

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>

AUGUST 2, 2016 AGENDA

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

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

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

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

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

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

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

ORDER OF BUSINESS

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

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

Subject: Transfer Of 518 East Canon Perdido (Eleanor Apartments) To The Housing Authority Of The City Of Santa Barbara

Recommendation: That Finance Committee consider and recommend that Council:

- A. Approve Assignment and Assumption Agreement that assigns all contractual rights, duties, and obligations of all City documents to the Housing Authority;
- B. Increase appropriations in the amount of \$122,000 in the Housing Successor Agency Fund, from reserves, to cover the cost of the additional loan amount;
- C. Increase the allocation to City Loan Agreement No. 18,701 account by \$122,000 from the Housing Successor Agency Fund;
- D. Approve the Amendment to the City Loan Agreement No. 18,701, including forgiveness of \$592,000 of accrued interest;
- E. Approve the Additional Advance of \$122,000 to the City Deed of Trust;
- F. Approve the Amendment of the Affordability Control Covenant Imposed on Real Property; and
- G. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

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

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

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of June 14, 2016.

3. Subject: Introduction Of Ordinance For Encroachment Permits For Victoria Hall Theater Facilities At 33 West Victoria Street And Parking Lot No. 5 (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 with Child Abuse Listening Mediation, Inc., a California Nonprofit Public Benefit Corporation, Ensemble Theatre Company, Inc., a California Nonprofit Corporation, and Luria-New Vic, LLC, a California Limited Liability Company, Affecting the Properties Known as 1236 Chapala

(Cont'd)

CONSENT CALENDAR (CONT'D)

3. (Cont'd)

Street and 33 West Victoria Street, and Approving An Encroachment Permit Agreement With Ensemble Theatre Company, Inc., a California Nonprofit Corporation, Affecting the Property Known as 33 West Victoria Street, Each Agreement Intended to Terminate and Supersede Encroachment Permit Agreement 24,521, Approved by Ordinance 5621, and Adopted by Council on June 4, 2013, for Portions of Site Improvements That Were Authorized to Encroach Along and Into the Frontage of Victoria Street, and a Portion of City Parking Lot No. 5, and Authorizing the Public Works Director to Execute Both Encroachment Permit Agreements.

4. **Subject: Adoption Of Ordinance Granting An Easement On City Property At 125 State Street To Southern California Edison (330.03)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Granting An Easement to Southern California Edison for Public Utilities In and Under the City-Owned Property at 125 State Street, and the Execution and Recording of Said Easement Deed for This Property.

5. **Subject: Approval Of Final Map And Execution Of Agreements For 1298 Coast Village Road (640.08)**

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,813 and standard agreements relating to the approved subdivision at 1298 Coast Village Road, and authorize the City Engineer to record, upon completion of any required public improvements, a recital document stating that the public improvements have been completed and that the previously recorded Land Development Agreement may be removed from the title document.

6. **Subject: Community Promotion Contract With Summer Solstice Celebration (180.02)**

Recommendation: That Council authorize the City Administrator to execute an annual community promotion contract with Summer Solstice Celebration, Inc., in the amount of \$68,000 to support year-round administrative expenses for the community event.

CONSENT CALENDAR (CONT'D)

7. Subject: Response To Grand Jury Report Regarding Lake Cachuma (150.04)

Recommendation: That Council:

- A. Consider and adopt the findings and recommendations in a letter to the Honorable James Herman, Presiding Judge, Santa Barbara Superior Court (Attachment 1) as the City's response to the 2015-2016 Grand Jury report entitled "Lake Cachuma, Protecting a Valuable Resource, You Can't Drink Paper Water" (Attachment 2);
- B. Authorize the Mayor to sign and forward the letter and responses to the Presiding Judge of Santa Barbara County Superior Court; and
- C. Determine, pursuant to the California Environmental Quality Act Guidelines section 15378(b)(5), that the above actions are not a project that is subject to the California Environmental Quality Act review, because they are organizational or administrative activities that will not result in direct or indirect physical changes to the environment.

8. Subject: Response to Grand Jury Report Regarding "City of Santa Barbara Commissions, Committees, and Boards" (150.04)

Recommendation: That Council review and approve a draft letter in response to the findings and recommendations of the 2015-2016 Santa Barbara County Civil Grand Jury report titled, City of Santa Barbara, Commissions, Committees, and Boards and authorize the City Administrator to sign the response letter and forward it to the Presiding Judge.

9. Subject: Increase In Construction Change Order Authority For The Charles E. Meyer Desalination Facility (540.10)

Recommendation: That Council:

- A. Increase appropriations and estimated revenues in the State Revolving Fund (SRF) Loan by \$3,950,000 to cover the costs of the proposed contracts and City staff costs related to the reactivation of the Charles E. Meyer Desalination Facility, funded from an expected increase in the SRF loan;
- B. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the contract for the Charles E. Meyer Desalination Facility with IDE Americas, Inc., Contract No. 25,221, in the amount of \$3,750,000, for a total Project expenditure authority of \$51,351,654; and
- C. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra services for the contract for Owner Support Services for the Charles E. Meyer Desalination Facility with Carollo Engineers, Inc., Contract No. 25,222, in the amount of \$125,000, for a total Project expenditure authority of \$2,423,782.

CONSENT CALENDAR (CONT'D)

10. Subject: Authorization For Agreement For Legal Services With Colantuono, Highsmith & Whatley, PC (160.03)

Recommendation: That Council authorize the City Attorney to execute a legal services agreement with Colantuono, Highsmith & Whatley, PC, in an amount not to exceed \$75,000, for special counsel services relating to utility rates.

NOTICES

11. The City Clerk has on Thursday, July 28, 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 concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

12. Subject: Capital Improvement Program Annual Report For Fiscal Year 2016 (230.01)

Recommendation: That Council accept the Capital Improvement Program Annual Report for Fiscal Year 2016.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

CLOSED SESSIONS

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 negotiator Kristine Schmidt, Administrative Services Director, regarding negotiations with the Santa Barbara City Employees' Association, Local 620 Service Employees' International Union.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: August 2, 2016

Gregg Hart, Chair

TIME: 12:30 P.M.

Bendy White

PLACE: David Gebhard Public Meeting Room
630 Garden Street

Jason Dominguez

Paul Casey
City Administrator

Robert Samario
Finance Director

ITEMS TO BE CONSIDERED:

1. Subject: Transfer Of 518 East Canon Perdido (Eleanor Apartments) To The Housing Authority Of The City Of Santa Barbara

Recommendation: That Finance Committee consider and recommend that Council:

- A. Approve Assignment and Assumption Agreement that assigns all contractual rights, duties, and obligations of all City documents to the Housing Authority;
- B. Increase appropriations in the amount of \$122,000 in the Housing Successor Agency Fund, from reserves, to cover the cost of the additional loan amount;
- C. Increase the allocation to City Loan Agreement No. 18,701 account by \$122,000 from the Housing Successor Agency Fund;
- D. Approve the Amendment to the City Loan Agreement No. 18,701, including forgiveness of \$592,000 of accrued interest;
- E. Approve the Additional Advance of \$122,000 to the City Deed of Trust;
- F. Approve the Amendment of the Affordability Control Covenant Imposed on Real Property; and
- G. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: August 2, 2016

TO: Finance Committee

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

SUBJECT: Transfer Of 518 East Canon Perdido (Eleanor Apartments) To The Housing Authority Of The City Of Santa Barbara

RECOMMENDATION: That Finance Committee consider and recommend that Council:

- A. Approve Assignment and Assumption Agreement that assigns all contractual rights, duties, and obligations of all City documents to the Housing Authority;
- B. Increase appropriations in the amount of \$122,000 in the Housing Successor Agency Fund, from reserves, to cover the cost of the additional loan amount;
- C. Increase the allocation to City Loan Agreement No. 18,701 account by \$122,000 from the Housing Successor Agency Fund;
- D. Approve the Amendment to the City Loan Agreement No. 18,701, including forgiveness of \$592,000 of accrued interest;
- E. Approve the Additional Advance of \$122,000 to the City Deed of Trust;
- F. Approve the Amendment of the Affordability Control Covenant Imposed on Real Property; and
- G. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

DISCUSSION:

Background

Eleanor Apartments (Project) is an eight unit affordable housing complex for very low-income residents with mental health disabilities developed in 1997 by Canon Perdido Associates, LP, a California limited partnership (Owner) under the Low-Income Housing Tax Credit Program. The City assisted the Project by providing a 30-year loan in the

amount of \$511,000. The current balance is \$1,103,000 (\$511,000 principal plus \$592,000 accrued interest), due November 1, 2028. The City loan was comprised of Redevelopment Agency (RDA), HOME and Socio-Economic Mitigation Program (SEMP) funds.

Eleanor Apartments is master leased to the Mental Health Association, DBA the Mental Wellness Center. It has managed the Project for 17 years, providing supportive services to tenants. Priority status is given to applicants who live with a mental disability, and in some cases the tenants were previously homeless. In the past few years, four out of five vacant units were filled by persons listed on the Central Coast Collaborative's (C3H) Vulnerability List.

