative Services Director, regarding negotiations with the Firefighters Association and Police Officers Association.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

PUBLIC COMMENT

Speakers: Police Chief John Crombach; Fire Chief Patrick McElroy; Pete Dal Bello; Mike Chu; Michael Baker, Boys and Girls Clubs; Gene Tyburn; Phil Walker; Scott Wenz, Cars Are Basic; Bernard Unterman, Safer on Sola; Kenneth Loch.

CONSENT CALENDAR (Item Nos. 4 – 18)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Rowse).

4. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the adjourned regular meeting of March 7, 2016, and the regular meeting of March 8, 2016.

Action: Approved the recommendation.

5. Subject: Adoption Of Ordinance For The Approval Of Extension For The South Coast Energy Efficiency Partnership Agreement (380.01)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Public Works Director to Execute a Third Amendment to the 2010-2015 Energy Partnership Agreement Between Southern California Edison, the Southern California Gas Company, and the City of Santa Barbara to Cover the 2016 Transition Period.

Action: Approved the recommendation; Ordinance No. 5742; Agreement No. 24,967.2.

6. Subject: Introduction Of Ordinance To Increase Loan Amount For Wastewater Plant Upgrades From \$20,000,000 To \$31,388,033 (540.13)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Approval and Execution by the Public Works Director of Amendment No. 1 to the Installment Sale Agreement for the Air Process Improvement Project Clean Water State Revolving Fund Project No. 7857-110 Agreement No. 14-809-550; and
- B. Transfer \$50,000 from the Wastewater Capital Fund to the Air Processing Improvement SRF Loan Fund for ineligible loan proceeds for extended warranty costs for equipment.

Action: Approved the recommendations (April 12, 2016, report from the Public Works Director; proposed ordinance).

7. Subject: Introduction Of Ordinances Approving Sales Of Excess City Lands Related To The Cota Street Bridge Replacement Project (330.01)

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute the Land Purchase Agreement, Escrow Instructions, and Grant Deed for the Sale of Certain City Excess Land, Located at 221 West Cota Street, to Sarintha Bell in the amount of \$701,550; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute the Land Purchase Agreement, Escrow Instructions, and Grant Deed for the Sale of Certain City Excess Land, Located at 230 West Cota Street, to Ashley Nicole Mines and Brad Travis Moore in the amount of \$736,032.

(Cont'd)

7. (Cont'd)

Action: Approved the recommendations (April 12, 2016, report from the Public Works Director; proposed ordinances).

8. Subject: Agreement With The County Of Santa Barbara For Mobile Crisis And Recovery Emergency Services (520.02)

Recommendation: That Council approve, and authorize the City Administrator to execute a three-year agreement with the County of Santa Barbara for mobile Crisis And Recovery Emergency Services (CARES) to the City of Santa Barbara for Fiscal Year 2016 through Fiscal Year 2018, for an amount not to exceed \$62,521 in Fiscal Year 2016, \$64,084 in Fiscal Year 2017, and \$65,686 in Fiscal Year 2018.

Action: Approved the recommendation; Agreement No. 25,510 (April 12, 2016, report from the Chief of Police).

9. Subject: Records Destruction For Parks and Recreation Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Parks and Recreation Department in the Administration, Parks, and Recreation Divisions.

Action: Approved the recommendation; Resolution No. 16-016 (April 12, 2016, report from the Parks and Recreation Director; proposed resolution).

10. Subject: Records Destruction For Finance Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Finance Department in the Accounting, Administration, General Services, Risk Management, and Treasury Divisions.

Action: Approved the recommendation; Resolution No. 16-017 (April 12, 2016, report from the Finance Director; proposed resolution).

11. Subject: Resolution To Vacate An Offer Of Pedestrian Easement At 109 West Ortega Street (530.04)

Recommendation: That Council:

- A. Find that the subject Irrevocable Offer of a Pedestrian Easement is not necessary for public purposes; and

11. (Cont'd)

- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Ordering the Summary Vacation of the Irrevocable Offer of a Pedestrian Easement Over a Portion of the Real Property Commonly Known As 109 West Ortega Street (APN 037-123-002), as Described in Said Irrevocable Offer.

Action: Approved the recommendations; Resolution No. 16-018; Deed No. 461; (April 12, 2016, report from the Public Works Director; proposed resolution).

12. Subject: Contract For Construction Of Water Distribution Office Improvements (540.01)

Recommendation: That Council award a contract with Tomar Construction, Inc., in their low bid amount of \$48,937, for modernization of the Water Distribution Office, Bid No. 3807; and authorize the Public Works Director to execute the contract and approve expenditures up to \$4,894 to cover any cost increases that may result from contract change orders for extra work, and differences between estimated bid quantities and actual quantities measured for payment.

Action: Approved the recommendation; Agreement No. 25,511 (April 12, 2016, report from the Public Works Director).

13. Subject: Measure A Five-Year Local Program Of Projects For Fiscal Years 2017 - 2021 Public Hearing (530.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting the Measure A Five-Year Local Program of Projects for Fiscal Years 2017 - 2021.

Speakers:

- Members of the Public: Scott Wenz, Cars Are Basic.
- Staff: Principal Engineer Brian de Amour, Public Works Director Rebecca Bjork, Principal Engineer John Ewasiuk.

Action: Approved the recommendation; Resolution No. 16-019 (April 12, 2016, report from the Public Works Director; proposed resolution).

14. Subject: Airport Master Plan Contract Amendment for Traffic Analysis (560.09)

Recommendation: That Council approve and authorize the Airport Director to execute an Amendment to Contract 23,903 with Coffman Associates for Preparation of additional traffic impact analysis for the Airport Master Plan in an amount not to exceed \$14,000 for a total contract amount of \$1,186,204.

14. (Cont'd)

Action: Approved the recommendation; Agreement No. 23,903.3 (April 12, 2016, report from the Airport Director).

15. Subject: Contract For Construction Of The Stretch Equipment Area At The Andree Clark Bird Refuge (570.05)

Recommendation: That Council award a contract to Shaw Contracting Inc. in their low bid amount of \$32,318 for construction of the Stretch Equipment at the Bird Refuge Project, Bid No. 5435, and authorize the Parks and Recreation Director to execute the contract and approve expenditures up to \$3,231 for any unanticipated work.

Action: Approved the recommendation; Agreement No. 25,512 (April 12, 2016, report from the Parks and Recreation Director).

16. Subject: Set A Date For Public Hearing Regarding Appeal Of The Planning Commission's Approval of Project Design For 251 South Hope Ave. (Housing Authority of the City of SB)

Recommendation: That Council:

- A. Set the date of May 3, 2016, at 2:00 p.m. for hearing the appeal filed by Rick Frickman, representing the Santa Barbara Urban Creeks Council, of the Planning Commission's approval of proposed project owned by the Housing Authority of the City of Santa Barbara, 251 S. Hope Avenue, APN 051-240-008, E-3/PD/SP-4/SD-2 (One-Family Residence, Planned Development, Rancho Arroyo Specific Plan and Upper State Street Area Overlay) Zones, General Plan Designation: Commercial/Medium High Density Residential (15-27 DU/ACRE) (MST2014-00142). The project consists of a proposal by the Housing Authority of the City of Santa Barbara for a new, four-story affordable housing development for very-low income senior residents on a vacant 1.76 acre lot adjacent to Arroyo Burro Creek. The proposal would be developed under the City's Average Unit-Sized Density (AUD) Incentive Program and the City's Density Bonus Program with a proposed density of 51 dwelling units per acre. The project includes 89 studio apartments, one-bedroom manager's unit, kitchen, dining facilities, storage, and common areas. The total building area is 52,858 square feet (gross) and has a maximum height of 43'-6" (excluding the elevator tower). The average unit size is 332.5 square feet. The proposal included 24 uncovered vehicular parking spaces and 5 bicycle lockers.

The discretionary applications required for this project are: an Amendment to the Rancho Arroyo Specific Plan, Zone Change, Modifications (Front Setback, Interior Setback, Lot Area, and Parking). The project requires an

environmental finding for a CEQA Guidelines Section 15183 Exemption (Project Consistent with the General Plan).

(Cont'd)

16. (Cont'd)

- B. Set the date of May 2, 2016, at 1:30 p.m. for a site visit to the property located at 251 S. Hope Avenue.

Action: Approved the recommendations (February 25, 2016, letter of appeal).

NOTICES

- 17. The City Clerk has on Thursday, April 7, 2016, 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.
- 18. Receipt of communication advising of a vacancy created on the Santa Barbara Youth Council with the resignation of Ali Mikles. This vacancy will be part of the current recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Gregg Hart reported that the Committee met to hear a presentation regarding the Streets Fund Capital Improvement Program and grant history.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

19. Subject: Proposed Fiscal Year 2017 Water Rates (540.13)

Recommendation: That Council:

- A. Hear a presentation on the proposed Fiscal Year 2017 Water Rates;
- B. Set a Public Hearing date for June 14, 2016, at 2:00 PM, in the Council Chambers for Council's consideration of increases in City water rates for Fiscal Year 2017; and
- C. Direct staff to send a Notice of Public Hearing to customers informing them of the hearing and proposed changes to water rates.

Documents:

- April 12, 2016, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Water Supply Manager Kelley Dyer, Water Resources Manager Joshua Haggmark, Finance Director Bob Samario.

(Cont'd)

19. (Cont'd)

Motion:

Councilmembers White/Hart to approve staff recommendations B and C.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

Councilmember Hart recused himself from consideration of the following item due to any potential or appearance of a conflict of interest due to his employment with the Santa Barbara County Association of Governments. He left the meeting at 3:52 p.m.

20. Subject: Memorandum Of Understanding For The Cabrillo Boulevard Union Pacific Railroad Underpass Project (530.04)

Recommendation: That Council:

- A. Approve and authorize the City Administrator to enter into a Memorandum of Understanding, approved as to form by the City Attorney, with the Santa Barbara County Association of Governments for Design and Environmental Approval of the Union Pacific Railroad Bridge over Cabrillo Boulevard; and
- B. Increase appropriations and estimated revenues in the Streets Capital Fund by \$800,000 for design phase services of the Union Pacific Railroad Bridge over Cabrillo Boulevard to be funded via reimbursement from Santa Barbara County Association of Governments

Documents:

- April 12, 2016, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Principal Transportation Planner Robert Dayton.

Motion:

Councilmembers White/Hotchkiss to approve the recommendations; Agreement No. 25,513.

Vote:

Unanimous voice vote (Absent: Councilmembers Rowse, Hart).

Councilmember Hart returned to the meeting at 4:04 p.m.

MAYOR AND COUNCIL REPORTS

21. Subject: Request From Councilmembers White And Rowse Regarding A Recent Legal Ruling On The Highway 101 Widening Project (160.01)

Recommendation: That Council consider the request from Councilmembers White and Rowse regarding the City's interest in the next phase of the Environmental Impact Report preparation for the Highway 101 Widening Project.
(Cont'd)

21. (Cont'd)

Documents:

- April 12, 2016, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Motion:

Councilmembers White/Hotchkiss to direct staff to bring back to Council, within two months, an update on the status of the Environmental Impact Report from Caltrans regarding the Highway 101 Widening Project, and at that time advise Council of its options for helping to move the project forward.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

22. Subject: Request From Councilmembers Dominguez And White Regarding Staff Review Of Mobile Home Park Conversion Regulations (640.04)

Recommendation: That Council consider the request from Councilmembers Dominguez and White regarding staff review of the Mobile Home Park Conversion Regulations.

Documents:

- April 12, 2016, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Motion:

Councilmembers Murillo/Dominguez to direct staff to move forward with updating the Mobile Home Park Conversion Regulations and to submit them to Council.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

Mayor Schneider reported that City Administrator Paul Casey was not present at the Council meeting today due to his attendance in Sacramento with Santa Barbara Unified School District Superintendent David Cash in order to participate

in hearings regarding the Santa Barbara National Guard Armory and the funding thereof. She stated that she would also be attending these hearings.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:26 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
DEBORAH L. APPLGATE
DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING April 19, 2016 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Bendy White, Mayor Schneider.

Councilmembers absent: Randy Rowse.

Staff present: City Administrator Paul Casey, Acting City Attorney Sarah Knecht, Acting City Clerk Services Manager Matthew Fore.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring April 2016 As Fair Housing Month (120.04)

Action: Proclamation presented to Elizabeth Stotts and Andrea Bifano, City employees representing the City's Fair Housing and Rental Housing Mediation Programs.

2. Subject: Letter Of Recognition For Silvio D. Di Loreto (120.04)

Action: Letter of Recognition presented to Silvio D. Di Loreto.

PUBLIC COMMENT

Speakers: Michael Baker; Phil Walker; Ray Ward, Chumash Maritime Association; Pete Dal Bello; Andrea Roselinsky.

CONSENT CALENDAR (Item Nos. 3 – 10)

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

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember Rowse).

3. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meetings of March 22, and March 29, 2016.

Action: Approved the recommendation.

4. Subject: Adoption Of Ordinances Approving Sales Of Excess City Lands Related To The Cota Street Bridge Replacement Project (330.01)

Recommendation: That Council:

- A. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute the Land Purchase Agreement, Escrow Instructions, and Grant Deed for the Sale of Certain City Excess Land, Located at 221 West Cota Street, to Sarintha Bell in the Amount of \$701,550; and
- B. Adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute the Land Purchase Agreement, Escrow Instructions, and Grant Deed for the Sale of Certain City Excess Land, Located at 230 West Cota Street, to Ashley Nicole Mines and Brad Travis Moore in the amount of \$736,032.

Action: Approved the recommendations; Ordinance Nos. 5743 and 5744; Agreement Nos. 25,540 and 25,541; Deed Nos. 61-462 and 61-463.

5. Subject: Adoption Of Ordinance To Increase Loan Amount For Wastewater Plant Upgrades From \$20,000,000 To \$31,388,033 (540.13)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the Approval and Execution by the Public Works Director of Amendment No. 1 to the Installment Sale Agreement for the Air Process Improvement Project Clean Water State Revolving Fund Project No. 7857-110 Agreement No. 14-809-550.

Action: Approved the recommendation; Ordinance No. 5745; Agreement No. 24,985.1.

6. Subject: State And Federal Criminal History Checks For New Employees (410.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Rescinding Resolution No. 12-067 and Adopting A Resolution Authorizing the City of Santa Barbara to Have Access to State and Federal Level Summary Criminal History Information Through the California Department of Justice for Employment Purposes for All Regular Employees and Hourly Employees for Specific Positions, and State Level Summary Criminal History Information for All Other Hourly Employees.

Action: Approved the recommendation; Resolution No. 16-020 (April 19, 2016, report from the Administrative Services Director; proposed resolution).

7. Subject: Purchase Order For Zero Discharge Water Distribution System Flushing Services (540.10)

Recommendation: That Council authorize the General Services Manager to execute a Sole Source Purchase Order with ValveTek Utility Services, Inc., as authorized by Municipal Code Section 4.52.070 (k), in the not-to-exceed amount of \$498,952 for zero discharge water distribution system flushing services.

Action: Approved the recommendation (April 19, 2016, report from the Public Works Director).

8. Subject: Property Tax Exchange Agreement For Santa Barbara Museum Of Natural History Reorganization (150.04)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara in the Matter of Providing for a Negotiated Exchange of Property Tax Revenues Pertaining to the Santa Barbara Museum of Natural History Reorganization, an Annexation of Properties Located at 2559 Puesta Del Sol (APN's 23-250-39, 23-250-066 and 23-250-068) to the City of Santa Barbara and Detachment from the Santa Barbara County Fire Protection District, Mission Canyon Lighting District, County Service Area 12 and County Service Area 32.

Action: Approved the recommendation; Resolution No. 16-021; Agreement No. 25,542 (April 19, 2016, report from the Finance Director; proposed resolution).

9. Subject: Set A Date For Public Hearing To Consider Designation Of City Landmarks

Recommendation: That Council set the date of May 17, 2016, at 2:00 p.m. for a public hearing on the Historic Landmarks Commission's recommendations that the following resources be designated as City Landmarks:

- "The Olives," a Craftsman residence at 2121 Garden Street, Assessor's Parcel No. 025-252-003;
- Our Lady of Sorrows Church at 33 East Sola Street, Assessor's Parcel No. 039-072-007; and
- The Dolores/Notre Dame School at 33 East Micheltorena Street, Assessor's Parcel No. 027-232-014.

Action: Approved the recommendation.

NOTICES

10. The City Clerk has on Thursday, April 14, 2016, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

11. Subject: Fiscal Year 2017 Recommended Operating And Capital Budget (230.05)

Recommendation: That Council:

- A. Accept the Fiscal Year 2017 Recommended Operating and Capital Budget;
- B. Hear a report from staff in connection with the filing of the Fiscal Year 2017 Recommended Budget; and
- C. Approve the proposed Schedule of Council Budget Review Meetings and Public Hearings related to the Fiscal Year 2017 Recommended Budget.

Documents:

- April 19, 2016, report from the Finance Director.
- PowerPoint presentation prepared and made by Staff.

Speakers:

Staff: Finance Director Robert Samario.

(Cont'd)

11. (Cont'd)

Discussion:

Finance Director Robert Samario provided an overview of the Fiscal Year 2017 Recommended Operating and Capital Budget as well as the proposed schedule of City Council budget review meetings and public hearings. Councilmembers' questions were answered.

Motion:

Councilmembers Dominguez/Hart to approve recommendations A and C.

Vote:

Unanimous voice vote (Absent: Councilmember Rowse).

COMMUNITY DEVELOPMENT DEPARTMENT

12. Subject: Waterfront Hotel Development Agreement And Amendment To Chapter 28.95 Of The Zoning Ordinance (640.09)

Recommendation: That Council:

- A. Make the California Environmental Quality Act findings specified in the conclusion of this Council Agenda Report;
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Development Agreement for the Waterfront Hotel By and Between the City of Santa Barbara and American Tradition, LLC; and
- C. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.95 of Title 28 of the Santa Barbara Municipal Code by Adding a Provision Relating to the Development Agreement Between the City of Santa Barbara and American Tradition, LLC.

Documents:

- April 19, 2016, report from the Community Development Director.
- Proposed Ordinances.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.
- April 18, 2016, letter from Allied Neighborhoods Association.

The titles of the ordinances were read.

Speakers:

- Staff: Project Planner Allison De Busk, Assistant City Attorney Scott Vincent.
- American Tradition (Applicant): Ashley Parker, Suzanne Elledge.
- Planning Commission: Commissioners Deborah Schwartz, Sheila Lodge.
- Members of the Public: Phil Walker, Paul Relis, Mickey Flacks, Dave Davis.

(Cont'd)

12. (Cont'd)

Motion:

Councilmember Hotchkiss to approve the recommendations, with direction to Staff to revise the Development Agreement as follows: Section 11.1 is to read as shown on the attachment to the March 31, 2016, letter from the Applicant (Attachment 6 to the Council Agenda Report).

The motion died for lack of a second.

Motion:

Councilmember Hart/Mayor Schneider to approve the recommendations, with direction to Staff to revise the Development Agreement as follows: 1) the term is to be shortened to five years; and 2) Section 11.1 is to read as shown on the attachment to the March 31, 2016, letter from the Applicant (Attachment 6 to the Council Agenda Report).

Vote:

Majority roll call vote (Noes: Councilmembers Dominguez, Murillo; Absent: Councilmember Rowse).

CHANGES TO THE AGENDA

Item Removed from Agenda

It was agreed that the following item would be rescheduled for a future meeting:

13. **Subject: 9-1-1 Emergency Dispatch And Cell Phone Call Routing (520.02)**

Recommendation: That Council receive a presentation and consider support of Assembly Bill 1564 (Williams), 9-1-1 Emergency Response - Wireless Routing Optimization.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hotchkiss mentioned that he had participated in the Lower Westside Cleanup.
- Councilmember White commented on his attendance at the PARC Foundation's Urban Wine Trail event.
- Councilmember Murillo reported on her attendance at meetings of the Metropolitan Transit District Board, Task Force on Youth Safety, and Neighborhood Advisory Council.
- Councilmember Hart mentioned that he had helped to judge the UCSB Grad Slam event at the University of California Santa Barbara. He also reported that he and several other Councilmembers participated in the Public Officials' Office Hours event at Earth Day.

(Cont'd)

Information (Cont'd):

- Councilmember Dominguez reported on his attendance at: 1) the Bike Master Plan Workshop; and 2) a workshop for youth at the Eastside Library hosted by the Independent Living Resource Center.

RECESS

Mayor Schneider recessed the meeting at 6:05 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 14. She stated that no reportable action is anticipated.

CLOSED SESSIONS

14. Subject: Conference With Labor Negotiator (440.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiator Kristine Schmidt, Administrative Services Director, regarding negotiations with the Firefighters Association and Police Officers Association.

Scheduling: Duration, 30 minutes, anytime

Report: None anticipated

Documents:

April 19, 2016, report from the Administrative Services Director.

Time:

6:15 p.m. – 6:40 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:40 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
MATTHEW R. FORE
ACTING CITY CLERK SERVICES
MANAGER

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: General Services Division, Finance Department

SUBJECT: Award Of Agreement For Electronic Bidding And Reverse Auction System

RECOMMENDATION:

That Council award a contract in an amount not to exceed \$52,475 to PlanetBids for their proposal to provide and host an electronic bidding and reverse auction system.

DISCUSSION:

Purchasing is pursuing an electronic bidding solution to improve efficiencies by automating processes, which will reduce errors associated with manual processes and provide easier access to bidding opportunities for vendors. After determining that the Munis bid management module offered by Tyler Technologies did not meet the City's needs, a request for proposal (RFP) for electronic bidding and reverse auction systems was sent to five potential software providers.

Three proposals were received. One proposal was rejected as being non-responsive to the RFP requirements. The two remaining proposals submitted by PlanetBids and Periscope Holdings were evaluated by staff, which included demonstrations of the systems. The highest ranked proposal was submitted by PlanetBids. Staff ranked their proposal highest for features and ease of use. Their references spoke highly of the company and their software. We also received unsolicited positive comments from vendors that have used their system. Their software is used by numerous public agencies in California and elsewhere.

