

# CITY OF SANTA BARBARA CITY COUNCIL

**Helene Schneider**  
*Mayor*  
**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>

## JULY 12, 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](http://www.santabarbaraca.gov/citytv) for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

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

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **CEREMONIAL ITEMS**

- 1. Subject: Proclamation Declaring July 15, 2016, As Sister Cities International Day**
- 2. Subject: Employee Recognition - Service Award Pins (410.01)**

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through July 31, 2016.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

### **CONSENT CALENDAR**

- 3. Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of May 17, 2016, the special meeting of May 26, 2016, and the regular meeting (cancelled) of May 31, 2016.

- 4. Subject: Introduction Of Ordinance For City Administrator Merit Salary Increase (170.01)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5706, the Salary Plan for the City Administrator for Fiscal Year 2016 and Fiscal Year 2017, to Provide a 5% Merit Increase Effective February 6, 2016.

## CONSENT CALENDAR (CONT'D)

**5. Subject: Introduction Of Ordinance To Approve Two Encroachment Permit Agreements Related To Peabody Stadium Project At Santa Barbara High School (330.10)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving An Encroachment Permit Agreement to Allow Santa Barbara High School Peabody Stadium Facilities to Encroach Within Portions of City Lands Underlying a Vacated Portion of Figueroa Street, an Untraveled Portion of Figueroa Street, and a Vacated Portion of Salsipuedes Street, and Also Approving An Encroachment Permit Agreement to Allow Other Portions of Peabody Stadium Facilities to Encroach Within an Untraveled Portion of Rinconada Road, Both Agreements with the Santa Barbara Unified School District, the Owner of Santa Barbara High School at 700 East Anapamu Street, Santa Barbara County Assessor's Parcel Numbers 029-180-009, 029-240-003 and 029-240-008, and Authorizing the Public Works Director to Execute Same.

**6. Subject: Lease Agreements With Nonprofit Organizations At The Westside Neighborhood Center (330.04)**

Recommendation: That Council authorize the Parks and Recreation Director to execute annual lease agreements for office space at the Westside Neighborhood Center (Westside Center) with the Independent Living Resource Center, UCP/Work Inc., United Cerebral Palsy Association of Los Angeles, Ventura, and Santa Barbara Counties, and the Santa Barbara Unified School District-Quetzal Program.

**7. Subject: Twelve35 Teen Center Lease with Santa Barbara Police Activities League (330.04)**

Recommendation: That Council authorize the Parks and Recreation Director to renew a three-year lease agreement with the Santa Barbara Police Activities League (PAL) for the Twelve35 Teen Center, with an annual rent of one dollar per year.

**8. Subject: Community Promotion Contract With Old Spanish Days (180.02)**

Recommendation: That Council authorize the City Administrator to execute a community promotion contract with Old Spanish Days in an amount of \$104,100, covering the period from July 1, 2016, to June 30, 2017.

## CONSENT CALENDAR (CONT'D)

**9. Subject: Community Promotion Contract With Visit Santa Barbara (180.02)**

Recommendation: That Council authorize the City Administrator to execute an annual community promotion contract with Visit Santa Barbara to provide marketing services that promote Santa Barbara as a tourism destination, in an amount of \$1,380,000.

**10. Subject: Contract For Downtown Parking Structures Assessment (550.05)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a Professional Services contract with Watry Design, Inc., in the amount of \$265,770 for the Downtown Parking Structure Conditional Assessment Project, and authorize the Public Works Director to approve expenditures of up to \$26,577 for extra services of Watry Design, Inc., that may result from necessary changes in the scope of work; and
- B. Increase appropriations by \$222,347 in the Downtown Parking Capital Fund from available reserves in the Downtown Parking Operating Fund.

**11. Subject: Contract For Design Of Stairway To Replace Structurally Deficient Stairway At Parking Lot 2 (Chapala and De La Guerra) (550.05)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Van Sande Structural Consultants, Inc., in the amount of \$90,875 for design services of the Lot 2 Stairway Replacement Project; and
- B. Authorize the Public Works Director to approve expenditures of up to \$9,088 for extra services of Van Sande Structural Consultants, Inc., that may result from necessary changes in the scope of work either in design or construction.

**12. Subject: Agreements For Afterschool Recreation Programs (570.06)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to enter into three agreements with the Santa Barbara Unified School District (SBUSD) for the Recreation Afterschool Program (RAP), Afterschool Opportunities for Kids (A-OK!), and Junior High Afterschool Sports Program (Junior High); and
- B. Reduce revenues and appropriations in the Fiscal Year 2017 Parks and Recreation Miscellaneous Grants Fund for the A-OK! program in the amount of \$13,805.

## CONSENT CALENDAR (CONT'D)

**13. Subject: Federal Aviation Administration Airport Improvement Grant Offer For Santa Barbara Airport (560.04)**

Recommendation: That Council accept and authorize the Airport Director to execute, on behalf of the City, a Federal Aviation Administration Grant Offer, No. 3-06-0235-50, in an amount not to exceed \$360,000 in Airport Improvement (AIP) funds, for design, permitting, and bidding the Runway 7-25 Rehabilitation Project.

**14. Subject: Purchase Order For Modifications To The Gibraltar Reservoir Water Conveyance System (540.09)**

Recommendation: That Council authorize the General Services Manager to issue a purchase order in the amount of \$62,553 to Tierra Contracting, Inc., for repairs to the Gibraltar Reservoir water conveyance system, and approve expenditures up to \$9,383 for extra services that may result from necessary changes in the scope of work.

**15. Subject: A Resolution Denying The Appeal And Upholding The Decision Of The Planning Commission Granting Approval Of A 90-Unit Affordable Housing Development At 251 S. Hope Avenue (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 the Planning Commission Granting Approval of a 90-Unit Affordable Housing Development at 251 S. Hope Avenue, Pursuant to Council's Direction of May 3, 2016.

## NOTICES

16. The City Clerk has on Thursday, July 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.
17. The City Council site visit originally scheduled for Monday, July 11, 2016, at 1:30 p.m. to the property located at 1417 San Miguel Avenue, has been rescheduled for Monday, July 25, 2016, at 1:30 p.m.
18. The public hearing originally scheduled for July 12, 2016, at 2:00 p.m. to hear an appeal of the Planning Commission's denial of a project at 1417 San Miguel Avenue, has been rescheduled for July 26, 2016, at 2:00 p.m.

**This concludes the Consent Calendar.**

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

### **PARKS AND RECREATION DEPARTMENT**

#### **19. Subject: Contract For Construction Of Arroyo Burro Creek Restoration Project At Barger Canyon (540.14)**

Recommendation: That Council:

- A. Accept the bid protest of Shaw Contracting, Inc., and reject the apparent low bid from Peter Lapidus Construction of \$598,434.50 for the Arroyo Burro Creek Restoration Project at Barger Canyon - Civil Contract, Bid No. 3828, as non-responsive due to their listing of an unregistered subcontractor;
- B. Award a contract with Shaw Contracting, Inc., in their low bid amount of \$627,675.50 for the Arroyo Burro Creek Restoration Project at Barger Canyon - Civil Contract, Bid No. 3828; and authorize the Public Works Director to execute the contract and approve expenditures up to \$62,768.00 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;
- C. Reject the apparent low bid from Acacia Environmental of \$236,504.00 for the Arroyo Burro Creek Restoration Project at Barger Canyon - Landscaping Contract, Bid No. 3829, as non-responsive due to their failure to submit a complete bid;
- D. Award a contract with Recon Environmental in their low bid amount of \$274,849.25 for the Arroyo Burro Creek Restoration Project at Barger Canyon - Landscaping Contract, Bid No. 3829; and authorize the Public Works Director to execute the contract and approve expenditures up to \$27,485.00 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;
- E. Authorize the Public Works Director to execute a contract with Questa Engineering Corporation in the amount of \$47,800.00 for construction support services, and approve expenditures of up to \$4,780.00 for extra services of Questa Engineering Corporation that may result from necessary changes in the scope of work; and
- F. Transfer \$305,428 from available Creeks Operating Fund reserves to the Creeks Capital Fund and appropriate for the Upper Arroyo Creek Restoration Project to cover additional costs of construction.

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

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

## **CLOSED SESSIONS**

### **20. Subject: Conference With Labor Negotiator (440.05)**

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 Santa Barbara City Supervisory Employees' Bargaining Unit and the Santa Barbara City Employees' Association, Local 620 Service Employees' International Union.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

## **ADJOURNMENT**



## SISTER CITIES INTERNATIONAL DAY

July 15, 2016

*WHEREAS, Sister Cities International was founded as a Presidential initiative by President Dwight D. Eisenhower on September 11, 1956 at the White House Conference on citizen diplomacy to create more community-led global relationships so that people of different cultures could appreciate their differences and build partnerships that would lessen the chance of new national conflicts; and*

*WHEREAS, in 2016 Sister Cities International is celebrating 60 years of global citizen and civic diplomatic action, and helping support a future where the world's cities, communities, and its citizens can come together in common ground; and*

*WHEREAS, Sister Cities International currently has 550 U.S. member cities, counties and states with relationships with over 2100 communities in 145 countries, spanning 6 continents having representation in nearly every district represented in the House of Representatives; and*

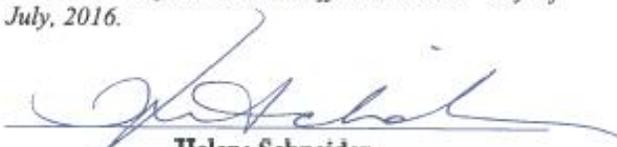
*WHEREAS, countless city, county, and state governments and their leaders have been involved in global relationships that include educational, economic, cultural, municipal and humanitarian assistance exchange programs that are mutually beneficial to each community due to Sister Cities International; and*

*WHEREAS, the City of Santa Barbara and the Santa Barbara branch of Sister Cities International are proud to be a driving part of this global network with Sister City partnerships in Dingle, Ireland; Kotor, Montenegro; Patras, Greece; Puerto Vallarta, Mexico; San Juan, Philippines; Toba, Japan; and Weihai, China; and*

*WHEREAS, Sister Cities International Day is a fitting occasion to commemorate the significant impact that the organization has made in building bridges across nations, cities, and communities around the globe in order to create and sustain world peace.*

*NOW, THEREFORE, I, HELENE SCHNEIDER, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, do declare July 15, 2016 Sister Cities International Day.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California, to be affixed this 12<sup>th</sup> day of July, 2016.*



Helene Schneider  
Mayor





# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 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 July 31, 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 July 31, 2016.

**ATTACHMENT:** July 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

**JULY 2016 SERVICE AWARDS**

July 12, 2016, Council Meeting

**5 YEARS**

Stephanie Burgard, Animal Control Officer, Police Department  
April DeBlauw, Police Officer, Police Department  
Scott Durfor, Assistant Parking Coordinator, Public Works Department  
Andrew Freytag, Police Officer, Police Department  
Brock Maudlin, Police Officer, Police Department  
Allan Tuazon, Police Officer, Police Department

**10 YEARS**

Kathleen “Kathy” Frye, Associate Planner, Parks and Recreation Department  
Theresa Lawler, Engineering Technician II, Waterfront Department  
Stephanie Routhier, Engineering Technician II, Public Works Department

**15 YEARS**

Lisa Arroyo, Wastewater Systems Manager, Public Works Department  
Lyn Burich, Senior Engineering Technician, Airport Department  
Timothy “Tim” Lawton, Community Education Liaison, Airport Department  
Robin Neubert, Administrative Specialist, Fire Department  
Cary Stevens, Legal Secretary II, City Attorney’s Office  
Jeffrey “Jeff” Zampese, Fire Engineer, Fire Department

**20 YEARS**

Kent McBride, Police Officer, Police Department  
Scott Nelson, Webmaster, Administrative Services Department

**30 YEARS**

Christopher “Chris” Woodcock, Fire Captain, Fire Department



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING May 17, 2016 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:05 p.m. (The Finance Committee and Ordinance Committee met at 12:30 p.m.)

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: Frank Hotchkiss.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

### CEREMONIAL ITEMS

**1. Subject: Proclamation Declaring May 2016 As General Aviation Appreciation Month (120.04)**

Action: The Mayor read the proclamation.

### PUBLIC COMMENT

Speakers: Scott Wenz, Cars Are Basic; Phil Walker; David Diaz; Pete Dal Bello; Michael Baker, United Boys and Girls Clubs; Bonnie Raisin.

Councilmember Hotchkiss arrived at the meeting at 2:15 p.m.

## **CONSENT CALENDAR (Item Nos. 2 – 8)**

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

Motion:

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

Vote:

Unanimous roll call vote.

### CITY COUNCIL

**2. Subject: Sole Source Purchase Order For B.I.G. Enterprises, Inc., Parking Attendant Kiosk For Stearns Wharf (550.08)**

Recommendation: That Council authorize the General Services Manager to issue a sole source purchase order as authorized by Municipal Code Section 4.52.060 (B) (2) to B.I.G. Enterprises, Inc., for a parking attendant kiosk located on Stearns Wharf, in an amount not to exceed \$43,384.

Action: Approved the recommendation (May 17, 2016, report from the Waterfront Director).

**3. Subject: Introduction Of Ordinance For The Approval Of A Building Encroachment Agreement At 6 State Street And 13 East Cabrillo Boulevard (330.10)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute an Encroachment Agreement to Virginia Castagnola-Hunter, as Trustee of the Virginia Castagnola-Hunter Trust Created u/d/t Dated February 20, 2002; Scott Hollister; George C. Hollister and Cathleen W. Hollister, Trustees of the GCH and CWH Trust; Catherine Wallenfels; Francesca Hunter; and Alexis Hunter Chernow, as Trustee of the Alexis Hunter Chernow Trust Created u/d/t Dated January 15, 2014; for Building Improvements on a Portion of 6 State Street (Santa Barbara County Assessor's Parcel Number 033-111-011) and 13 East Cabrillo Boulevard (Santa Barbara County Assessor's Parcel Number 033-111-012) That Will Encroach Into the Public Flood Control Easement.