The Mental Wellness Center approached the City with a request for debt forgiveness in February 2015 because the initial 15-year Low-Income Housing Tax Credit Program compliance period had expired, and the Owner was interested in selling the Project to the organization. In the event the Mental Wellness Center entered into an agreement with the Owner to purchase the Project and in order to make the purchase feasible, the Mental Wellness Center requested that the City forgive both the principal and accrued interest on the City loan. City staff expressed support (subject to City Council approval) to forgive the accrued interest on the City loan, but not the principal.

After extensive negotiations, the Owner and Mental Wellness Center were unable to agree on a sale price. Existing City documents require that a buyer of the Project be a not-for-profit corporation, organized under section 501(c) (3) of the Internal Revenue Code, which has a stated corporate purpose of the provision of housing low-income persons. Therefore, the Mental Wellness Center approached the Housing Authority to consider purchasing the Project with the understanding that Mental Wellness Center would continue to operate and manage the project under a favorable master lease agreement. The Housing Authority agreed, and has been in negotiations with the Owner since January 2016 to purchase the Project. To date, the parties have been unable to agree on a purchase price. The Owner's firm sale price is \$1,725,000, and the Housing Authority is requesting the City's assistance to bridge the financing gap by amending the City Loan to forgive the \$592,000 accrued interest and increase the principal of the loan by \$122,000, and reduce the interest rate by 3%. Any purchase contract between the Owner and the Housing Authority will be contingent upon City Council approval of this request.

Transaction Financing

- Housing Authority Funds: \$ 500,000
- Assumed City Loan: 1,103,000
- Additional Housing Successor Funds: 122,000
- Purchase Price: \$1,725,000

Amended City Loan Agreement

- Borrower: Housing Authority of the City of Santa Barbara
- Amended Loan Amount: \$633,000 (\$1,103,000 minus up to \$592,000 of accrued interest; plus \$122,000 additional funding (Housing Successor Agency Funds)
- Interest Rate: 3% (previously 6%)
- Payment Terms: Residual Receipts
- Term: 30 years

Long-term Affordability

The City's current recorded Affordability Control Covenant Imposed on Real Property (Covenant) requires that the property remain affordable to very low-income residents until 2057. As a component of this transaction, the Covenant will be assigned to the Housing Authority and amended to extend the term 19 more years to 2076.

Staff supports this request because it will allow the Mental Wellness Center to continue to manage the property and keep its vulnerable clients housed. The transition would be seamless for the tenants, and a favorable lease arrangement with the Housing Authority will enable the Mental Wellness Center to continue to provide extensive supportive services to these vulnerable low-income individuals and families dealing with mental disabilities and homelessness.

BUDGET/FINANCIAL INFORMATION:

The source of funds for the additional \$122,000 will be from the Housing Successor Agency Fund, which receives income generated by outstanding former Redevelopment Agency loan repayments. There are sufficient existing appropriations in the Housing Successor Fund to cover the proposed commitment.

PREPARED BY: David Rowell, Housing Project Planner/DER/SLG

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 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 August 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 August 31, 2016.

ATTACHMENT: August 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

August 2016 SERVICE AWARDS

August 2, 2016, Council Meeting

5 YEARS

Derrick Bailey, Supervising Transportation Engineer, Public Works Department

Bradley "Brad" Rahrer, Project Engineer II, Public Works Department

10 YEARS

Yolanda "Yoli" McGlinchey, Emergency Services Manager, Fire Department

Julie Thomas, Recreation Coordinator, Parks and Recreation Department

15 YEARS

Rick Hubbard, Harbor Patrol Officer, Waterfront Department

George Johnson, Creeks Supervisor, Parks and Recreation Department

Chris Short, Senior Plan Check Engineer, Community Development Department

20 YEARS

Margaret Douville, Applications Analyst, Administrative Services Department

Andrew "Andy" Hill, Police Officer, Police Department

David "Dave" Shoemaker, Senior Engineering Technician, Public Works Department

25 YEARS

Marie Crusinberry, Library Assistant I, Library Department

30 YEARS

Michael "Mike" McGrew, Police Sergeant, Police Department



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING June 14, 2016 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

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

Councilmembers absent: None.

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

PUBLIC COMMENT

Speakers: Dave Blunk; Monica Elias Calles; Pete Dal Bello; Scott Wenz, Cars Are Basic; Paulina Conn.

RECESS

The Mayor recessed the meeting at 2:08 p.m. in order for the Council to reconvene in closed session for Agenda Item No. 1.

CLOSED SESSIONS

1. Subject: Police Chief Appointment (450.01)

Recommendation: That Council hold a closed session, per Government Code Section 54957, to consider the appointment to the position of Police Chief.

Scheduling: Duration, 20 minutes; anytime

Report: Anticipated

(Cont'd)

1. (Cont'd)

Documents:

June 14, 2016, report from the City Administrator.

Time:

2:08 p.m. – 2:22 p.m.

Recess: 2:22 p.m. – 2:23 p.m.

Announcement:

City Administrator Casey reported that the Council voted unanimously to approve his appointment of Lori Luhnnow as the City's new Chief of Police. Ms. Luhnnow will begin her employment on July 18, 2016. The Mayor thanked Interim Police Chief Crombach for his leadership of the department during the transition period.

City Administrator Casey left the meeting at 2:25 p.m.; Assistant City Administrator Pamela Antil took his place.

MAYOR AND COUNCIL REPORTS

2. Subject: Interviews For City Advisory Groups (140.05)

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

(Continued from May 17, 2016, Item No. 12, and May 24, 2016, Item No. 16)

Speakers:

The following applicants were interviewed:

Community Development and Human Services Committee:

Andria Martinez Cohen

Downtown Parking Committee:

Tracy Pfautch

John (Jack) Ucciferri

James Scafide

Robert Janeway

Housing Authority Commission:

Dianna Cibrian

Library Advisory Committee of the County of Santa Barbara:

Patricia Saley

Library Board:

Susan Ryan

Cont'd)

2. (Cont'd)

Speakers (Cont'd):

Neighborhood Advisory Council:

Andria Martinez Cohen

Parks and Recreation Committee:

Andria Martinez Cohen

Santa Barbara Youth Council:

Logan Oas

Appointments to the advisory groups will be made on June 28, 2016.

City Administrator Casey returned to the meeting at 2:44 p.m.

CONSENT CALENDAR (Item Nos. 3 – 9)

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

Motion:

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

Vote:

Unanimous roll call vote.

3. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of April 26, 2016, and the adjourned regular meeting of May 2, 2016.

Action: Approved the recommendation.

4. Subject: Amendment To Santa Barbara City Agreement No. 25,390, Golf Course Management Agreement (570.02)

Recommendation: That Council authorize the City Administrator to execute an amendment to Santa Barbara City Agreement No. 25,390, Golf Course Management Agreement with Santa Barbara Golf, LLC.

Action: Approved the recommendation; Agreement No. 25,390.1 (June 14, 2016, report from the Parks and Recreation Director).

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

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

Action: Approved the recommendation; Ordinance No. 5755; Agreement No. 25,587.

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

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

Action: Approved the recommendation; Ordinance No. 5756; Agreement No. 25,588.

7. Subject: Adoption Of Ordinance For A Lease Agreement With Char West (330.04)

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

Action: Approved the recommendation; Ordinance No. 5757; Agreement No. 25,589.

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

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

(Cont'd)

8. (Cont'd)

Action: Approved the recommendation; Ordinance No. 5758; Agreement No. 24,741.1.

NOTICES

9. The City Clerk has on Thursday, June 9, 2016, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

This concluded the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

10. Subject: Update Of State And Federal Legislative Platform (160.02)

Recommendation: That Council:

- A. Adopt the legislative platform that guides the City's support or opposition to regional, state and federal legislative issues; and
- B. Authorize the Mayor, Councilmembers, and staff, on behalf of the City of Santa Barbara, to contact regional, state and federal representatives to advocate for legislation and actions consistent with the goals of the legislative platform.

Documents:

- June 14, 2016, report from the City Administrator.
- PowerPoint presentation prepared and made by Staff.

Speakers:

- Staff: Assistant to the City Administrator Nina Johnson, Administrative Analyst Kate Whan, Finance Director Robert Samario, City Attorney Ariel Calonne, Risk Manager Mark Howard, Community Development Director George Buell.
- Members of the Public: Toni Wellen, Coalition Against Gun Violence; Robert Burke; Christina and Kendra Pizarro, Coalition Against Gun Violence.

Motion:

Councilmembers White/Hart to adopt the legislative platform, with the exception of the statement added to the Public Safety/Violent Crimes section of the platform to "**Support** legislation that prohibits the possession of large-capacity magazines of 11 rounds or more."

Vote:

Unanimous voice vote.

(Cont'd)

10. (Cont'd)

Motion:

Councilmembers White/Hart to approve the statement added to the Public Safety/Violent Crimes section of the platform to “**Support** legislation that prohibits the possession of large-capacity magazines of 11 rounds or more.”

Vote:

Majority voice vote (Noes: Councilmember Hotchkiss).