PlanetBids was founded in 2000 and is a web-based software company that provides a modular suite of eProcurement solutions. There is no cost for vendors wishing to do business with the City or for registering as a vendor with PlanetBids. Once registered, vendors can maintain their own profiles and have immediate access to bid opportunities. Bid opportunities and results will be available through the software.

Because some vendors may not be prepared for, or comfortable with, submitting bids electronically, the City will have a transition period where we will continue to accept hardcopy as well as electronic bids.

BUDGET/FINANCIAL INFORMATION:

The total contract amount to purchase the software licenses and professional services for the PlanetBids' Electronic Bidding and Reverse Auction system is \$52,475 with \$17,475 fixed and a not-to-exceed amount of \$35,000 depending on the level of use of the reverse auction module.

One of the objectives of the Munis financial management system project was to implement a bid management system and there are sufficient funds in the Munis financial system project budget to cover the setup, training, and licensing cost. Only the initial setup, training, and license fees would be paid from the project budget. The reverse auction cost would be paid as part of the acquisition cost by the departments.

| | |
|---|----------|
| FY 2016 Setup/Licenses/Training/Year 1: | \$17,475 |
| FY 2017: | \$ 9,759 |
| FY 2018: | \$10,052 |
| FY 2019: | \$10,534 |
| FY 2020: | \$10,664 |

SUSTAINABILITY IMPACT:

Electronic bidding will reduce paper consumption by issuing and receiving bids and bid addenda electronically, and reduce or eliminate the need for vendors to drive to the Purchasing Office to attend bid openings since bids can be electronically opened and the results made immediately available.

PREPARED BY: Bill Hornung, C.P.M., General Services Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Records Destruction For City Administrator's Office

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the City Administrator's Office.

DISCUSSION:

The City Council adopted Resolution No. 16-005 on February 9, 2016, approving the City of Santa Barbara Records Management Policies and Procedures Manual. The Manual contains the records retention and disposition schedules for all City departments. The schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice.

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

The City Administrator requests the City Council to approve the destruction of the City Administrator's Office records listed on Exhibit A of the proposed Resolution, without retaining a copy.

SUSTAINABILITY IMPACT:

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

Council Agenda Report
Records Destruction For City Administrator's Office
June 7, 2016
Page 2

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

SUBMITTED BY: Paul Casey, City Administrator

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA RELATING TO THE DESTRUCTION OF
RECORDS HELD BY THE CITY ADMINISTRATOR'S
OFFICE

WHEREAS, the City Council adopted Resolution No. 16-005 on February 9, 2016, approving the City of Santa Barbara Records Management Policies and Procedures Manual;

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

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

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

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

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

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

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

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

CITY ADMINISTRATOR'S OFFICE

Records Series

Date(s)

Mayor's Correspondence

1993-99



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Administration, Library Department

SUBJECT: Fiscal Year 2015-2016 Agreement for Library Services, City of Carpinteria

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute an agreement with the City of Carpinteria to accept \$35,500 for the contribution for Library services for Fiscal Year 2015-2016.

DISCUSSION:

The City of Santa Barbara is in a current agreement with the County of Santa Barbara to provide continued funding of Library services to all residents. The City of Santa Barbara furnishes library services to all persons inhabiting Library Zone 1, including Carpinteria, Los Olivos, Montecito, Goleta, Solvang, Buellton and Santa Ynez. Under that agreement the County of Santa Barbara only provides \$7.80 per capita to each City in Zone 1. That does not subsidize the City of Santa Barbara with adequate funds to be able to provide service for the Carpinteria; therefore the City of Carpinteria helps fund their city Library.

The Agreement for contribution of \$35,500, for Library Services for the City of Carpinteria Library for Fiscal Year 2016, which is recommended for approval and execution, provides for continued funding for Library services for the City of Carpinteria.

On an annual basis the City of Carpinteria requires a new Agreement be executed to continue necessary funding for Library Services for the City of Carpinteria.

ATTACHMENT: Agreement for Library Services, City of Carpinteria

SUBMITTED BY: Jessica Cadiente, Library Director

APPROVED BY: City Administrator's Office

Santa Barbara County Library, Carpinteria Branch

This Contract is made between the City of Carpinteria, a municipal corporation, hereinafter called "City", and the City of Santa Barbara, in its capacity as the operator of the Carpinteria Branch Library, hereinafter called "Contractor".

CITY AND CONTRACTOR AGREE AS FOLLOWS:

1. PROGRAM DESCRIPTION AND AUTHORITY; OBJECTIVES AND REPORTS

A. Contractor agrees to conduct the program described in Exhibit A, attached hereto and by this reference made a part hereof, sometimes hereinafter referred to as the "the program". To the extent that any procedure or provision of the program proposed conflicts with any provision of this contract, the provisions of this contract shall prevail.

B. Minor program changes may be made to Exhibit A upon approval of the City Manager.

C. In carrying out its program hereunder, Contractor agrees that the objectives of the program are those stated and set out in Exhibit A, attached hereto and made a part hereof. Contractor agrees to submit to the City Manager, a final report setting out which of the said objectives Contractor has accomplished and which objectives were not accomplished, with sufficient detail to enable City to evaluate properly Contractor's program.

The final report is to be delivered no later than June 1, 2016.

2. EFFECTIVE DATE OF CONTRACT TERM

The term of this contract shall be from July 1, 2015 to and including June 30, 2016, unless sooner terminated as provided herein.

3. METHOD AND CONDITIONS OF DISBURSEMENTS

Subject to the terms and conditions contained in this contract, City agrees to provide funds in an amount not to exceed the sum of thirty-five thousand five hundred dollars (\$35,500.00) to enable Contractor to conduct the program. Payment to Contractor of the sum provided for in this paragraph shall be made within thirty (30) days of receipt – by the City – of an invoice from Contractor. The invoice will be on Contractor's own letterhead. Contractor shall indemnify and hold City harmless from any liability or damage resulting from any failure to make, or delay in making such payments.

4. CONTACTOR TO KEEP RECORDS

The Contractor shall keep accurate written records of all expenses incurred by it and of monies received by it and of all studies, statistics and reports made or issued by Contractor in conducting the program. The Contractor shall also keep accurate written minutes of all meetings of the Board of Directors or Committees of Contractor and shall keep accurate employment records, correspondence records and other records necessary to enable City to review Contractor's operations during the conduct of the program. At City's request, Contractor shall furnish City with a copy of any records maintained by Contractor pursuant to the terms of this contract. Contractor shall maintain all such records for at least five (5) years after the date on which this contract terminates.

5. AUDIT OF CONTRACTOR'S RECORDS

City shall have the right to audit and review all records maintained by Contractor pursuant to the terms of this contract. Any such audit and review may be conducted at any time during regular business hours.

6. COMPLIANCE WITH LAWS AND REGULATIONS

Contractor agrees that it shall comply with all the provisions of all State and Federal laws and regulations applicable to the program to be conducted hereunder. Without limiting the generality of the foregoing, Contractor:

A. Shall obtain and maintain at Contractor's own expense, any and all licenses and permits necessary to conduct the program and to maintain the facilities and render the services proposed to be maintained or rendered in connection with the program.

B. Shall not, on the grounds of race, color, national origin, sex, sexual orientation, religion, age or handicap when otherwise qualified:

(1) Deny any service or other benefit provided under the program;

(2) Provide any service or other benefit which is different, or is provided in a different form from that provided to others under the program;

(3) Subject to segregated or separate treatment in any facility in, or in any matter or process related to receipt of any service or benefit under the program;

(4) Restrict in any way the enjoyment of any advantage or privilege enjoyed by others receiving any service or benefit under the program;

(5) Treat an individual differently from others in determining whether he satisfies any admission, enrollment, eligibility, membership, or other requirement or

conditions which individuals must meet in order to be provided any services or other benefit provided under the program;

(6) Deny an opportunity to participate in the program as an employee.

C. Shall maintain such records and enforce and comply with such procedure as City may specify or require in order to ensure that only persons eligible for services under State and/or Federal laws or regulations are admitted to the program or are provided with such services.

D. Shall not engage in any religious instructions nor use any part of the funds provided hereunder to purchase any religious books, materials or equipment or other property, or to share the salary of any person who participates in any such religious or sectarian purpose whatsoever.

7. HOLD HARMLESS

It is understood and agreed that City, its Officers, Agents and Employees, shall not be liable or responsible for any injury or damage to persons or property resulting from the operations or activities of Contractor, its Officers, Agents or Employees, in connection with the program; and Contractor agrees to defend, indemnify and hold harmless the City and its Officers, Agents and Employees, from and against any and all claims and liability for damage or injury to persons or property resulting from the activities or omissions of Contractor, its Officers, Agents, Employees or Subcontractors, in connection with the operation or conduct of the program or the operation or maintenance of any buildings, equipment and other facilities used in connection with the program.

8. LIABILITY INSURANCE

Prior to disbursement of any funds, Contractor agrees to procure and maintain commercial general liability insurance with limits of \$1,000,000 per occurrence and \$2,000,000 in the annual aggregate naming the City as additional insured. Contractor may substitute evidence of self-insurance to satisfy this requirement.

Said insurance policy or policies and policy endorsements shall be procured at Contractor's expense from an insurance company or companies which are licensed to do business in California and shall be evidenced satisfactory to the City Manager.

In case of failure to procure or renew the required insurance, City may, at its discretion and in addition to other remedies offered it by this Contract, procure or renew such insurance at Contractor's expense.

9. WORKERS' COMPENSATION INSURANCE

Contractor shall provide during the term of this Contract, Workers' Compensation Insurance for all of its employees engaged in conducting the program for whom

Workers' Compensation Insurance is required. The Contractor shall file with the City, a certificate from the insurance carrier showing that Contractor and all its employees are covered by Workers' Compensation Insurance.

Workers' Compensation Insurance procured pursuant to this agreement shall be endorsed to waive subrogation against City, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow Contractor or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Contractor hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its sub-consultants.

10. PRIMARY/NON-CONTRIBUTING

Any insurance policy procured by the Contractor shall be primary, and no contribution shall be required of the City.

11. ASSIGNMENT

Contractor shall not assign this Contract or any part thereof or any monies payable hereunder without the prior approval of the City Council of City.

12. PROVISIONS REQUIRED BY LAW DEEMED INSERTED

Each and every provision of law and clause required by law to be inserted in this Contract shall be deemed to be inserted herein and this Contract shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted or is not correctly inserted, then upon application of either party, this Contract shall forthwith be physically amended to make such insertion or correction.

13. CITY'S RIGHT TO TERMINATE CONTRACT

City shall have the right to terminate this Contract or any extension thereof immediately if City determines that Contractor has incurred obligations or made expenditures for purposes which are not permitted or are prohibited under the terms of the program or of this Contract. City shall also have the right to terminate this contract or any extension thereof immediately if City determines that the Contractor is conducting the program in violation of any of the terms of the program application or this Contract, or has filed any other petition in bankruptcy, or for receivership or reorganization or has filed any other petition under the Bankruptcy Act (11 USCA 1 *et seq.*) or has taken or committed any act preparatory to the filing of any such petition or has become or is insolvent or has committed any other act of bankruptcy or insolvency. City shall also have the right to terminate this Contract or any extension thereof any time that funds are no longer available. In any event, City shall have the right to terminate this Contract or any extension thereof at any time, with or without notice of City's intent to terminate the Contract; provided that upon such termination, City shall

pay all obligations incurred by Contractor prior to the date of such termination as authorized under the terms of the program and of this Contract.

14. CONTRACT BINDING ON SUCCESSORS

The conditions of this Contract and the respective rights and obligations of the parties hereunder shall be binding upon the heirs, assigns and successors in interest of each of the parties.

CONTRACTOR

By _____

Title _____

Date _____

By _____

Title _____

Date _____

CITY OF CARPINTERIA

By _____

City Manager

Date _____

ATTEST:

Fidela Garcia, City Clerk

APPROVED AS TO FORM:

By _____

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of
Carpinteria

APPROVED AS TO FORM

By _____

City Attorney, City of Santa Barbara

EXHIBIT A

CITY OF CARPINTERIA

Community Services Support Program Description

JULY 1, 2015 - JUNE 30, 2016

1. Agency Name:

Carpinteria Library (Santa Barbara Public Library System)

2. Program Title:

Public Library Services

3. Program Street Address, City, Zip Code:

5141 Carpinteria Ave. Carpinteria, CA 93013

4. Program Mailing Address, City, Zip Code:

c/o Santa Barbara Public Library, P.O. Box 1019, Santa Barbara, CA 93102-1019

5. Contact Person, Position:

Jessica Cadiente, Library Director

6. Phone Numbers: TELE: (805) 564-5608 FAX: (805) 683-3721

7. Target Population: Residents of the City of Carpinteria and surrounding communities

8. Days and hours open: Monday and Wednesday 10 am to 7:30 pm; Tuesday,

Thursday, and Friday 10 am to 5:30 pm; Saturday 10 am to 4 pm; closed Sunday

9. List the zip codes from which clients are drawn: primarily 93012 and 93067

10. Description of services to be provided with funds:

The grant monies will be used to fund the day-to-day operations of the Carpinteria Library. The funding helps preserve the library's after-school Homework Center for a minimum of 4 days a week.

11. Describe your procedures for monitoring the services. List the records you keep; give the dates of scheduled reviews:

Payroll is monitored by the City of Santa Barbara, and is reported on a bi-weekly basis.

12. Description of your overall agency:

The mission of the Carpinteria Branch Library is to provide literacy and pre-literacy services, information services, reading materials, and educational resources to people of all ages in the Carpinteria Valley. Students receive valuable after-school homework with resources which include personalized assistance. At the library, services to residents and visitors include free Internet access, free WiFi access, assistance with reference inquiries, teen programs, story times and literacy-based programs for children, and interlibrary borrowing. Added services are available 24/7 because, with a library card and a computer, smart phone or tablet, residents in the Carpinteria area can access and download research articles, eBooks, audio books, videos, and e-magazines.

Projections for year JULY 1, 2015 TO JUNE 30, 2016

Objective # 1:

To continue to provide quality services in a timely manner to residents who may otherwise not be able to afford the services.

Objective #2:

Provide literacy and pre-literacy services, such as story time and an annual summer reading program to support the educational needs of children and youth. Provide a place where students can receive assistance with their homework, access computers to help with that homework, check out age appropriate reading materials for free, and have a productive and safe place to go after school.

Objective #3:

Provide free access to the Internet by providing computers for residents and visitors. Visitors can rely on access at the library to investigate local attractions, book accommodations or travel plans and stay in touch with friends and families. Residents without access to home computers or printers can use those at the library. Anyone of any age who needs assistance to find information or services online receives that help at the library.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Five Year License Agreement With Epic Cruises, Inc.

RECOMMENDATION:

That Council approve a five-year license agreement with Epic Cruises, Inc. for a water taxi service, shore boat service and limited charter service operating from Santa Barbara Harbor.

DISCUSSION:

Fred and Kathy Hershman have operated the Santa Barbara Water Taxi, a.k.a. "*Lil Toot*", under license agreements since October 2003. *Lil Toot* has carried over 390,000 passengers over this period and continues to provide a valuable service to both visitors and the boating community. Last year the *Lil Toot* received a grant from the California Air Resources Board to install a new fuel saving engine. *Lil Toot* currently charges \$5 per adult for a one-way trip and \$1 for children 12 and under.

Captain Fred Hershman has over 45 years of motorboat/sailing experience. He has six years of Coast Guard ship handling and navigation experience and is an active member of the Coast Guard Auxiliary, Santa Barbara Flotilla.

The basic terms of the proposed license agreement are as follows:

- **Term:** Five Years.
- **Water Taxi Service:** The water taxi must operate hourly between the Harbor and Stearns Wharf, from 12:00 noon – sunset, weather and sea conditions permitting. Extended hours and more frequent trips are encouraged.
- **Charter Service:** Licensee may offer a charter service only prior to 12:00 noon and after 5:00 p.m. and within City waters. Licensee may sell or provide food and/or beverage only onboard the vessel as part of the Charter Service.
- **Shore Boat Service:** Licensee may provide shore boat service, providing transportation between shoreside facilities (such as Cabrillo Landing, the launch ramp, and Stearns Wharf) and vessels moored in City waters (such as the east of Wharf mooring and anchorage areas).

- **Restrictions on Use:** Charters may take place only outside of the normal Water Taxi operating hours- before 12:00 noon and after 5:00 p.m.
- **License Fee:** \$50 per month or a percentage of gross sales, whichever is greater.
- **Percentage Fee:** Variable depending on type of sales activity.

The Water Taxi is a valuable transportation service between the Harbor and Wharf and Fred and Kathy Hershman are considered a tenant in good standing. The Hershmans also operate the 72' coastal cruise vessel *Azure Seas* under a separate lease.

The Harbor Commission recommended that the City Council approve the lease agreement at their May 19, 2016, meeting. A copy of the license agreement is available for review at the Waterfront Administration office.

PREPARED BY: Brian Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Lease Agreement With Dollyia And John Adams, Doing Business As Madame Rosinka

RECOMMENDATION:

That Council approve a five-year lease agreement with Dollyia and John Adams, doing business as Madame Rosinka at 221-B Stearns Wharf, at an initial rent of \$797.30 per month.

DISCUSSION:

The Rosinka Family has operated the spiritual consultancy, Madame Rosinka, on Stearns Wharf since 1951. They are the longest operating tenant on Stearns Wharf. The 153 square feet of commercial space is located at 221-B Stearns Wharf (Attachment 1). The base rent is currently \$797.30 (\$5.21/square foot), subject to annual Cost of Living increases based on the Consumer Price Index.

In late 2014, Ms. Barbara Adams passed away. Prior to her death, Ms. Adams had requested that the lease be transferred to Dollyia and John Adams. In September 2015, Dollyia and John Adams were assigned the Lease on a month-to-month basis. A new lease with the Adams' is now proposed.

The basic lease terms of the proposed lease are:

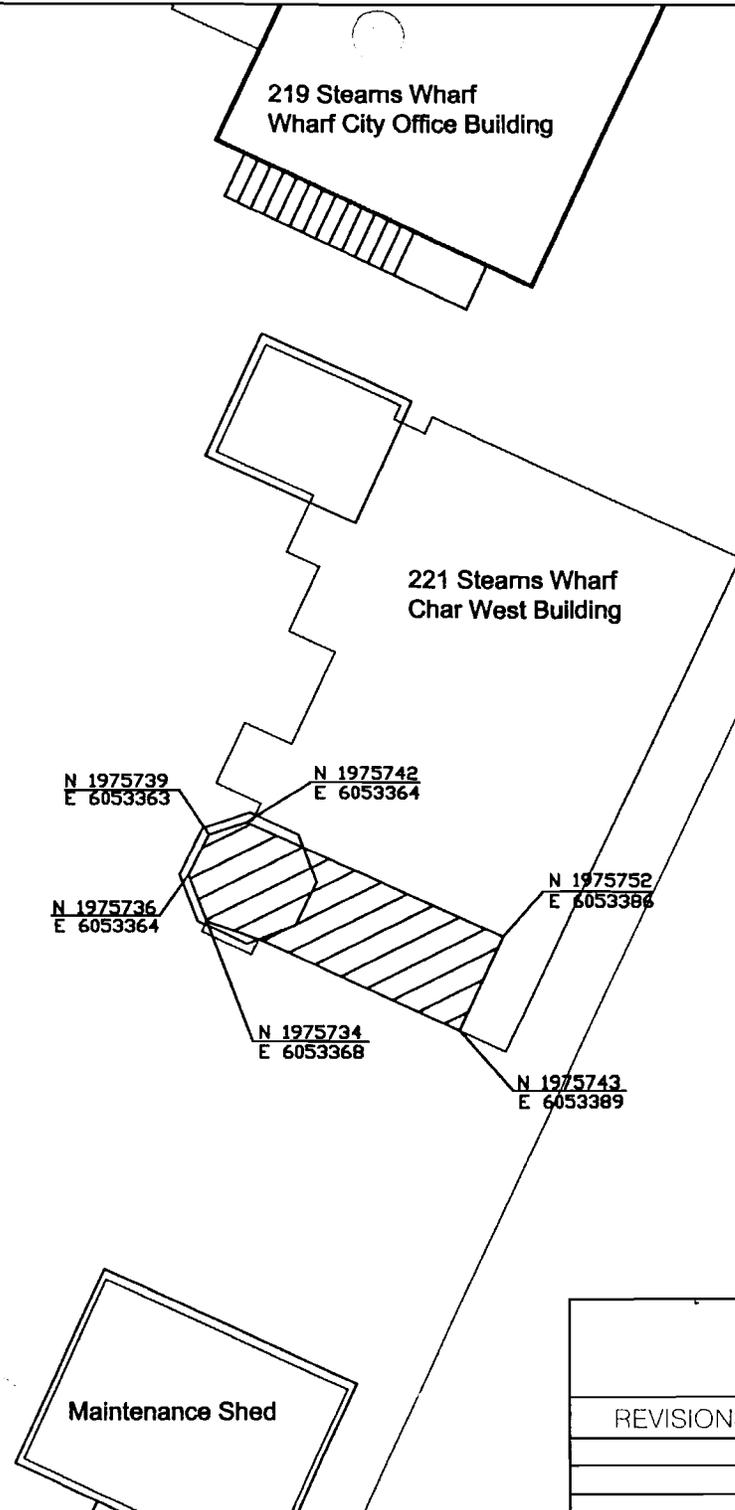
- **Term:** Five-year term.
- **Base Rent:** Initial base rent of \$797.30 per month.
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI).
- **Permitted uses:** Only as a family operated palm reading establishment and for the sale of promotional material carrying the Tenant's logo.

Dollyia and John Adams are considered by the Department to be a tenant in good standing. They are always prompt with rent payments, are members of the Stearns Wharf Business Association, and have no lease compliance problems on file.