Action: Approved the recommendation (May 17, 2016, report from the Public Works Director; proposed ordinance).

**4. Subject: Introduction Of Ordinance To Quitclaim And Release The 1983 Flood Control Easement On 13 East Cabrillo Boulevard (330.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Authorizing the City Administrator to Execute a Quitclaim Deed Releasing the 1983 Flood Control Easement on 13 East Cabrillo Boulevard, and to Record Same in the Office of the Santa Barbara County Recorder upon Recordation of the Final Order of Condemnation in Santa Barbara Superior Court Case Number 1469840, City of Santa Barbara v. Virginia Castagnola-Hunter, et al.

Action: Approved the recommendation (May 17, 2016, report from the Public Works Director; proposed ordinance).

**5. Subject: Resolution For Master Agreement With Caltrans For Federally Funded Transportation Projects (670.05)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director to Approve and Execute the Master Agreement Administering Agency-State Agreement for Federal Aid Projects, Agreement No. 05 5007F15, with the State of California, Acting By and Through the California Department of Transportation.

Action: Approved the recommendation; Resolution No. 16-028; Agreement No. 25,561 (May 17, 2016, report from the Public Works Director; proposed resolution).

**6. Subject: Issuance Of Subpoenas To Assess And Collect Any Transient Occupancy Taxes Owed By Short-Term Rentals And To Investigate The Effects Of Short-Term Rentals In Residential Neighborhoods (640.09)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Issuance of Subpoenas for Certain Documents Related to Short-Term Rentals in the City.

Action: Approved the recommendation; Resolution No. 16-029 (May 17, 2016, report from the City Attorney; proposed resolution).

## SUCCESSOR AGENCY

**7. Subject: Professional Services Agreement With Rincon Consultants, Inc., To Conduct Phase II Environmental Site Assessment At 125 Calle Cesar Chavez (330.03)**

Recommendation:

- A. That City Council allocate \$37,200 from the General Fund's Appropriated Reserve to the Successor Agency Fund, and increase appropriations and estimated revenues in the Successor Agency Fund, for a Phase II Environmental Site Assessment for 125 Calle Cesar Chavez to be repaid by the Successor Agency in Fiscal Year 2017; and
- B. That the Successor Agency execute a Professional Services Agreement with Rincon Consultants, Inc., in the amount of \$37,200 to conduct a Phase II Environmental Site Assessment at 125 Calle Cesar Chavez.

Action: Approved the recommendations; Successor Agency Agreement No. 003 (May 17, 2016, report from the City Administrator).

## NOTICES

8. The City Clerk has on Thursday, May 12, 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.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Gregg Hart reported that the Committee met to hear staff reports regarding proposed fee changes by Enterprise Funds for Fiscal Year 2017, as well as funding requests from community organizations. The Committee will make decisions on these items at its meeting next week.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Randy Rowse reported that the Committee heard a staff report and public comment related to proposed amendments to the City's Recreational Vehicle Parking Ordinance to address the protection of sensitive land uses. The Committee continued the matter to a future meeting.

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### CITY ATTORNEY

#### **9. Subject: Revised Waterfront Hotel Development Agreement And Amendment To Chapter 28.95 Of The Zoning Ordinance (640.10)**

Recommendation: That Council:

- A. Make the California Environmental Quality Act findings specified in the conclusion of this Council Agenda Report;
- B. (Re)-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. 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:

- May 17, 2016, report from the City Attorney.
- Proposed Ordinances.
- May 17, 2016, memorandum from the City Attorney.

The titles of the ordinances were read.

Speakers:

- Staff: City Attorney Ariel Calonne, Project Planner Allison DeBusk, Assistant City Attorney Scott Vincent.
- Members of the Public: Hal Conklin, Paul Relis.
- American Tradition (Applicant): Suzanne Elledge.

Motion:

Councilmembers White/Hotchkiss to approve the Development Agreement, with the following conditions:

- The transfer of existing development rights is to be on the basis of square footage rather than room-to-room;
- The Applicant must pull building permits for the new Waterfront Hotel within five years; and
- The term of the agreement will be extended by three additional years, during which time the Applicant must submit an application for the development of square footage transferred from the Waterfront Hotel site to the Doubletree Hotel site, and the mitigation credits will remain with the two properties during that period.

(Cont'd)

**9. (Cont'd)**

Amendment Motion:

Councilmembers White/Hotchkiss to amend the motion to extend the term of the agreement by two years (rather than three) for the submittal of an application for the development of square footage transferred from the Waterfront Hotel site to the Doubletree Hotel site.

Vote on Original Motion as Amended:

Majority roll call vote (Noes: Councilmembers Hart, Murillo).

Motion:

Councilmembers White/Hotchkiss to introduce the ordinance referred to in recommendation B, directing Staff to revise the Development Agreement pursuant to the proposal outlined in the first motion.

Vote:

Majority roll call vote (Noes: Councilmembers Hart, Murillo).

Motion:

Councilmembers Hotchkiss/Rowse to adopt the ordinance referred to in recommendation C; Ordinance No. 5750.

Vote:

Majority roll call vote (Noes: Councilmembers Hart, Murillo).

**RECESS**

3:45 p.m. – 3:56 p.m.

Councilmembers Hotchkiss and White stated they would not participate in the following item due to conflicts of interest related to their ownership of property located within the Assessment District, and they left the meeting at 3:57 p.m. City Attorney Calonne disclosed a similar conflict and also left the meeting.

**PUBLIC HEARINGS**

**10. Subject: Renewal Of Levy For Fiscal Year 2017 For The Wildland Fire Suppression Assessment District (290.00)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue Vegetation Road Clearance, Implementation of a Defensible Space Inspection and Assistance Program, and Implementation of a Vegetation Management Program Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Approving the Engineer's Report; Confirming Diagram and Assessment; and Ordering Continuation of the Wildland Fire Suppression Assessment District for Fiscal Year 2016-17.

(Cont'd)

**10. (Cont'd)**

Documents:

- May 17, 2016, report from the Fire Chief.
- Proposed Resolution.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

The title of the resolution was read.

Public Comment Opened:

3:58 p.m.

Speakers:

- Staff: Fire Marshal Joe Poiré, Fire Services Specialist Christopher Braden.
- Members of the Public: Pete Dal Bello.

Public Comment Closed:

4:07 p.m.

Motion:

Councilmembers Murillo/Dominguez to approve the recommendation; Resolution No. 16-030.

Vote:

Unanimous roll call vote (Absent: Councilmembers Hotchkiss, White).

Councilmembers Hotchkiss and White and City Attorney Calonne returned to the meeting at 4:10 p.m.

**MAYOR AND COUNCIL REPORTS**

**12. Subject: Interviews For City Advisory Groups (140.05)**

Recommendation: That Council:

- A. Hold interviews of applicants for various City Advisory Groups; and
- B. Continue interviews of applicants to May 24, 2016, and June 14, 2016.  
(Estimated Time: 4:00 p.m.)

Speakers:

The following applicants were interviewed:  
Harbor Commission:  
Laurie Dalton  
Jeff Escola

(Cont'd)

**12. (Cont'd)**

Speakers (Cont'd):

Housing Authority Commission:

Victor Suhr

County of Santa Barbara Library Advisory Committee:

Joan Young

Library Board:

Pete Dal Bello

Joan Young

Neighborhood Advisory Council:

Pete Dal Bello

Stacey Lydon

Parks and Recreation Commission:

Jacob Lesner-Buxton

By consensus, the Council continued interviews to their meeting of June 14, 2016.

**11. Subject: Designation Of "The Olives" Residence, Our Lady of Sorrows Church, And The Dolores/Notre Dame School As City Landmarks (640.06)**

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating "The Olives" Residence at 2121 Garden Street as a City Landmark;
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Our Lady of Sorrows Church at 33 East Sola Street as a City Landmark; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating the Dolores/Notre Dame School at 33 East Micheltorena Street as a City Landmark.

Documents:

- May 17, 2016, report from the Community Development Director.
- Proposed Resolutions.
- Affidavit of Publication.
- PowerPoint presentation prepared and made by Staff.

The titles of the resolutions were read.

Public Comment Opened:

4:28 p.m.

(Cont'd)

## 11. (Cont'd)

### Speakers:

Staff: Associate Planner Nicole Hernandez.

### Public Comment Closed:

4:40 p.m.

### Motion:

Councilmembers Hart/White to approve the recommendations; Resolution Nos. 16-031 – 16-033.

### Vote:

Unanimous roll call vote.

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

### Information:

- Councilmember Murillo reported on her attendance at the following events/meetings: 1) Sweetwater Collaborative workshop regarding rainwater capture; 2) Rape Crisis fundraiser; 3) Library Board meeting, at which the remodeling of the Main Library building was discussed; 4) Milpas Action Task Force meeting regarding the monitoring of impacts to the neighborhood surrounding the homeless shelter; and 5) Neighborhood Advisory Council meeting.
- Councilmember Rowse mentioned that his restaurant had sponsored a “Tip-A-Cop” dinner to benefit Special Olympics.
- Councilmember Dominguez commented on the recent meeting of the Milpas Action Task Force.
- Councilmember Hart reported that he had attended a reception for the new president of Santa Barbara City College and a ribbon-cutting event for the first hydrogen fueling station on the Central Coast.
- Councilmember White reported on recent meetings of the Cachuma Conservation Release Board and the Eucalyptus Hill Improvement Association.
- Mayor Schneider remarked on an event to kick off the annual Old Spanish Days celebration, which included a ceremony with local Chumash elders.

## RECESS

The Mayor recessed the meeting at 4:47 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 13 – 15. She stated that no reportable action is anticipated.

## CLOSED SESSIONS

### 14. **Subject: Conference With City Attorney - Anticipated Litigation (160.03)**

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

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

May 17, 2016, report from the City Attorney.

Time:

4:50 p.m. – 4:56 p.m.

No report made.

### 15. **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 Linda Curtiss v. City of Santa Barbara; SBSC Case No. 15CV00345.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

May 17, 2016, report from the City Attorney.

Time:

4:56 p.m. – 5:05 p.m.

No report made.

### 13. **Subject: Conference With Labor Negotiator (440.05)**

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiators Kristine Schmidt, Administrative Services Director, and Bruce Barsook, Liebert Cassidy Whitmore, regarding negotiations with the General Bargaining Unit, Firefighters Association, Police Officers Association, and regarding salaries and fringe benefits for unrepresented management.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

(Cont'd)

**13. (Cont'd)**

Documents:

May 17, 2016, report from the Administrative Services Director.

Time:

5:05 p.m. – 5:40 p.m.

No report made.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 5:40 p.m..

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

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



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## SPECIAL MEETING May 26, 2016 COUNCIL CHAMBER, 735 ANACAPA STREET

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### CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 9:07 a.m.

### PLEDGE OF ALLEGIANCE

Mayor Schneider.

### ROLL CALL

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

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Susan Tschech.

### PUBLIC COMMENT

No one wished to speak.

### NOTICES

The City Clerk has on Thursday, May 19, 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.

### PUBLIC HEARINGS

**Subject: Fiscal Year 2017 Recommended Operating and Capital Budget (230.05)**

Recommendation: That Council hear presentations from the Fire Department and the Police Department regarding their Fiscal Year 2017 Recommended Budget.

(Cont'd)

## **Subject: Fiscal Year 2017 Recommended Operating and Capital Budget (Cont'd)**

### Documents:

- May 26, 2016, report from the Finance Director.
- PowerPoint presentations prepared and made by staff of the Police and Fire Departments.
- PowerPoint presentation prepared and made by students of the Bren School of Environmental Science & Management.

### Speakers:

- Staff: Interim Police Chief John Crombach, Police Business Manager Lori Pedersen, City Administrator Paul Casey, Police Sergeant Aaron Baker, City Attorney Ariel Calonne.
- Fire and Police Commission: Commissioner Jeannine Daniel.

### Discussion:

Police Department Staff presented the department's proposed budget for Fiscal Year 2017, including changes to revenues, expenditures, and fees. Initiatives related to community policing, youth outreach, collaborative efforts with other agencies, staffing levels, and grant funding were outlined. Staff concluded with a review of key performance measures and projects. Councilmembers' questions were answered.

### Motion:

Councilmembers White/Rowse to put on a future agenda the possible regulation of alcohol sales permits in terms of land use, as well as the imposition of fees on these permits.

### Vote:

Unanimous voice vote.

### Speakers (Cont'd):

- Staff: Fire Chief Pat McElroy, Fire Administrative Services Manager Ronald Liechti, Fire Captain Anthony Pighetti, Fire Marshal Joe Poiré, Fire Inspector Ann Marx.
- Bren School of Environmental Science & Management: Juli Matos, Nico Alegria, Sarah McCutcheon.

### Discussion:

Fire Department Staff detailed proposed adjustments to the prior-approved department budget for Fiscal Year 2017. Performance and work objectives were also reviewed, and a video of live-fire training was shown. Councilmembers' questions were answered.

(Cont'd)

**Subject: Fiscal Year 2017 Recommended Operating and Capital Budget (Cont'd)**

Motion:

Councilmembers Dominguez/White to put on a future agenda possible amendments to the City's smoking ordinance.

Vote:

Majority voice vote (Noes: Councilmember Hotchkiss).

Discussion (Cont'd);

Students of the Bren School of Environmental Science & Management presented the results of a project to assess the effectiveness and resident approval of the City's Wildland Fire Suppression Assessment District.

**ADJOURNMENT**

Mayor Schneider adjourned the meeting at 11:33 a.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

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



**CITY OF SANTA BARBARA  
CITY COUNCIL MINUTES**

**REGULAR MEETING  
May 31, 2016  
COUNCIL CHAMBER, 735 ANACAPA STREET**

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The regular meeting of the City Council, scheduled for 2:00 p.m. on May 31, 2016, was cancelled by the Council on November 18, 2015.