Motion:

Councilmembers Murillo/Hotchkiss to approve a proposed amendment to the statement added to the Revenue and Taxation/Additional Revenue for Local Needs section of the platform, so that the statement will read as follows: “Support legislation that facilitates the financing of capital infrastructure through local bonds and other indebtedness, including lowering the voter approval thresholds from 2/3 to 55% for this purpose.”

Vote:

Unanimous voice vote.

PUBLIC HEARINGS

11. Subject: Public Hearing Regarding Proposed Increases To Water Fees, Wastewater Rates and Fees, And Solid Waste Rates For Fiscal Year 2017 (270.06)

Recommendation: That Council:

- A. Hold a public hearing, as required by State law, regarding proposed water fee increases, wastewater rate and fee increases, and solid waste rate increases for Fiscal Year 2017;
- B. Continue the public hearing regarding Fiscal Year 2017 water rates to August 9, 2016; and
- C. Provide direction to staff regarding any changes to the proposed Fiscal Year 2017 utility rates and fees for wastewater, solid waste collection services, and water fees.

Documents:

- June 14, 2016, report from the Public Works and Finance Directors.
- Proposed Updates to Fiscal Year 2017 Water and Wastewater Fee Schedule.
- PowerPoint presentation prepared and made by Staff.
- May 4, 2016, letter from Herbert Simpkins.
- May 6, 2016, letters from Pamela Lange.
- May 10, 2016, letter from Susan Winn-Rogers.
- May 14, 2016, letter from Peter Knappe.

(Cont'd)

11. (Cont'd)

Documents (Cont'd):

- May 24, 2016, letter from Edward Behrman.
- June 8, 2016, letter from Susanne Nagy.
- June 13, 2016, letters from El Paraiso Homeowners Association, Chris Dahlstrom.
- June 14, 2016, letters from Nicole and Evan Buell, Richard and Karen Fryklund, Denice Spangler Adams, Mike McBirney.
- Undated letters from George and Susan Larson, Martha Guggenus.

Public Comment Opened:

3:28 p.m.

Speakers:

- Staff: Environmental Services Manager Matthew Fore, Wastewater System Manager Lisa Arroyo, Water System Manager Catherine Taylor.
- Members of the Public: William Chapin, Denice Adams.

Public Comment Closed:

3:54 p.m.

Motion:

Councilmembers White/Murillo to approve the Staff-recommended increases to rates and fees for wastewater and solid waste collection services, and to water fees.

Vote:

Unanimous voice vote.

Motion:

Councilmembers White/Hotchkiss to approve recommendation B.

Vote:

Unanimous voice vote.

CHANGES TO THE AGENDA

Item Continued to Future Meeting

The Council agreed to continue the following item to June 21, 2016:

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, Supervisors Association, and Police Officers Association.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

RECESS

4:00 p.m. – 4:09 p.m.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

12. Subject: 2016 Draft Bicycle Master Plan Progress Report (670.04)

Recommendation: That Council:

- A. Receive a progress report regarding additional Council-directed community engagement for the 2016 Draft Bicycle Master Plan projects;
- B. Provide direction to staff on the 2016 Draft Bicycle Master Plan Projects;
- C. Direct staff to return to Council for adoption of the Final Bicycle Master Plan, including any revisions needed to reflect Council direction no later than August 2, 2016; and
- D. Provide direction to staff for submittal of up to three Active Transportation Program grant applications for Bicycle Master Plan project packages.
(Estimated Time: 4:00 p.m.)

The Mayor stated that the Council would hear a Staff report, take public comment, and consider action regarding all proposed Bicycle Master Plan projects except for the Chino Bike Boulevard project. The Council will then take a recess to allow Mayor Schneider and Councilmember Murillo to absent themselves from discussion of the Chino Bike Boulevard project due to conflicts of interest related to their ownership of or residence at property on or near Chino Street.

(Cont'd)

12. (Cont'd)

Documents:

- June 14, 2016, report from the Public Works Director.
- PowerPoint presentation prepared and made by Staff.
- Minutes of April 28, 2016, Transportation and Circulation Committee meeting, and of May 5, 2016 Planning Commission meeting.
- Environmental Review Preliminary Determination for the Bicycle Master Plan, prepared by Staff.
- June 8, 2016, e-mail from Leah Stokes.
- June 9, 2016, e-mails from Jason Flower, Dennis Thompson.
- June 10, 2016, e-mail from Cristina Miguel; a similar message was also received from 19 other individuals.
- June 10, 2016, e-mails from Adine Maron, Debra Farris.
- June 11, 2016, e-mail from Kathy Wilkowski.
- June 12, 2016, letters from Jeanne Brown.
- June 13, 2016, letter from the Santa Barbara Bicycle Coalition.
- June 13, 2016, e-mail from Kelly Nivison; a similar message was also received from 1 other individual.
- June 13, 2016, e-mails from Joseph Juhasz-Lukomski, Barbara Wishingrad, Sheldon Bachstein, Frank Paolino, Mary Bucholtz, Cynthia Stahl, David Campbell.
- June 14, 2016, e-mails from Ken Yamamoto, Andrea Frommel, Cameron Clark (2), Amy Steinfeld, George Polchin.
- Posters and petitions submitted by Lily Bastug Vincenti.

Speakers:

- Staff: Principal Transportation Planner Rob Dayton, Supervising Transportation Engineer Derrick Bailey, Associate Transportation Planner Peter Brown.
- Transportation and Circulation Committee: Member Howard Green.
- Members of the Public: Scott Wenz, Cars Are Basic; Bernard Unterman, Safer On Sola; Bonnie Raisin; Sally Tannenbaum; Donn Longstreet; Leslie Sanderson; Beth Berlege; Terrie Furukawa; Rebecca Traver; Sally Sylvia; Gabrielle Johnson; John Day; Dennis Allen, Community Environmental Council; Grace Wilde, Micheltorena Coalition; Jé Goolsby; Cameron Gray, Community Environmental Council; Todd Amspoker; Ed France, Santa Barbara Bicycle Coalition; Ben Crop; Forrest Wilde, Micheltorena Coalition; Yvonne Ashton, Micheltorena Neighborhood Association; Holly Starley; Eve Sanford, Santa Barbara Bicycle Coalition; Hillary Blackerby; Alan Kuhn; Kim Stanley; Anna Campbell, Safer On Sola; Carson Presley; Jack Ucciferri; Barry Remis; Joey Juhasz-Lukomski, Santa Barbara Bicycle Coalition; Erisy Watt; John Holehouse.

(Cont'd)

12. (Cont'd)

Motion:

Councilmembers Hart/Rowse to approve the Active Transportation Program (ATP) grant applications for the Las Positas Class I Path and the Eastside Green Lanes and Bike Boulevard Gap Closure.

Vote:

Unanimous voice vote.

Motion:

Councilmembers Hart/Rowse to approve the Sola Street Bike Boulevard to Laguna Street via a contra flow lane on Castillo Street (Option 6a), the Cota/Haley Green Lanes project, and the Rancheria Street Bike Lanes project.

Vote:

Majority voice vote (Noes: Councilmember Murillo).

Motion:

Councilmembers Hart/White to approve the Cabrillo Boulevard Bike Lanes project.

Vote:

Majority voice vote (Noes: Councilmembers Hotchkiss, Rowse).

Recess: 7:25 p.m. – 7:30 p.m. Mayor Schneider and Councilmember Murillo were absent when the Council reconvened. Mayor Pro Tempore White presided over the remainder of the meeting.

Speakers (Cont'd):

- Members of the Public: Matthew Bailey; Lily Bastug Vincenti; Donn Longstreet; Nancy Mullholand; Eve Sanford; Hillary Blackerby; Howard Green; Ed France; Cameron Gray, Community Environmental Council; Joey Juhasz-Lukomski.

Motion:

Councilmembers Hart/Rowse to approve the ATP grant application for the Westside Bike Boulevard Gap Closure and to support Staff's recommendation for a bike boulevard on Chino Street.

Vote:

Unanimous voice vote (Absent: Councilmember Murillo, Mayor Schneider.)

ADJOURNMENT

Mayor Pro Tempore White adjourned the meeting at 7:57 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

ATTEST:

HELENE SCHNEIDER
MAYOR

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK

BENDY WHITE
MAYOR PRO TEMPORE



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Introduction Of Ordinance For Encroachment Permits For Victoria Hall Theater Facilities At 33 West Victoria Street And Parking Lot No. 5

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 with Child Abuse Listening Mediation, Inc., a California Nonprofit Public Benefit Corporation, Ensemble Theatre Company, Inc., a California Nonprofit Corporation, and Luria-New Vic, LLC, a California Limited Liability Company, Affecting the Properties Known as 1236 Chapala Street and 33 West Victoria Street, and Approving An Encroachment Permit Agreement With Ensemble Theatre Company, Inc., a California Nonprofit Corporation, Affecting the Property Known as 33 West Victoria Street, Each Agreement Intended to Terminate and Supersede Encroachment Permit Agreement 24,521, Approved by Ordinance 5621, and Adopted by Council on June 4, 2013, for Portions of Site Improvements That Were Authorized to Encroach Along and Into the Frontage of Victoria Street, and a Portion of City Parking Lot No. 5, and Authorizing the Public Works Director to Execute Both Encroachment Permit Agreements.