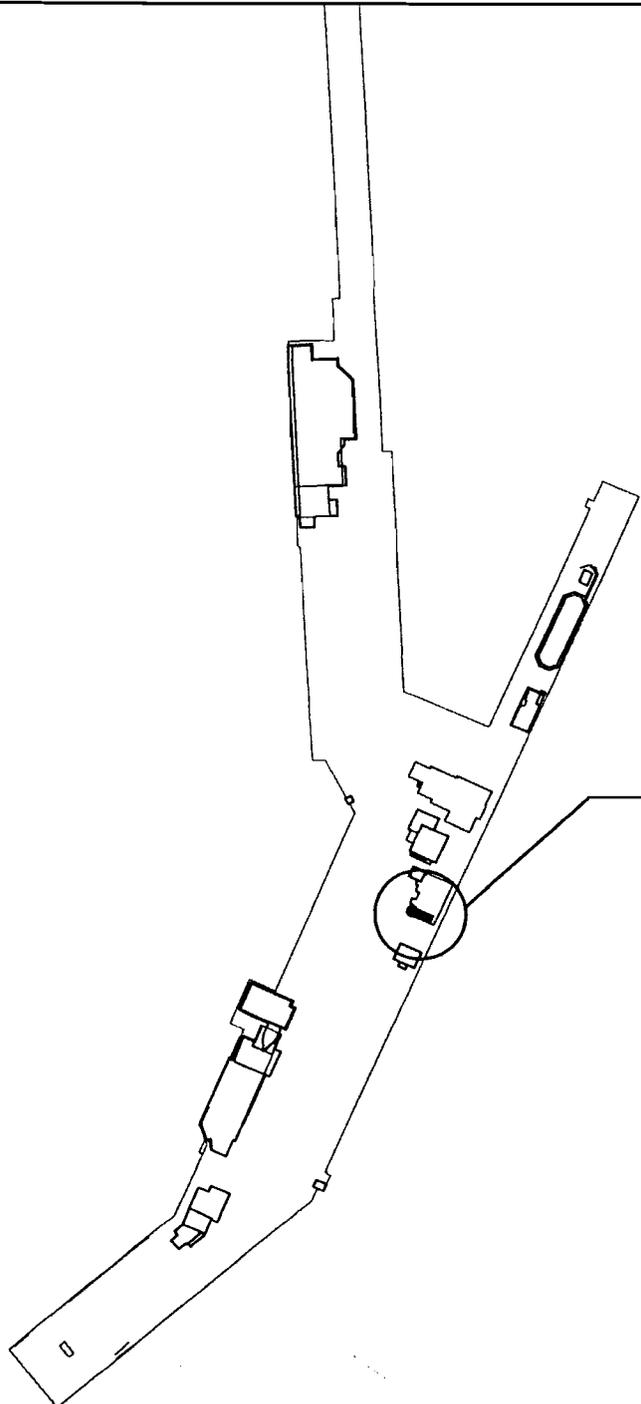
The Harbor Commission recommended approval of the lease at their May 19, 2016, meeting.

ATTACHMENT: Lease Area
PREPARED BY: Brian Bosse, Waterfront Business Manager
SUBMITTED BY: Scott Riedman, Waterfront Director
APPROVED BY: City Administrator's Office

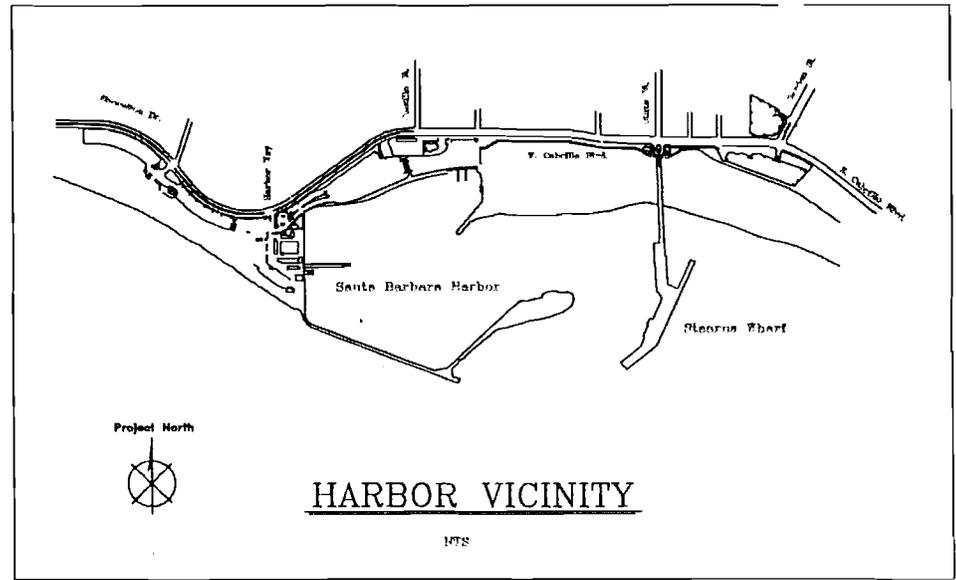
**Madame Rosinka
Exhibit "A"
153 Square Feet**



| | | | | | | |
|----------------------------------|--|-------------------|--------------|-----------|-------------|----------|
| Proposed Lease Area Exhibit A | | | | | | |
| REVISIONS | DATE: | 4/23/03 | APPROVED BY: | A.W.Pryor | DRAWN BY: | L.Nelson |
| | ADDRESS: | 221 Stearns Wharf | | SHEET NO. | 2 of 2 | |
| | City of Santa Barbara Waterfront Department | | | | DRAWING NO. | 2210-008 |



Proposed
Lease Area



| | | | |
|----------------------------------|--|-------------------|------------------------|
| Proposed Lease Area Exhibit A | | | |
| REVISIONS | DATE | 4/23/03 | APPROVED BY: A.W.Pryor |
| | ADDRESS: | 221 Stearns Wharf | |
| | City of Santa Barbara Waterfront Department | | DRAWN BY: L.Nelson |
| | | | SHEET NO: 1 of 2 |
| | | | DRAWING NO: 2210-008 |



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Introduction Of Ordinance For A Lease Agreement With Great Pacific Ice Cream

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 One Five-Year Option with John K. Williams, Inc., a California Corporation, Doing Business as Great Pacific Ice Cream, at an Average Initial Base Rent of \$4,053 Per Month for the 395 Square Foot Restaurant Located at 219-A Stearns Wharf.

DISCUSSION:

John K. Williams, Inc. has operated Great Pacific Ice Cream at 219-A Stearns Wharf since 1988. The lease area consists of 395 square feet of commercial space. The rent is currently \$4,053 per month, or 15% of gross sales, whichever is greater.

The business terms of the proposed lease are as follows:

- **Term:** Five-year initial term with one, five-year option.
- **Base Rent:** An average of \$ 4,053 per month.
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI).
- **Percentage Rent:** 15% of Tenant's Gross Receipts.

Great Pacific 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 May 19, 2016, meeting. A copy of the lease is available for review at the Waterfront Administration office.

ATTACHMENT: Lease Area

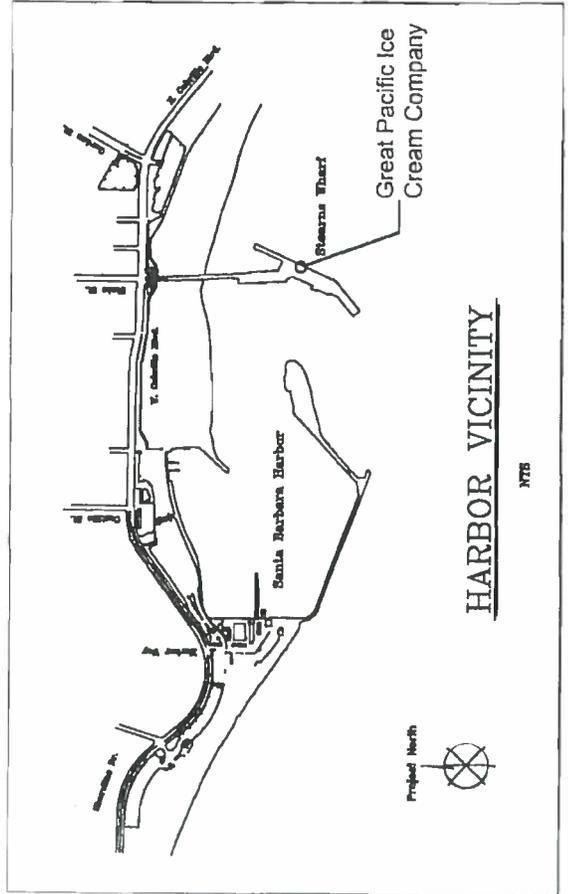
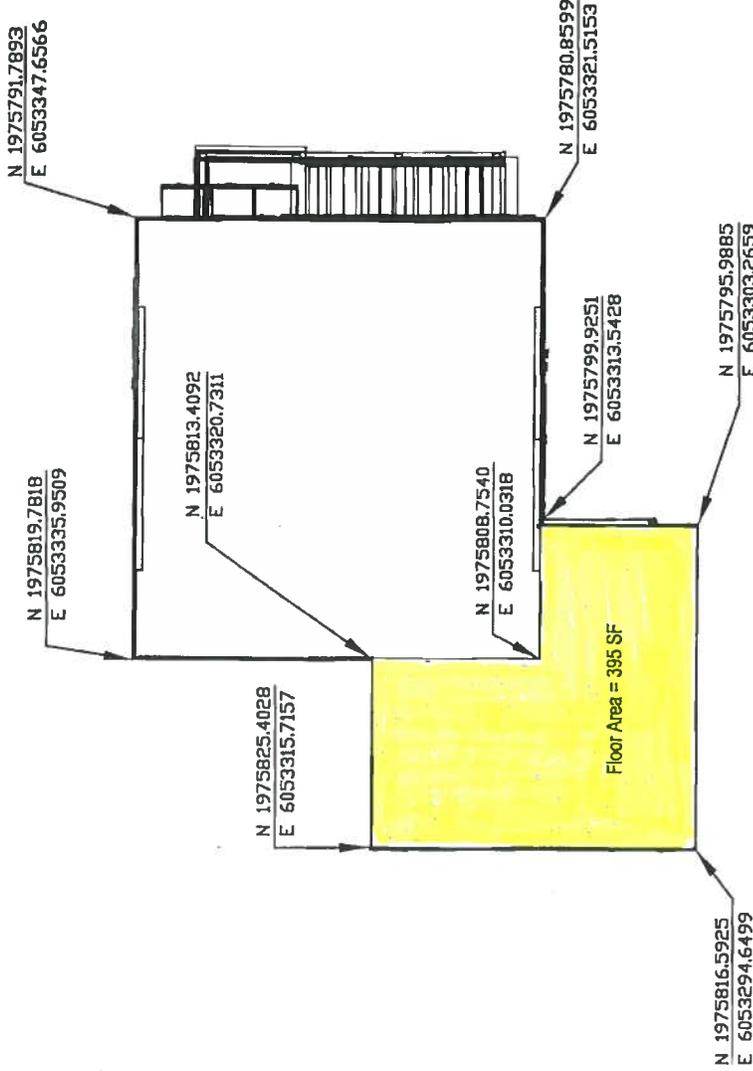
PREPARED BY: Brian Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

Lease Area

Great Pacific Ice Cream Company - Lessee
 219 Stearns Wharf #A
 Floor Area 395 SF



HARBOR VICINITY

NTS

| | |
|--|---------------|
| Lease Area (Great Pacific Ice Cream Company) | |
| Exhibit A | |
| DATE | 11/27/02 |
| ADDRESS | Stearns Wharf |
| APPROVED BY: | L. Nelson |
| NO. | 1 of 1 |
| City of Santa Barbara | |
| Waterfront Department | |
| 2190 | |

REVISIONS

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A FIVE-YEAR LEASE AGREEMENT WITH ONE FIVE-YEAR OPTION WITH JOHN K. WILLIAMS, INC., A CALIFORNIA CORPORATION, DOING BUSINESS AS GREAT PACIFIC ICE CREAM, AT AN AVERAGE INITIAL BASE RENT OF \$4,053 PER MONTH FOR THE 395 SQUARE FOOT RESTAURANT LOCATED AT 219-A STEARNS WHARF

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara Approving a 5-Year Lease and one 5-year option with John K. Williams Inc. doing business as Great Pacific Ice Cream, Effective July 14, 2016, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Introduction Of Ordinance For A Lease Agreement With Old Wharf Trading Company

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 One Five-Year Option with Stearns Wharf, Inc., a California Corporation, Doing Business as Old Wharf Trading Company, at an Average Initial Base Rent of \$13,278 Per Month, Adjusted Seasonally, for the 2,369 Square Foot Space Located at 217 Stearns Wharf, Suites A, B, and D.

DISCUSSION:

Patrick Hartmann has operated Old Wharf Trading Company since assuming the lease through a lease assignment process in April 2006. Originally two leases with adjoining space, the leases were merged into one to simplify revenue reporting and percentage rent tracking in late-2011. The current lease will expire on November 30, 2016.

The business terms of the proposed lease are as follows:

- **Term:** Five-year initial term with one five-year option.
- **Base Rent:** An average of \$13,278 per month, adjusted seasonally.
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI).
- **Percentage Rent:** 10% of Tenant's Gross Receipts.

Old Wharf Trading Company is considered by the Department to be a tenant in good standing as they are always prompt with rent payments, are active members of the Stearns Wharf Business Association, and have no lease compliance problems on file.

The Harbor Commission recommended that the City Council approve the lease agreement at their May 19, 2016, meeting. A copy of the lease is available for review at the Waterfront Administration office.

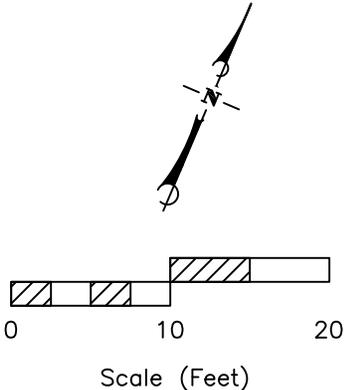
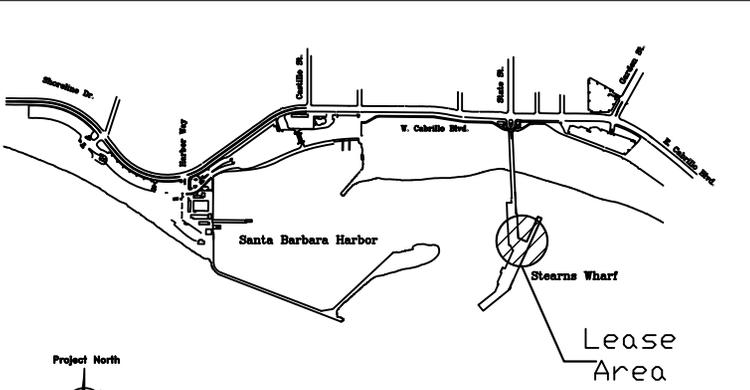
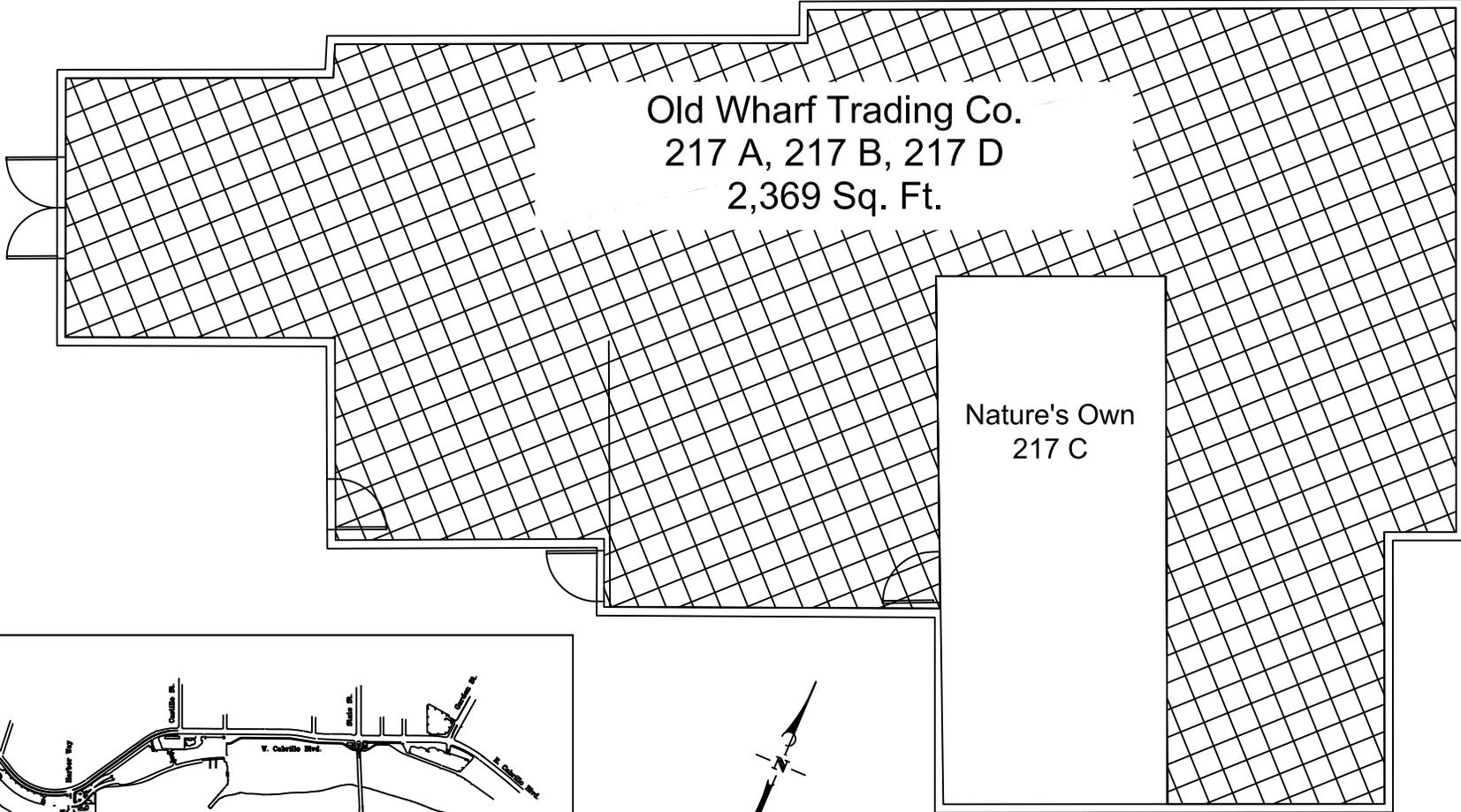
ATTACHMENT: Lease Area

PREPARED BY: Brian Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

Old Wharf Building 217 Stearns Wharf First Floor Plan



| | | | |
|---|--|-------------------------|----------------------|
| Old Wharf Trading Co. Exhibit "A" Lease Area | | | |
| REVISIONS | DATE: 3/13/2006 | APPROVED BY: S. Riedman | DRAWN BY: T. Lawler |
| | ADDRESS: 217 Stearns Wharf | | SHEET NO. 1 of 1 |
| | City of Santa Barbara Waterfront Department | | DRAWING NO. 2170-011 |

HARBOR VICINITY
NTS

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A FIVE-YEAR LEASE AGREEMENT WITH ONE FIVE-YEAR OPTION WITH STEARNS WHARF, INC., A CALIFORNIA CORPORATION, DOING BUSINESS AS OLD WHARF TRADING COMPANY, AT AN AVERAGE INITIAL BASE RENT OF \$13,278 PER MONTH, ADJUSTED SEASONALLY, FOR THE 2,369 SQUARE FOOT SPACE LOCATED AT 217 STEARNS WHARF, SUITES A, B, AND D.

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara Approving a 5-Year Lease and one 5-year option with Stearns Wharf Inc. doing business as Old Wharf Trading Company, Effective July 14, 2016, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Introduction Of Ordinance For A Lease Agreement With Char West

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 One Five-Year Option with John K. Williams, Inc., a California Corporation, Doing Business as Char West, at an Average Initial Base Rent of \$4,231 Per Month for the 1,069 Square Foot Space Located at 221 Stearns Wharf.

DISCUSSION:

John K. Williams, Inc. has operated Char West restaurant at 221 Stearns Wharf since 1981. The lease area consists of 925 square feet of restaurant space and 144 square feet of second floor office. The rent is currently \$4,231 per month, or 11.4% of gross sales, whichever is greater.

The business terms of the proposed lease are as follows:

- **Term:** Five-year initial term with one, five-year option.
- **Base Rent:** An average of \$4,231 per month.
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI).
- **Percentage Rent:** 11.4% of Tenant's Gross Receipts.

Char West is considered by the Department to be a tenant in good standing as they are always prompt with rent payments, are active member of the Stearns Wharf Business Association, and has no lease compliance problems on file.