The next regular meeting of the City Council is scheduled for June 7, 2016, at 2:00 p.m. in the Council Chamber.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

**FROM:** Mayor and Council Ad Hoc Performance Evaluation Committee

**SUBJECT:** Introduction Of Ordinance For City Administrator Merit Salary Increase

### **RECOMMENDATION:**

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5706, the Salary Plan for the City Administrator for Fiscal Year 2016 and Fiscal Year 2017, to Provide a 5% Merit Increase Effective February 6, 2016.

### **DISCUSSION:**

Paul Casey was appointed as the new City Administrator effective February 3, 2015. Mr. Casey had already been serving as the Acting City Administrator since October 2014.

Mr. Casey was appointed at the same compensation level as the previous City Administrator. A survey conducted at that time determined this total compensation level to be below the labor market median for similar positions. A salary range was established, with the top of the salary range set at the labor market median. The salary range has since been adjusted by approved management cost-of-living increases in June 2015 and June 2016.

At the time the salary range was established, it was anticipated that Mr. Casey's compensation would be reviewed annually, concurrent with his annual performance evaluation, for advancement within the range based on merit. Mr. Casey's current biweekly salary of \$9,806.75 is approximately 6.6% below the top of the salary range for the City Administrator of \$10,456.40 biweekly.

A 5% merit increase is recommended, retroactive to his anniversary date in the position, which is consistent with standard management practice for satisfactory or better performance citywide. The resulting biweekly salary will be \$10,290.09 (\$267,724.28 annually), slightly below the top of the salary range. It will not affect the salary range itself.

**BUDGET/FINANCIAL INFORMATION:**

No additional appropriations are necessary. The cost of the merit increase in Fiscal Year 2016 will be \$3,861 (90%) to the General Fund and \$429 (10%) to the Successor Agency, for a total of \$4,290 in Fiscal Year 2016. This will be absorbed within savings in other areas of the Fiscal Year 2016 adopted budget for the City Administrator's Office. The Fiscal Year 2017 costs of \$14,256 to the General Fund and \$1,584 to the Successor Agency are already included in the Fiscal Year 2017 adopted budget.

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

**APPROVED BY:** Helene Schneider, Mayor

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING ORDINANCE NO. 5706, THE SALARY PLAN FOR THE CITY ADMINISTRATOR FOR FISCAL YEAR 2016 AND FISCAL YEAR 2017, TO PROVIDE A 5% MERIT INCREASE EFFECTIVE FEBRUARY 6, 2016

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

SECTION 1. The Salary Plan for the City Administrator for Fiscal Year 2016 and Fiscal Year 2017, Ordinance No 5706, is hereby amended to include a 5% merit increase effective February 6, 2016, for Paul Casey, City Administrator.

SECTION 2. The resulting annually salary will be \$267,724.28.

SECTION 3. This merit increase will not affect the salary range for the position.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Introduction Of Ordinance To Approve Two Encroachment Permit Agreements Related To Peabody Stadium Project At Santa Barbara High School

### **RECOMMENDATION:**

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving An Encroachment Permit Agreement to Allow Santa Barbara High School Peabody Stadium Facilities to Encroach Within Portions of City Lands Underlying a Vacated Portion of Figueroa Street, an Untraveled Portion of Figueroa Street, and a Vacated Portion of Salsipuedes Street, and Also Approving An Encroachment Permit Agreement to Allow Other Portions of Peabody Stadium Facilities to Encroach Within an Untraveled Portion of Rinconada Road, Both Agreements with the Santa Barbara Unified School District, the Owner of Santa Barbara High School at 700 East Anapamu Street, Santa Barbara County Assessor's Parcel Numbers 029-180-009, 029-240-003 and 029-240-008, and Authorizing the Public Works Director to Execute Same.

### **EXECUTIVE SUMMARY:**

The Santa Barbara Unified School District (District) is pursuing a project to demolish and reconstruct certain Peabody Stadium facilities. In order to begin the project, the District has applied for encroachment permits into various land interests held by the City at Santa Barbara High School (SBHS). The District has separately applied to permanently perfect title to lands underlying the Peabody Stadium project area (street vacation and quitclaim). Residual City property interests at SBHS that are not underlying the Peabody Stadium Project Area will remain with the City and be the topic of future discussions.

**DISCUSSION:**

The proposed Ordinance is required by the Santa Barbara City Charter to authorize the execution of two Encroachment Permit Agreements (Permits) with Santa Barbara Unified School District.

1. The District has applied for one Permit from the City to allow its alteration, improvement and maintenance of Peabody Stadium facilities that exist on City-owned lands underlying certain untraveled and vacated former streets, namely vacated portions of Figueroa and Salsipuedes Streets, within the campus of SBHS (refer to blue area in Attachment 1, and more detail in Attachment 2).
2. The other Permit desired by the District is to allow its alteration, improvement and maintenance of portions of Peabody Stadium facilities that exist within an adjacent area of Rinconada Road (refer to orange area in Attachment 1, and more detail in Attachment 3).

Additional Applications

In addition to the District's application for the subject Permits to allow existing and new encroachments by Peabody Stadium facilities, the District has also applied for the following actions:

1. The City's vacation of an untraveled small portion of Figueroa Street, adjacent to Peabody Stadium, at Rinconada Road; and
2. The City's subsequent quitclaim of portions of lands underlying all vacated former portions of Figueroa and Salsipuedes Streets within the Peabody Stadium Project (Project) area.

Certain portions of Figueroa and Salsipuedes Streets (and others), within the campus of SBHS, were vacated by Council in 1921 and 1922. Said vacated streets have subsequently been improved with school facilities. However, it appears that the City's underlying lands were not actually conveyed to the District at that time. The District has now applied for the City's quitclaim of those lands within the Project area, to transfer all real property interest in portions of previously vacated Figueroa and Salsipuedes Streets to the District. These applications are under review. The disposition of remaining City land interests at SBHS that do not fall within the Project area will be the subject of future land exchange projects.

The City's review of the District's applications for the City's vacation of the untraveled portion of Figueroa Street, and subsequent quitclaim of excess lands underlying the vacated portions of Figueroa and Salsipuedes Streets within the Peabody Stadium project area is ongoing. Action by Council on these other applications by the District will be scheduled later, after review and completion of all prerequisite steps. The subject Permits are intended for approval first in order to reasonably accommodate the District's optimum schedule for the Project.

## Council Agenda Report

### Introduction Of Ordinance To Approve Two Encroachment Permit Agreements Related To Peabody Stadium Project At Santa Barbara High School

July 12, 2016

Page 3

The untraveled, closed, and vacated former streets proposed to be quitclaimed later are shown on the attached aerial photograph (refer to yellow and red lines in Attachment 1).

#### Peabody Stadium Project

Following final approval of permits by the California Division of the State Architect (DSA), the District intends to demolish and reconstruct certain Peabody Stadium facilities at SBHS that were originally built in 1924. As mentioned in the Mitigated Negative Declaration submitted on behalf of the District related to the Project, the main objectives of the Project generally include the following elements:

1. To comply with current building and accessibility codes;
2. To level the sports field and provide surfaces with lower maintenance needs;
3. To provide expanded use of the track, field and stadium facilities, in particular to allow competitive track events, expand practice space for sports teams, and better accommodate community use of the playing field and track; and
4. To reduce ponding and flooding within Peabody Stadium during storm events.

The Peabody Stadium project will also include the following:

1. New energy efficient lighting systems with time limitations and hoods to reduce light spilling into nearby areas;
2. New public address systems directed efficiently toward the playing field;
3. Demolition and replacement of the grandstand in the area of Rinconada Road, with new seating configurations;
4. Removal of the old asphalt track to make way for a new all-weather polyurethane track surface;
5. A new enclosed press box;
6. Removal and replacement of access ramps and walkways that comply with current accessibility standards;
7. Removal and construction of more efficient drainage systems;
8. Public street improvements on Rinconada Road;
9. Construction of a new bank retaining wall/fence and utility equipment area along the Anapamu Street property line; and
10. Removal and subsequent planting of new trees and drought tolerant landscaping.

A courtesy review of the Project was completed by the Historic Landmarks Commission on June 1, 2016. The Historic Landmarks Commission's comments on the Project were generally positive.

City Council's approval is necessary to approve the Permits pursuant to City Charter Section 520 for the encumbrance on City lands and Section 521 for the contracts (Permits) longer than 5 years.

Copies of the two proposed Encroachment Permit Agreements are available for public review in the City Clerk's Office.

Council Agenda Report

Introduction Of Ordinance To Approve Two Encroachment Permit Agreements Related To Peabody Stadium Project At Santa Barbara High School

July 12, 2016

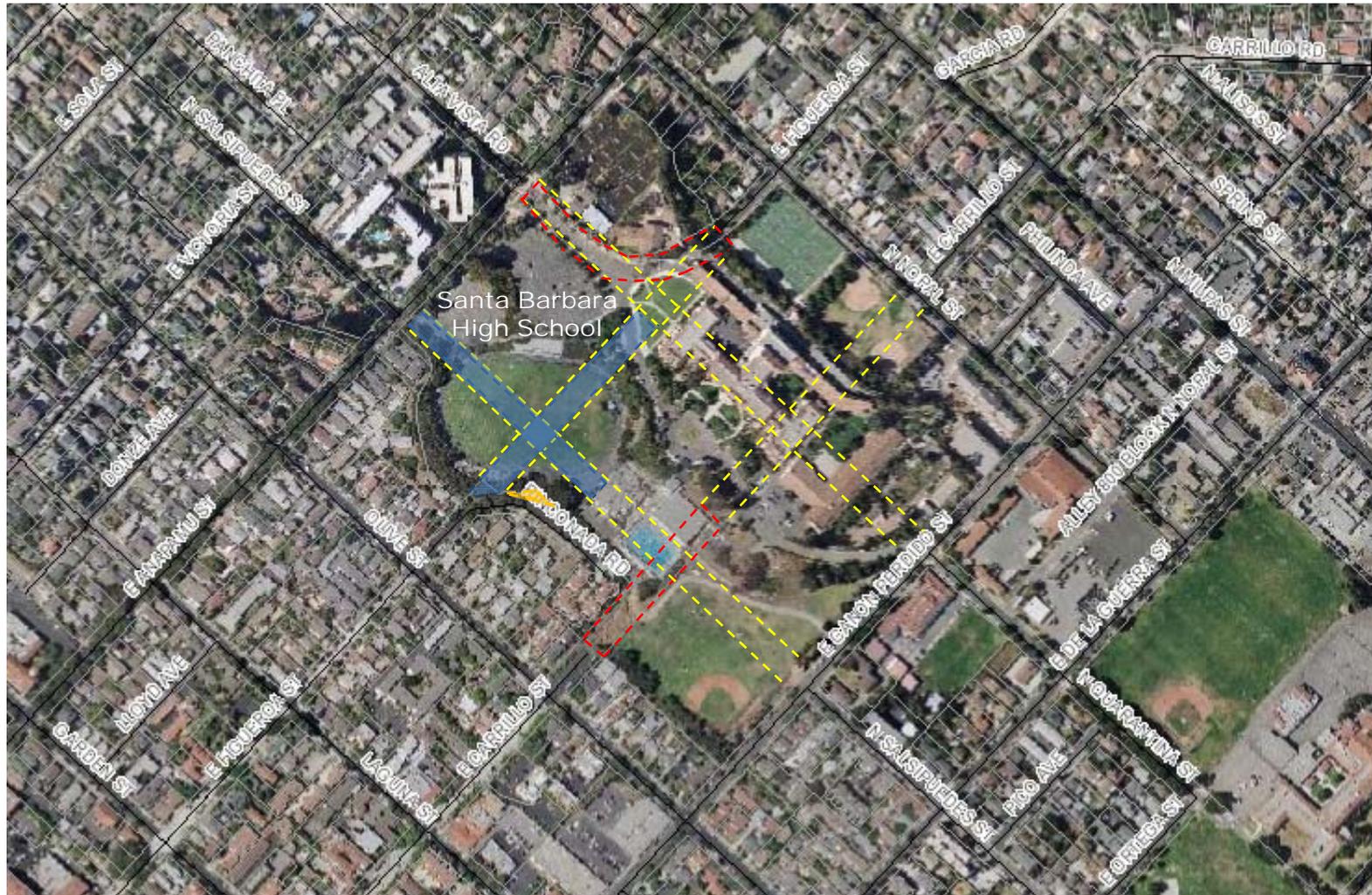
Page 4

- ATTACHMENTS:**
- 1) Aerial Photo “Untraveled, Closed and Vacated Streets, Campus of Santa Barbara High School”
  - 2) Encroachment Permit Area on Vacated portions of Figueroa and Salsipuedes Streets within the Project area
  - 3) Encroachment Permit Area on Untraveled Portion of Rinconada Road