DISCUSSION:

There are no new encroachments within Victoria Street, adjacent to the Victoria Hall Theater (Theater), and within City Parking Lot No. 5, being planned in connection with the proposed adoption by Council of a new Ordinance.

The proposed Ordinance is recommended to authorize the execution and recordation of two separate Encroachment Permit Agreements (Agreements) to terminate and supersede existing Encroachment Permit Agreement (Agreement) No. 24,521. The details that relate to the existing Encroachment Permit and the proposed separate Agreements, are explained below.

Council Agenda Report

Introduction Of Ordinance For Encroachment Permits For Victoria Hall Theater Facilities At 33 West Victoria Street And Parking Lot No. 5

August 2, 2016

Page 2

In 2013, certain frontage encroachments were permitted within Victoria Street along the existing Theater building at 33 West Victoria Street. Other facilities were permitted within a portion of Parking Lot No. 5, adjacent to the Theater's loading dock. The encroachments were permitted by Agreement No. 24,521, approved by Ordinance No. 5621, adopted by Council on June 4, 2013, and recorded on July 8, 2013, as Instrument No. 2013-0045721 of Official Records.

The separate new Agreements are recommended because the affected real property has been divided into two parcels by a condominium project, as depicted on the Attachment. The separate parcels are now described as Unit 1 (Santa Barbara County Assessor's Parcel Number 039-181-023), owned by Child Abuse Listening Mediation, Inc., leased by Luria-New Vic, LLC, and subleased by Ensemble Theatre Company, and described as Unit 2 (Santa Barbara County Assessor's Parcel Number 039-181-022), owned by Ensemble Theatre Company. The separate Agreements are recommended to identify the parties most responsible for maintenance of the various encroachments, and to describe the separate properties.

The encroachments permitted along the frontage of the Theater within portions of Victoria Street include sidewalk and curb alterations, a loading zone, landscape planters, pavers, a park bench alcove, an entrance ramp, and landing and stairs designed and constructed to comply with building accessibility codes.

The encroachments permitted within Parking Lot No. 5 include a Theater loading dock lift and equipment, door swing clearances, and a fire sprinkler water service pipeline. The Agreement related to Parking Lot No. 5 is also recommended in order to set forth operational conditions for theatrical productions, events, and use of the Theater facilities in concert with the City's operation and maintenance of the public parking lot.

Each of the Agreements may be revoked by the City by giving timely written notice to the permittees. The Agreements will also terminate automatically if the encroachments are abandoned or removed by the permittees. It is anticipated that the encroachments allowed by the Agreements will likely remain, and be used and maintained by the permittees for more than five years, which requires the Agreements to be approved by an Ordinance adopted by Council in accordance with the Santa Barbara City Charter.

If the separate new Agreements are ultimately approved by Council, as recommended, following the effective date of the Ordinance, the separate Agreements will be executed by the Public Works Director, and recorded in the Official Records.

ATTACHMENT: Site Plan

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

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

VICTORIA STREET

CHAPALA STREET

Common Area

60

1236

Chapala

33 W. Victoria

50.00

50.00

100.00

100.00

30.00

91.5'

1ST FLOOR

50.00

1 @ 0.00

100.00

100.00

100.00

22

23

2

1

3

3' deeded

(VACATED)

55.03

100.00

100.00

29.92

181

5

4

19

108

200.00

182

42.25

100.00

100.00

42.25

1.70 Ac.

SB Parking Lot No 5

LA

66.05

16

65.98

60

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AN ENCROACHMENT PERMIT AGREEMENT WITH CHILD ABUSE LISTENING MEDIATION, INC., A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, ENSEMBLE THEATRE COMPANY, INC., A CALIFORNIA NONPROFIT CORPORATION, AND LURIA-NEW VIC, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY, AFFECTING THE PROPERTIES KNOWN AS 1236 CHAPALA STREET AND 33 WEST VICTORIA STREET, AND APPROVING AN ENCROACHMENT PERMIT AGREEMENT WITH ENSEMBLE THEATRE COMPANY, INC., A CALIFORNIA NONPROFIT CORPORATION, AFFECTING THE PROPERTY KNOWN AS 33 WEST VICTORIA STREET, EACH AGREEMENT INTENDED TO TERMINATE AND SUPERSEDE ENCROACHMENT PERMIT AGREEMENT 24,521, APPROVED BY ORDINANCE 5621, AND ADOPTED BY COUNCIL ON JUNE 4, 2013, FOR PORTIONS OF SITE IMPROVEMENTS THAT WERE AUTHORIZED TO ENCROACH ALONG AND INTO THE FRONTAGE OF VICTORIA STREET, AND A PORTION OF CITY PARKING LOT NO. 5, AND AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE BOTH ENCROACHMENT PERMIT AGREEMENTS

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

SECTION 1. That the Encroachment Permit Agreement (Agreement) with Child Abuse Listening Mediation, Inc., a California Nonprofit Public Benefit Corporation, referred to as "CALM," the owner of Unit 1, in that condominium project known as Chapala at Victoria, commonly known as 1236 Chapala Street, being a portion of Santa Barbara County Assessor's Parcel Number 039-181-023, and Ensemble Theatre Company, Inc., a California nonprofit corporation, referred to as "Ensemble Theatre Company," the owner of Unit 2 in that condominium project known as Chapala at Victoria, commonly known as 33 West Victoria Street, being also a portion of Santa Barbara County Assessor's Parcel Number 039-181-022, and Luria-New Vic, LLC, a California Limited Liability Company, referred to as "Luria-New Vic," which are referred to together as "Permittee," for site improvements authorized to encroach into the frontage of Victoria Street, is approved pursuant to the City Charter, and upon the effective date of the ordinance, the Public Works Director of the City is authorized to execute the same.

SECTION 2. That the Agreement with Ensemble Theatre Company, Inc., a California nonprofit corporation, referred to as "Ensemble Theatre Company," the owner of Unit 2, in that condominium project known as Chapala at Victoria, commonly known as 33 West Victoria Street, being a portion of Santa Barbara County Assessor's Parcel Number 039-181-023, which is referred to as "Permittee," for site improvements authorized to encroach into a portion of City Parking Lot No. 5, is approved pursuant to the City Charter, and upon the effective date of the Ordinance, the Public Works Director of the City is authorized to execute the same.

SECTION 3. That each Agreement set forth above shall substitute, terminate and supersede that existing Agreement No. 24,521, approved by Ordinance No. 5621, adopted by Council on June 4, 2013, and recorded on July 8, 2013, as Instrument No. 2013-0045721 of Official Records, in the Office of the County Recorder, Santa Barbara County.

SECTION 4. That said Agreement with CALM, Ensemble Theatre and Luria-New Vic, shall authorize the Permittee to maintain the concrete entry landing, stairs and ramp with wrought iron railings, raised brick planters with landscaping, brick pavers, park bench alcove, and parkway planters with landscaping located within the frontage of Victoria Street.

SECTION 5. That said Agreement with Ensemble Theatre shall authorize the Permittee to maintain the recessed loading dock lift and equipment, and maintain the fire sprinkler water service line located within a portion of City Parking Lot No. 5.

SECTION 6. That upon the effective date of the Ordinance, the City Clerk, or designee, is authorized to record each Agreement in the Official Records, in the Office of the County Recorder, Santa Barbara County.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA GRANTING AN EASEMENT TO SOUTHERN CALIFORNIA EDISON FOR PUBLIC UTILITIES IN AND UNDER THE CITY-OWNED PROPERTY AT 125 STATE STREET, AND THE EXECUTION AND RECORDING OF SAID EASEMENT DEED FOR THIS PROPERTY

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

SECTION 1. That the Easement Deed, approved as to form by the City Attorney, to Southern California Edison (SCE), at 125 State Street, is approved pursuant to the City Charter, and the City Administrator is authorized to execute the same.

SECTION 2. That the City is granting SCE an easement for an above-ground padmount transformer and conduit to provide electrical service to the Wolf Museum of Exploration and Innovation, built on City-owned property at 125 State Street.

SECTION 3. That this Ordinance shall be subject to a thirty-day referendum from the date of its adoption.

SECTION 4. That upon the effective date of this Ordinance, the City Clerk is authorized to record the Easement Deed in the Official Records, in the Office of the County Recorder, Santa Barbara County.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Approval Of Final Map And Execution Of Agreements For 1298 Coast Village Road

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute and record Final Map Number 20,813 and standard agreements relating to the approved subdivision at 1298 Coast Village Road, and authorize the City Engineer to record, upon completion of any required public improvements, a recital document stating that the public improvements have been completed and that the previously recorded Land Development Agreement may be removed from the title document.

DISCUSSION:

A Tentative Map for the subdivision located at 1298 Coast Village Road (see Attachment 1, the Vicinity Map), was conditionally approved on August 19, 2008, per Council Resolution Number 08-084 (Attachment 2). The project involves construction of a mixed-use project with commercial space and eight residential condominiums. Staff has reviewed the Final Map and has found it to be in substantial compliance with the previously approved Tentative Map, the Conditions of Approval, the State Subdivision Map Act, and the City's Subdivision Ordinance. The County Surveyor has reviewed this map for technical correctness.