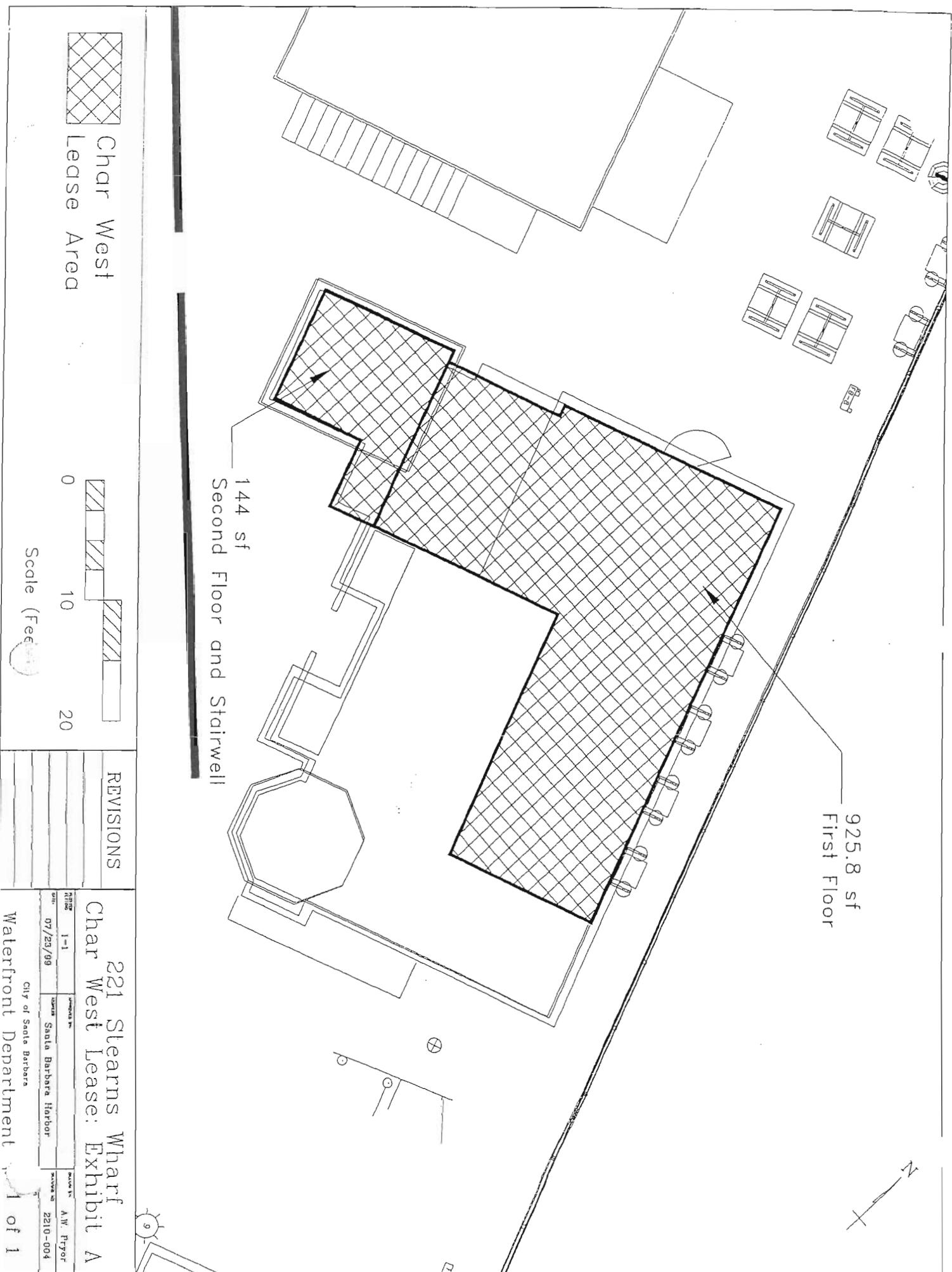
The Harbor Commission recommended that the City Council approve the lease agreement at their May 19, 2016, meeting. A copy of the lease is available for review at the Waterfront Administration office.

ATTACHMENT: Lease Area

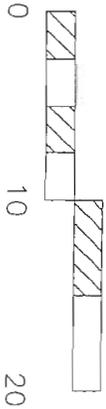
PREPARED BY: Brian Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office



Char West
Lease Area



Scale (Feet)

REVISIONS

| NO. | DATE | DESCRIPTION |
|-----|------|-------------|
| | | |
| | | |
| | | |
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| | | |

221 Stearns Wharf
Char West Lease: Exhibit A

| | | | | | |
|------|----------|-----------------------|-----------------------|-------------|-----------|
| DATE | 1-1 | APPROVED BY | SAULA BARBARA HARBO | DRAWN BY | A.W. RYOR |
| DATE | 07/23/99 | CITY OF SAULT BARBARA | WATERFRONT DEPARTMENT | PROJECT NO. | 2210-004 |

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A FIVE-YEAR LEASE AGREEMENT WITH ONE FIVE-YEAR OPTION WITH JOHN K. WILLIAMS, INC., A CALIFORNIA CORPORATION, DOING BUSINESS AS CHAR WEST, AT AN AVERAGE INITIAL BASE RENT OF \$4,231 PER MONTH FOR THE 1,069 SQUARE FOOT SPACE LOCATED AT 221 STEARNS WHARF.

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara Approving a 5-Year Lease with one 5-year option with John K. Williams, Inc. doing business as Char West, Effective July 14, 2016, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Introduction Of Ordinance For The Assignment Of Lease Agreement No. 24,741 – Shoreline Beach Café

RECOMMENDATION:

That City Council introduce and subsequently adopt, by reading of title only, An Ordinance of the City of Santa Barbara Approving a Consent to Assignment of Lease Agreement No. 24,741 From Steve Marsh, Kevin Boss, and Beachrok, Inc, a California Corporation, Doing Business as Shoreline Beach Café, to Beachrok, Inc.

DISCUSSION:

Shoreline Beach Café (SBC) has operated at 801 Shoreline Drive since 1997. Prior to that, it was known as the Leadbetter Beach Grill. The average base rent is currently \$14,342.06 per month, allocated seasonally. The most recent lease includes a percentage rent of 10% of gross sales up to \$1,250,000 and 11.4% on any sales above that amount and was approved by City Council in April 2014. The Lease has an initial term of ten years, with two five-year options. Eight years remain on the initial term.

Late last month, Mr. Marsh informed the Department that he was pursuing sole ownership of SBC. Over the past few weeks, Mr. Marsh has been successful in reaching agreement with the other owner and both have requested approval of the lease assignment. If approved by City Council, Mr. Marsh would be the sole owner, as Beachrok, Inc.

The lease with SBC is a ground lease, meaning SBC is responsible for all maintenance, repair and replacement of the building on the property. Shoreline Beach Café has significantly improved the lease space area by installing a well-designed shade canopy for patrons, new artistic deck railings, an improved deck heating system, a completely renovated outdoor deck, and most recently replaced the entire sewer line. As a result, annual rent payments to the City have increased by 92% over the past 10 years.

The current owners are considered tenants in good standing for the purpose of assigning the lease since they have no default notices on file and are prompt with rent payments.

In accordance with the Department's lease assignment procedure, no changes to the business terms of the lease will occur as part of this lease assignment.

The Harbor Commission approved the proposed lease assignment at their meeting on May 19, 2016.

PREPARED BY: Brian Bosse, Waterfront Business 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 APPROVING A CONSENT TO ASSIGNMENT OF LEASE AGREEMENT NO. 24,741 FROM STEVE MARSH, KEVIN BOSS, AND BEACHROK, INC, A CALIFORNIA CORPORATION, DOING BUSINESS AS SHORELINE BEACH CAFÉ, TO BEACHROK, INC.

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, an Ordinance of the Council of the City of Santa Barbara, approving a Consent to Assignment of Lease Agreement No. 24,741 from Steve Marsh, Kevin Boss, and Beachrok, Inc, a California Corporation, Doing Business as Shoreline Beach Café, to Beachrok, Inc, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Administration Division, Parks and Recreation Department

SUBJECT: Professional Services Agreement With Bildsten Architecture And Planning, Inc. For The Louise Lowry Davis Center Renovation Project

RECOMMENDATION: That Council:

- A. Approve and authorize the Parks and Recreation Director to execute a professional services agreement with Bildsten Architecture and Planning, Inc. in the amount of \$59,510 to develop preliminary architectural, structural, mechanical, electrical, landscape, and civil engineering plans for the Louise Lowry Davis Center Renovation Project; and
- B. Authorize the Parks and Recreation Director to approve expenditures of up to \$6,000 to cover any cost increases that may result from necessary changes in the scope of work.

DISCUSSION:

The purpose of the Louise Lowry Davis Center Renovation Project (Project) is to maintain and enhance the function and safety of the facility as a community recreation center that provides youth and senior enrichment programs and room rentals for private events. The proposed renovation includes interior and exterior changes to improve the safety and functionality of the facility as a community resource. Specific improvements to the building's aesthetics, foundation, ingress/egress (including ADA), and heating and cooling system are anticipated. Architectural design and engineering plans are required to further evaluate improvement options and develop construction drawings.

Project Background

The facility is located at 1232 De La Vina Street on a 0.8-acre parcel. The one-story, 4,189 sq. ft. structure was part of the Santa Barbara High School campus until it closed in 1924. The building became the City's first Recreation Center when the Recreation Department was established in 1929. Today, the Davis Center is frequently used by Santa Barbara's senior community and functions as a rental facility and community meeting space. The building contains two offices, a large multi-purpose room, an

activity room, lounge and reception area, a warming kitchen, men's and women's restrooms, and associated small service rooms. The existing parking lot is shared by two adjacent City-owned parcels (Spencer Adams Park and Twelve 35 Teen Center).

Concept Plan Development and Review

In fall 2015, the Parks and Recreation Department (Department) developed a facility renovation concept and scope of work to as guidance to promote a more functional community resource. The proposed interior improvements focus on enhancing the building's circulation, storage, temperature control, and lighting. The exterior improvements will concentrate on refining site safety, building aesthetics, signage, accessibility, and drainage while maximizing use of the existing southeast patio. The overall project goal is to expand the functionality of the facility as a community resource.

Consultant Selection

The Department recommends City Council approve a contract with Bildsten Architecture and Planning, Inc. The firm was selected through a competitive request for proposal (RFP) process. The RFP was distributed to 20 firms, and posted on the website of the Santa Barbara California Chapter of American Institute of Architects. The Department received two proposals, and interviewed the most qualified firm. Bildsten Architecture and Planning, Inc. was selected as the most qualified company due to the firm's understanding of the project, creative design solutions, work experience on similar projects, and knowledge of local and regional conditions.

Preliminary design and engineering plans are required to further evaluate improvement options, and initiate design and development review. The scope of work includes three alternative concept design plans, and preliminary civil engineering to address accessibility and meet Storm Water Management Plan requirements. The preferred design plan will be further developed to meet Planning Division submittal requirements. The Project will require review by the Historic Landmarks Commission. The approved preliminary plans will be used to estimate the cost of construction.

BUDGET/FINANCIAL INFORMATION:

The total cost of the contract, including the contingency, is \$65,510. Council appropriated \$100,000 of General Funds in Fiscal Year 2016 for the design of Community Development Block Grant (CDBG) eligible projects. The Neighborhood Improvement Task Force prioritized this project for Fiscal Year 2017. Final design and eventual construction are anticipated to be funded by the General Fund and grants, including the CDBG program.

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

PREPARED BY: Justin Van Mullem, Associate Planner

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

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Recreation Division, Parks and Recreation Department

SUBJECT: Personal Services Contract With iSurf, A California Corporation, For Provision Of 2016 Youth Traveling And Adult Surf Camps

RECOMMENDATION:

That Council authorize the Parks and Recreation Director to execute a personal services agreement with iSurf, a California Corporation, in an amount not to exceed \$45,000, for the provision of 2016 Youth Traveling and Adult Surf Camps.

DISCUSSION:

Background

The Recreation Division of the Parks and Recreation Department (Department) offers twelve one-week surf camps in summer and fall that are organized and delivered by a third-party contractor. iSurf has provided the Youth Traveling Camp for the Department since 2013, and fostered a successful program projected to produce more than \$35,000 of revenue in Fiscal Year 2016. The Youth Travelling Surf Camps serve youth ages 5 through 17, while new Adult Surf Camps provide similar opportunities for individuals 18 years of age and older.

Department camps offer a balance of instruction and fun. The iSurf Youth Travelling and Adult Surf Camps fulfill a niche previously not offered by the Department or by other camp providers in a highly-competitive market. Over the past three years, this camp has delivered positive results, including providing participants with the opportunity to learn new skills, understand aquatic safety, and develop an enhanced respect for the ocean and the sport of surfing.

When iSurf first delivered surf camps for the Department in 2013, the Camp had two sessions with a total of 12 youth participants. Since that time, in collaboration with the Department, iSurf expanded the program significantly with increased camp offerings, and youth participants now average of 100 per year. The Adult Surf Camp component is new for Summer 2016.

Method of selection

The Department recommends that the City enter into an agreement with iSurf. iSurf has a consistent track record of providing high-quality camp programs. In the last three years, the program expanded fivefold.

iSurf's General Manager, Mr. Thomas Oretsky, is well placed to continue expanding and delivering the Youth Traveling and Adult Surf Camps. Prior to starting iSurf, Mr. Oretsky managed a surf camp for 10 years. Through his experience and background, he developed the iSurf program and also established connections with top equipment suppliers to procure surfboards and wetsuits for the program. These relationships provide iSurf the flexibility to adjust to varying camp participation levels and provide quality equipment at no additional cost to the participants. Mr. Oretsky's connection with the local surf community enables him to recruit quality and inspirational staff to deliver this program.

iSurf works collaboratively with the Department to market the Youth Traveling and Adult Surf Camps and grow the program. iSurf has agreed to provide up to thirty scholarships in 2016, through their "Surf Like a Girl" program at a significantly discounted rate. iSurf's commitment to providing quality instruction in a fun and positive environment has resulted in above-average participant retention year after year.

This agreement is for 2016 Youth Traveling and Adult Surf Camp programming, ending December 31, 2016.

BUDGET/FINANCIAL INFORMATION:

The Parks and Recreation Department has sufficient budget appropriations in Fiscal Year 2016 and recommended for Fiscal Year 2017 to cover the cost of the contract.

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, Parks and Recreation Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Recreation Division, Parks and Recreation Department

SUBJECT: Personal Services Contract With Jon Lee, An Individual, For Provision Of 2016 Beach Volleyball Camps

RECOMMENDATION:

That Council authorize the Parks and Recreation Director to execute a personal services agreement with Jon Lee, an individual, in an amount not to exceed \$100,000, for the provision of 2016 Beach Volleyball Camps.

DISCUSSION:

Background

The Recreation Division of the Parks and Recreation Department (Department) offers twelve one-week Beach Volleyball Camps in spring and summer that are organized and delivered by a third-party contractor. Mr. Jon Lee has provided and fostered very successful Beach Volleyball Camps for the Department since 1991. The program is projected to produce more than \$134,000 of revenue in summer 2016. The camps target youth ages 9 through 17.

The Beach Volleyball Camp program offers a balance of instruction and fun to fulfill a niche for players of all levels. Participants learn new skills and develop an enhanced love of the game. Over the past 25 years, this camp has delivered positive results, including the development of many well-respected local coaches and several Olympians.

When Mr. Lee first delivered Beach Volleyball Camps to Santa Barbara in summer 1991, the camps included three sessions for a total of 75 participants. Since that time, in collaboration with the Department, Mr. Lee expanded the program significantly. Youth participants now average 1,100 per year.

Method of Selection

The Department recommends that the City enter into an agreement with Mr. Lee. Since Mr. Lee developed the original Beach Volleyball Camp program, he has successfully

expanded it fifteen fold in 25 years.

Mr. Lee is uniquely positioned to continue delivering the Beach Volleyball Camp due to his 25-year track record in Santa Barbara and his established volleyball acumen. Mr. Lee was an All-American indoor volleyball player at University of California, Santa Barbara, a top beach volleyball player, and also worked as a professional beach volleyball ESPN tournament commentator.

Mr. Lee is the only local camp director with experience providing Beach Volleyball Camps serving over 100 participants per day. Through his connections and background, he recruits high-quality and inspirational volunteer coaches from local club and city school programs. This experience ensures program continuity, participant safety, and the continued success of the Beach Volleyball Camp program.

Mr. Lee works collaboratively with the Department to market the Beach Volleyball Camp and grow the program. Since 2006, he has provided twenty free-of-charge scholarships, amounting to more than 200 local scholarships for youth through the Police Activities League (PAL) Campership Alliance program. His commitment to providing quality instruction in a fun and positive environment has resulted in above-average participant retention year after year.

This agreement is for 2016 Beach Volleyball Camp programming, ending December 31, 2016.

BUDGET/FINANCIAL INFORMATION:

The Parks and Recreation Department has sufficient budget appropriations in Fiscal Year 2016 and recommended for Fiscal Year 2017 to cover the cost of the contract.

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, Parks and Recreation Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Parcel Map For Direct Relief Project At 6100 Hollister Avenue

RECOMMENDATION:

That Council approve and authorize the Mayor and City Administrator to execute and record Parcel Map Number 20,824 for the approved subdivision at 6100 Hollister Avenue.

DISCUSSION:

A Tentative Map for the subdivision located at 6100 Hollister (Attachment 1) was conditionally approved by the by Staff Hearing Officer through adoption of Resolution No. 018-16 on March 16, 2016 (Attachment 2).

The subdivision of the City-owned Airport parcel is a necessary step to implement the sale of the land to Direct Relief (DR) in accordance with the Purchase and Sale Agreement (PSA) approved by Council on October 9, 2014. The Parcel Map (Map) creates three new lots. The eight-acre lot will be developed by DR as their corporate headquarters, and the two remainder lots will remain under City ownership. In accordance with the PSA, DR has provided the City with notice that they intend to purchase the property, with escrow scheduled to close in August of 2016. With the recordation of the Map, a legal parcel will be created which can then be sold to DR under the terms of the PSA.

The Map also dedicates a public road, Wallace Becknell Road, at the southern limits of the new DR parcel, which will provide access to the new DR parcel, as well as to the remaining City Airport owned parcels.

Staff has reviewed the 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 Staff Hearing Officer approval, City Staff has prepared the Map and it is ready to be executed. City Council approval of the Map is necessary pursuant

to the provisions of Santa Barbara Municipal Code 27.09.060 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.

The Parcel Map is available for review in the City Clerk's office.

ATTACHMENT: 1. Vicinity Map
 2. Staff Hearing Officer Resolution 018-16

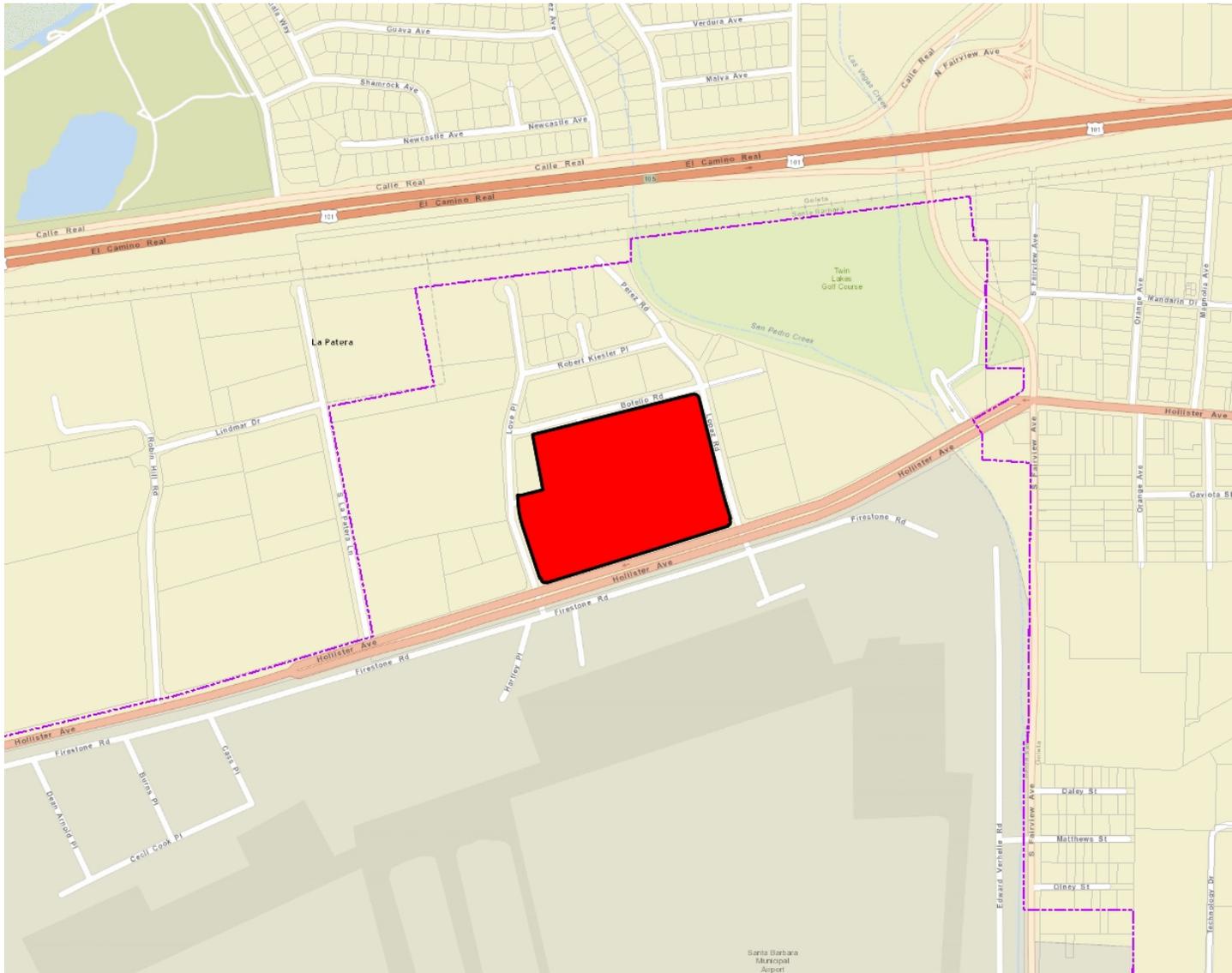
PREPARED BY: Owen Thomas, Supervising Engineer/sk

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



City of Santa Barbara - MAPS



Legend

- City Limits
- Assessor's Parcels - City
- Parcel Addresses
- World Street Map

1: 10,445



1,740.815 0 870.407 1,740.815 Feet

MAP DISCLAIMER

WGS_1984_Web_Mercator_Auxiliary_Sphere
 © City of Santa Barbara

Reported on 05/16/2016 11:04 AM

This service has been provided to allow a visual display of City information. Every effort has been made to ensure the accuracy of the map and data. The City of Santa Barbara assumes no responsibility arising from the use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT A WARRANTY OF ANY KIND. This map was created using the City of Santa Barbara Mapping Analysis and Printing System application.