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

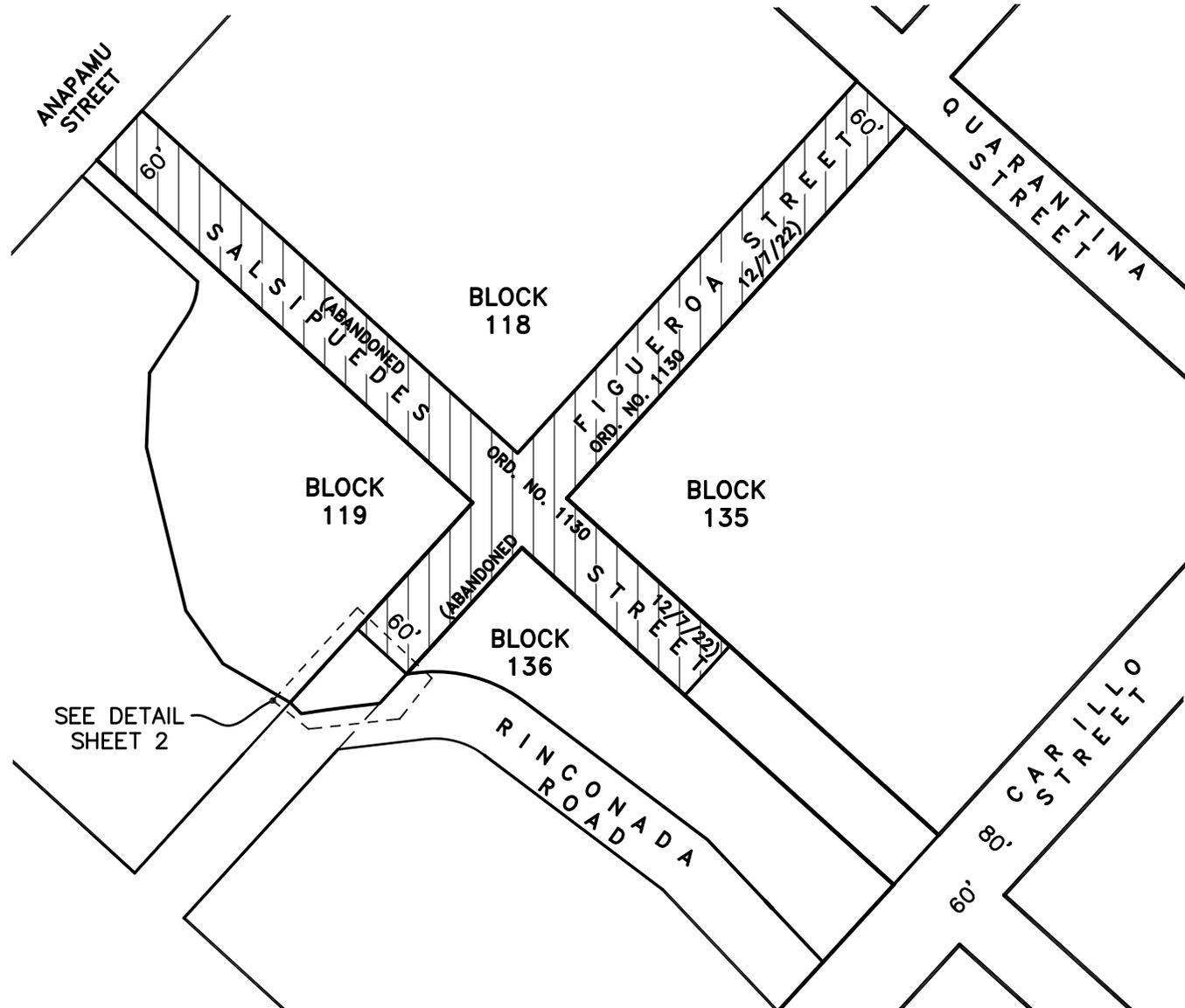
**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director  
Kristine Schmidt, Administrative Services Director

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



- - - Figueroa/Salsipuedes Encroachment
- - - Rinconada Encroachment
- - - Vacated Public Streets
- - - Untraveled Public Streets

## Untraveled, Closed and Vacated Streets Campus of Santa Barbara High School



**EXHIBIT "B"**

**SANTA BARBARA HIGH SCHOOL**  
**CITY OF SANTA BARBARA**  
 COUNTY OF SANTA BARBARA  
 STATE OF CALIFORNIA

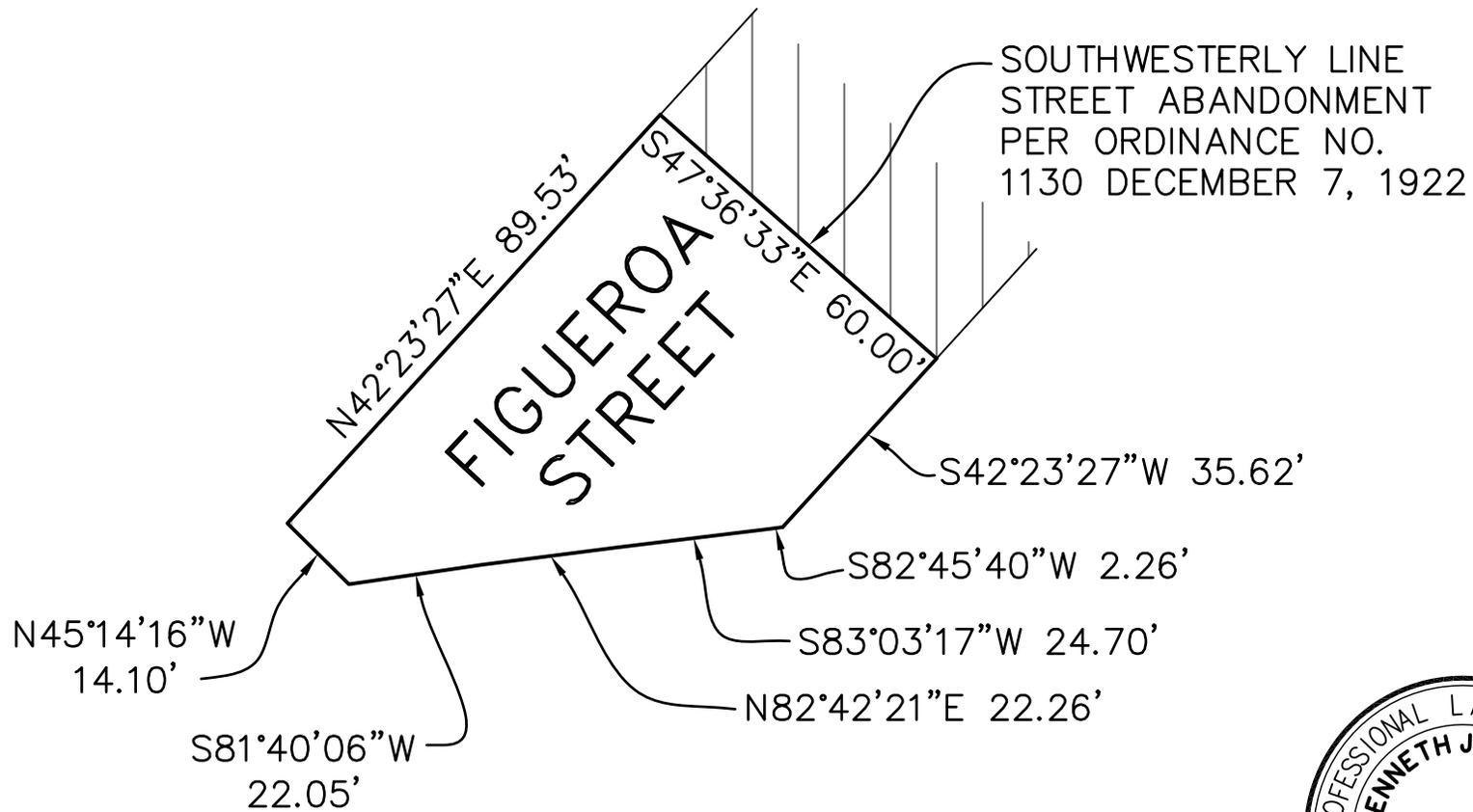


SCALE: 1" = 150'



111 East Victoria Street,  
 Phone: (805) 963-9532

Santa Barbara, CA 93101  
 Fax: (805) 966-9801



**DETAIL**

N.T.S.



6-02-2016



111 East Victoria Street,  
Phone: (805) 963-9532

Santa Barbara, CA 93101  
Fax: (805) 966-9801

P.N. 2064020131

DWG: 20131\_legals.dwg

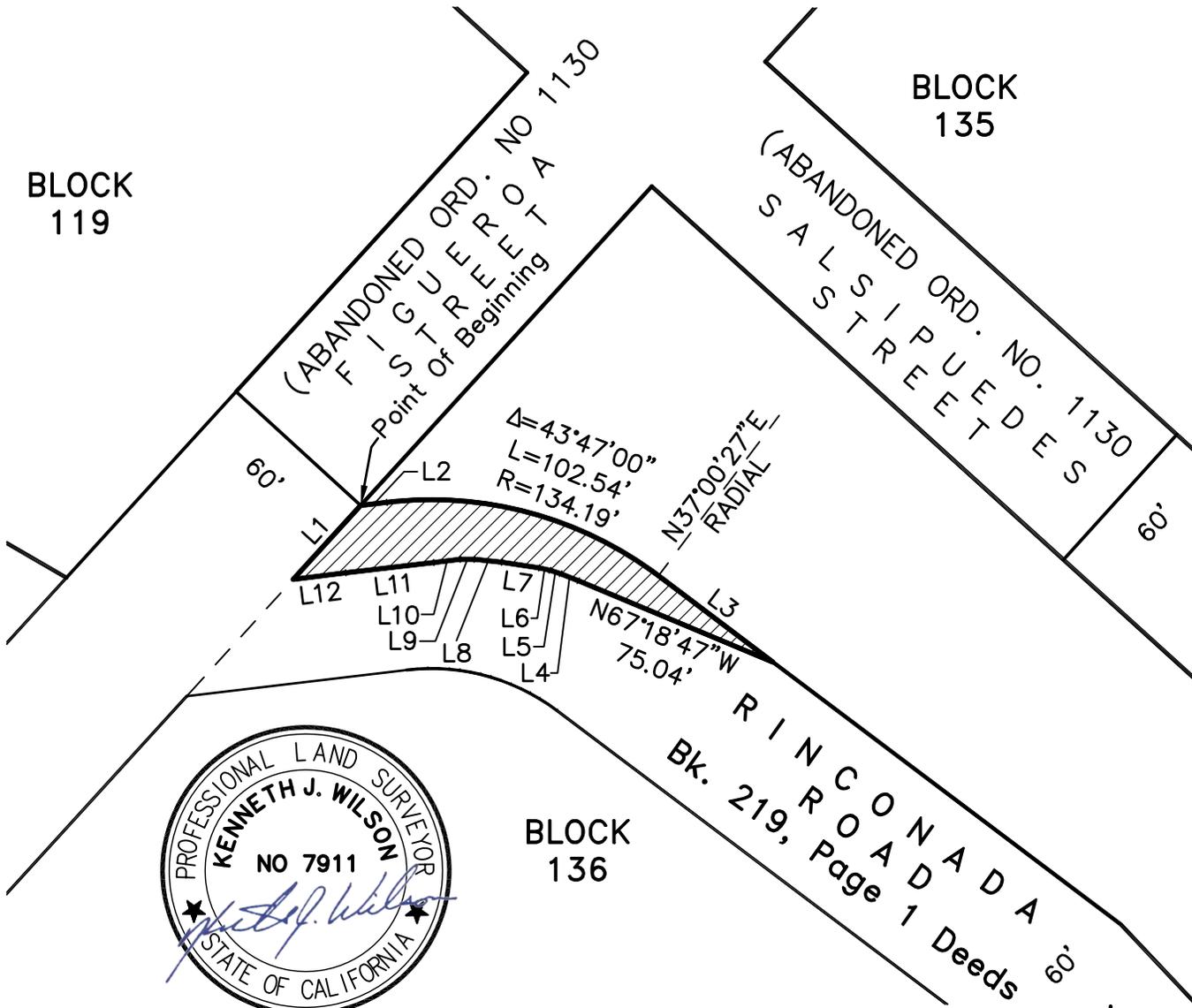
SHEET 2 OF 2



**EXHIBIT 'B'**  
**SANTA BARBARA HIGH SCHOOL**  
**CITY OF SANTA BARBARA**  
COUNTY OF SANTA BARBARA  
STATE OF CALIFORNIA

PLOT DATE: 06/01/2016

Line Table		
Line #	Length	Direction
L1	35.62'	N42°23'27"E
L2	9.36'	N83°13'27"E
L3	51.01'	S52°59'33"E
L4	6.74'	N68°22'53"W
L5	3.99'	N72°26'10"W
L6	3.99'	N77°32'30"W
L7	13.29'	N81°15'16"W
L8	9.89'	N83°58'32"W
L9	4.99'	S89°57'56"W
L10	9.54'	S83°08'50"W
L11	31.49'	S83°21'04"W
L12	18.88'	S82°45'40"W



6-02-2016



111 East Victoria Street,  
Phone: (805) 963-9532

Santa Barbara, CA 93101  
Fax: (805) 966-9801

P.N. 2064020131

DWG: 20131\_legals.dwg



SCALE: 1" = 60'

**EXHIBIT "B"**  
**ENCROACHMENT AREA**  
**SANTA BARBARA HIGH SCHOOL**  
**CITY OF SANTA BARBARA**  
COUNTY OF SANTA BARBARA  
STATE OF CALIFORNIA

PLOT DATE: 6/2/2016

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AN ENCROACHMENT PERMIT AGREEMENT TO ALLOW SANTA BARBARA HIGH SCHOOL PEABODY STADIUM FACILITIES TO ENCROACH WITHIN PORTIONS OF CITY LANDS UNDERLYING A VACATED PORTION OF FIGUEROA STREET, AN UNTRAVELED PORTION OF FIGUEROA STREET, AND A VACATED PORTION OF SALSIPUEDES STREET, AND ALSO APPROVING AN ENCROACHMENT PERMIT AGREEMENT TO ALLOW OTHER PORTIONS OF PEABODY STADIUM FACILITIES TO ENCROACH WITHIN AN UNTRAVELED PORTION OF RINCONADA ROAD, BOTH AGREEMENTS WITH THE SANTA BARBARA UNIFIED SCHOOL DISTRICT, THE OWNER OF SANTA BARBARA HIGH SCHOOL AT 700 EAST ANAPAMU STREET, SANTA BARBARA COUNTY ASSESSOR'S PARCEL NUMBERS 029-180-009, 029-240-003 AND 029-240-008, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE SAME

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

SECTION 1. That the Encroachment Permit Agreement, as approved as to form by the City Attorney, with Santa Barbara Unified School District, a public body corporate and politic, created and authorized under the Education Code of the State of California, to allow existing portions of Santa Barbara High School Peabody Stadium improvements to be removed, and subsequently to be reconstructed, rehabilitated and improved, within portions of City-owned lands underlying an existing vacated portion of Figueroa Street, and within an untraveled portion of Figueroa Street, and within a vacated portion of Salsipuedes Street, is approved pursuant to the City Charter and the Public Works Director is authorized to execute the same.