In accordance with the Council's August 19, 2008 approval of the Tentative Map, the Owners (Attachment 3) have signed and submitted the Final Map and the required Agreements to the City. Council approval is required if Council agrees with the staff determination that the Map conforms to all the requirements of the Subdivision Map Act and the Municipal Code applicable at the time of the approval of the Tentative Map.

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

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

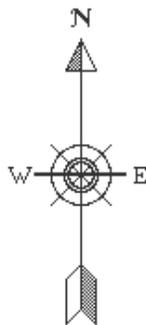
- ATTACHMENT(S):**
1. Vicinity Map
 2. Conditions required to be recorded concurrent with Final Map Number 20,813 by the Council Conditions of Approval Resolution Number 08-084
 3. List of Owners/Trustees

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

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

Vicinity Map
1298 Coast Village Road



Not to Scale

CONDITIONS REQUIRED TO BE RECORDED CONCURRENT WITH FINAL MAP NUMBER 20,813 BY COUNCIL CONDITIONS OF APPROVAL, RESOLUTION NO. 08-084

1298 Coast Village Road

Said approval is subject to the following conditions:

1. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water through the Real Property, including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
2. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats or trailers shall be stored on the Real Property
3. **Landscape Plan Compliance.** The Owner shall comply with the Landscape Plan approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained by the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape plan. If said landscaping is removed for any reason, without approval by the ABR, the owner is responsible for its immediate replacement.
4. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan approved by the Building Official). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health or damage to a Real Property or any adjoining property.
5. **Approved Development.** The development of the Real Property approved by the City Council on July 15, 2008, is limited to the following project description:
The proposed project involves the demolition of an existing gas station with two repair bays and the construction of a new, mixed use building. The new, approximately 17,270 square-foot mixed use building would be comprised of eight residential condominiums and 4,800 square feet of commercial space, located on the ground floor. All of the residential units would be located on the second and third floors. Five residential units would include two bedrooms, two units would include one bedroom each and one unit would include three bedrooms. 36 parking spaces are provided with eight covered parking spaces located at grade level and 28 parking spaces located below grade. Grading would be approximately 9,500 cubic yards of cut and 1,500 cubic yards of fill. As part of the Project Description, the applicant has agreed to pay \$17,000 per residential unit to the City's Inclusionary Housing Fund prior to issuance of the building permit. The setback on Olive Mill Road shall be met. The interior yard setback on the northerly property line shall be met for the second story, but not the first story.

6. **Use Limitations.** Due to potential parking impacts, uses other than office and commercial uses, as described under §28.90.100.I, Parking Requirements, are not permitted without further environmental and/or Planning Commission review and approval. Prior to initiating a change of use, the Owner shall submit a letter to the Community Development Director detailing the proposal, and the Director shall determine the appropriate review procedure and notify the Applicant.
7. **Required Private Covenants.** The Owners shall record in the official records of Santa Barbara County, either private covenants, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for all of the following:
 - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities, and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the residential and commercial condominium units.
 - b. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by residents of the property in the manner for which the garages were designed and permitted.
 - c. **Assigned Residential Parking.** At least one, but no more than two, parking space(s) shall be assigned to each residential unit.
 - d. **Unassigned Parking.** All parking spaces other than those designated for residential purposes shall remain unassigned and available to all occupants and visitors to the site.
 - e. **Landscape Maintenance.** A covenant that provides that the landscaping sown on the approved Landscaping Plan shall be maintained and preserved at all times, in accordance with the Plan, including the row of existing Ficus trees along the northern property line.
 - f. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&R's stating that the green waste will be hauled off site.
 - g. **Gates.** Any gates that have the potential to block access to any designated commercial space shall be locked in the open position during business hours.
 - h. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement or similar agreement required by this condition.

ATTACHMENT 3

1298 Coast Village Road

Olive Oil and Gas, LP

LIST OF OWNERS

John Price, Managing Member



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 2016

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Community Promotion Contract With Summer Solstice Celebration

RECOMMENDATION:

That Council authorize the City Administrator to execute an annual community promotion contract with Summer Solstice Celebration, Inc., in the amount of \$68,000 to support year-round administrative expenses for the community event.

DISCUSSION:

The Fiscal Year 2017 budget adopted by Council on June 21, 2016, includes \$68,000 within the Community Promotions Program budget for Summer Solstice Celebration, Inc. to plan next year's public arts workshop, annual parade, and festival. This reflects a 3% increase in funding from the prior year. This contract will help support year-round administrative expenses for the organization. The term of the contract covers the period from August 1, 2016, to July 31, 2017.

The organization plans the annual Summer Solstice parade along State Street with a creative display of floats, giant puppets, whimsical costumes and masks, involving over 1,000 parade participants. In addition to the parade, the festivities continue over the weekend in Alameda Park with live music, food, arts and crafts. The next Summer Solstice event is scheduled for June 23 - 25, 2017.

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 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: August 2, 2016

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Response To Grand Jury Report Regarding Lake Cachuma

RECOMMENDATION: That Council:

- A. Consider and adopt the findings and recommendations in a letter to the Honorable James Herman, Presiding Judge, Santa Barbara Superior Court (Attachment 1) as the City's response to the 2015-2016 Grand Jury report entitled "Lake Cachuma, Protecting a Valuable Resource, You Can't Drink Paper Water" (Attachment 2);
- B. Authorize the Mayor to sign and forward the letter and responses to the Presiding Judge of Santa Barbara County Superior Court; and
- C. Determine, pursuant to the California Environmental Quality Act Guidelines section 15378(b)(5), that the above actions are not a project that is subject to the California Environmental Quality Act review, because they are organizational or administrative activities that will not result in direct or indirect physical changes to the environment.

DISCUSSION:

This item is on the agenda in order to provide the City of Santa Barbara's response to the Grand Jury's report on Lake Cachuma.

On May 19, 2016, the Santa Barbara County Grand Jury (Grand Jury) released a report entitled "Lake Cachuma, Protecting a Valuable Resource, You Can't Drink Paper Water", which investigated the operation and Agreement for the Cachuma Project and the distribution of water from Lake Cachuma. The report concluded that the Grand Jury "found it difficult to unravel the complex web of water agencies, water contracts, water regulations, water purchases, water sales, water portfolios, and water management plan that are designed to supply a safe and secure water source to all people living on the South Coast. This report attempts to unravel portions of this web and to address those deemed most pressing and most able to be improved with a focus on the importance of Lake Cachuma."

Staff is recommending that Council consider the proposed response to the report, adopt their preferred response, and authorize the Mayor to sign the response letter. The City

is required to respond in writing to the Presiding Judge of the Superior Court by August 17, 2016. The City is named as a responder to Findings 1 through 6 and 8 through 12, as well as Recommendations 1 through 6 and 8 through 12.

Background:

The Cachuma Project was constructed by the United States Bureau of Reclamation (Reclamation) between 1950 and 1956. The Santa Barbara County Water Agency (CWA) was established by the State Legislature for purposes of contracting with the federal government for both the Cachuma Project and a separate project called Twitchell Dam.

The CWA holds the master water supply contract with Reclamation for the Cachuma Project and, in turn, the CWA has subcontracts with each of the five Cachuma Member Units, which are the City of Santa Barbara, Goleta Water District, Montecito Water District, Carpinteria Valley Water District, and the Santa Ynez River Water Conservation District, Improvement District No 1.

The master water supply contract between the CWA and Reclamation was last amended in 1995 for a 25-year term and will be up for renewal in 2020. The current contract states that the renewal process should be requested two years prior to its expiration. At the County Board of Supervisors meeting on July 12, 2016, CWA was authorized to initiate discussions with Reclamation for contract renewal.

As such, important issues are being raised for consideration in the next Cachuma contract renewal. Attachment 1 provides findings and recommendations found to be important by the Grand Jury, along with proposed responses from the City of Santa Barbara as required. Attachment 2 is the full Grand Jury report on Cachuma.

Special Instructions:

1. As per Recommendation B, please forward the original signed letter and response to the Presiding Judge of Santa Barbara Superior Court.
2. Please send a copy of the signed letter and copy of the minute order to Kelley Dyer, Water Supply Manager, City of Santa Barbara Public Works Department/Water Resources Division

ATTACHMENT(S): 1. Response from the City of Santa Barbara to the Presiding Judge of Santa Barbara County Superior Court
2. 2015-2016 Grand Jury Report entitled "Lake Cachuma, Protecting a Valuable Resource, You Can't Drink Paper Water"

PREPARED BY: Joshua N. Haggmark, Water Resources Manager/KD/mh
SUBMITTED BY: Rebecca J. Bjork, Public Works Director
APPROVED BY: City Administrator's Office



City of Santa Barbara

Office of Mayor

ATTACHMENT 1

HSchneider@SantaBarbaraCA.gov

www.SantaBarbaraCA.gov

August 2, 2016

Helene Schneider
Mayor

City Hall
735 Anacapa Street
Santa Barbara, CA
93101-1990

Mailing Address:
P.O. Box 1990
Santa Barbara, CA
93102-1990

Tel: 805.564.5323
Fax: 805.564.5475

Honorable James Herman
Presiding Judge
Santa Barbara Superior Court
County Courthouse
1100 Anacapa Street
Santa Barbara, CA 93101

Re: Response to Santa Barbara Civil Grand Jury report titles, "*Lake Cachuma, Protecting a Valuable Resource, You Can't Drink Paper Water*", (Published May 19, 2016, Grand Jury Website: <http://www.sbcgj.org/2016/>).