Notes

Subdivision - 6100 Hollister Ave.



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 018-16 6100 HOLLISTER AVENUE TENTATIVE SUBDIVISION MAP MARCH 16, 2016

APPLICATION OF CITY OF SANTA BARBARA AIRPORT, 6100 HOLLISTER AVENUE, APN 073-080-065, A-I-1/SP-6 (AIRPORT INDUSTRIAL/AIRPORT INDUSTRIAL AREA SPECIFIC PLAN) ZONES, GENERAL PLAN DESIGNATION: AIRPORT (MST2015-00600)

The proposed project involves a three-lot subdivision of a 14.47 acre parcel located at 6100 Hollister Avenue in Sub-Areas 2 and 3 of the Airport Industrial Area Specific Plan (SP-6). A 54 foot wide road right of way easement would be dedicated to the City of Santa Barbara. Pursuant to the terms and conditions of the Purchase and Sale Agreement between the City of Santa Barbara and Direct Relief, proposed Parcel One would be purchased by Direct Relief. Proposed Parcel Two and Three would be retained by the City of Santa Barbara Airport. No development is proposed as part of the subdivision.

The discretionary application required for this project is a Tentative Subdivision Map to allow a three-lot subdivision (SBMC Chapter 27.07).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15315 (Minor Land Divisions).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, dated March 9, 2016.
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

I. Approved the requested Tentative Subdivision Map making the findings and determinations that:

A. THE TENTATIVE MAP (SBMC §27.07.100)

1. Compliance with State and Local Requirements and Conditions.

As described in Section VI of the staff report dated March 9, 2016, the Tentative Subdivision Map is consistent Title 27 (Subdivisions) of the Municipal Code and the Subdivision Map Act. The tentative subdivision map includes the information necessary to process the proposal to subdivide the parcel with no development proposed. All new parcels will have access to public streets and utilities. A 54-foot wide easement for public road purposes would be dedicated to the City as part of the subdivision.

2. Consistency with General and Specific Plans.

As described in Section VI of the staff report dated March 9, 2016, the Tentative Subdivision Map is consistent with the General Plan and Airport Industrial Area Specific Plan. The subdivision will result in three appropriately sized parcels all served by public utilities and public access. The three-lots and easement for public road purposes is consistent with the policies in the Specific Plan in that it will continue to allow for the development of future uses consistent with the uses allowed in the General Plan and the Airport Industrial Area Specific Plan and strengthen the Airport's revenue base, which is a goal of the Specific Plan.

3. The proposed map is consistent with applicable General and Specific Plans.

See Finding 2 above.

4. The design or improvement of the proposed development is consistent with applicable General and Specific Plans.

As described in Section VI of the staff report dated March 9, 2016, no development is proposed; however, the design of the subdivision is consistent with the General Plan and Specific Plan. The lots to be created will all be served by public roads and served by all utilities.

5. The site is physically suitable for the type of development.

As described in Section VI of the staff report dated March 9, 2016, no development is proposed; however, the size and layout of the proposed parcels is adequate to accommodate future allowed uses. A 54-foot wide easement for public road purposes will be dedicated to the City and would serve all the parcels created by the subdivision.

6. The site is physically suitable for the proposed density of development.

As described in Section VI of the staff report dated March 9, 2016, no development is proposed; however, the size and layout of the proposed parcels is adequate to accommodate future allowed uses. Future amount of development is controlled by the nonresidential development allowed by the City's Growth Management Ordinance, the Airport Industrial Area Specific Plans (SP-6) Zone regulations, and the Specific Plan.

7. The design of the development or the proposed improvements are not likely to cause substantial environmental damage or to substantially and avoidably injure fish or wildlife or their habitat.

As described in Section VII of the staff report dated March 9, 2016, no significant environmental impacts are expected to occur as a result of the three dry-lot subdivision.

8. The design of the development or the type of improvement is not likely to cause serious public health problems.

The proposal is a three dry-lot subdivision, which would not cause public health problems.

9. The design of the development or the type of improvement will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed development; provided however, approval may be granted if it is found that alternative easements, for access of or use, will be provided, and that these will be substantially equivalent to the ones previously acquired by the public.

The three-lot subdivision would not conflict with any existing public easements. A 54-foot wide easement for public road purposes would be dedicated to the City and would serve all the parcels created by the subdivision.

II. Said approval is subject to the following Conditions of Approval:

A. Approval. The approval by the Staff Hearing Officer on March 16, 2016 is limited to a three-lot subdivision of a 14.47 acre parcel located at 6100 Hollister Avenue (APN 073-080-065) as shown on the Tentative Subdivision Map signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.

B. Public Works Submittal Prior to Parcel Map Approval. The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to approval of the Parcel Map by the City Council.

1. **Parcel Map.** The Owner shall submit to the Public Works Department for approval, a Parcel Map prepared by a licensed land surveyor or registered Civil Engineer. The Parcel Map shall conform to the requirements of the City Survey Control Ordinance.

2. **Dedication.** Easement, as shown on the approved Tentative Subdivision Map and described as follows, subject to approval of the easement scope and location by the Public Works Department and/or the Building and Safety Division:

A 54-foot wide easement for public road purposes (Wallace Becknell Road) to be dedicated to the City of Santa Barbara.

C. General Conditions.

1. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met.

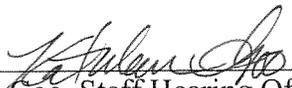
2. **Building Demolition.** The existing building that straddles the property line for Parcel 1 and Parcel 3, commonly known as the Fish and Game building, shall be demolished no later than six (6) months after recordation of the Parcel Map.

3. **Approval Limitations.**

- a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
- b. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

This motion was passed and adopted on the 16th day of March, 2016 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.



Kathleen Goo, Staff Hearing Officer Secretary

3/18/16

Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
5. **NOTICE OF TENTATIVE SUBDIVISION MAP TIME LIMITS:** The Staff Hearing Officer action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Final Map And Execution Of Agreements For The Sandman At 3714-3744 State Street

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Final Map Number 20,812 and standard agreements relating to the approved subdivision at 3714-3744 State 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 3714-3744 State Street (Attachment 1), was conditionally approved on April 4, 2014, by adoption of the Planning Commission Conditions of Approval, Resolution Number 008-14 (Attachment 2). The project involves the demolition of the existing Sandman Inn Hotel, and subdivision of the site into four lots. Three of the lots will be nonresidential, each with area commercial building and parking. The fourth lot will be further subdivided into 72 residential condominiums. The 72 condominiums will consist of 32 two-bedroom units (4 affordable) and 40 three-bedroom units (5 affordable).

Staff has reviewed the Final 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. The County Surveyor has reviewed the Final Map on behalf of the City for technical correctness as required by the Land Surveyor Act.

In accordance with the Planning Commission's approval, the Owners (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 (Municipal Code, Chapter 27.09.060, City Council Action).

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

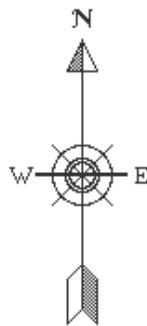
- ATTACHMENTS:**
1. Vicinity Map
 2. Conditions required to be recorded concurrent with Final Map Number 20,812 by Planning Commission Conditions of Approval Resolution Number 008-14
 3. List of Owners/Trustees

PREPARED BY: Adam Hendel, Acting Principal Civil Engineer/TS/kts

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

Vicinity Map
3714-3744 State Street



Not to Scale

CONDITIONS REQUIRED TO BE RECORDED CONCURRENT WITH FINAL MAP NUMBER 20,812 BY PLANNING COMMISSION CONDITIONS OF APPROVAL RESOLUTION NO. 008-14

3714 and 3744 State Street

Said approval is subject to the following conditions:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on April 3, 2014, is limited to the following:
 - a. A four-lot subdivision creating Lot A (approximately 11,500 net square feet), Lot B (approximately 4,100 net square feet), Lot C (approximately 7,800 net square feet) and Lot D (approximately 174,300 net square feet);
 - b. A one-lot subdivision of Lot D to create 72 residential condominiums (32 two-bedroom units and 40 three-bedroom units totaling approximately 109,081 net square feet), of which nine are affordable to middle-income homebuyers, a community veranda, and 164 residential parking spaces;
 - c. Construction of an approximately 2,596 net square foot nonresidential building and 13 commercial parking spaces on Lot A;
 - d. Construction of an approximately 1,043 net square foot nonresidential building and 5 commercial parking spaces on Lot B;
 - e. Construction of an approximately 1,471 net square foot nonresidential building and 7 commercial parking spaces on Lot C;
 - f. Driveway access on Lots C and D;
 - g. Public improvements, including extension of the existing State Street median, sidewalk dedication, and a new bus stop;
 - h. Bike parking for six bikes (two on each of Lots A, B, and C); and the improvements shown on the Tentative Map and project plans signed by the chairperson of the Planning Commission, on said date and on file at the City of Santa Barbara.
2. **Nonresidential Parking.** Parking spaces provided for each nonresidential building shall not be assigned to individual tenants within said building.
3. **Development Restrictions.** Residential and non-residential development potential on the Real Property has been specified as follows as part of the subdivision: All residential density has been allocated to Lot D, all non-residential development rights have been allocated to Lots A, B, and C. Agreements outlining these allocations shall be recorded with the Final Map.
4. **Potential Future Access.** The Owners shall accommodate future potential requests from adjacent property owners to connect with the vehicular circulation improvements on the Real Property in the approximate locations shown on Sheets C-1 and A-101. Any such accommodation is conditioned upon the adjacent property receiving all required approvals from the City of Santa Barbara and the adjacent property owner bearing any costs associated with said connection. The Owner(s) shall also offer an easement to adjacent parcels to the north in order to accommodate pedestrian access through the Real Property.
5. **Uninterrupted Water Flow.** The Owners of each newly created parcel shall allow for the continuation of any historic flow of water onto their newly created parcels including water from adjacent sources such as, but not limited to,

public or private property drainage swales, natural watercourses, conduits, runoff from public or private roads, etc, as may be deemed appropriate.

6. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.

7. **Tree Protection.** The seventeen existing trees/palms shown to remain in place on Sheet TP1.0 shall be preserved, protected, and maintained in accordance with the recommendations contained in the Tree Maintenance and Retention Plan prepared by Christopher Kallstrand, Dudek, dated October 1, 2013, including Attachments 2 and 3. A copy of this report shall be attached to the recorded conditions as an exhibit.

8. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state, in accordance with the Storm Water Best Management Practices Guidance Manual and Operations and Maintenance Procedure Plan, approved by the Creeks Division for the life of the project. Owners shall inspect and submit a report to the City annually. After certificate of occupancy is granted, any proprietary treatment devices installed will be subject to water quality testing by City Staff to ensure they are performing as designed and are operating in compliance with the City's Storm Water MS4 Permit. 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 Owners 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 Owners 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 Owners are 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.

9. **Ownership Unit Affordability Restrictions.** The nine dwelling units designated as units number 101, 107, 109, 113, 119, 120, 201, 214, and 216 on the Tentative Subdivision Map shall be designated as Affordable Middle Income Units and sold only to households who, at the time of their purchase, qualify as Middle Income Households as defined in the City's adopted Affordable Housing Policies and Procedures. The maximum sale prices upon initial sale shall not exceed the following:

- a. Units No. 109, 119, 120, 216 (2-bedroom units) = \$317,400
- b. Units No. 101, 107, 113, 201, 214 (3-bedroom units) = \$360,600

The Affordable Units shall be sold and occupied in conformance with the City's adopted Affordable Housing Policies and Procedures. The resale prices of the Affordable Units shall be controlled by means of a recorded affordability covenant executed by the Owners and the City to assure continued affordability for at least ninety (90) years from the initial sale of the affordable unit. No affordable unit may be rented prior to its initial sale.

10. **Landscape Plan Compliance.** The Owners of Lots A, B, and C shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan, including any tree

protection measures. If said landscaping is removed for any reason without approval by the ABR, the owners are responsible for its immediate replacement.

11. **State Street Parkway Tree Maintenance.** Each Owners of Lots A, B, and C shall maintain the parkway tree on each corresponding lot frontage. Maintenance shall include watering and trimming maintenance. Canopies of mature street trees shall be maintained with a clearance of at least 14 feet above the road, and at least 10 feet above the pedestrian sidewalk to ensure driver visibility of traffic control devices and pedestrian safety. A permit is required from the Parks and Recreation Department prior to any trimming.
12. **Required Private Covenants, Conditions and Restrictions (CC&Rs) for Residential Condominiums.** 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 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.
 - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
 - c. **Parking Space Assignment.** Parking spaces within the project shall be allocated such that each residential unit has at least one covered and one uncovered parking space, and at least 18 spaces are assigned for guest parking.
 - d. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan. Such plan shall not be modified unless prior written approval is obtained from the appropriate design review board. If said landscaping is removed for any reason without approval by the appropriate design review board, the owner is responsible for its immediate replacement.
 - e. **Trash and Recycling.** 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. 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 CC&Rs stating that the green waste will be hauled off site.
 - f. **Public Improvement Districts.** A covenant that includes a waiver to protest formation of public improvement districts.
 - g. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants.

ATTACHMENT 3

3714 and 3744 State Street

KW Fund V – Sandman LLC

LIST OF OWNERS

In Ku Lee, Vice President

Kent Mouton, Authorized Officer

Stuart Cramer, Authorized Officer



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Purchase Order For Replacement Of Braemar Lift Station Valves

RECOMMENDATION:

That Council waive the formal bid procedure as authorized by Municipal Code Section 4.52.070 (L) and authorize the General Services Manager to issue a Purchase Order to Stanek Constructors, Inc., in their bid amount of \$120,000, for replacement of the Braemar Lift Station operational valves, Bid No. 5447; and authorize the General Services Manager to execute Purchase Order Change Orders up to \$12,000 for extra services that may result from change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

DISCUSSION:

Project Description

The Valve Replacement Project (Project) has been highlighted by wastewater system analysis as an immediate priority due to lack of redundancy in the Braemar Lift Station (Station) and its proximity to environmentally sensitive areas. The valves are no longer able to be closed as initially designed. The Project at the Station includes replacement of suction, discharge, and check valves for the two existing pumps, and corresponding bypass pumping and traffic control required for construction. Additionally, the sealant between the suction pipe and the Station wall will be replaced.

Purchase Order Bids

Based on an initial engineering estimate that the Project would cost less than \$75,000 to complete, staff followed standard purchasing procedures per Municipal Code Section 4.52.060. This allows for maintenance and repair work valued between \$7,500 and \$75,000 to be solicited outside of the formal contract procedures required for larger maintenance and repair contracts, and allows staff to directly solicit bids from at least three contractors.

Staff solicited bids from five contractors and a single bid was received for the subject work from Stanek Constructors, Inc. of Escondido, California (Stanek) in the amount of \$120,000.

The responding bid from Stanek took into account more accurate pricing for bypass pumping and valve markup. Staff has determined that the bid of \$120,000 is an acceptable bid that is responsive to and meets the requirements of the bid specifications. However, the bid exceeds the threshold for non-advertised proposals and thus the work can only be awarded provided that Council waive the formal contract procedures required per Municipal Code Section 4.52.070.

In accordance with Municipal Code Section 4.52.070 (L), Staff is recommending that Council waive the formal bidding requirements in the best interest of the City, and enter into a maintenance and repair contract with Stanek. It is in the City's best interest to maintain the timeline for this Project. Expedient replacement of the valves is necessary to effectively operate the Station and avoid added environmental risk from further delays. Maintaining the expedited timeline for this Project further provides opportunity to coordinate with annually scheduled Station maintenance.

Additionally, staff recommends that Council authorize the General Services Manager to issue change orders up to \$12,000, or 10 percent, to cover any cost increases that may result for change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

Community Outreach

Stanek will submit a traffic control plan, which will be approved and publically available prior to construction. Stanek will also provide notification by street signs and door hangers to adjacent residents of restrictions in pedestrian, vehicular access, or impacts to parking prior to construction.

Funding

The Project is funded by the Wastewater Capital Fund, and there are sufficient appropriated funds for this Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION PURCHASE ORDER FUNDING SUMMARY

| | Basic Purchase Order | Change Funds | Total |
|--|-----------------------------|---------------------|---------------------|
| | \$120,000 | \$12,000 | \$132,000.00 |
| TOTAL RECOMMENDED AUTHORIZATION | | | \$132,000.00 |

The following summarizes all Project design costs, construction purchase order funding, and other Project costs:

ESTIMATED TOTAL PROJECT COST

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

| | | |
|--|-----------------|------------------|
| Design | | |
| City Staff Costs | | \$10,000 |
| | Subtotal | \$10,000 |
| Construction | | |
| Construction Purchase Order | | \$120,000 |
| Construction Change Order Allowance | | \$12,000 |
| Construction Management/Inspection (by City Staff) | | \$9,526 |
| | Subtotal | \$141,526 |
| TOTAL PROJECT COST | | \$151,526 |

PREPARED BY: Linda Sumansky, Principal Civil Engineer/MJH/sk

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Local Coastal Program Planning Grant Application Resolution

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Supporting a Grant Application to Update the City of Santa Barbara Local Coastal Program to Complete a Comprehensive Update to the Land Use Plan, Prepare a Sea Level Rise Adaptation Plan, and Address Lower-Cost Visitor-Serving Accommodations.

DISCUSSION:

The City of Santa Barbara's existing Local Coastal Program (LCP) was originally certified by the California Coastal Commission (CCC) in 1986. The LCP includes a Land Use Plan (LUP) and an Implementation Plan (IP), which together serve as the standard of review for issuance of most coastal development permits within the City's Coastal Zone. Due to changes in development, coastal resources, and regulations, the LCP needs to be updated to remain effective and legally adequate. In 2014, the City received grant funds from the CCC Local Coastal Program Round 1 Grant Program to modernize the City's LUP, begin to address sea level rise vulnerability, and update the IP to incorporate the 2011 General Plan Update land use and zoning changes. The grant ended on April 29, 2016.

Over the last two years, City staff has worked diligently to produce a Preliminary Draft LUP, conduct sea level rise modeling, and compile a package of draft IP land use and zoning map amendments reflecting the 2011 General Plan Update. The Preliminary Draft LUP incorporates early comments received from CCC staff and was reviewed by various City departments and subcommittees of the Planning, Harbor, and Parks and Recreation Commissions. In April, City staff received extensive written comments from CCC staff on the Preliminary Draft LUP. The City is in the process of addressing these comments and anticipates working with CCC staff toward a Draft LUP ready for public review by January 2017.

The scope of the LUP update has significantly expanded since the project was initially funded over two years ago and now includes what amounts to a comprehensive overhaul of the City's LUP. The Preliminary Draft LUP is clearer, better focused on the Coastal Act's mandates, and would provide more clarity and consistency in coastal permitting. In many cases, it carries forward existing LUP policies and other City policies, guidelines, and practices with little or no substantive change. However, it includes new detailed policies in some resource areas, including biological resources, creeks, and coastal hazards. Therefore, a more extensive public outreach program than originally anticipated is necessary.

Additionally, in the course of consultations with CCC staff over the last two years, it has become clear that significant additional technical study, policy development, stakeholder involvement, and public outreach is needed in the areas of 1) sea level rise adaptation and 2) preservation of lower-cost visitor-serving accommodations. City staff is recommending additional work programs in these issue areas, as outlined below. A Draft LUP will continue through the process of approval and certification with interim measures to address sea level rise and lower-cost accommodations. When the work programs addressing these issues are completed, the LCP would then be amended again to reflect the detailed policy and ordinance options chosen and adopted by the City.

A comprehensive Sea Level Rise (SLR) Adaptation Plan is needed to provide additional details on the City's vulnerabilities and analyze the feasibility, economic impacts, and environmental consequences of various adaptation strategies. The SLR Adaptation Plan will use as a foundation the work completed to date with Round 1 Grant funding, including existing conditions analyses, vulnerability assessments, SLR modeling, and maps. With the use of technical consultant services and the most accurate and timely (best available science) SLR information, an analysis of impacts and feasible adaptation strategies to low-lying and coastal bluff areas in the City's Coastal Zone will be completed. This information will be synthesized with a coastal resources economic analysis to identify the trade-offs and provide cost-benefit analysis of a range of adaptation strategies to be used to draft policies and development standards for inclusion in the City's LUP and IP. Stakeholder involvement and public outreach would be included in all stages of development of the plan, policies, and development standards.

City staff is also recommending a program to analyze various strategies to preserve lower-cost accommodations in the region, which includes a baseline inventory, economic analysis, policy development, and public and stakeholder involvement. During their review of the Preliminary Draft LUP, CCC staff recommended a detailed set of policies to implement the Coastal Act's mandate to preserve lower-cost visitor-serving accommodations in the Coastal Zone. These policy suggestions are very complicated, substantially change existing LUP policies, and need to be thoroughly evaluated by City staff, stakeholders, public, and decision-makers. In the last few years, the CCC has

shown particular interest in prioritizing lower-cost accommodations and is unlikely to certify any LUP amendment that does not include a plan to address this issue.

Staff has submitted an application for grant funds from the CCC Local Coastal Program Round 3 Grant Program for a public outreach program for the LUP update, SLR adaptation planning, and development of policies associated with preservation of lower-cost visitor serving accommodations. The purpose of CCC's grant program is to support local coastal planning to develop new LCPs or to update existing certified LCPs to reflect new information or changed conditions.

BUDGET/FINANCIAL INFORMATION:

If this application is successful, the City would receive up to \$298,000 in new grant funds. The grant application provides a scope of work and milestone schedule to cover the time period from January 2017 to September 2018. City in-kind contributions are estimated at \$240,000, all in staff hours. However, staff believes that to update the LCP completely will require more City resources, including additional time from planners, the City Attorney's Office, and staff in other departments, including Parks and Recreation, Waterfront, and Public Works.