SECTION 2. That the Encroachment Permit Agreement, as approved as to form by the City Attorney, with Santa Barbara Unified School District, a public body corporate and politic created and authorized under the Education Code of the State of California, to allow existing portions of Santa Barbara High School Peabody Stadium improvements to be removed, and subsequently to be reconstructed, rehabilitated and improved, within an untraveled portion of the public street easement known as Rinconada Road, adjacent to Figueroa Street, is approved pursuant to the City Charter and the Public Works Director is authorized to execute the same.

SECTION 3. That the Santa Barbara High School Peabody Stadium facilities located within a vacated portion of Figueroa Street, an untraveled portion of Figueroa Street, and a vacated portion of Salsipuedes Street proposed to be altered, rehabilitated and improved are generally described as portions of the grandstand, a historic stone ticket booth, stone pillars and walls, synthetic track surfaces, artificial turf, lighting systems, paving, accessibility ramps, decorative walkways, drain systems and landscaping, as depicted on the architect's and civil engineer's design plans reviewed and approved by California Division of State Architect.

SECTION 4. That the Santa Barbara High School Peabody Stadium facilities located within an untraveled portion of Rinconada Road that is proposed to be altered, rehabilitated and improved are generally described as portions of the grandstand, a historic stone ticket booth, stone pillars and walls, accessibility ramps, decorative walkways, drain systems and landscaping, as depicted on architect's and civil engineer's design plans reviewed and approved by California Division of State Architect.

SECTION 5. That upon the effective date of the ordinance, the City Clerk is authorized to submit the Encroachment Permit Agreement that pertains to the untraveled portion of Rinconada Road for recordation in the Official Records, in the Office of the County Recorder, Santa Barbara County.

SECTION 6. That the Encroachment Permit Agreement that pertains to the vacated and untraveled portions of Figueroa Street and Salsipuedes Street shall not be submitted for recordation in the Official Records of Santa Barbara County.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Lease Agreements With Nonprofit Organizations At The Westside Neighborhood Center

### **RECOMMENDATION:**

That Council authorize the Parks and Recreation Director to execute annual lease agreements for office space at the Westside Neighborhood Center (Westside Center) with the Independent Living Resource Center, UCP/Work Inc., United Cerebral Palsy Association of Los Angeles, Ventura, and Santa Barbara Counties, and the Santa Barbara Unified School District-Quetzal Program.

### **DISCUSSION:**

The Parks and Recreation Department administers lease agreements for facility space at below-market rates with local non-profit social service providers at its three neighborhood centers. All leases are negotiated annually and commence on July 1, 2016.

The Independent Living Resource Center and UCP/Work Inc. lease agreements are renewal leases. United Cerebral Palsy Association of Los Angeles, Ventura and Santa Barbara Counties has been leasing an office at the Louise Lowry Davis Center for a number of years and will be moving to a larger office at the Westside Center in Fiscal Year 2017. The Santa Barbara School District (District) has entered into a new lease for office space at the Westside Center being vacated by another organization on June 30, 2016. The District is consolidating two locations of the Quetzal program, the alternative program for high school students that replaced El Puente Community School, into a larger space at the Westside Center.

**BUDGET/FINANCIAL INFORMATION:**

The monthly rental rate for leased space is \$1.28 per square foot, as proposed in Fiscal Year 2017 Fees and Charges. The total annual revenue from the four lease agreements is \$128,502.

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

**PREPARED BY:** Judith Cook McCaffrey, 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:** July 12, 2016

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Twelve35 Teen Center Lease With Santa Barbara Police Activities League

### **RECOMMENDATION:**

That Council authorize the Parks and Recreation Director to renew a three-year lease agreement with the Santa Barbara Police Activities League (PAL) for the Twelve35 Teen Center, with an annual rent of one dollar per year.

### **DISCUSSION:**

Since September 2010, PAL has provided programs and operational management of Twelve35 Teen Center, having taken over operations from the City following significant budget reductions in response to the national recession and declining City revenues. PAL continues to be a long-time partner with the Parks and Recreation Department (Department) in providing quality recreation programming to community youth.

The lease of the facility stipulates that an annual report be provided on program services and participation. The attached report was provided to the Department and fulfills this obligation. This requirement continues with the new lease.

The terms for the previous three-year lease stipulated that PAL would pay a base rent of \$800 with an annual adjustment set by City Council resolution. During the Fiscal Year 2016 budget process, City Council approved that the PAL lease payment be reduced to one dollar per year as PAL had demonstrated continued success managing the facility for more than five years. Funds that were to be paid for rent could be dedicated to improving and expanding PAL programs and services for the youth in the Santa Barbara Community. This new lease agreement was updated to reflect the change in rent.

The Department appreciates and thanks PAL for their commitment to community youth and teens and are pleased with the outstanding services and programs they provide at the Twelve35 Teen Center.

The Department recommends that the City renew a three-year agreement with PAL for the Twelve35 Teen Center.

**BUDGET/FINANCIAL INFORMATION:**

The lease payment for PAL's use of the Twelve35 Teen Center is one dollar, paid annually.

A copy of this agreement is available in the City Clerk's office for public review.

**ATTACHMENT:** SBPAL Twelve35 Teen Center Annual Report for Fiscal Year 2016

**PREPARED BY:** Judith Cook McCaffrey, Recreation Manager

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



## Santa Barbara Police Activities Annual Report June 2016

### BOARD OFFICERS

John Van Donge  
*President*

Mark Magid  
*Vice President*

John Dixon  
*Treasurer*

Eve Ortiz  
*Secretary*

Capt. Todd Stoney  
*Chief's Advisor*

Douglas Dreier  
James Stretchberry  
*Past Presidents*

### BOARD MEMBERS

Richard Auhll  
Debi Badger  
Janice Bowie  
Darryll Dewan  
Caroline Grange  
Adrian Gutierrez  
Courtney Gutierrez  
Ralph Iannelli  
Phillip Pennestri  
Tom Shapiro  
Rob Wilson  
Kent Wojciechoski

### PROGRAM OFFICER

Bryan Kerr

### EXECUTIVE DIRECTOR

Michelle Hillman Meyering

The Santa Barbara Police Activities League currently provides educational, athletic, cultural, summer camps, and leadership development programs to more than 1000 youth annually. PAL offers a preventive & educational opportunity for Jr. and Sr. High students who do not have a safe and supervised place to attend when the temptations for at-risk behavior and gang influence is high. Due to city budget cuts and a decrease in school funding, PAL has taken up the responsibility of providing programs at no cost to families. On a daily basis, more than 30 youth pass through the doors of PAL's Twelve35 Teen Center. More than 85% of these youth are from low-income Hispanic families. The teen center has a full time Program Director and 3 part-time staffers. Additionally, police officers and other community volunteers visit the teen center to mentor, coach, and provide positive interaction with the youth. Through these programs PAL is able to mentor youth toward higher education, increase their community involvement through community service projects, and create positive interactions with law enforcement. This school year, PAL has more than 15 seniors graduating from high school with plans to attend a 4 year college or university in the fall. Several of these teens will be the first generation to attend college.

PAL focuses on three primary areas: Teen Center Enrichment, Teen Leadership, and Family/Community Outreach.

The Teen Center Enrichment programs provide youth with development & learning opportunities in the following area: educational, sports & health, art & culture, and social recreational. Teens are able to interact and socialize with their peers in a safe environment, free from the pressures and negative influences on the streets.

### Education

Extending the learning period of public schools & providing much needed support and enrichment to underprivileged youth in our community helps to close the achievement gap. Our computer lab is available for students every day afterschool to complete homework assignments and school projects. Many of the youth come to us from homes without the appropriate technology or parental guidance to help with homework assignments thus putting them further behind in school. The teen center provides after-school tutoring year-round including three bi-lingual tutors from CAL-Soap and two from Westmont College. PAL has a staff member currently assigned to work with the tutors to track the individual progress of each student by monitoring grades and coordinating with teachers to ensure the overall success of each student.

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### **Art & Culture**

The Jensen Music Foundation partnered with PAL in 2015 to provide ten brand new guitars including all of the classroom equipment for the bi-weekly guitar lessons held at the teen center. Additionally, PAL introduced a new Flamenco dance class to PAL programming, instructing youth on the basics of dance and educating them on the cultural importance to the Hispanic/Latino population. The Flamenco class has performed at the Menudo Festival, Lights On, and PAL's annual "Putting Kids First" gala. This past spring, PAL partnered with the Audubon Society of Santa Barbara to provide an 8 week E.Y.E. to Nature program which exposes PAL youth to bird watching, kayaking, surfing and environmental concerns.

### **Sport & Health**

Dramatic cuts in both physical education and after-school athletics at the schools combined with the high cost of club sports, results in many youth not participating in daily physical activities. PAL has brought fitness and nutritional concepts to the teen center to help educate teens on the importance of healthy living while providing them with fun structured activities to improve their overall fitness. Currently, PAL offers weekly classes in Jiu Jitsu through a partnership with SB Grace Barra, a bi-weekly leadership and fitness class in partnership with Montecito YMCA, and a weekly golf class at the SB Golf Course. The golf program culminates with a 4 person golf scramble, pairing 2 police officers, board members or community members with 2 youth. These programs not only encourage physical health but also include the added benefits of self-discipline, increased self-esteem benefits, and social skills.

### **Leadership Programs**

Teen Leadership is comprised of 2 youth driven programs, PAL Youth Leadership Council (YLC) and the Santa Barbara Police Explorer Post. Both groups inspire to better their communities by participating in community service projects, and to become more effective leaders by participating in leadership training designed to prepare them for post-secondary education and/or careers in law enforcement. Both the YLC and Explorers provide mentorship to their peers and to younger populations.

The PAL Youth Leadership Council is composed of 20 highly motivated and dedicated high school students referred by law enforcement, the school district and other community partners. YLC members go through an extensive interview process, are required to maintain a 2.5 GPA along with participation in community service projects. The weekly YLC meetings encourage participants to complete their education, to prepare for post-secondary education, and to learn and demonstrate leadership & teamwork skills. YLC members are expected to become self-responsible, to give back to PAL & their community, and to serve as role models for their friends and siblings. The currently YLC members combined for more than 2500 community service hours this past year.

YLC members host a spring break camp called "Big Pal Little Pal", where they mentor elementary aged youth for the week and treat them to unique experiences such as ice skating or a day at the Santa Monica Pier. The YLC also participate in two four day leadership conferences. The CAL PAL Leadership conference in Anaheim is



a four day excursion where participants are partnered up with teens from all over the state and includes two afternoons at Disneyland. The Cops and Kids Leadership Conference is the culminating event for the YLC which includes mentoring by Police Officers, leadership and team build activities, and morning career development workshops taught by local professionals in their respective fields.

### **Santa Barbara Explorer Post 104**

The Santa Barbara Explorer Post has been mentoring youth for over 20 years and currently serves 28 explorers with a waitlist. The Explorer Post provides an educational training program for youth and young adults on the purposes, mission, and objectives of law enforcement and public safety. Rigorous in nature, the program helps to develop young people into good citizens, caring and helpful community members, as well as prepare them for the police academy and a career in public safety. The program consists of weekly 3 hour meetings, which include physical & mental training, inspections, community service projects, and leadership skills. The post members wear uniforms, have a ranking structure and are expected active members of the department. Approximately 80% of the post is below the poverty line, Hispanic and first generation Americans. The Santa Barbara Police Department recently hired one of the explorers as a cadet – her first step in fulfilling her dream of becoming a police officer.

### **Community Outreach**

The Campership Alliance Program is a collaboration between 14 non-profit organizations which offers low-income families summer camp scholarships for their children. PAL provides the staffing and support for the program including income verification, matching kids to their appropriate camps, and providing transportation. Last year PAL allocated more than 500 camp scholarships.

Each winter, PAL hosts the “Help Portrait” day at the teen center, providing low-income families with professional quality family portraits. Local photographers volunteer their time & talent, creating lasting memories for the families, who are given a digital copy of their photo session for their personal use. PAL also hosts a Holiday Dinner for 60 low-income families referred by the A-OK after school program. The event is complete with arts & crafts and a visit from Santa Claus, and each child leaves with a gift donated by PAL supporters.

PAL partnered with United Way and the Housing Authority to be a host site for the Volunteer Income Tax Assistance (VITA) program during the 2016 tax season. PAL opened the tutoring lab after hours 3 days a week for 6 weeks for low-income and non-English speaking individuals to receive assistance on completing their individual income tax returns. PAL was award “Financial Empowerment Partner of the Year” for our efforts.

Report submitted by Michelle Hillman Meyering, Executive Director  
michelle@sbpal.org



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Community Promotion Contract With Old Spanish Days

### **RECOMMENDATION:**

That Council authorize the City Administrator to execute a community promotion contract with Old Spanish Days in an amount of \$104,100, covering the period from July 1, 2016, to June 30, 2017.

### **DISCUSSION:**

The Mayor and Council's Office Arts and Community Promotion budget includes \$104,100 for the Old Spanish Days organization for Fiscal Year 2017. This reflects a 3% increase in funding from the prior year. The funding will be used for organizing, promoting, and sponsoring the community celebration of Fiesta, as well as supporting year-round administrative expenses. The funds will cover janitorial service for cleaning, trash pick-up, and portable toilets at the two "Mercados" and power-washing of the De la Guerra Mercado area. These funds will also partially cover promotional costs for posters and brochures.