Dear Judge Herman,

Please find attached the City of Santa Barbara (City) response to the above referenced Civil Grand Jury Report. As directed by the Grand Jury, all responses are provided in accordance with Section 933.05 of the California Penal Code.

Sincerely,

Helene Schneider, Mayor
City of Santa Barbara

KD/mh

Cc: City of Santa Barbara Councilmembers
Maria Millsaps, Foreperson, 2015-16 Santa Barbara Civil Grand Jury



Please consider the environment before printing this letter.

Response to the Santa Barbara County Grand Jury 2015-2016 Report
“Lake Cachuma, Protecting a Valuable Resource, You Can’t Drink Paper Water”

FINDING 1

Siltation is continuing to decrease the storage capacity and the safe yield of Lake Cachuma as defined in *United States Department of the Interior; Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995*.

The City agrees with the finding.

Recommendation 1

That the safe yield from Lake Cachuma as defined in the *United States Department of the Interior; Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995*, be recalculated and used in the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency, taking into account lost storage capacity due to siltation.

The City agrees that the safe yield should be recalculated for use in the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency, taking into account lost storage capacity due to siltation. The Santa Barbara County Water Agency has initiated an updated analysis of the Cachuma safe yield. The current work effort is halted pending a potential redefinition of the critical drought period which depends on the duration of the current drought, and with the understanding that the severity and duration of the current drought is extremely important for evaluation of the Cachuma safe yield. With the current Cachuma Project contract expiring in 2020, it is expected that the safe yield analysis and report will be completed in time for a new master contract.

The City would also like to recommend that the Bureau, in conjunction with other agencies, develop a long-term strategy to minimize sedimentation (e.g. both watershed management and sediment removal strategies). The Zaca fire resulted in significant sediment loading and loss of storage capacity in Gibraltar reservoir as well as Cachuma reservoir. To protect our water resources, the City supports sediment management in the Cachuma watershed as part of its adopted 2011 Long Term Water Supply Plan policies.

FINDING 2

Downstream water rights are protected in the *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995* and must be considered when calculating the safe yield.

The City agrees with the finding.

Recommendation 2

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency must continue to emphasize the importance of downstream water rights and be used in the calculations of the safe yield.

The City agrees with this recommendation.



FINDING 3

The *United States Department of the Interior; Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995*, was written prior to the 2000 National Marine Fisheries Service Biological Opinion and does not include the requirement to release water under the auspices of the Endangered Species Act.

The City agrees with the finding.

Recommendation 3a

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency include the required water releases for the protection of fish habitat under the 2000 National Marine Fisheries Service Biological Opinion.

The City understands and supports the releases of water for protection of downstream fish habitats. However, the City does not agree that the new master water supply contract include language requiring water releases for fish habitat, since protection of fisheries is governed by the Federal Endangered Species Act, which is implemented by the United States Bureau of Reclamation. Language regarding required fish releases is neither warranted nor reasonable, since the Cachuma Member Units are not the responsible parties to ensure compliance with the Federal Endangered Species Act.

Recommendation 3b

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency add language to include the amount of water that will be required to be released by the new Biological Opinion from the National Marine Fisheries Services when it is released.

The City understands and supports the releases of water for protection of downstream fish habitats. However, the City does not agree that the new master water supply contract include language requiring water releases for fish habitat, since protection of fisheries is governed by the Federal Endangered Species Act, which is implemented by the United States Bureau of Reclamation. Language regarding required fish releases is neither warranted nor reasonable, since the Cachuma Member Units are not the responsible parties to ensure compliance with the Federal Endangered Species Act.

FINDING 4

The 2011-2016 drought is far worse than the "design drought" of 1947-1952, used in the *United States Department of the Interior; Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995*, for Lake Cachuma.

The City agrees with this finding.

Recommendation 4

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency calculate new water entitlements for member units using the current 2011 - 2016 worst-case drought as its "design drought".

The City agrees with this finding. If the drought persists beyond 2016, the City recommends the new design drought be extended for a longer duration as well.

FINDING 5

The *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995*, extending from 1995 to 2020 (25 years) is too long a period and includes no review and revision clauses to recalculate the "safe yield" of the Cachuma Project.

The City partially disagrees with this finding. Water supply contracts often require extensive technical and legal resources and are costly and time consuming to renegotiate. However, the City agrees that, if a new 25-year water supply contract is executed, it should include clauses for periodic recalculation of the “safe yield”.

Recommendation 5a

That the term of the new contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency be less than 25 years in length.

Because of the extensive resources and costs required to negotiate agreements, the City recommends a term of at least 25 years, with a clause that safe yield be revisited every 10 years, and recalculated only if new information becomes available that has the potential to significantly affect reservoir operations. The new information needed to trigger the recalculation of safe yield should be defined at the time of contract negotiation between the Santa Barbara County Water Agency and the Bureau of Reclamation, in coordination with the Cachuma Project Member Units.

Recommendation 5b

That the new contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency include periodic mandatory review and revision clauses on the order of every five or six years to recalculate the "safe yield" of Lake Cachuma and to make any other necessary contract changes.

The City supports periodic review and revision clauses to recalculate the “safe yield” and make any other necessary contract changes. However, the City understands that changes will only be made if there is new information available to update the contract. The new information needed to trigger the recalculation of safe yield would be defined at the time of contract negotiation.

FINDING 6

Safe yield from Lake Cachuma in the current *United States Department of the Interior; Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995*, is based on a static volume per year.

The City agrees with this finding.

Recommendation 6

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency include a new safe yield in Year One after Lake Cachuma spills, and, in subsequent years, use either a sliding scale or specify mandatory reductions.

The City supports evaluation and review of alternative reservoir management strategies and encourages the Bureau and County to work with the member units to define operational objectives and evaluate alternatives.

The City would also encourage the Bureau to evaluate strategies that encourage storage of water in the reservoir as long as possible, including that which results from water conservation. Currently, all of the reservoir evaporative losses are allocated to carryover (water saved in the reservoir from previous years’ allocations as a result of conservation or other management strategies) and imported water storage. This creates an incentive to draw down these supplies as quickly as possible to avoid the evaporation penalty. The City would like the Bureau to consider strategies that encourage storage of carryover and imported water and that more equitably distribute losses due to evaporation.

FINDING 8

Conservation policies and drought declarations differ from one member unit to another, possibly confusing water users.

The City agrees with this finding.

Recommendation 8a

That the member units, in conjunction with the Santa Barbara County Water Agency, create consistent policies and procedures that govern conservation efforts, especially during times of a severe drought, and that these are documented in the subcontracts between the Santa Barbara County Water Agency and the member units.

The City disagrees with this recommendation because it is neither warranted nor reasonable. Each of the member units is a separate legal entity, governed by an entity of specific members whose goals and policies may not be the same as those of the other member units. In addition, each entity has a unique customer base, service area characteristics, water supply portfolio, and water conservation program. Therefore, a one-size-fits-all approach will not be effective.

In cooperation with other agencies, the City works closely with the Santa Barbara County Water Agency on regional messaging, where there is overlap in water conservation programs and activities. The City is a sponsor of the WaterWise program (www.waterwisesb.org) which provides a consistent regional brand for water conservation.

Recommendation 8b

That the policies and procedures in Recommendation 8a be announced to the community by all member units at the same time.

The City disagrees with this recommendation because it is neither warranted nor reasonable. Each of the member units is a separate legal entity, governed by an entity of specific members whose goals and policies may not be the same as those of the other member units. In addition, each entity has a unique customer base, service area characteristics, water supply portfolio, and water conservation program. Therefore, a one-size-fits-all approach will not be effective, since different agencies may need to take different actions.

In cooperation with other agencies, the City works closely with the Santa Barbara County Water Agency on regional messaging where there is overlap in water conservation programs and activities. The City is a sponsor of the WaterWise program (www.waterwisesb.org), which provides a consistent regional brand for water conservation.

FINDING 9

The City of Santa Barbara has started to rebuild its desalination facility and has been in intermittent discussions with the Montecito Water District on sharing use of the facility.

The City agrees with this finding.

Recommendation 9

That the City of Santa Barbara and the Montecito Water District continue discussions on options that could optimize the desalination facility as a regional one.

The City supports the optimization of its desalination facility within the permitted capacity to the extent that excess water can be made available in the form of a water sales agreement.

FINDING 10

The Carpinteria Valley Water District no longer participates in the Cachuma Conservation Release Board, yet continues to reap the benefits of negotiations paid for by the remaining agencies.