ATTACHMENT: CCC LCP Planning Grant Application Form dated 5/20/16

PREPARED BY: Debra Andaloro, Principal Planner

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office

CALIFORNIA COASTAL COMMISSION

45 FREMONT STREET, SUITE 2000
 SAN FRANCISCO, CA 94105-2219
 VOICE (415) 904-5200
 FAX (415) 904-5400
 TDD (415) 597-5885



CALIFORNIA COASTAL COMMISSION

LCP PLANNING

GRANT APPLICATION FORM

MARCH 28, 2016

The California Coastal Commission is pleased to announce the availability of Round 3 grant funding to support local governments in developing or updating Local Coastal Programs (LCPs) pursuant to the California Coastal Act and with special emphasis on addressing impacts from climate change and sea-level rise. For Fiscal Year 2015-2016, Governor Brown approved an augmentation of \$3 million to the California Coastal Commission's budget to support local governments responsible for planning under the [California Coastal Act](#) (Coastal Act) to develop or update their Local Coastal Programs. A full description of the grant program is available here: <http://www.coastal.ca.gov/lcp/lcpgrantprogram.html>.

Coastal Commission staff is available to work with local governments and to assist during the application process. Please note the entire grant application will be public record upon submittal. Click in the shaded text fields to enter text, numbers and dates. The fields will expand to accommodate the data.

Grant applications are due by **May 20, 2016 at 5 pm.**

APPLICANT INFORMATION

Applicant name (agency): City of Santa Barbara

Address: 630 Garden Street, PO Box 1990, Santa Barbara, CA 93102

Contact name: Debra Andaloro Title: Principal Planner

Telephone: (805)564-5470 x2569 Fax: (805)897-1904 Email: dandaloro@santabarbaraca.gov

Federal Tax ID#: 95-6000-787 DUNS #008-717-3634

Person authorized to sign grant agreement and amendment:

Name: George Buell

Title: Community Development Director

Application prepared by: Name: Debra Andaloro

Title: Principal Planner

Signature: 

Date: 5/20/2016



PROJECT INFORMATION

Project title: Local Coastal Program Update Completion Project

LCP/ LCP Segment: City of Santa Barbara (City segment)

Project location: City / Geographic area: Santa Barbara County: Santa Barbara

Project timeline: Start date: 1/1/2017 End date: 9/28/2018

MAPS AND PHOTOS

Applications must include a map showing the planning area for the project. Additional photos or maps may be included as attachments if needed to illustrate the proposed project. Please note: any photos and maps you submit are subject to the unqualified and unconditional right of the State of California to use, reproduce, publish, or display, free of charge. Please indicate if crediting is requested for the photos and/or maps.

APPLICATION MATERIALS

1. **PROJECT DESCRIPTION.** Provide a clear description of the proposed project organized under subheadings to describe how the project will address the priorities and criteria. This section should be no more than 5- 7 pages in 12 point font, single-spaced, and should include the following:
 - a. **Goals and Objectives:** Describe the specific project goals and objectives to be achieved. Goals and objectives should be specific for each year of the work plan presented. Recipients will be required to submit progress reports in which progress against these goals and objectives will be reported. Include a description of how you will accomplish each objective, and how your objectives will accomplish your goals.
 - b. **Approach:** Identify specific tasks to be accomplished; explain the technical approach needed to accomplish the tasks; identify the roles of partners and cooperators; and identify potential obstacles to successful completion of the goals and objectives. Describe how stakeholders will be involved in the planning or assessment process. If the project includes partners, the roles and responsibilities of the partners must be clearly identified.



City of Santa Barbara

Local Coastal Program Update Completion Project - Project Description

A. Goals and Objectives

The project will allow the City of Santa Barbara to continue and complete a Local Coastal Program (LCP) update, which was initially funded in Round 1 of the CCC's LCP Planning Grant Program. The City has worked diligently and collaboratively with CCC regional staff over the last two years. At this point, the City has received extensive written comments on its preliminary draft Land Use Plan (LUP) Amendment. The City is in the process of addressing these comments and anticipates working with CCC staff toward a Draft LUP Amendment ready for public review by the end of 2016, with funding provided outside of this grant request. The City will continue to process the Draft LUP Amendment through certification while simultaneously undertaking two programs to address Sea Level Rise Adaptation and Lower-Cost Visitor-Serving Accommodations that would result in subsequent LCP Amendments.

The scope of the Draft LUP Amendment has significantly expanded since the project was initially funded two years ago and now includes what amounts to a complete overhaul of the City's Land Use Plan and significant changes particularly in the area of biological resources, bluff development, and other sections. Given this, a more extensive public outreach program is needed for the comprehensive LUP Amendment.

Additionally, in the course of the technical work and consultations with CCC staff over the last two years, it has become clear that significant additional technical study, analysis of policy and implementation options, stakeholder involvement, and outreach and education are needed in the areas of sea level rise adaptation and preservation of lower-cost visitor serving accommodations. The City will conduct a comprehensive Sea Level Rise Adaptation Plan and additional research and technical studies to develop LUP policies and implementation plan (IP) ordinance amendments focused on these two issue areas and also develop stakeholder and public outreach programs specific to these areas.

The primary goals of the project are: 1) to bring the City's LCP into conformance with the Coastal Act by developing robust policies in the Land Use Plan and revising or adding new ordinances as appropriate to the Implementation Plan; and 2) to educate and actively engage the public, including low income and underserved communities, on the City's overall LCP Update efforts and build broad community support for adoption of the LCP.

Specific objectives are detailed below.

Objective 1: Innovative and Engaging Outreach Plan

The City comprehensively revised its General Plan in December 2011, after several years of research, public participation, and Planning Commission and City Council workshops. Major policy updates were made to all elements of the General Plan, including Land Use, Housing, Environmental Resources, Circulation, Public Services, and Open Space, Parks and Recreation, as well as the addition of a new Economy and Fiscal Health Element. A new Historic Resources Element and a new Safety Element were adopted in 2012 and 2013 respectively, and the City's first Climate Action Plan was adopted in 2012. In January 2014, the LCP Update work effort was begun to integrate updated General Plan and Climate Action Plan policies into the LCP Land Use Plan, update land use and zoning map changes initiated as part of the General Plan Update into the LCP, and ensure the LCP reflects current conditions and conforms with the Coastal Act.



Through the process of forming preliminary drafts of the Land Use Plan Amendment with CCC staff, the City identified a number of significant and many moderate and minor shifts in policy direction from the existing LCP, as well as from the adopted General Plan, that would be required. In particular, there were significant new and more detailed policy language being considered in the areas of biological resources, visitor serving uses, coastal hazards, bluff development, and public services and facilities. Therefore, the City finds that it is necessary to conduct additional outreach to educate and engage the public regarding the coastal zone, the Coastal Act, and these policy choices and build a broad level of community support for the LCP. The City proposes to conduct an Innovative and Engaging Outreach Plan for Round 3 Grant support.

Components of the Outreach Plan will include stakeholder meetings, online surveys, a series of educational workshops for each of the major policy areas to be discussed, and an open house and workshops for public release and adoption of the draft LCP Amendments. The Outreach Plan will be designed to be inclusive of all communities and stakeholders and will make special efforts to involve low income and underserved groups that do not traditionally participate in local planning efforts. These components will achieve Project Goal 2 by engaging the community and strengthening its sense of ownership of the LCP.

The Outreach plan would include public outreach for the LUP Amendment currently under development, in addition to stakeholder involvement and public outreach for the Sea Level Rise Adaptation Plan and lower-cost visitor serving accommodation policy development program described below. Currently it is anticipated that the LCP Amendments resulting from the Sea Level Rise Adaptation Plan and Lower-Cost Visitor Serving Accommodation Program would be processed subsequent to the current comprehensive LUP Amendment in development.

Objective 2: Sea Level Rise (SLR) Adaptation Plan

As part of the LCP Update funded by the Round 1 Grant, the City was not funded for SLR modelling or a detailed vulnerability assessment. Instead, the City reviewed available technical information, including the best available erosion and coastal storm flood SLR modeling and maps and a SLR Vulnerability Assessment Project completed by University of California Santa Barbara (UCSB) Bren School Masters students that was limited in scope. The SLR modeling and maps were the products of an effort undertaken by the County of Santa Barbara for the entire South Coast, plus a more refined modeling effort undertaken by the City at its own expense. Based on this data and other technical information, a preliminary draft of a Coastal Hazards section of the LUP was completed and submitted to CCC staff that includes basic project review processes and broad policy standards for new development.

However, the City was unable to develop detailed adaptation strategies and development standards for the LCP. While the SLR modeling proved very useful as a starting point for further analysis, the data revealed that a few major pieces of infrastructure greatly impacted very large areas of flooding in the City. Investigation into the adaptation options for this flooding would need to be considered programmatically rather than on a project-by-project basis. Additionally, the vulnerability assessment conducted by the Bren School students was not detailed enough to fully inform decision-making. Further, it became clear that economic analysis of vulnerable areas and adaptation options could potentially significantly change the City's policy direction on adaptation, particularly in the longer term when cleanup and repair costs could potentially exceed the costs of retreat.

The City would now like to pursue a comprehensive adaptation plan that includes a detailed vulnerability assessment and analysis of the economic and fiscal impacts, environmental consequences, and feasibility of various adaptation strategies. Given the implications of some adaptation options, the City would like to pursue early stakeholder involvement that includes elected officials and public outreach in all stages of development of the plan. CCC staff have reviewed the general scope of this



adaptation plan as part of consultation on the Draft LUP Amendment and would like it completed within five years of adoption of the LUP Amendment.

The final product of this objective will be the development of adaptation strategies and policy options, and ordinances, including: 1) the development of draft policies, development standards, and updated hazard maps for inclusion in the City's LUP and IP; and 2) a framework for potential mitigation programs for sandy beach losses and adverse impacts on coastal access and resources, funding mechanisms to prepare for investments in SLR adaptation and monitoring, and an implementation timeline for decisions, funding, and actions as triggered by SLR over anticipated thresholds. This will accomplish Project Goal 1 by establishing new and robust LCP policies and implementing ordinances of the IP consistent with the Coastal Act.

Objective 3: Policy Development for Lower-Cost Visitor Serving Accommodation

During the development of preliminary working draft policies for the Visitor Serving Uses section of the LUP, CCC staff recommended a detailed set of LUP policies, including a ten-step methodology to define "lower-cost" when referring to overnight accommodations, a requirement to replace 25% of any removed existing lower cost overnight accommodations, and a significant in-lieu mitigation fee if it is not feasible to provide lower cost facilities on or off-site for both new development and redevelopment of higher-cost overnight accommodations. These policy suggestions substantially expand upon and change existing LUP policies and have not been evaluated by City staff, decision-makers, stakeholders, or the public. Furthermore, the City's preliminary research has found that the suggested methodology raises significant issues as proposed. Therefore, the City will conduct data collection, research, an economic analysis and outreach towards developing robust policies reflecting local conditions. This will accomplish Project Goal 1 by establishing new and robust LCP policies and programs regarding lower-cost accommodations, and Project Goal 2 by engaging stakeholders and the community to build support for these policies and programs.

B. Project Approach

Task 1: Innovative and Engaging Outreach Plan

An innovating and inclusive outreach campaign will be conducted to engage the community and foster meaningful conversation about the future of the City's Coastal Zone. It is imperative that extensive outreach be conducted to educate the community, address concerns, evaluate ideas, and establish preferences to successfully move the LCP update process forward. Low-income and underserved communities will be actively encouraged to inform the decision-making and adaptation planning process, and accommodations will be made for Spanish speakers. The coordinated outreach effort will be conducted through different avenues, allowing for public input throughout the project process, as described in more detail below. The tasks below would be used for outreach associated with the current LUP Amendment, as well as the Sea Level Rise Adaptation Plan and Lower-Cost Visitor Serving Accommodation work programs described in detail below.

1.1 Stakeholder Engagement

Key stakeholder groups will be engaged throughout project implementation by way of an online survey that gauges existing knowledge, preferences and priorities moving forward; individual stakeholder meetings; and, an accessible website that includes reports, maps, meeting notices and outcomes, and other relevant information. *Key deliverables include: Survey URL, website URL, screenshots, and summary of input received. Results will be posted on the project website.*

1.2 Workshop Series

At least five (5) workshops will be conducted to educate the public about relevant project topics, solicit concerns, and establish preferences and priorities. Potential topics include: The Santa Barbara Coastal



Zone, the California Coastal Act, and the history of the City's LCP; known issue areas that require further study; ESHA, creeks, wetlands, and potential changes to existing biological resources buffers and allowed uses; sea level rise (SLR) and potential vulnerabilities, SLR adaptation options, and new technical studies and mapping; and, lower-cost visitor serving accommodations. *Key deliverables include: Workshop notices, workshop materials, list of attendees, and summary of input received. Results will be posted on the project website.*

1.3 Public Release of Draft Documents

To ensure a meaningful community dialogue, multiple opportunities for preliminary draft document review and public comment will be established to stimulate community feedback and provide a setting for the public to share concerns, ideas and preferences. These include a public open house, board and commission meetings, and the project website. *Key deliverables include: Public open house notices, materials and list of attendees, board and commission notices and materials, and summary of input received.*

1.4 Boards, Commissions, and Council Reviews

To solicit further community input, the draft documents will be presented to various boards, commissions, and council for review and action. *Key deliverables include: Meeting notices, materials, minutes and resolutions. Results will be posted on the project website.*

Task 2: SLR Adaptation Plan

The SLR Adaptation Plan will use as a foundation the work completed to date with Round 1 Grant funding, including existing conditions analyses, vulnerability assessments, SLR modeling, and maps. With the use of technical consultant services and the most accurate and timely (best available science) SLR information possible (including but not limited to CoSMoS 3.0, FEMA Pacific Coast Revised Maps and non-regulatory products, SBCEVA, etc.), the City and a technical consultant team will review additional modeling products for applicability and complete an analysis of impacts and feasible adaptation strategies to low-lying and coastal bluff areas in the City's coastal zone. This information will be synthesized with a coastal resources economic analysis to identify the trade-offs and identify cost-benefit analysis of a range of adaptation strategies to be used to draft policies and development standards for inclusion in the City's LUP and IP. This task will be closely aligned with Task 1, Innovative and Engaging Outreach Plan. Specific tasks will include but not be limited to:

- Economic and Fiscal Impacts Review:
 - Obtain and update property valuation data from the County Assessor's database to current estimates of fair market value so that both land/structure values are accurate.
 - Create an inventory of property and assigned values that are at-risk based on the updated assessor's database. Since government property is not assessed for property tax purposes, assign an economic value to government property, likely replacement cost.
 - Create an inventory of roads, and other infrastructure (e.g., water, sewage) that are at risk. Generate estimates of replacement costs for this infrastructure. Create an economic model which estimates recreational value as a function of beach width. The model will also incorporate other potential changes that might impact beach recreation (e.g., loss of restrooms and other beach and visitor-serving facilities, beach access, parking, etc.)
- Vulnerability Assessment Update:
 - Examine the potential effects of storms and high water events in combination with SLR for the near-term to 2030, midterm to 2050/60, and long term to 2100. This will



incorporate the best available science on SLR, such as the forthcoming update to the Coastal Storm Modeling System (CoSMoS 3.0) for Southern California, and the CCC's *Final Sea Level Rise Guidance*.

- Create a dynamic model of beach ecosystem value using beach width and other attribute data.
- Analyze the updated property valuation data from the County Assessor and the inventory of property values that are at risk with a geospatial model of coastal flooding/erosion, and estimate the potential loss in property value and the economic impacts to the City's tourism industry (i.e., loss of transient occupancy tax revenue, tourism-related jobs, etc.)
- Adaptation Planning
 - Complete an Engineering Analysis of the function and useful life of existing shoreline protection devices, with particular attention to public infrastructure such as the Laguna Creek Tide Gate facility.
 - Evaluate the trade-offs and identify cost-benefit analysis of a range of adaptation strategies by public and private sector. These will be categorized by costs and timeframe for implementation, as triggered by anticipated levels of future SLR, and will be paired with LCP and Coastal Act topics mandated by the Coastal Commission LCP Update Guide and SLR Policy Guidance, and local circumstances.
 - Other factors to be considered include impacts to coastal resources and feasibility of options.
- Policy Development
 - Form a stakeholder group to review options for adaptation strategies.
 - Recommend SLR adaptation strategies (policies, development standards, and projects) in consultation with other technical experts and outcomes and input from the stakeholders group and public.
- Develop draft policies and development standards inclusion in the City's LUP and IP.

Key deliverables include: Sea Level Rise Adaptation Plan, draft policies and development standards; and draft LCP Amendment.

Task 3: Policy Development for Lower-Cost Visitor Serving Accommodation

The City will develop policies consistent with Coastal Act section 30213 to protect, encourage, and where feasible, provide lower-cost visitor serving accommodation facilities. This task will consist of background research and data collection, special studies/economic analysis, and policy development. Specific tasks will include but not be limited to:

- Research
- Data Collection
- Special Studies/Economic Analysis
- Policy Development
 - Form a stakeholder group to review options for policies and programs for preservation and development of lower-cost facilities. The stakeholders will include City staff, hotel/motel owners and operators, travel/tourism groups, Chamber of Commerce, and potential regional partners (County of Santa Barbara, cities of Goleta and Carpinteria, California State Parks, Hosteling International).
 - Develop draft policies and programs for inclusion in the City's LCP. City staff will work collaboratively with CCC staff and sufficient time will be built into the schedule to



discuss draft language with CCC staff before release to the public. *Key deliverables include: consultant reports, draft policies, and draft LCP Amendment.*

Task 4: Technical Assistance

Our experience with the previous round of grant funding and development of the preliminary draft LUP Amendment has shown us that it is often necessary to support research into questions and issues that arise during the LCP Amendment processes with technical assistance from consultants. The purpose of this task is to support all aspects of the proposed LCP Amendments and work programs with additional technical support that may be needed through the process. This would be directly related to issues raised through consultation with CCC staff, public outreach, or City processes and may include assistance from biologists, hydrologists, geologists, coastal engineers and scientists, climate modelers, economists, industry research, etc. *Key deliverables include: consultant memos and/or reports.*

Task 5: Project Management

This task will cover staff time related to issuing RFPs for consultant assistance, directing the consultant teams, and administration of the consultant contracts and CCC grant. All staff time for this task will be provided as in-kind support. *Key deliverables include: RFPs and contracts for consultants; customary grant administrative records; Quarterly Grant Progress Reports for CCC.*

C. Grant Priorities and Criteria

1. Public Benefit/Significance

The proposed project for Round 3 Grant Funding will be of considerable statewide significance as it will develop a pioneering set of policies and ordinances for SLR adaptation and lower-cost visitor serving accommodation. The City has been a leader in climate change adaptation response, as shown in the policies and strategies of the City's 2010 PlanSB FEIR, 2011 General Plan Update, 2012 Climate Action Plan (CAP), and particularly in the 2015 UCSB Sea Level Vulnerability Assessment Report. The SLR Adaptation Plan (Task 2) will build upon the LCP Update work efforts that were funded by the Round 1 Grant. Most notably, these include regional coordination on hazard modeling and vulnerability assessment with the County of Santa Barbara, City of Goleta, the Goleta Slough Management Committee, and Santa Barbara Coastal Ecosystem Vulnerability Assessment (CEVA) project.

Another statewide priority of the Coastal Act is the preservation and development of lower-cost visitor serving accommodation. Task 3 will serve as an example to other coastal jurisdictions on how to implement the broad direction of this Coastal Act priority in the context of local and regional economic conditions, and how to engage local stakeholders as partners in furthering this goal.

Together, the focused development of these two issue areas will maximize public benefits of the City's coastline. Task 2 will provide a framework for making decisions and weighing options in light of future SLR for protecting the City's coastal resources, including shoreline parks and beaches, public coastal access facilities such as Cabrillo Boulevard (a scenic highway) and the coastal bike path, Stearns Wharf, the City harbor, and all of the visitor-serving amenities and commercial activities found along the City's waterfront area. It will also inform policymaking for protecting priority land uses such as coastal-dependent activities (e.g., harbor activities and commercial fishing) and Environmentally Sensitive Habitat Areas (such as Arroyo Burro Creek and Andree Clark Bird Refuge). Task 3 will ensure that the broadest spectrum of the public can access and enjoy the California coast. This will result in a significant public benefit and supports the implementation of Coastal Act section 30213.

The Innovative and Engaging Outreach Plan (Task 1) will ensure a high level of public engagement and participation in the development of the LCP Update, especially for policy development for Tasks 2 and 3. Multiple opportunities for public education and input on issues will be provided throughout the LCP



Update process. Key stakeholder groups will be engaged, and low-income and underserved communities will be actively encouraged to inform and participate in community planning and decision-making.

2. Relative need for LCP Update/Extent of Update

The Land Use Plan (LUP) component of the City's LCP was originally certified by the Coastal Commission in January 1981, and no comprehensive updates have occurred in the 35 years since plan adoption. The work effort funded by the Round 1 Grant has made great strides in updating the LUP to incorporate the City's current plan documents, policies and conditions. The proposed Round 3 Grant project will provide the City with a foundation for meeting and adapting to the challenges posed by SLR and for preserving lower-cost visitor accommodation facilities well into the future. Task 2, the SLR Adaptation Plan and associated actions, will allow the City to make policy choices and implement programs to plan for and accommodate projected SLR impacts for the near-term to 2030, midterm to 2050/60, and long term to 2100. Task 3 will allow the City to engage with stakeholders and the public in formulating policies and programs to support and strengthen the viability of lower-cost facilities for overnight visitor accommodation. Together, the proposed grant tasks will aid in comprehensively updating the LCP and making it a robust and long-lasting planning tool.