The Old Spanish Days community celebration known as Fiesta helps educate the community about the history and traditions of Santa Barbara's heritage. The event includes a historic parade, evening variety shows, and marketplaces for entertainment, food and crafts. The community festival is a vehicle for numerous non-profit and service groups to raise funds for local causes. The events are scheduled from August 1 through August 5, 2016.

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

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

**PREPARED BY:** Nina Johnson, Assistant to the City Administrator

**SUBMITTED BY:** Paul Casey, City Administrator

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** Community Promotion Contract With Visit Santa Barbara

### **RECOMMENDATION:**

That Council authorize the City Administrator to execute an annual community promotion contract with Visit Santa Barbara to provide marketing services that promote Santa Barbara as a tourism destination, in an amount of \$1,380,000.

### **DISCUSSION:**

The Mayor and Council's Office Arts and Community Promotion budget includes \$1,380,000 for Visit Santa Barbara to promote Santa Barbara as a tourist destination and location for film production. This contract will help support year-round administrative expenses for Visit Santa Barbara, including salaries and benefits, advertising, consumer and trade information services, public relations, and sales. The term of the contract covers the period of July 1, 2016 through June 30, 2017. There are no changes in the appropriation of funds from the prior year.

The primary goals of the marketing services include expanding Santa Barbara's position as a major tourist destination and growing visitation to increase overnight stays, length of travel, mid-week stays, and travel during off-peak months. Through strategic partnerships and promotions, Visit Santa Barbara engages prospective visitors.

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

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

**PREPARED BY:** Nina Johnson, Assistant to the City Administrator

**SUBMITTED BY:** Paul Casey, City Administrator

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Contract For Downtown Parking Structures Assessment

**RECOMMENDATION:** That Council:

- A. Authorize the Public Works Director to execute a Professional Services contract with Watry Design, Inc., in the amount of \$265,770 for the Downtown Parking Structure Conditional Assessment Project, and authorize the Public Works Director to approve expenditures of up to \$26,577 for extra services of Watry Design, Inc., that may result from necessary changes in the scope of work; and
- B. Increase appropriations by \$222,347 in the Downtown Parking Capital Fund from available reserves in the Downtown Parking Operating Fund.

### **DISCUSSION:**

#### Background

In an effort to maintain the City's parking structures and use the budget as efficiently as possible, Downtown Parking staff is recommending a structural evaluation of all five parking garages. The evaluation would determine the short, medium, and long-term maintenance needs of each structure. The structures shall be evaluated for deficiencies in the service of the structural elements and the functionality of the mechanical and electrical systems. A comprehensive report and maintenance plan will be created for the listed structures. This plan will assist Downtown Parking staff in scoping, identifying, and prioritizing maintenance, repairs, and capital projects. Additionally, it will assist staff in appropriating the funds necessary to continue to preserve the integrity and functionality of the parking structures.

The Railway Express Agency (REA) and Amtrak Depot Buildings (Amtrak) have been identified as requiring similar inspection and have been added to this project after receipt of proposals and interviews were conducted. These buildings will be analyzed similar to the parking structures, with the REA building receiving an additional seismic evaluation.

### Project Description

The work by Watry Design, Inc. consists of the following:

- Complete a visual examination of all structures;
- Perform non-destructive and semi-destructive tests on each structure as needed to determine the extent of any damage;
- Evaluate the mechanical and electrical systems to determine existing flaws in need of repair, and establish a maintenance schedule;
- Perform a seismic evaluation of the REA building;
- Prepare a comprehensive report for all structures;
- Prepare short-, mid-, and long-term maintenance strategies, including any needed capital projects;
- Prepare cost estimates for maintenance and Capital Improvement Program budgeting purposes; and
- Calculate the estimated replacement value of the five parking structures.

### Structural Condition Assessment Services

Watry Design was selected as part of a Request for Proposals in which five consultants were solicited. Watry Design is experienced in this type of work. Watry Design and Walker Parking Consultants both submitted proposals. After interviewing both consultants, it was determined that Watry Design was the most qualified consultant that best met the City's needs. Subsequent to this determination, staff initiated negotiations with Watry Design and determined that their expertise was well suited for the REA and Amtrak analysis. Staff recommends the REA and Amtrak analysis be added to this proposed consultant contract. Negotiations with Watry Design produced a fair and reasonable price.

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

Funding was appropriated in Fiscal Year 2016 for this Project. Due to the increased scope of the Project, an additional \$222,347 is required in the Downtown Parking Capital Fund to be funded from the Downtown Parking Operating Fund reserve balances. Sufficient reserves exist above Council policy for this Project.

**PREPARED BY:** Robert J. Dayton, Principal Transportation Planner/EG/sk

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Contract For Design Of Stairway To Replace Structurally Deficient Stairway At Parking Lot 2 (Chapala and De La Guerra)

**RECOMMENDATION:** That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Van Sande Structural Consultants, Inc., in the amount of \$90,875 for design services of the Lot 2 Stairway Replacement Project; and
- B. Authorize the Public Works Director to approve expenditures of up to \$9,088 for extra services of Van Sande Structural Consultants, Inc., that may result from necessary changes in the scope of work either in design or construction.

### **DISCUSSION:**

#### Background

Parking Lots 2 and 10 were constructed in 1988 with interior steel staircases that included concrete treads and landings embedded within steel frames. Over the last ten years, staff has observed and has closely monitored a progressive formation of rust in the two staircase structures. In 2010, staff hired a Structural Engineer to assess the condition of the staircase at Lot 10. That assessment led to a replacement of the steel staircase.

A structural framing conditional assessment was performed on the Lot 2 Stairway in early 2016. The conditional assessment was deemed necessary after observing large cracks at the connections to each floor as well as settlement of the stairways. The final report provided to staff on May 10, 2016, identified the stairway as being structurally deficient and in need of replacement. Their recommendation was that the stairway be replaced within one year. This project will remedy that need.

Project Description

The project consists of designing a new structural system that will be resistant to weathering, meet ADA requirements, achieve proper drainage, and comply with all other building and City codes. Van Sande Structural Consultants, Inc., (Van Sande) will represent the City at design board meetings and make necessary changes to the design as needed to obtain a building permit. Pedestrian and vehicular access to the parking structure will be maintained during construction with minimized disruptions to parking operations and adjacent businesses. Van Sande will also provide the City with an Engineering Cost Estimate, including all necessary design, inspection, and construction costs.

Design Phase Consultant Engineering Services

Staff recommends that Council authorize the Public Works Director to execute a contract with Van Sande in the amount of \$90,875 for design services and \$9,088 for potential extra services, for a total amount of \$99,963. Van Sande is experienced in this type of work and was selected as part of a Request for Proposals process in which four consultants were solicited for proposals. Van Sande was the sole consultant to submit a proposal. Their proposal was deemed reasonable for the level of work being requested and Van Sande has demonstrated expertise in structural engineering that qualifies them for this project. Negotiations with Van Sande produced a fair and reasonable price.

Funding

The following summarizes all estimated total Project costs:

<b>ESTIMATED TOTAL PROJECT DESIGN COST</b>	
Design (by Contract)	\$99,963
Other Design Costs (City staff, Environmental Assessments, etc.)	\$22,936
<b>TOTAL PROJECT DESIGN COST</b>	<b>\$122,899</b>

The Downtown Parking Program has sufficient available appropriations to cover design costs. Van Sande has provided a planning level construction estimate of \$600,000.

**PREPARED BY:** Robert J. Dayton, Principal Transportation Planner/EG/sk

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Agreements For Afterschool Recreation Programs

**RECOMMENDATION:** That Council:

- A. Authorize the Parks and Recreation Director to enter into three agreements with the Santa Barbara Unified School District (SBUSD) for the Recreation Afterschool Program (RAP), Afterschool Opportunities for Kids (A-OK!), and Junior High Afterschool Sports Program (Junior High); and
- B. Reduce estimated revenues and appropriations in the Fiscal Year 2017 Parks and Recreation Miscellaneous Grants Fund for the A-OK! program in the amount of \$13,805.

**DISCUSSION:**

Each year, the City and SBUSD enter into agreements to define terms and budgets for the administration of afterschool recreation programs (RAP, A-OK!, and Junior High). The programs are an important City service that provides essential support to families during the crucial afterschool hours. National statistics show that the afterschool hours, between 3:00 to 6:00 p.m., have the highest incidents of juvenile crime and youth engaging in inappropriate behaviors.

Recreation Afterschool Program (RAP)

The RAP provides recreation services, homework help, and afterschool care at four elementary school sites for 16 hours per week. In Fiscal Year 2016, 525 participants attended the program. The program remains very affordable; participants either pay \$150 for 30 days of service, \$80 for a drop-in 10-day pass, or a one-day drop-in fee of \$10. The City continues its support by providing \$60,000 through the General Fund for scholarships and administrative support. Scholarship recipients are historically students who receive "free or reduced" lunches through the SBUSD or those in need of assistance as identified by school Principals.

Afterschool Opportunities for Kids (A-OK!)

Jointly funded since Fiscal Year 2000, A-OK! provides an afterschool tutorial and enrichment program at seven Title I elementary school sites through After School Education and Safety state grant funding. Title I schools have over 50% of their student population receiving “free or reduced” lunches. The SBUSD leads the program, which targets students achieving academic scores below grade level. The program is provided through collaboration with and funding by the SBUSD, City, Healthy Start, and several other non-profit partners. During Fiscal Year 2016, 862 participants attended the program, which averaged 700 participants per day. Participants pay \$20-\$30 per month (sliding scale) for the program. The SBUSD contracts with the Parks and Recreation Department to provide recreation and enrichment activities. At the request of SBUSD, the Fiscal Year 2017 A-OK! agreement contract decreased due to the reduction of one staff member at Adams Elementary School, a result of lower-than-anticipated program participation for this site.

Junior High Afterschool Sports Program

Jointly funded since 1985, in collaboration with SBUSD, the Junior High Program is provided on all four junior high campuses. In Fiscal Year 2016, as a result of increased afterschool sport opportunities and significant participation increases, the City increased their annual contribution from \$20,000 to \$32,000. During Fiscal Year 2016, SBUSD continued to see positive program growth and results. A total of 618 junior high youth participated in six different afterschool sport opportunities. This year’s agreement reflects the City’s continued support of \$32,000 for this program.

**BUDGET/FINANCIAL INFORMATION:**

Council adopted the A-OK! budget of \$253,664 within the Fiscal Year 2017 Miscellaneous Grants Fund, Youth Activities program. With the reduction of one staff member, the final agreement is \$239,859, a reduction of \$13,805 in both estimated revenues and appropriations.

Copies of all agreements are available for public review in the City Clerk’s Office.

**PREPARED BY:** Rich Hanna, Assistant Parks and Recreation Director

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

**FROM:** Administration Division, Airport Department

**SUBJECT:** Federal Aviation Administration Airport Improvement Grant Offer For Santa Barbara Airport

### **RECOMMENDATION:**

That Council accept and authorize the Airport Director to execute, on behalf of the City, a Federal Aviation Administration Grant offer, No. 3-06-0235-50, in an amount not to exceed \$360,000 in Airport Improvement (AIP) funds, for design, permitting, and bidding the Runway 7-25 Rehabilitation Project.

### **DISCUSSION:**

#### Background

The FAA, under authorization from the United States Congress, distributes AIP funds each year. Half of each year's authorized level of AIP funding is distributed to all eligible commercial service airports through an entitlement program that guarantees a minimum level of federal assistance each year based on prior year passenger enplanement levels. The remaining AIP funds are distributed on a discretionary basis. Santa Barbara's total funding amount for the 2016 entitlement grant is estimated at \$2,700,000. Entitlement funds can be carried over to future fiscal years.

#### Grant Project

Runway 7-25, the main commercial runway, has not had any major maintenance in the last 10 years and is in need of rehabilitation. The rehabilitation will include crack sealing, minor repairs, grind and overlay, grooving, and pavement markings. The total project cost is estimated at \$5.5 million. This grant will fund design, permitting, and bidding stages of the project. Construction of the project will be funded from the remaining balance of the 2016 entitlement grant, which will be carried over and combined with the 2017 entitlement grant.

Grant Offer

Airport staff has been verbally notified by FAA that the Airport Improvement Grant application has been approved. In order to meet the FAA's deadline for acceptance of the grant award, staff is requesting early authorization, based upon the verbal notification, for the Airport Director to execute the grant agreements for the Federal Fiscal Year, when the actual documents with the specific fund amounts arrive.

**BUDGET/FINANCIAL INFORMATION:**

Upon receipt of the grant agreements, staff will return to Council to appropriate the grant revenue and matching airport share, 9.34% of the total project cost, which will be funded from the Airport Operating Fund.

**SUBMITTED BY:** Hazel Johns, Airport Director

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Purchase Order For Modifications To The Gibraltar Reservoir Water Conveyance System

### **RECOMMENDATION:**

That Council authorize the General Services Manager to issue a purchase order in the amount of \$62,553 to Tierra Contracting, Inc., for repairs to the Gibraltar Reservoir water conveyance system, and approve expenditures up to \$9,383 for extra services that may result from necessary changes in the scope of work.

### **DISCUSSION:**

#### Background

The City's water conveyance system from Gibraltar Reservoir to Lauro Reservoir consists of water flowing from Gibraltar Reservoir through the 3.7-mile long Mission Tunnel and into an 80-foot flume over Mission Creek. Water then flows into a 36-inch concrete pipe, and on through a structure referred to as the "Small Tunnel". From the Small Tunnel, water is conveyed via gravity into a pipeline near Tunnel Trail, and on through the City's Hydroelectric Plant (Hydro Plant) at Lauro Reservoir.