The City agrees with this finding.

Recommendation 10

That the Carpinteria Valley Water District, as a benefitting party, rejoin and participate in the Cachuma Conservation Release Board.

The City would welcome the Carpinteria Valley Water District’s renewed participation in the Cachuma Conservation Release Board, which was established primarily to represent its members in protecting their water supply from the Cachuma Project.

FINDING 11

Member units approve new water service by issuing Can And Will Serve Letters, Intent To Serve Letters, water service availability documents or other documents, without expiration dates to citizens and developers.

The City disagrees with this finding. The City has a 2-year expiration on its Can and Will Serve Letters. If an applicant does not receive a building permit for their project within two years of the date of the Can and Will Serve Letter, the letter expires and the applicant must receive a new letter. During a drought emergency, the City reserves the right to terminate the commitment before the two-year period after issuing the letter, as long as the applicant has not received their building permit.

Recommendation 11

That all member units include expiration dates for their water service approval documents.

This recommendation is already standard practice for the City.

FINDING 12

Member units utilize Can And Will Serve Letters, Intent To Serve Letters, water service availability documents, or other documents to grant new water services that are approved based on water availability during a "normal" year 's water supply.

The City disagrees with this finding. The City approves Can and Will Serve Letters, depending on whether the project is consistent with the City’s General Plan policies. Adoption of the City’s General Plan required an Environmental Impact Report that assessed water supply during droughts according with the City’s Long Term Water Supply Plan.

Recommendation 12

That member units change their policies to begin approving new water service on the water available during a "worst case" drought year.

The City is already implementing this recommendation. The City approves Can and Will Serve Letters, depending on whether the project is consistent with the City’s General Plan policies. Adoption of the City’s General Plan required an Environmental Impact Report that assessed water supply during droughts, according with the City’s Long Term Water Supply Plan. In the City’s drought planning, the policy is for all customers to participate in planned demand reductions, given the costly expense of providing 100 percent water supply reliability during droughts.

The City’s Water Shortage Contingency Plan requires the City to consider suspension of development approvals. The City considered this issue in spring 2015, at the time of the Stage Three Drought declaration, and subsequently considered the suspension of development approvals again, in spring 2016. Based on the General Plan, the average annual demand from new development projects was found to represent 0.27 percent of the City’s total normal water demand, and 0.41 percent of the City’s current annual drought water demand. Because the City’s service area is mostly developed, many projects are redevelopment projects that are required to install drought tolerant landscaping and efficient indoor plumbing fixtures, in order to help meet long-term water conservation goals.

City of Santa Barbara

Response to the Santa Barbara County Grand Jury 2015-2016 Report

“Lake Cachuma, Protecting a Valuable Resource, You Can’t Drink Paper Water”

Page 7

Given that the community has been consistently meeting or exceeding this required demand reduction of 35 percent through other measures, suspension of development approvals is not necessary for the City of Santa Barbara at this time. The City continues to monitor water supply and demand closely and will re-consider suspension of development approvals as needed.

MAILING ADDRESS:

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SANTA BARBARA, CA 93101



PHONE: (805) 568-2291
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**GRAND JURY
SANTA BARBARA COUNTY**

City Council
City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

May 16, 2016

To Members of the City Council,

On behalf of the 2015 - 2016 Santa Barbara County Grand Jury, I am enclosing a copy of our report, titled "Lake Cachuma, Protecting a Valuable Resource" for your review and response.

The Grand Jury, County Counsel, and Judge Patricia Kelly have approved this report. The pertinent sections of the California Penal Code require the following:

- You are receiving this report two working days prior to its release to the public; you shall not disclose this report prior to its public release (California Penal Code Section 933.05(f)).
- You must respond to each relevant Finding and Recommendation in this report.
- You must submit your original response to Presiding Judge James Herman.
- You must also submit a printed copy to the current impaneled Grand Jury.
- If you are an elected county officer or agency head, the response time is not later than 60 days from the date of receipt of our report.
- If you are the governing body of a public agency subject to the reviewing authority of the Grand Jury, the response time is not later than 90 days of receipt of our report.

Your response will be posted on the Grand Jury website and may be included in our final report.

Please send your response to:

RECEIVED

MAY 16 2016

**CITY ADMINISTRATOR'S OFFICE
SANTA BARBARA**

GENERAL

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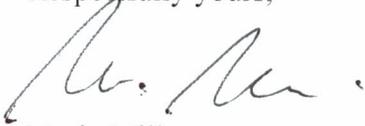
1974

The Honorable James Herman
County Courthouse
1100 Anacapa St.
Santa Barbara, CA 93101

and

Santa Barbara County Grand Jury
1100 Anacapa Street
Santa Barbara, CA 93101

Respectfully yours,

A handwritten signature in black ink, appearing to read 'M. Millsaps', written over a horizontal line.

Maria Millsaps
Foreperson
2015 - 2016 Santa Barbara County Grand Jury

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

You Can't Drink Paper Water

SUMMARY

The 2015-16 Santa Barbara County Civil Grand Jury (Jury) investigated the operations of the Cachuma Project. Surface water supplies from Lake Cachuma, Jameson and Gibraltar reservoirs, and the State Water Project during “normal” rainfall years, comprise the largest percentage of water used by the citizens of the South Coast of Santa Barbara County. Historically, Lake Cachuma alone has provided up to 85% of the water needs for approximately 340,000 acres of agriculture and 250,000 residents. Unlike groundwater, State Project Water, recycled wastewater, or desalinated water, the water from Lake Cachuma is a shared local resource and its use must be managed efficiently, cooperatively, and without regard to local political pressure.

Under contractual agreement, Lake Cachuma’s water supply has been allocated to south coast residents with the goal of the supply withstanding a six to seven-year drought cycle. The lake was last full to the point of spilling in March 2011 and after four years, the lake was virtually dry. This reality indicates that the contract is outdated. The maximum supply of water on paper is not the actual supply available, and the supplies from Lake Cachuma are over allocated.

The 1995 master contract¹ between the United States Bureau of Reclamation and the Santa Barbara County Water Agency for water service from the Cachuma Project is up for renewal in 2020. Now is the time for all member units of the Cachuma Project to work together to maximize efficiency in using the available supply of water. This report discusses, among other concerns, the issues that need to be considered during the contract renewal process. Annual safe yield (the amount of water that can be released every year) must be based on the water available at contract renewal and must take into account lower reservoir capacity due to siltation, demands for downstream water rights, and federal requirements to maintain fish habitat that did not exist when the master contract was first approved. This contract renewal must determine a new operating mode whereby water is distributed on a sliding scale based on the number of consecutive dry years, rather than the current practice of allowing each member unit to assume that a specific volume of water will be available to them every year. Finally, the contract should require more frequent reviews to address changing water needs.

This report also addresses the need for member units to manage their water portfolios and to work together to address how they will supply their water customers during potentially worse drought periods which may occur in the future.

¹ *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995.*

INTRODUCTION

Background

The Cachuma Project, consisting of Bradbury Dam, Tecolote Tunnel, and the South Coast Conduit, was conceived and built to be “the long term solution” for the South Coast’s increasing water problems. Construction of the project was authorized in 1948 and completed in 1956. It was intended to address the water needs of the growing population and the expansion of agriculture occurring throughout the 1930s and 1940s. Many descriptions exist in the historical record of the dire situation and water needs of the South Coast as far back as 1769² when the arrival of “a small addition of a presidial garrison threw nature’s water supply out of balance.” In the early 1900s “...available water sources could not keep pace with demand..., ...underground springs were being pumped faster than they could be replenished causing groundwater levels to drop..., water rationing and fines were implemented for overuse”³. These descriptions can be used to describe the continuing water crisis that the area faces today.

Lake Cachuma (Lake) was created by the Cachuma Project and was meant to be the most reliable source of water for the South Coast. The original design capacity was 205,000 acre feet (AF); enough, it was thought, to weather a six to seven-year drought cycle.

A new role was established for Lake Cachuma as a storage reservoir for water from the State Water Project with the completion of the State Water Project infrastructure in 1997. In years of severe drought the only water in the Lake may be water transported there via the State Water Project infrastructure.

Finally, since its formation, Lake Cachuma has become a very popular recreation destination. It provides camping, fishing, picnicking, hiking, and boating activities. The Cachuma recreation area, administered by the Santa Barbara County Parks Department, has approximately half a million visitors a year. The Lake has become a valuable environmental and recreational resource for the community. The Lake and park area have become home to a variety of fish, plants, wildlife, and birds, including bald eagles. To protect this man made natural, thriving habitat, 12,000 AF of water, referred to as the “dead pool”, must be retained in the Lake at all times.