3. Addressing the Effects of Climate Change

As described above, Task 2 (the SLR Adaptation Plan) specifically will address the effects and impacts of sea level rise as a result of climate change. This task will build further upon a substantial body of work accomplished with the Round 1 Grant by specifically evaluating economic impacts to the City's coastal resources and coastal-dependent industries, and formulating a suite of adaptation strategy choices for public consideration. The SLR Adaptation Plan will follow the CCC Sea Level Rise Policy Guidance. The results of Task 2 will serve as a model for other jurisdictions for analyzing vulnerability to SLR and tailoring adaptation responses to a specific locality.

4. Likelihood of Success/Effectiveness

The City is committed to completing the LCP Update currently in progress. City staff has coordinated with CCC District staff on a frequent basis for consultation on working drafts of the LUP and to share best practices. The result is that today the City has completed a full preliminary draft of the LUP, and CCC staff has identified specific areas for policy and ordinance development in the preliminary draft that need further revision. The proposed grant project for Round 3 funding will support three key important tasks for updating the LCP that are specific and focused in scope. The proposed grant project will continue the close coordination between the City and the CCC, as well as establish a robust program for public engagement with stakeholders and the public.

5. Workload

The proposed grant project will result in a certified LCP document that is detailed and updated with current baseline conditions and detailed policy direction with development standards. This will directly improve the efficiency of the development review process by making policies, standards, and procedures clearer and easier to understand for all users of the LCP, including permit applicants, City staff and decision-makers, and the CCC. It will also ensure more consistent application and interpretation of policies that will lead to reductions in appeals.

6. Project Integration/Leverage/Matching Funds

The City has invested nearly two and a half years and well over \$750,000 of its own funding, including in-kind staff funding and additional SLR modeling, into an update of its LCP. The existing LUP has been completely rewritten cover-to-cover and while this additional effort has allowed the City to delve into some coastal and resource issues further than initially anticipated, it has also resulted in significant expense and time delays. The City Council and City leadership are fully committed to this project in order to ensure consistency with the Coastal Act, protect coastal resources and access, and has established a vested interest in seeing the LCP Update through certification at the CCC.



B. WORK PROGRAM AND SCHEDULE. Provide a work program and schedule for implementation of the project, including anticipated benchmarks for LCP and or LCP amendment development and review for the project, using the template provided below. Work must be completed on or before September 28, 2018.

SCHEDULE

Proposed starting date: 1/1/2017
 Estimated completion: 9/28/2018

WORK PROGRAM

| Task 1: Innovative/Engaging Outreach Plan | Start Date – End Date |
|--|------------------------------|
| 1.1 - Stakeholder Engagement | 1/1/17 - 9/28/18 |
| 1.2 - Educational Workshop Series | 1/1/17 - 3/31/18 |
| 1.3 - Public Release of Drafts | 1/1/17 - 5/31/18 |
| 1.4 - Board, Commission, and Council Reviews | 1/1/17 - 9/28/18 |
| <i>Task 1 Deliverables: Project website, public workshops, public release of draft documents</i> | 1/1/17 - 5/31/18 |
| | |
| Task 2 - SLR Adaptation Plan | |
| 2.0 - Project Kickoff | 1/1/17 - 4/30/17 |
| 2.1 - Economic and Fiscal Impacts Review | 5/1/17 - 9/30/17 |
| 2.2 - Vulnerability Assessment Update | 4/1/17 - 11/30/17 |
| 2.3 - Adaptation Planning And Fiscal Analysis | 10/1/17 - 4/1/18 |
| 2.4 - Policy Development | 3/1/18 - 9/28/18 |
| <i>Task 2 Deliverables: Sea Level Rise Adaptation Plan, draft policies and development standards; and draft LCP Amendment.</i> | 1/1/17 - 9/28/18 |
| | |
| Task 3: Visitor Serving Accommodation Policy Development | |
| 3.1 - Project Kickoff | 1/1/17 - 4/30/17 |
| 3.2 - Data Collection and Research | 5/1/17 - 8/31/17 |
| 3.3 - Special Studies/Economic Analysis | 9/1/17 - 4/30/18 |
| 3.4 - Policy Development | 4/1/18 - 9/28/18 |
| <i>Task 3 Deliverables: Consultant reports, draft policies, and draft LCP Amendment.</i> | 1/1/17 - 9/28/18 |
| | |
| Task 4: LCP Technical Assistance | 1/1/17 - 9/28/18 |
| | |
| Task 5: Project Management | 1/1/17 - 9/28/18 |

Please list (1) all significant and pertinent project benchmarks related to the project for which funds are being requested, (2) expected dates for reaching or completing those steps. These



will be used in monitoring grant progress and in grant reporting under approved grant agreements.

BENCHMARK SCHEDULE

| ACTIVITY | COMPLETION DATE |
|---|-----------------|
| SLR Adaptation Plan completed | 4/1/18 |
| Visitor Serving Accommodation Study completed | 4/30/18 |
| Board/Commission/Council Review completed | 9/28/18 |
| Draft LCP Amendment completed | 9/28/18 |

C. BUDGET. Please provide a proposed budget, including the funding request, total project cost, estimated costs per task, funding sources, and in-kind services.

APPLICATION BUDGET INFORMATION

Funding Request: \$298,252

Total Project Cost: \$537,991

If multiple funding sources are being used, in the funding sources matrix below, list the major tasks of the proposed project and indicate the estimated cost of each, including source of funding for task. These tasks should correlate with your overall Work Program. An example follows the matrix.

PROJECT FUNDING SOURCES

| Task Number | Task Name | Total Cost | Allocation of total cost among all funding sources | | | |
|-------------|--|------------|--|-------------------|-------------|----------------------------|
| | | | Applicant's Funding | LCP Grant Funding | Other Funds | Other Funds (define below) |
| 1 | <i>Innovative & Engaging Outreach Plan</i> | \$117,501 | \$75,282 | \$42,219 | | |
| 2 | <i>SLR Adaptation Plan</i> | \$278,322 | \$76,373 | \$201,948 | | |
| 3 | <i>Visitor Serving Accommodation Policies</i> | \$49,557 | \$17,457 | \$32,100 | | |



| | | | | | | |
|--------------|---------------------------------|------------------|------------------|------------------|------------|------------|
| 4 | <i>LCP Technical Assistance</i> | \$45,092 | \$32,732 | \$12,360 | | |
| 5 | <i>Project Management</i> | \$47,520 | 37895 | 9625 | | |
| TOTAL | | \$537,991 | \$239,740 | \$298,252 | \$0 | \$0 |

OTHER FUNDING SOURCES (NOT INCLUDING IN-KIND SERVICES)

Double-click on table to edit in Excel.

| Source of funds | \$ Amount | Status (Committed, Applied, etc) |
|-----------------|-----------|----------------------------------|
| | | |
| | | |
| | | |
| | | |
| TOTAL | \$ - | |

In-kind Services: \$239,739

In-kind services or contributions include staff time, volunteer time and materials contributed to the project. Please describe and estimate value, and differentiate between expected in-kind contributions and contributions (work or other types of contributions) already obtained/completed.

BUDGET SUMMARY

Grant Application Budget Form

Please use the following form to fill in your estimated budget. Double click on the table to open in excel. Fill in the fields shaded in blue.



| | Applicant's Funding | CCC Grant Funding | OPC Grant Funding | Other Funds |
|---------------------------------|---------------------|-------------------|-------------------|-------------|
| Personnel | | | | |
| Salaries and wages ¹ | \$165,694.62 | \$47,206.97 | | |
| Benefits ² | \$ 74,044.41 | \$13,855.25 | | |
| <i>Total Personnel</i> | \$ 239,739.03 | \$ 61,062.22 | \$ - | \$ - |
| Consultants³ | | 221,020.08 | | |
| Subcontractor A | | | | |
| Subcontractor B (etc.) | | | | |
| Total Consultants | \$ - | \$ 221,020.08 | \$ - | \$ - |
| Operating Expenses | | | | |
| Postage/Shipping | | \$ 1,200.00 | | |
| Supplies/Materials ⁴ | | \$ 6,360.00 | | |
| Travel ⁵ | | | | |
| Indirect Costs ⁶ | | \$ 8,610.00 | | |
| Total Operating Expenses | \$ - | \$ 16,170.00 | \$ - | \$ - |
| Total Budget | \$ 239,739.03 | \$ 298,252.30 | \$ - | \$ - |

¹ Attach an explanation of rate(s) and hours for each position for which funds are being requested.

² Amount requested for benefits not to exceed 40% of amount requested for salary or wage.

³ All subcontractors must be selected pursuant to a competitive bidding process that seeks at least three (3) bids from responsible bidders.

⁴ Include a list of the major supplies and materials and how much they cost.

⁵ Travel reimbursement rates are the same as similarly situated state employees.

⁶ Indirect costs include, for example, a pro rata share of rent, utilities, and salaries for certain positions indirectly supporting the proposed project but not directly staffing it.

- 2. A RESOLUTION FROM THE APPLICANT'S GOVERNING BODY.** Please submit a resolution that contains the following authorizations: 1) authority to submit the proposal, 2) authority to enter into a grant agreement with the California Coastal Commission if the grant is awarded, and 3) designation of the applicant's authorized representative (name and title). A sample resolution is provided as Attachment A.

SUBMISSION DATES

Applications are due **May 20, 2016**. Application packets must be **RECEIVED** by 5pm May 20, 2016. Proposals must be emailed or mailed; faxed responses will not be considered.



If the governing body of an applicant cannot adopt a resolution similar to Attachment A of the application by this date, the applicant can submit the proposal with a draft resolution, provide a date for when the governing body will consider adoption of the resolution and **submit the adopted resolution by 5pm June 10, 2016**. All other materials must be submitted by the May 20, 2016 deadline. Applications will not be deemed complete until an adopted resolution is received. **Applications that do not contain a final, adopted resolution by June 10, 2016 will not be considered for funding.**

The Commission is expected to award grants in July or August of 2016.

SUBMISSION REQUIREMENTS

Please submit the completed application form, including all attachments, via email to LCPGrantProgram@coastal.ca.gov. Please submit all application materials as **a single PDF file AND submit the Project Description, Work Program, Budget, and Schedule as a Word document**. See Attachment B for a checklist of required application materials.

If you are unable to submit via email, you may mail a CD and hard copy to the Coastal Commission:

Daniel Nathan
LCP Grants Assistant
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105
415-904-5251

Please note: all information that you submit is subject to the unqualified and unconditional right of the Coastal Commission to use, reproduce, publish, or display, free of charge. All documents submitted will be considered a public record upon submittal. Please indicate if credit is requested for any of the photos and/or maps.

QUESTIONS

Coastal Commission staff are pleased to assist local governments during preparation of LCP grant applications. Please send questions on the grant application process to **Daniel Nathan, LCP Grants Assistant, via email at LCPGrantProgram@coastal.ca.gov, or call (415) 904-5251**. Questions regarding the LCP process and update approach should be directed to the relevant Coastal Commission district contact person, via phone or email. LCP Grant contacts for the district offices are listed below.



North Coast (Del Norte, Humboldt, Mendocino Counties)

- Alison Dettmer, Deputy Director
Email: Alison.Dettmer@coastal.ca.gov, Phone: (415) 904-5200
- Bob Merrill, District Manager
Email: Bob.Merrill@coastal.ca.gov, Phone: (707) 826-8950

North Central Coast (Sonoma, Marin, San Francisco, San Mateo Counties)

- Dan Carl, Deputy Director
Email: Dan.Carl@coastal.ca.gov, Phone: (831) 427-4863
- Nancy Cave, District Manager
Email: Nancy.Cave@coastal.ca.gov, Phone: (415) 904-5260

Central Coast (Santa Cruz, Monterey, San Luis Obispo Counties)

- Dan Carl, Deputy Director
Email: Dan.Carl@coastal.ca.gov, Phone: (831) 427-4863
- Susan Craig, District Manager
Email: Susan.Craig@coastal.ca.gov, Phone: (831) 427-4863

South Central Coast (Santa Barbara and Ventura Counties, and the Malibu portion of Los Angeles Counties)

- Steve Hudson, Deputy Director
Email: Steve.Hudson@coastal.ca.gov, Phone: (805) 585-1800
- Barbara Carey, District Manager
Email: Barbara.Carey@coastal.ca.gov, Phone: (805) 585-1800

South Coast (Los Angeles (except Malibu) and Orange Counties)

- Sherilyn Sarb, Deputy Director
Email: Sherilyn.Sarb@coastal.ca.gov, Phone: (562) 590-5071
- Teresa Henry, District Manager
Email: Teresa.Henry@coastal.ca.gov, Phone: (562) 590-5071

San Diego (San Diego County)

- Sherilyn Sarb, Deputy Director
Email: Sherilyn.Sarb@coastal.ca.gov, Phone: (619) 767-2370
- Deborah Lee, District Manager
Email: Deborah.Lee@coastal.ca.gov, Phone: (619) 767-2370

ALTERNATE CONTACT

Madeline Cavalieri, Manager, LCP Grants
Email: Madeline.Cavalieri@coastal.ca.gov, Phone: (831) 427-4863



ATTACHMENT B - APPLICATION CHECKLIST

A complete Grant Application Packet includes the following components. Please submit all documents in a single PDF file and the Project Description, Work Program, Budget, and Schedule as a Word document, as noted below. **It is very important to receive the PDF file and a Word document for efficiency in preparing grant agreement documents.** Thank you for your attention to these important components of the application.

- Signed LCP Grant Application Form (.pdf)
- Project Description (.doc)
- Work Program, Budget, and Schedule (.doc)
- Signed Resolution (.pdf)
- Supplemental Form(s)
- All documents combined into a single PDF file (.pdf)

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA SUPPORTING A GRANT APPLICATION
TO UPDATE THE CITY OF SANTA BARBARA LOCAL
COASTAL PROGRAM (LCP) TO COMPLETE A
COMPREHENSIVE UPDATE TO THE LAND USE PLAN
AND ADDRESS SEA-LEVEL RISE ADAPTATION

WHEREAS, the Budget Act of 2015 provides an appropriation of \$3 million for Coastal Commission grants in FY 15-16 to local governments to support Local Coastal Program (LCP) planning, and

WHEREAS, the California Coastal Commission, under the authority of the California Coastal Act, may provide financial assistance to support coastal planning and has approved a competitive grant program to provide such financial assistance for LCP planning; and

WHEREAS, the goal of the grant program is to develop new or updated LCPs in conformance with the California Coastal Act and to reflect current circumstances and new scientific information, including new understandings and concern for the effects of climate change, and

WHEREAS, grant proposals submitted under this grant program must complete land use plan and/or zoning work to either achieve submittal for certification of a Local Coastal Program (LCP) or an Area of Deferred Certification (ADC) or of an LCP Amendment to significantly update a certified LCP or LCP segments, including with special emphasis on effects of climate change and sea-level rise;

WHEREAS, the City of Santa Barbara has an effectively certified LCP; and

WHEREAS, the City of Santa Barbara desires to pursue a project that would result in the completion and submittal for certification by the California Coastal Commission of an Amendment to update the LCP in part,

WHEREAS, the City of Santa Barbara commits to and agrees to fully support a planning effort intended to update a certified LCP pursuant to the provisions of the California Coastal Act, with full public participation and coordination with the Coastal Commission staff.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Santa Barbara hereby:

1. Directs the City of Santa Barbara Community Development Department staff to submit the grant application package to the California Coastal Commission to provide financial and planning assistance, under authority of the California Coastal Act, in the amount of \$300,000 to fund the project more particularly described in the grant application package.
2. Authorizes the City Administrator, or said designee, of the City of Santa Barbara, to execute, in the name of the City of Santa Barbara, all necessary applications, contracts and agreements and amendments thereto to implement and carry out the grant application package attached hereto and any project approved through approval of the grant application.

RESOLUTION NO. _____

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

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on June 7, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on June 7, 2016.

Gwen Peirce, CMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on June 7, 2016.

Helene Schneider
Mayor

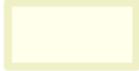
| Rate Explanation | | | | | |
|------------------------|---------|----------|---------|-------|-------------|
| LCP Grant Hourly Wages | Salary | Benefits | Total | Hours | Total |
| Planning Tech II | \$29.76 | \$8.74 | \$38.50 | 1586 | \$61,062.22 |

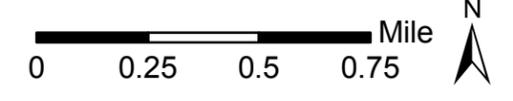


Local Coastal Program Update Grant: Project Area

City of Santa Barbara and Its Sphere of Influence
 Map prepared by City of Santa Barbara, Planning Division, TB, May 2016



-  Project Area
-  City Limits
-  SOI
-  Lakes
-  Ocean



RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA SUPPORTING A GRANT APPLICATION TO UPDATE THE CITY OF SANTA BARBARA LOCAL COASTAL PROGRAM TO COMPLETE A COMPREHENSIVE UPDATE TO THE LAND USE PLAN, PREPARE A SEA LEVEL RISE ADAPTATION PLAN, AND ADDRESS LOWER-COST VISITOR-SERVING ACCOMMODATIONS.

WHEREAS, the Budget Act of 2015 provides an appropriation of \$3 million for Coastal Commission grants in FY 15-16 to local governments to support Local Coastal Program (LCP) planning;

WHEREAS, the California Coastal Commission, under the authority of the California Coastal Act, may provide financial assistance to support coastal planning and has approved a competitive grant program to provide such financial assistance for LCP planning;

WHEREAS, the goal of the grant program is to develop new or updated LCPs in conformance with the California Coastal Act and to reflect current circumstances and new scientific information, including new understanding and concern for the effects of climate change;

WHEREAS, grant proposals submitted under this grant program must complete land use plan and/or zoning work to achieve submittal for certification of either a Local Coastal Program (LCP), an Area of Deferred Certification (ADC), or an LCP Amendment to update significantly a certified LCP or LCP segments, with special emphasis on effects of climate change and sea level rise;

WHEREAS, the City of Santa Barbara has an effectively certified LCP;

WHEREAS, the City of Santa Barbara desires to pursue a project that would result in the completion and submittal for certification by the California Coastal Commission of an Amendment to update the LCP in part; and

WHEREAS, the City of Santa Barbara commits to and agrees to support fully a planning effort intended to update a certified LCP pursuant to the provisions of the California Coastal Act, with full public participation and coordination with the Coastal Commission staff.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Santa Barbara hereby:

1. Directs the City of Santa Barbara Community Development Department staff to submit the grant application package to the California Coastal Commission to provide financial and planning assistance, under authority of the California Coastal Act, in the amount of \$298,253 to fund the project more particularly described in the grant application package.
2. Authorizes the City Administrator, or said designee, of the City of Santa Barbara, to execute, in the name of the City of Santa Barbara, all necessary applications, contracts, agreements, and amendments thereto, in forms acceptable to the City Attorney, to implement and carry out the grant application package attached hereto and any project approved through approval of the grant application.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Parking And Business Improvement Area Annual Assessment Report For Fiscal Year 2017 – Intention To Levy

RECOMMENDATION: That Council:

- A. Approve the Parking and Business Improvement Area Annual Assessment Report 2017; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Council's Intention to Levy Parking and Business Improvement Area Assessment Rates for the 2017 Fiscal Year, at a Public Hearing to be Held on June 21, 2016, at 2:00 p.m.

DISCUSSION:

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

For Fiscal Year 2017, there are no proposed changes to the PBIA boundaries, benefit zones, or assessment levels. The annual report must be prepared prior to the beginning of each fiscal year. On May 12, 2016, the Downtown Parking Committee, serving as the PBIA Advisory Board, recommended approval of the PBIA Annual Report for Fiscal Year 2017, included as the Exhibit to the Resolution.

The PBIA is the assessment mechanism that allows the City of Santa Barbara (City) to provide affordable parking rates to customers, visitors, and clients of the Downtown area. The Downtown Parking Program budget is funded primarily by hourly parking revenues and, to a lesser extent, by PBIA assessments and parking permit sales. The PBIA revenues are directed solely towards hourly employee salaries and utility costs associated with the operation of the hourly parking lots. These funds partially finance the operation and maintenance of the parking lots and offset the cost of offering a free parking period, currently set at 75 minutes. This 45-year partnership between the

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

Approximately 4.5 million vehicle transactions were processed in the 2015 Fiscal Year. Each one of those patrons benefited from a free parking period. In Fiscal Year 2015, revenues collected from the PBIA, subsidized approximately \$0.24 of each vehicle transaction within the Downtown Parking hourly parking system.

BUDGET/FINANCIAL INFORMATION:

For Fiscal Year 2017, PBIA revenues are projected to be approximately \$1,000,000, which would cover approximately 13 percent of the Parking Operating Budget.

PREPARED BY: Rob Dayton, Principal Transportation Planner/VG/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DECLARING COUNCIL'S INTENTION TO LEVY PARKING AND BUSINESS IMPROVEMENT AREA ASSESSMENT RATES FOR THE 2017 FISCAL YEAR, AT A PUBLIC HEARING TO BE HELD ON JUNE 21, 2016, AT 2:00 P.M.

WHEREAS, pursuant to Section 36534 California Streets and Highways Code, it is the intention of the Council of the City of Santa Barbara, to conduct a public hearing to determine whether to fix and assess a Fiscal Year 2017 Downtown Parking and Business Improvement Area (hereinafter referred to as PBI), as such benefit assessment area has been established by Chapter 4.37 of the Santa Barbara Municipal Code, adopted on September 10, 1991;

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

WHEREAS, for Fiscal Year 2017, the improvements and activities to be provided shall consist of a transfer to the City's Transportation Division, which shall be exclusively used to support the maintenance of the low hourly parking rates to all persons who park automobiles within the City-owned or operated hourly public parking lots within the PBI area; and

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

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

SECTION 1. It is the intention of the City Council to levy and collect assessments with the PBI for the Fiscal Year of 2017, within the boundaries of the PBI, as such boundaries were established upon the enactment of Chapter 4.37 of the Santa Barbara Municipal Code on September 10, 1991, as amended by the City Ordinance No. 5126, adopted October 5, 1999, and by the approval of the related map on file with the City

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

SECTION 2. The proposed improvements and activities to be provided within the Downtown PBIA for Fiscal Year 2017 will consist of a subsidy of a free parking period of 75 minutes, and the maintenance of the low hourly parking rates for those persons using the City's Downtown public off-street parking facilities, as more fully described in the Annual Report.