The Small Tunnel was constructed around the same time as Mission Tunnel (1906-1911). When the Hydro Plant was originally completed in 1985, the Small Tunnel was sealed at the southern end and allowed to fill with water (a pressurized condition) for the operation of the Hydro Plant. The Hydro Plant was idled in 1998, when the costs associated with the Hydro Plant's operation, maintenance, and regulatory compliance exceeded the revenues from power sales.

On January 28, 2013, Council authorized a professional services contract with SOAR Technologies, Inc., to re-commission the Hydro Plant and operate and maintain it for one year. The Hydro Plant was re-commissioned, and operations resumed in 2015. However, the Small Tunnel was found to be compromised because of root intrusion.

This, plus a lack of water in Gibraltar Reservoir because of the drought, have precluded the continued operation of the Hydro Plant to the present time.

### Project Description

The proposed project will make the needed repairs to the Small Tunnel, which will enable the Hydro Plant to be placed back into service. The Small Tunnel is approximately 300 feet long, 6 feet wide, and 8 feet high at the crown. The needed maintenance includes changing operations at the Hydro Plant to allow the Small Tunnel to be operated under gravity flows, rather than under a pressurized condition, which will prolong the Small Tunnel's useful life.

To accomplish the necessary work, the water level control system at Mission Tunnel will need to be relocated to the Small Tunnel. This will require making physical modifications to the Small Tunnel's southern end, installing water level controls, upgrading communication equipment, constructing an emergency overflow system with erosion control, and controlling nuisance vegetation. Once this work is complete, the Hydro Plant can be returned to partial service until Gibraltar Reservoir fills, at which time the Hydro Plant will be operated to its full capacity.

### Contractor Selection

City staff solicited bids from three local contractors under the maintenance and repair purchase process for contracts anticipated to be less than \$75,000. On April 29, 2016, one bid was received from Tierra Contracting, Inc., (Tierra) in the amount of \$84,600. Staff met with Tierra to perform value engineering for the project. Certain modifications to the project work were made, without compromising the purpose of the project. As a result, staff revised the project design, and Tierra revised their bid amount to \$62,553.

Staff recommends that Council authorize the General Services Manager to issue a purchase order in the amount of \$62,553 to Tierra for the Small Tunnel Modifications; and approve expenditures up to \$9,383 for extra services that may result from necessary changes in the scope of work. Contract inspection and management will be performed by Water Resources Division staff during the 20 working-day contract period.

### Funding

There are sufficient appropriated funds in the Water Capital Fund to cover the project costs.

### Sustainability Impacts

Repairing the Small Tunnel will enable the Hydro Plant to be returned into service producing clean electric energy.

**PREPARED BY:** Catherine Taylor, Water System Manager/RLR/mh

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

**FROM:** City Attorney's Office

**SUBJECT:** A Resolution Denying The Appeal And Upholding The Decision Of The Planning Commission Granting Approval Of A 90-Unit Affordable Housing Development At 251 S. Hope Avenue

### **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 the Planning Commission Granting Approval of a 90-Unit Affordable Housing Development at 251 S. Hope Avenue, Pursuant to Council's Direction of May 3, 2016.

### **DISCUSSION:**

Council denied the appeal and directed staff to prepare written findings confirming Council's oral findings for the approval of the project as presented to the City Council on May 3, 2016. The Resolution of Findings is attached.

**PREPARED BY:** Ariel Calonne, City Attorney

**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 PLANNING COMMISSION GRANTING APPROVAL OF A 90-UNIT AFFORDABLE HOUSING DEVELOPMENT AT 251 S. HOPE AVENUE, PURSUANT TO COUNCIL'S DIRECTION OF MAY 3, 2016

WHEREAS, the Housing Authority of the City of Santa Barbara, owner of 251 S. Hope Avenue, applied for approval of a new, four-story affordable housing development for very-low and low income senior residents, under the City's Average Unit-Size Density Incentive Program and the City's Density Bonus Program with a proposed density of 51 dwelling units per acre, on a vacant 1.76 acre lot adjacent to Arroyo Burro Creek. The project includes 89 studio apartments, one-bedroom manager's unit, kitchen, dining facilities, storage, and common areas (lobby/reception area, conference room, offices, gift shop, salon, and gym) (MST2014-00142);

WHEREAS, on February 18, 2016, the Planning Commission made a recommendation to City Council for an amendment to the Rancho Arroyo Specific Plan to allow Community Benefit Housing and Recreation/Open Space as the uses in Area A-2 (SBMC §28.08.010); and a recommendation to City Council for a Zone Change for the Rancho Arroyo Specific Plan Area A-2 from E-3/PD/SP-4/SD-2 (One-Family Residence, Planned Development, Rancho Arroyo Specific Plan and Upper State Street Area Overlay) Zones to R-3/SP-4/SD-2 (Limited Multiple-Family Residence Zone, Rancho Arroyo Specific Plan and Upper State Street Area Overlay) Zones (SBMC Chapters 28.10 and 28.92);

WHEREAS, on February 18, 2016, the Planning Commission approved the project, making the findings for the Interior Setback Modification to allow uncovered parking to encroach into the required interior setback (based on AUD requirements for R-3) (SBMC §28.92.110), the Lot Area Modification to allow 90 residential units instead of 47 residential units on the subject property (SBMC §28.92.110), the Parking Modification to allow 34 vehicle and 5 bicycle parking spaces instead of the required 90 vehicle and 90 bicycle parking spaces required for AUD projects (SBMC §28.92.110), and the California Environmental Quality Act (CEQA) Exemption (CEQA Guidelines Section 15183), as outlined in the Staff Report, dated February 11, 2016, subject to the Conditions of Approval in Exhibit A of the Staff Report, with the following revisions to the Conditions of Approval: 1) Remove C.6. Senior Housing Restrictions and C.7. Required Redesign if Senior Housing Not Used; 2) Revise D.1. Creekside Native Habitat

Enhancement Plan to read: A Creekside Native Habitat Enhancement Plan, including a Creek Restoration Maintenance and Monitoring Program (CMMP), shall be subject to the approval of the Creeks Division; and 3) Revise E.2.b. Conservation Easement to read: The applicant shall dedicate and record a permanent conservation easement, in a form acceptable to the City Attorney, for the benefit of the City of Santa Barbara. The conservation easement shall be generally 60 to 80 feet wide measured easterly from the western property line (as depicted on Exhibit K to the Planning Commission Staff Report), in order to allow for future restoration of Arroyo Burro Creek. All proposed improvements in the conservation easement shown on the proposed site, depicted on Exhibit K, shall be allowed to remain at the time any future restoration project is constructed. The conservation easement shall be shown on plans submitted for building permit, and dedicated before issuance of the first project building permit;

WHEREAS, on February 18, 2016, the Planning Commission approved the project, making the finding for the Front Setback Modification to allow the building to encroach into the required front setback (based on AUD requirements for R-3) (SBMC §28.92.110), as outlined in the Staff Report, dated February 11, 2016, subject to the Conditions of Approval in Exhibit A of the Staff Report as revised;

WHEREAS, on February 25, 2016, the Santa Barbara Urban Creeks Council appealed the Planning Commission approval, asserting that the restoration of Arroyo Burro Creek, included in the City's General Plan as a priority project, would not be feasible without a 50-foot setback from the theoretical top of bank;

WHEREAS, on May 2, 2016, the City Council conducted a duly noticed site visit during which it reviewed the locations of the proposed building, theoretical top of bank and creek setback;

WHEREAS, on May 3, 2016, the City Council conducted a duly noticed public hearing on the appeal. The proposal presented to the City Council on appeal was the project approved by the Planning Commission on February 18, 2016, with an offer by the Housing Authority of Santa Barbara to dedicate additional land to the Conservation Easement. 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 the Santa Barbara Urban Creeks Council 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 RRM Design Group, 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 June Pujo of the Planning Commission detailing the Commission's perspective on the project.

5. Public comment from members of the public both in support of the project and in opposition to the project;

WHEREAS, after consideration of all the evidence presented (both written and oral), as well as the public testimony received, and after deliberation by the Council Members, the City Council voted unanimously to approve item B (Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Chapter 28.12 (Zone Map) of Title 28 of the Municipal Code Pertaining to Zoning of Assessor's Parcel Number 051-240-008) and item C (Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting an Amendment to Specific Plan No. 4 (Rancho Arroyo), for Specific Plan Area A-2, Assessor's Parcel Number 051-240-008, Subject to Environmental Findings and Findings of Consistency with the General Plan) from the staff recommendation with the modification that the resolution not to take effect for 30 days from date of approval; and

WHEREAS, after consideration of all the evidence presented (both written and oral), as well as the public testimony received, and after deliberation by the Council Members, the City Council voted 5-2 (Council Members Murillo, White dissenting) to approve item A (Deny the appeal of Santa Barbara Urban Creeks Council of the application of RRM Design Group, architect for the Housing Authority of the City of Santa Barbara, and uphold the Planning Commission's approval of the project and Zoning Modifications, with the proposed revised condition), item D (Determine that the project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183, Projects Consistent with the General Plan), and item E (Direct Staff to return to Council with Decision and Findings reflecting the outcome of the appeal) from the staff recommendation and to include the following: 1) a change in project design to provide a 50-foot creek setback from the theoretical top of the creek bank to the parking area; 2) re-design of the parking area to eliminate those parking spaces that intrude into the 50-foot creek setback area; and 3) add new Condition of Approval C.12 to require the applicant to construct and maintain the public trail.

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 Planning Commission 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 May 3, 2016 Council Agenda Report are incorporated into this Resolution and determined to be 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. Modifications. The Council makes the following findings pursuant to the Santa Barbara Municipal Code sections 28.92.110 and 28.87.400:

1. The Lot Area Modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on a lot and is necessary to construct a housing development containing affordable dwelling units rented and occupied in the manner provided for in the City's Affordable Housing Policies and Procedures because the project, which will provide vitally needed affordable housing, could not otherwise be constructed.
2. The Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on a lot, as the purpose of the encroachment is to move the proposed development closer to the street in order to provide a greater creek setback along Arroyo Burro Creek, thereby promoting the creek protection policies of the City's General Plan.
3. The Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on a lot, as the one-foot encroachment is balanced with sufficient landscaping to provide a buffer from adjacent commercial development.

4. The Parking Modification is consistent with the purposes and intent of the Zoning Ordinance and will not cause an increase in the demand for parking space or loading space in the immediate area because the reasonably projected parking demand will be met onsite with 34 vehicle parking spaces and 5 bicycle parking spaces.

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). The City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

SECTION 4. The City Council grants approval to the proposed 90-unit apartment affordable housing development as depicted on the set of architectural plans dated January 18, 2016 and presented to the City Council on May 3, 2016 with the following changes: 1) a change in project design to provide a 50-foot creek setback from the theoretical top of the creek bank to the parking area; 2) re-design of the parking area to eliminate those parking spaces that intrude into the 50-foot creek setback area; and 3) add new Condition of Approval C.12 to require the applicant to construct and maintain the public trail. This approval shall be subject to all conditions of approval proposed by the Planning Commission and staff, as modified and amplified by this Resolution.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016

**TO:** Mayor and Councilmembers

**FROM:** Creeks Division, Parks and Recreation Department  
Engineering Division, Public Works Department

**SUBJECT:** Contract For Construction Of Arroyo Burro Creek Restoration Project  
At Barger Canyon

**RECOMMENDATION:** That Council:

- A. Accept the bid protest of Shaw Contracting, Inc., and reject the apparent low bid from Peter Lapidus Construction of \$598,434.50 for the Arroyo Burro Creek Restoration Project at Barger Canyon – Civil Contract, Bid No. 3828, as non-responsive due to their listing of an unregistered subcontractor;
- B. Award a contract with Shaw Contracting, Inc., in their low bid amount of \$627,675.50 for the Arroyo Burro Creek Restoration Project at Barger Canyon – Civil Contract, Bid No. 3828; and authorize the Public Works Director to execute the contract and approve expenditures up to \$62,768.00 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;
- C. Reject the apparent low bid from Acacia Environmental of \$236,504.00 for the Arroyo Burro Creek Restoration Project at Barger Canyon – Landscaping Contract, Bid No. 3829, as non-responsive due to their failure to submit a complete bid;
- D. Award a contract with Recon Environmental in their low bid amount of \$274,849.25 for the Arroyo Burro Creek Restoration Project at Barger Canyon – Landscaping Contract, Bid No. 3829; and authorize the Public Works Director to execute the contract and approve expenditures up to \$27,485.00 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;
- E. Authorize the Public Works Director to execute a contract with Questa Engineering Corporation in the amount of \$47,800.00 for construction support services, and approve expenditures of up to \$4,780.00 for extra services of Questa Engineering Corporation that may result from necessary changes in the scope of work; and

- F. Transfer \$305,428 from available Creeks Operating Fund reserves to the Creeks Capital Fund and appropriate for the Upper Arroyo Creek Restoration Project to cover additional costs of construction.

### **EXECUTIVE SUMMARY:**

Five bids were received for the Civil Contract of the Arroyo Burro Restoration at Barger Canyon Project (Project). Staff recommends Council accept the bid protest of Shaw Contracting, Inc., (Shaw), reject the apparent low bid from Peter Lapidus Construction (Lapidus), and authorize the Public Works Director to enter into a contract with Shaw.

Three bids were received for the Landscaping Contract of the Project; the apparent low bidder was Acacia Environmental (Acacia). Staff recommends that Council reject the apparent low bid for the landscape portion of the Project, and enter into a contract with Recon Environmental (Recon).

Staff also recommends that Council authorize the Public Works Director to enter into a contract with Questa Engineering Corporation (Questa) for engineering services during construction of both the civil and landscaping contracts.

### **DISCUSSION:**

#### Project Description

The Arroyo Burro Watershed in Barger Canyon is currently in a degraded state due to past channel modifications, agricultural development, and poor land management. The site was historically a coast live oak woodland with a well-established riparian zone dominated by willows, sycamores, and oaks. The Project is on a City-owned 14.19-acre parcel and adjacent one acre City-owned conservation easement (see Attachment). The total Project work area will be 4.95 acres. The Project will restore 2,200 linear feet of creek habitat.