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

SECTION 3. Time and place for the public hearing to consider the intention of the City Council shall be during the 2:00 p.m. session of the Council's regularly scheduled meeting of June 21, 2016, in the City Council Chambers, located at the Santa Barbara City Hall.

SECTION 4. Written and oral protests to the proposed 2017 Downtown PBIA Annual Assessments, as described in the Annual Report, may be made at the above-described public hearing provided that such protests are in the form and manner required by Sections 36524 and 36525 of the California Streets and Highways Code.

SECTION 5. The City Clerk shall give notice of the above-described public hearing by causing a copy of this resolution of intention to be published in a newspaper of general circulation in the City, no less than seven (7) days prior to June 21, 2016.

Draft

City of Santa Barbara

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

**ANNUAL
ASSESSMENT
REPORT**

Fiscal Year 2017

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INTRODUCTION

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

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

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

I. PROPOSED CHANGES

For Fiscal Year 2017, there are no changes to the PBIA benefit zones, the basis for levying the assessments or any changes in the classifications of businesses.

II. IMPROVEMENTS AND ACTIVITIES

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

III. ESTIMATED OPERATING COSTS OF THE CITY'S DOWNTOWN PARKING PROGRAM FOR FISCAL YEAR 2017

| Expenses | PBIA | Parking Program | Total |
|--|--------------------|------------------------|--------------------|
| Salaries and Benefits | \$1,814,925 | \$2,712,841 | \$4,527,766 |
| Materials, Utilities, Supplies & Services | 233,187 | 952,087 | 1,185,274 |
| Allocated Costs | 9,374 | 1,383,785 | 1,393,159 |
| Downtown Organization Maintenance Transfer | | 327,951 | 327,951 |
| Bicycle Station and Module | | 25,000 | 25,000 |
| New Beginnings Contract | | 43,500 | 43,500 |
| MTD Downtown Shuttle Support, Enhanced Transit | | 396,113 | 396,113 |
| Total Operating Expenses | \$2,057,486 | \$5,841,277 | \$7,898,763 |
| Capital Program Expenses | | 1,390,000 | 1,390,000 |
| Total Expenses | \$2,057,486 | \$7,231,277 | \$9,288,763 |

IV. PROJECTED FISCAL YEAR 2017 DOWNTOWN PARKING PROGRAM REVENUES

| Revenues | Total |
|--|--------------------|
| Hourly Parking Fees | \$5,195,000 |
| Monthly and Commuter Parking Fees | 1,635,000 |
| Leased Property Tenant Rents | 415,535 |
| Interest Income | 118,200 |
| Violation Billing | 98,000 |
| Residential Parking Permits | 81,000 |
| New Beginnings Contract (Pass Through) | 43,500 |
| Special Parking/Misc | 25,716 |
| EV Charging Fees | 9,500 |
| Total Operating Revenues | \$7,621,451 |
| PBIA Assessments (FY 2017 Estimate) | 1,004,000 |
| Total Revenues | \$8,625,451 |

In Fiscal Year 2015, revenues collected from the PBIAs subsidized approximately \$0.24 of each vehicle transaction within the Downtown Parking hourly parking system. The PBIAs assessments, as estimated, will cover approximately 14% of the annual operating expenses for Fiscal Year 2016 and 13% for 2017.

V. REVENUE CARRYOVERS

No excess PBIAs revenues will be carried over from the Fiscal Year 2016 Operating Budget.

VI. PBIAs RATES

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

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

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

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

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

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

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

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

II. Financial Institutions:

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

III. Stock and Bond Brokerage Offices:

\$81.30* per broker.

IV. Transit Facilities and Bus Depots:

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

V. Professional:

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

VI. All Categories Not Otherwise Provided For:

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

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

VII. Hotel and Motels:

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

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

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

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



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: A Resolution Denying The Appeal And Upholding The Decision Of Architectural Board of Review To Grant Project Design Approval For A Proposed New Seven-Unit Apartment Building at 1818 Castillo Street.

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution Of The Council Of The City Of Santa Barbara Denying The Appeal And Upholding The Decision Of Architectural Board of Review To Grant Project Design Approval For A Proposed New Seven-Unit Apartment Building at 1818 Castillo Street pursuant to Council's direction of March 8, 2016.

DISCUSSION:

Council denied the appeal and directed staff to prepare written findings confirming Council's oral findings for the Project Design Approval for the project as presented to the City Council on March 8, 2016. The Resolution of Findings is attached.

SUBMITTED BY: Ariel Calonne, City Attorney

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DENYING THE APPEAL AND UPHOLDING THE DECISION OF THE ARCHITECTURAL BOARD OF REVIEW GRANTING PROJECT DESIGN APPROVAL OF A SEVEN-UNIT APARTMENT BUILDING AT 1818 CASTILLO STREET

WHEREAS, DB Partners, LLC, owners of 1818 Castillo Street, applied for design review approval of a proposal to demolish the existing single-family home, a studio apartment, detached garage, and two sheds and construct a two-unit, two-story duplex and a five-unit, two-and partial three-story residential apartment building under the Average Unit-Size Density (AUD) Incentive Program (MST2015-00500). The seven-unit project will comprise 2 two-bedroom units and 5 three-bedroom units totaling 6,609 square feet. The 12,656 square foot parcel is designated Medium-High Density Residential. The proposed density for the project is 25 dwelling units per acre with an average unit size of 944 square feet. Eight uncovered surface parking spaces, including one accessible parking space are proposed for the project; and

WHEREAS, on May 26, 2015, a previous project (MST2015-00092) proposing a three story building consisting of seven apartment units, including 2 two-bedroom units and 5 three-bedroom units was granted Project Design Approval by the Architectural Board of Review (ABR) on a 3/1 vote; and

WHEREAS, on June 2, 2015, the ABR Project Design Approval was appealed by Brian B. Barnwell asserting the following:

1. The project is the only three-story building within blocks, exceeding the neighborhood standards for height, bulk, and scale.
2. The ABR did not conduct an organized site visit to understand the neighborhood context.
3. Story poles were not erected for the project.
4. The individual parking garages were not adequately discussed relative to building height and mass.
5. The parking garages are almost guaranteed to be used for other than car storage, making on-street parking along Castillo Street worse.
6. The AUD ordinance is designed to produce smaller units and smaller buildings in and around Downtown, and the proposed project does neither; and

WHEREAS, on July 21, 2015, the City Council upheld the Barnwell appeal and referred the project to the Planning Commission to specifically comment on the project's

compatibility with the neighborhood, the potential to reduce the number of bathrooms, and the provision of additional parking; and

WHEREAS, on October 6, 2015, MST2015-00092 was withdrawn from further processing and consideration and a new application with a revised project design (MST2015-00500) was filed with the City by RRM Design Group, agent for the project applicant; and

WHEREAS, on November 9, 2015, the ABR conducted its initial concept review of the revised project at which time the ABR voted 4/0/0 (Board Member Hopkins stepped down, Board Members Miller, Cung absent) to continue the project to the Full Board, making the following comments:

1. The project design is vastly improved compared to the previous design.
2. The lot area covered by the building footprint is drastically reduced.
3. The project massing is successful, especially the street elevation.
4. The third story is pushed back into a less obtrusive location.
5. The architectural style and details work well and are compatible with the neighborhood.
6. Study placement of windows so as not to impact neighbors.
7. Study ways to enhance the courtyard experience for residents; and

WHEREAS, the ABR received public comments from five members of the public all of whom spoke in opposition to the project; and

WHEREAS, on January 4, 2016, the ABR voted 4/0/0 (Board Member Hopkins stepped down, Board Members Moore, Wittausch absent) to grant Project Design Approval, finding that the Compatibility Analysis criteria (SBMC §22.68.045.B.) were considered and that the project qualifies for an exemption from further environmental review under CEQA Guidelines §15183 (Project Consistent with the General Plan). The Board made the following comments:

1. Size, bulk and scale of project improved.
2. Significant reduction to second and third story element.
3. Third story set back and centrally located decreasing impact on neighbors.
4. Amount of open space/courtyard very successful and appropriate for site; and

WHEREAS, on January 14, 2016, Eric and Elenor Wernicke, neighbors on West Pedregosa Street, filed an appeal regarding the ABR decision to grant Project Design Approval. The appeal asserted the following grounds for the appeal:

1. Eight parking spaces for the proposed seven units, containing 19 bedrooms is not enough to fulfill the actual needs of the neighborhood.
2. According to the General Plan, a minimum of 12 parking spaces are needed for the project.
3. The project should utilize tandem parking where possible. The appeal argues that if tandem parking can be included at minimal costs, it should be required.

4. Parking studies should be conducted to determine if additional on-street parking can be provided for the impacted neighborhood; and

WHEREAS, on March 7, 2016, the City Council conducted a duly noticed site visit during which it inquired into the size and dimensions of the subject parcel and the maximum building heights of the proposed buildings; and

WHEREAS, on March 8, 2016, the City Council conducted a duly noticed public hearing on the appeal. The project design presented to the City Council on appeal was the project design approved by the ABR on January 4, 2016. The appeal hearing included the following evidence relied upon by the Council:

1. A detailed written report and staff presentation, including a City staff report discussing the appeal issues and a PowerPoint presentation on the appeal issues – both of which are incorporated by reference into this Resolution (along with the entire record of proceedings).

2. A PowerPoint presentation by Eric Wernicke detailing the grounds of the appeal, which are part of the record in this case and were fully considered by the City Council in making its decision on this appeal.

3. A PowerPoint presentation by Detlev Peikert, architect for the project, which is part of the record in this case and was fully considered by the City Council in making its decision on this appeal.

4. Public comment from Courtney Jane Miller of the ABR detailing the Board's perspective on the project design.

5. Public comment from members of the public all of whom spoke in opposition to the project; and

WHEREAS, after consideration of all the evidence presented (both written and oral), as well as the public testimony received, and after careful deliberation by the Council Members, the City Council voted 5-2 (Council Members Dominguez, White No) to direct the preparation of written findings which, consistent with the oral findings made by Council, would deny the appeal of the Project and uphold the decision of the ABR to grant Project Design Approval;

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

SECTION 1. The foregoing recitals are true and correct and are incorporated into these findings.

SECTION 2. All written, graphic and oral materials and information submitted to the ABR and the City Council by City staff, the public and the parties are hereby accepted as part of the record of proceedings. The facts and findings in the March 8, 2016 Council Agenda Report attached as Exhibit "A" are incorporated into this Resolution and confirmed as true.

SECTION 3. The Council carefully reviewed the evidence it obtained during the site visit and public hearing and finds and determines as follows:

A. Project Compatibility Analysis. The Council makes the following findings pursuant to the Architectural Board of Review Ordinance, Santa Barbara Municipal Code section 22.68.045B. 1-6:

1. **Compliance with City Charter and Municipal Code; Consistency with Design Guidelines.** The proposed seven unit apartment project complies with all applicable requirements of the City Charter and Municipal Code. The project is proposed under the AUD Program (SBMC Chapter 28.20) which allows increased residential densities and development standard incentives in selected areas of the City to encourage and facilitate more housing units. The property is designated Medium-High Residential Density, which allows densities up to 27 dwelling units per acre. The proposed density for the project is 25 dwelling units per acre, therefore complying with the density allowance of the Municipal Code. The project also complies with all applicable development standards and requirements of the AUD Program, including building height, setbacks, distance between buildings, parking, and outdoor living space.

2. **Compatible with Architectural Character of City and Neighborhood.** The proposed project is designed with quality architectural details and materials compatible with the architectural character of the City and neighborhood. The Oak Park neighborhood has a mix of architectural styles and the proposed development will complement and enhance the neighborhood. The project's Spanish Colonial Revival architectural style is consistent with the City's design guidelines and its form, colors, materials and details conform.

3. **Appropriate size, mass, bulk, height, and scale.** The size, mass, bulk, height and scale of the proposed project are appropriate for the site and neighborhood. The project was redesigned to address the design direction given by the City Council on July 21, 2015. The massing was reduced by breaking up the project into two buildings with a two-story building at the front and a two- and three-story building at the rear of the site. The massing was significantly improved by the reduction of the second and third story elements and the placement of the third story at the rear of the site. In addition, the parking garages were eliminated and replaced with surface parking at the center of the site lessening the bulk of the building. The proposed maximum height of both buildings are lower than the 45 feet height limit. The Council finds the proposed redesign to be a much better project in terms of size, bulk and scale and neighborhood compatibility, which factored significantly in the Council's decision.

4. **Sensitivity to Adjacent Landmarks and Historic Resources.** The project site is not located adjacent to Landmarks or Historic Resources, therefore this criteria is not applicable to the proposed project.

5. **Public Views of the Ocean and Mountains.** The project site is not located within an established public scenic vista, therefore this criteria is not applicable to the proposed project.

6. **Use of Open Space and Landscaping.** The proposed project complies with the Common Outdoor Living Space Method (28.20.070G.3) specified under the AUD Program Ordinance. The project provides a 20 ft. by 20 ft. common open space area at the rear of the property and approximately 22% of the site is landscaped. Council agrees with the ABR determination that the amount of open space and landscaping design is successful and appropriate for the site.

B. California Environmental Quality Act Determination. The Council finds that the project qualifies for an exemption from further environmental review under the California Environmental Quality Act (Public Resources Code 21082.3 and CEQA Guidelines Section 15183) because the project is consistent with the development density established by existing zoning and general plan policies. The City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

SECTION 4. The City Council grants Project Design Approval to the proposed seven-unit apartment building as depicted on the set of architectural plans dated November 30, 2015 and presented to the City Council on March 8, 2016, and subject to the Conditions of Approval attached to this Resolution as Exhibit "A." Council further directs staff to conduct a red curb survey for a potential increase of the supply of on-street parking. Staff is directed to prepare and file a Notice of Exemption.

EXHIBIT "A"

CONDITIONS OF APPROVAL

1818 CASTILLO STREET
MAY 24, 2016

I. In consideration of the Project Design Approval granted by the City Council and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Recorded Conditions Agreement.** The Owners shall execute a *written instrument*, which shall be prepared by Planning staff, reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the City Council on March 8, 2016 is limited to the construction of a two-unit, two-story duplex and a five-unit, two-and partial three-story residential apartment building under the Average Unit-Size Density (AUD) Incentive Program. The seven-unit project includes two, two-bedroom units and five, three-bedroom units, eight uncovered surface parking spaces including one accessible parking space, seven enclosed bicycle parking spaces, and the improvements shown on the plans reviewed by the City Council, dated November 30, 2015 and on file at the City of Santa Barbara, subject only to Final Design Approval by the Architectural Board of Review.

2. **Annual Resident Survey.** The owner shall conduct an annual resident survey commencing six months after final Certificate of Occupancy. For example, if an AUD project was approved in November 2015, the first survey report will be due December 31, 2016. The survey report must include findings for each unit and must be submitted to the Planning Division by December 31st of each year for the first eight years of the project. The annual survey report for each unit shall include:

- a. Net floor area.
- b. Number of bedrooms.
- c. Monthly rent (or condominium purchase price) and utilities.
- d. Periods of vacancy.

EXHIBIT "A"

- e. Household size.
 - f. Current employment location of each adult resident by zip code.
 - g. Prior employment location of each adult resident by zip code.
 - h. Prior residence zip code for each adult.
 - i. Number of cars, trucks and bikes owned by each resident. Please list types of alternative transportation used (if any)
- B.** Requirements Prior to Permit Issuance. The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Community Development Department prior to the issuance of any permit for the project.
- 1. **Recordation of Agreements.** The Owner shall provide evidence of recordation of the written instrument that includes the Recorded Conditions identified in condition A "Recorded Conditions Agreement" to the Community Development Department prior to issuance of any building permits.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A TEN-YEAR LEASE AGREEMENT DATED AS OF MAY 24, 2016, WITH MARIO AND ELENA MEDINA, DOING BUSINESS AS MULLIGAN'S CAFÉ INC., AT AN INITIAL BASE RENT OF \$130,000 PER YEAR, FOR THE 6,680 SQUARE FOOT RESTAURANT LOCATED AT SANTA BARBARA GOLF CLUB, 3500 MCCAWE AVENUE, EFFECTIVE JULY 1, 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 Mario and Elena Medina doing business as Mulligan's Café Inc., Effective July 1, 2016, is hereby approved.

JUN 07 2016 #21
(330.04)



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Stage Three Drought Update

RECOMMENDATION:

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

DISCUSSION:

Council declared a Stage One, and subsequently a Stage Two Drought Condition on February 11, 2014 and May 20, 2014, respectively, as a result of unprecedented drought conditions. On May 5, 2015, in response to the driest consecutive four-year period on record, Council declared a Stage Three Drought Emergency, increasing the community's water conservation target to 25 percent, and adopting additional water use regulations by Resolution on May 12, 2015. This was followed by a fifth consecutive year of minimal rainfall with virtually no runoff to local reservoirs, which resulted in Council increasing the community's drought target to 35 percent on April 26, 2016.

This drought update will cover the following items:

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

Water Supply Outlook

Rainfall for the last five years has averaged less than half of the long term average. In accordance with the City's Long Term Water Supply Plan, depleted surface water supplies have been replaced with increased groundwater production and purchases of supplemental water. This strategy has been successful in securing supplies sufficient to meet demand through 2016, assuming the community's continued water conservation of 35 percent or more.

Staff has successfully purchased supplemental water supplies, and state water deliveries have been reinstated to 60 percent of allotments. While water is available to the City, there are conveyance capacity constraints that limit the amount of water that can be delivered in a particular month. During peak water demand times in the summer, the City uses available stored water in Cachuma to augment deliveries. However, there is a concern over how much storage buffer will remain next fall after the peak demand months and evaporative losses that are expected to occur. In order to increase the storage buffer, staff is currently maximizing delivery of imported water to the lake, including use of unused capacity by other agencies, when possible. In addition, the Central Coast Water Authority is evaluating options to increase the operational capacity of the pipeline so that more water can be delivered to the lake in peak summer months.

Should there be conveyance limitations that cause a short-term additional deficit in supply, the City would consider use of Gibraltar water and/or potential further short-term water use restrictions, such as prohibiting outdoor watering for a short period of time, if necessary. Our community's ability to sustain the 35 percent conservation goal will be critical to the City's ability to meet water demands.

Given the status of water supplies into the fifth year of a historic drought, staff is concerned about the need to use potable water to meet the demands in the recycled water system. The upgraded recycled water plant was designed to produce 2.5 million gallons per day (MGD). It is currently producing approximately 0.75 MGD at a sustainable rate, and can produce up to 1 MGD but this rate cannot be sustained. This is insufficient for peak summer demands. The City continues to work to increase production levels which would need to reach approximately 1.5 MGD to meet peak summer demands. When demands exceed plant production, the City will use non-potable groundwater from Valle Verde Well (producing .2 MGD on average) to supplement the supply to the system. This amount, however, is not enough to meet demands. Staff is considering a request that recycled water customers voluntarily cut back on water use by up to 35 percent in the peak-demand months of July, August, and September, in order to avoid use of potable water within the recycled water system and help preserve a storage buffer at Cachuma. Recycled water customers were successful at reaching 35% conservation last year. There are approximately 80 customers on the recycled water system, and City staff works closely with the customers on timing of water use in order to optimize recycled system operations. Staff will return to Council in June for consideration of a request for a reduction in recycled water demands during the peak summer months.

National Oceanic and Atmospheric Administration weather forecasts a weakening El Niño condition through June 2016, with an increasing chance of a La Niña condition developing during the second half of the year. La Niña events are typically associated with drier, colder weather for Southern California. Based on historical rain information for Santa Barbara, a La Niña event could actually be a slight improvement over what we have seen over the last five years. Given the unpredictable nature of El Niño and La Niña events, and the unprecedented nature of the current drought situation, the City is planning for continued drought conditions.

Drought Response Capital Projects

Work continues to progress on schedule for the reactivation of the City's Desalination Plant. Offsite work on the treatment units is on schedule, with delivery to the site anticipated this month. Onsite work in preparation for the installation of the treatment units continues. As a recap, the current plant reactivation will produce 3,125 acre feet per year for City water customers, and startup is anticipated for October 2016.

All but one of the City's wells are operational. The Vera Cruz Well is offline and in need of mechanical repairs. However, the other wells are performing and providing the community with much needed groundwater supplies.

Conservation Efforts

The City's water conservation numbers for April 2016 show a 41 percent reduction in water usage compared to 2013. The overall running average since the Stage Three Drought was declared in May 2015 is 35 percent reduction in water use. The amended Stage Three Drought Emergency requires a citywide 35 percent water reduction to ensure the City has adequate supplies for the 2016 water year. The state-mandated water use reduction for the City is 12 percent below the 2013 water usage. The City has been one of the few water providers statewide that has consistently met and exceeded the state's water use reduction targets and mandated conservation standard.

The recommended conservation target of 35 percent is appropriate at this time, given the community's success in reducing demand and the need to further stretch our remaining water supplies, especially during the months of August and September. Staff will monitor the cumulative water savings for May and June 2016, and will use the information as a basis for determining whether or not to recommend additional restrictions for Council consideration in July 2016.

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

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Conference With City Attorney – Pending Litigation

RECOMMENDATION:

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

The pending litigation is *Rolland Jacks, et al., v. City Of Santa Barbara*; Supreme Court Case No. S225589.

SCHEDULING: Duration, 15 minutes; anytime

REPORT: None anticipated

SUBMITTED BY: Ariel Calonne, City Attorney

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 7, 2016

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)&(3) of the Government Code. Significant exposure to litigation arising out of claims by Kendra L. Feshbach.

SCHEDULING: Duration, 15 minutes; anytime

REPORT: None anticipated

SUBMITTED BY: Ariel Calonne, City Attorney

APPROVED BY: City Administrator's Office