Artificial hard structures, such as pipe and wire revetment, sheet metal baffle walls, concrete drainage ditches, and grouted rip rap in the creek, will be removed, and 1,000 linear feet of creek banks will be re-graded to create less erosive slopes. The lower 600 feet of the creek channel will be widened to provide more natural meanders and a braided section of channel. This will increase the width of the riparian zone, reduce channel slopes, increase storm flow infiltration, and improve water quality conditions downstream. An upland seasonal wetland will be constructed to capture storm runoff from the upslope properties. This depression will provide increased habitat diversity onsite through the creation of a wetland habitat, and provide additional capture, infiltration, and treatment of storm water runoff. Large rock, cobble, and gravel will be imported to the site to rebuild portions of the stream channel and reduce future channel incision.

The Project will require five months to complete. To eliminate the need for water diversion, construction will take place during the dry season, (July to November) when no water is present in the channel. Newly graded areas will be stabilized and restored through the installation of erosion control blankets, straw wattles, mulch, and native seeding and planting. Native riparian trees and shrubs will be installed during the rainy season to limit the need for supplemental irrigation. The Project will improve water quality within Arroyo Burro by decreasing erosion and slowing, infiltrating, and filtering creek flows. The Project will improve wildlife diversity and habitat availability at the site through the removal of invasive non-native weeds and the creation and planting of diverse native vegetation communities including riparian, wetland, oak woodland, and chaparral.

Civil Contract Bids

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

	<b>BIDDER</b>	<b>BID AMOUNT</b>
1.	Peter Lapidus Construction Carpinteria, CA	\$598,434.50
2.	Shaw Contracting Carpinteria, CA	\$627,675.50
3.	Granite Construction Santa Barbara, CA	\$681,725.00
4.	Innovative Construction Solutions Santa Ana, CA	\$743,298.00
5.	Bosco Constructors Chatsworth, CA	\$833,080.00*

*\*corrected bid total*

The apparent low bid of \$598,434.50, submitted by Lapidus has been determined to be non-responsive, due to its listing of an unregistered subcontractor. Per Section A1 of the Specifications, "No contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the Department of Industrial Relations." Based on this irregularity, staff recommends that Council reject Lapidus' bid.

The next apparent low bid of \$627,675.50, submitted by Shaw, is responsive to and meets the requirements of the bid specifications. The change order funding recommendation of \$62,768, or ten percent, is typical for this type of work and size of project.

### Bid Protest

On May 31, 2016, five bids were received for the Civil Contract of the Project, and Lapidus was the apparent low bidder. On June 1, 2016, Shaw, the second apparent low bidder, filed a bid protest asserting that Lapidus listed a subcontractor that was not registered with the Department of Industrial Relations (DIR) and, therefore, Lapidus' bid should be rejected as non-responsive. In response to Shaw's protest, Lapidus argued in a letter dated June 1, 2016 that under Public Contract Code section 4107, he could terminate a subcontractor for failing to be registered with the DIR. On June 6, 2016, Lapidus notified the City that he erroneously listed A-1 Tree Service (A-1) as a subcontractor due to a clerical error and that he intended to remove the company as a listed subcontractor. On June 6, 2016, A-1 notified Lapidus that they accepted replacement as a subcontractor. Lapidus thus offered two inconsistent statements to support its request for relief from the consequences of listing an unregistered subcontractor.

On June 20, 2014, Senate Bill 854 (Stat. 2014, Chap. 28) was enacted, bringing several changes to the laws governing how the DIR monitors compliance with prevailing wage requirements on public works projects. As of March 1, 2015, no contractor or subcontractor may be listed on a bid proposal for a public works project unless registered with the DIR pursuant to Labor Code Section 1725.5. This registration requirement makes it easier for DIR to monitor compliance with prevailing wage requirements.

Labor Code section 1771.1(c) states that an inadvertent error in listing a subcontractor who is not registered pursuant to Section 1725.5 in a bid proposal shall not be grounds for filing a bid protest or grounds for considering the bid nonresponsive, provided that any of the following apply: 1) The subcontractor is registered prior to the bid opening; 2) Within 24 hours after the bid opening, the subcontractor is registered and has paid the penalty registration fee; or, 3) The subcontractor is replaced by another registered subcontractor pursuant to Section 4107 of the Public Contract Code. A-1 was not registered prior to the bid opening or within 24 hours. Further, Section 4107 of the Public Contract Code only applies to bids after they have been accepted.

Public Contract Code section 4107.5 states that the prime contractor, as a condition to assert a claim of inadvertent clerical error in the listing of a subcontractor, shall within two working days after the time of the prime bid opening by the awarding authority give written notice to the awarding authority and copies of that notice to both the subcontractor he or she claims to have listed in error and the intended subcontractor who had bid to the prime contractor prior to bid opening. Lapidus' claim of inadvertent clerical error was given on June 6, 2016, past the time allowed by the Public Contract Code. Moreover, Lapidus initially did not claim "inadvertent" error; instead, Lapidus claimed that it had grounds to substitute the unregistered subcontractor under Public Contract Code section 4107. Section 4107, however, applies only after a bid has been accepted.

Since A-1 was not registered and Lapidus did not respond in a timely manner claiming an inadvertent clerical error, Staff has determined the bid is non-responsive. Therefore, Staff recommends that Council reject Lapidus' bid and award the contract to Shaw.

#### Landscaping Contract Bids

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

	<b>BIDDER</b>	<b>BID AMOUNT</b>
1.	Acacia Environmental Santa Barbara, CA	\$236,504.00
2.	Recon Environmental San Diego, CA	\$274,849.25
3.	Wilson Environmental Santa Barbara, CA	\$426,038.25*

*\*corrected bid total*

The apparent low bid of \$236,504.00, submitted by Acacia, has been determined to be non-responsive due to its failure to specify mechanical tree spade equipment, as required on the Materials and Equipment bid submittal form. In the specifications, Acacia did not propose to use a mechanical tree spade during construction, thereby giving Acacia a material advantage over the other bidders. The use of mechanical tree spade equipment is important because it helps assure survival of the trees. In addition, it is more costly than what Acacia proposed, and thereby helped to create the apparent financial advantage in Acacia's bid. Based on this irregularity, staff recommends that Council reject Acacia's apparent low bid.

The next apparent low bid of \$274,849.25, submitted by Recon Environmental, is an acceptable bid that is responsive to and meets the requirements of the bid specifications. The change order funding recommendation of \$27,485, or ten percent, is typical for this type of work and size of project.

#### Construction Phase Contract Services

Staff recommends that Council authorize the Public Works Director to execute a contract with Questa in the amount of \$47,800 for design support during construction and \$4,780 in change order funding. Questa was the design consultant on the Project and is experienced in this type of work.

Community Outreach

Public Works staff will coordinate with the contractor to perform the standard public notification for the construction Project. Prior to construction, Creeks Division staff will also send out letters to the neighborhood surrounding the Project site. The letters will provide information about the construction schedule and any associated information.

Funding

This Project is funded by Measure B. The Fiscal Year 2017 Creeks Capital Fund budget includes \$784,930 of available appropriations for the Upper Arroyo Burro Restoration Project. With the recommended transfer of \$305,428 from Creeks Operating Fund reserves to the Creeks Capital Fund for appropriation to the Upper Arroyo Burro Restoration Project, there will be sufficient funds to cover the construction contract funding as well as \$45,000 for construction management and inspection by City staff.

The following summarizes the construction expenditures recommended in this report:

**CONSTRUCTION CONTRACT FUNDING SUMMARY**

	<b>Basic Contract</b>	<b>Change Funds</b>	<b>Total</b>
Civil Contract	\$627,675.50	\$62,768.00	\$690,443.50
Landscape Contract	274,849.25	27,485.00	302,334.25
Consultant Contract	47,800.00	4,780.00	52,580.00
<b>TOTAL RECOMMENDED CONTRACT AUTHORIZATION</b>			<b>\$1,045,357.75</b>
Construction Management/Inspection (by City Staff)			45,000.00
<b>TOTAL CONSTRUCTION COST</b>			<b>\$1,090,357.75</b>

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

**ESTIMATED TOTAL PROJECT COST**

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

Design (by Contract)	\$134,323
City Engineering Staff Costs	20,000
<b>Design Subtotal</b>	<b>\$154,323</b>
<hr/>	
Civil Construction Contract	\$627,676
Civil Contract Change Order Allowance	62,768
Landscaping Construction Contract	274,849
Landscaping Contract Change Order Allowance	27,485
<b>Subtotal</b>	<b>\$992,778</b>
<hr/>	
Design Support Services (by Contract)	\$52,580
Construction Management/Inspection (by City Staff)	45,000
<b>Subtotal</b>	<b>\$97,580</b>
<b>Construction Subtotal</b>	<b>\$1,090,358</b>
<hr/>	
<b>TOTAL PROJECT COST</b>	<b>\$1,244,681</b>

**SUSTAINABILITY IMPACT:**

The purpose of the Project is to restore historic conditions to this portion of Arroyo Burro, which will improve water quality and wildlife habitat conditions in the watershed.

All correspondence and bid materials are available for public review in the City Clerk's Office and are also in the Council reading file.

**ATTACHMENT:** Project Location Map

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/AG/sk  
 Cameron Benson, Creeks Division Manager

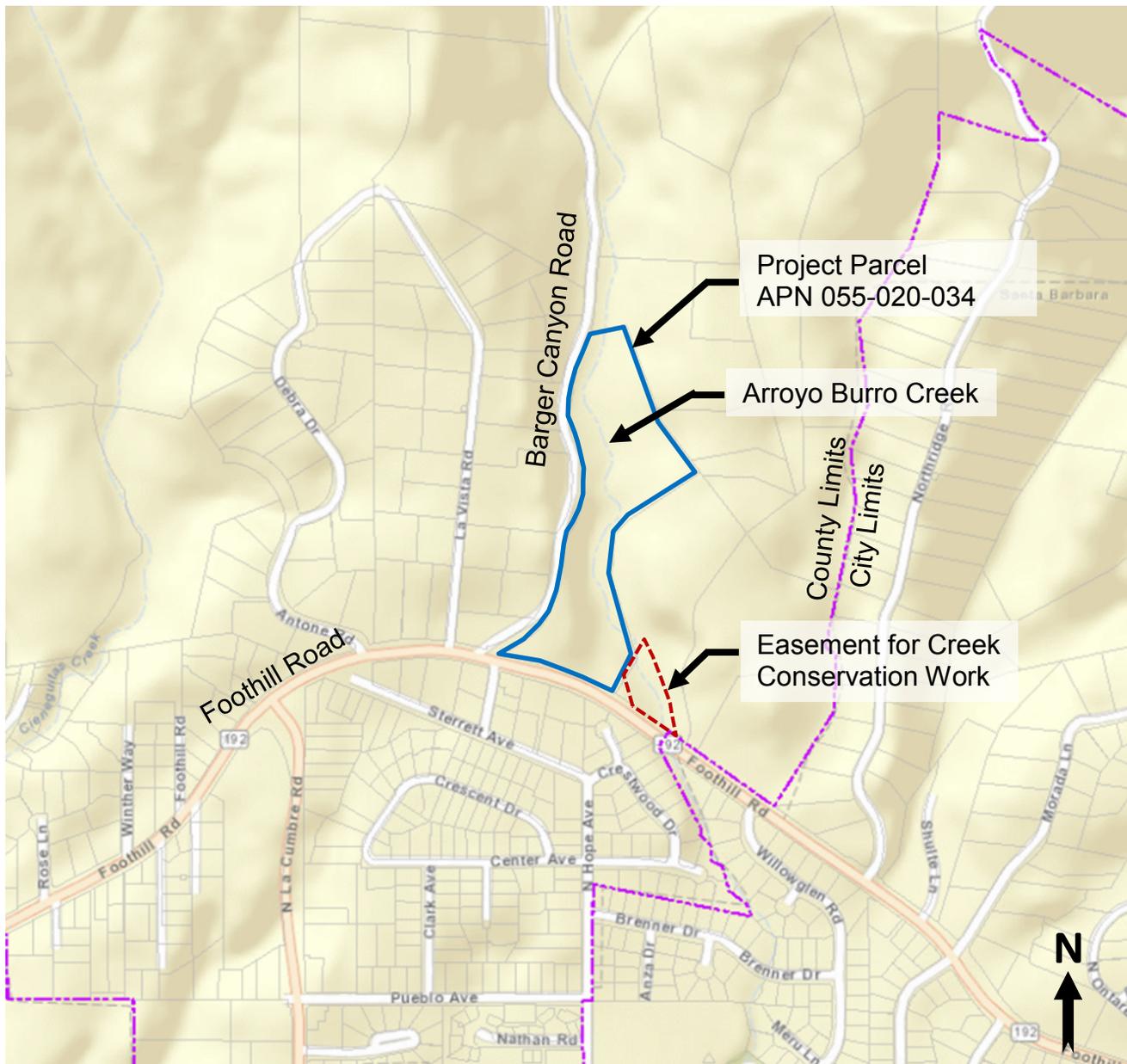
**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director  
 Jill E. Zachary, Parks and Recreation Director

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



# City of Santa Barbara

## Arroyo Burro Creek Restoration at Barger Canyon



Project Map



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** July 12, 2016  
**TO:** Mayor and Councilmembers  
**FROM:** City Administrator's Office  
**SUBJECT:** Conference With Labor Negotiator

### **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 Santa Barbara City Supervisory Employees' Bargaining Unit and the Santa Barbara City Employees' Association, Local 620 Service Employees' International Union.

**SCHEDULING:** Duration, 30 minutes; anytime  
**REPORT:** None anticipated  
**SUBMITTED BY:** Kristine Schmidt, Administrative Services Director  
**APPROVED BY:** City Administrator's Office