² *Santa Barbara Past and Present, An Illustrated History*, Walker A. Thompkins, 1975

³ US Department of the Interior, Bureau of Reclamation, Cachuma Project History website
<http://www.usbr.gov/projects/Project>

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE



Photo of Lake Cachuma August 2013

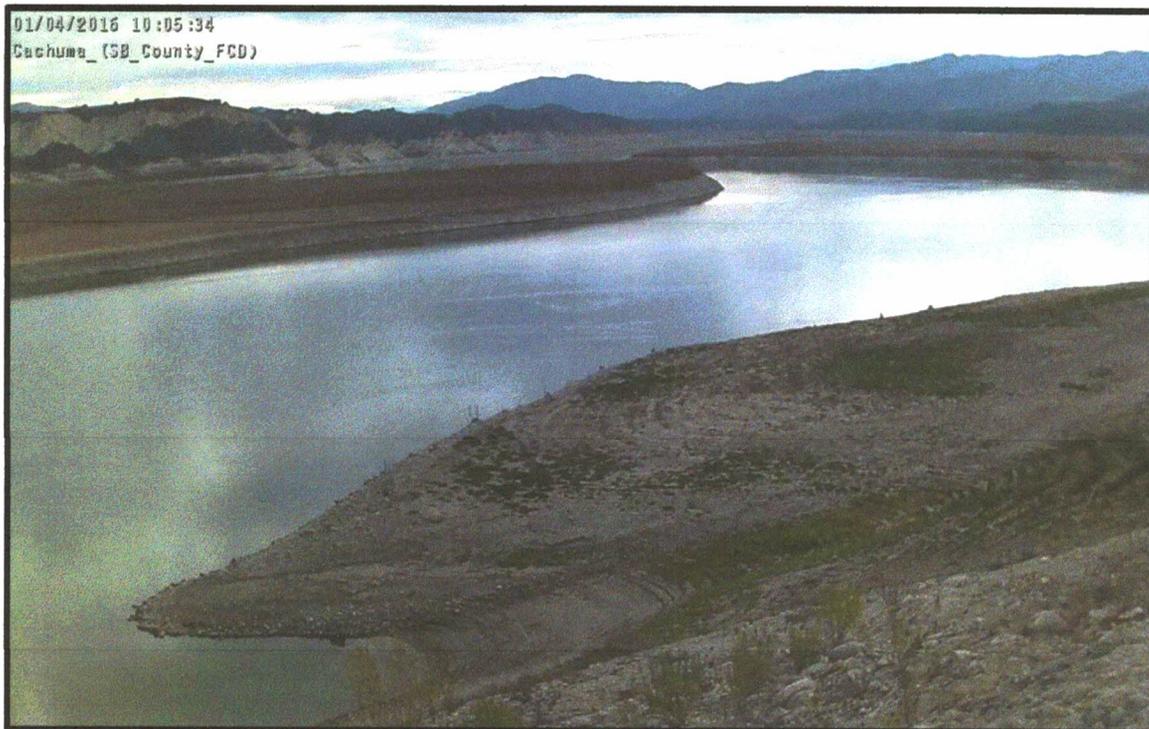


Photo of Lake Cachuma January 2016

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

The Contract

The Santa Barbara County Water Agency (Agency) was created in 1945 for the purpose of entering into an initial contract with the Federal Government's Bureau of Reclamation (USBR) for developing the Cachuma Project. The Agency acts as an intermediary as it also entered into subcontracts with the City of Santa Barbara and the Goleta, Montecito, Summerland County, Carpinteria County, and the Santa Ynez River Water Conservation Districts. These six agencies are all designated as "member units" of the Cachuma Project. Subsequently, the Montecito and Summerland Water Districts merged into the Montecito Water District.

The initial 1949 contract explains why the Cachuma Project was needed: "the lands and inhabitants within the Agency and within each and all of said Districts are in critical need of additional water for municipal, domestic, and irrigation uses..."; "...the ground-water supplies are seriously depleted and in need of replenishment..."⁴.

Also detailed in the 1949 contract were such things as the annual quantity of water that would be supplied, (32,000 AF), the costs in acre feet of municipal (\$35/AF) and irrigation (\$25/AF) water, the contractual commitment of water to each member unit (see Table 1), the procedure to determine available water in the case of water shortages, and the financial obligation of each member unit to pay certain fixed costs even if no water was received.

A new master contract, *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995*, (Contract) between the USBR and the Agency became effective in 1995 (the contract in effect today) will expire in 2020. As in the initial contract, the 1995 renewal specified financial obligations and water entitlements (see Table 1). However, the 1995 Contract also has some important changes. Due to siltation over the years, the Lake's storage capacity was reduced from 205,000 AF to 190,000 AF. To reflect the reduced storage capacity, the total amount of water available each year was reduced from 32,000 AF to 25,714 AF. Additional agreements in this contract, deal with operating issues such as the ability of member units to store water in the Lake, the accounting of lost water due to evaporation, and the allocation of entitlements.

The 1995 Contract specifically spells out the protection of historical downstream water right holders. This acknowledges the obligation to "make certain releases of water into the Santa Ynez River for downstream interests"⁵. At the time of the Contract renewal, water releases to maintain fish habitat, required in 2000 by orders of the California State Water Resources Control Board (SWRCB), and the National Marine Fisheries Services (NMFS) did not exist.

⁴ *United States Department of the Interior, Bureau of Reclamation, Contract for the Furnishing of Water to Member Units of Santa Barbara County Water Agency, September 12, 1949*

⁵ *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995.*

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

Table 1. Initial 1949 Contract and Current (2016) Entitlements per 1995 Contract

Agency	Entitlement %	AFY ^a 1949	Entitlement % ^b (post 1995 merger)	AFY ^a 1995
Goleta Water District	36.25 %	11,600	36.25%	9,312
City of Santa Barbara	32.19 %	10,300	32.19%	8,277
Carpinteria Valley WD	10.94 %	3,500	10.94%	2,813
Santa Ynez RWCD ID#1	10.31 %	3,300	10.31%	2,652
Montecito Water District	9.06 %	2,900	10.31%	2,651
Summerland Water District	1.25 %	400	-----	-----
Total	100 %	32,000	100 %	25,714

^a AFY = acre feet per year = 326,000 gallons

^b In 1995 the Summerland Water District merged with the Montecito Water District and all water entitlements and customers were transferred to Montecito Water District.

Governance

Many layers of government ranging from local water agencies to the Federal Government regulate water usage and enforce regulations along the South Coast. Special water districts are governed by locally elected board members and cities have their locally elected city councils. Each member unit subcontracts with the Agency and sends a representative to sit on the board of the Cachuma Operations and Maintenance Board (COMB). Some of these same local representatives sit on the Cachuma Conservation Release Board (CCRB). The next layer of government involved in water regulations is the California State Water Resources Control Board (SWRCB). And sitting at the uppermost governmental layer is the Federal Government represented by the United States Bureau of Reclamation (USBR) and the National Marine Fisheries Service.

The Jury learned this is a complex web of governmental agencies, each serving their own purpose and not always in accord with each other. For example, water agencies provide potable water to their residents and agriculture while the NMFS's priority is ensuring protection of fish in accordance with the Endangered Species Act. These two different priorities can often be in direct conflict.

Most recently, among the local water agencies, a controversy arose surrounding approval to move the barge at Lake Cachuma from its current location to another location about one mile away where a deeper pool of water exists and which would allow water to continue to be ultimately delivered to the South Coast communities. Without moving the barge, South Coast users would not have access to the remaining Lake water. This action required unanimous approval of all five member units and one agency was opposed to this idea because of fear that its water in Lake Cachuma would be "stolen" and used by other agencies. After many contentious discussions, all agencies ultimately agreed and voted to move the barge. This is just one example of the numerous issues over the years that have resulted in disagreement and conflict among member units dependent on water from Lake Cachuma.

Joint Powers Agencies

COMB

The special water districts of Goleta, Montecito, Carpinteria and Santa Ynez along with the City Council of Santa Barbara are responsible for securing sufficient and diverse water supplies for their constituents at the most affordable price. These five agencies formed COMB, a joint powers agency in

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

1957 as a government vehicle to operate, maintain and finance the Cachuma Project. For the year ending June 30, 2015⁶ COMB had total operating revenues of approximately \$6 million (M), \$5.5 M which came from the operating assessments from the member agencies, i.e., money collected from paid water bills.

CCRB

The CCRB is another joint powers agency formed in 1973 by the four member units south of the Lake: Carpinteria, Goleta and Montecito Water Districts and the City of Santa Barbara. According to information the Jury learned from interviews, CCRB acts as an advocacy group to defend the water rights of the Cachuma Project at the State and Federal level. The success or failure of this advocacy can affect the amount of water available for humans, downstream water rights, and fish habitat protection. CCRB also participates in fish studies and applies for grant funding for such. Its website⁷ states that it developed a Fish Management Plan Program in the Lower Santa Ynez River and was the primary implementing agency of the fisheries program.

Cost Estimates for Water Based on Source

The Jury conducted an informal survey to determine the costs local agencies pay for their various water supplies. Probably more important than the dollars spent per acre foot, the Jury learned that calculating how much money water actually costs is “complicated”. There are fixed and variable costs. Fixed costs include the cost for construction, maintenance and labor. These costs must be paid regardless of how much water is generated from the source, even if no water from the source is produced or received. For example, a member unit may decide not to draw groundwater from one of their wells, yet the pumps and other infrastructure at the well must be maintained. Fixed costs per acre foot decrease as the amount of water produced increases. The variable costs such as those for electrical power and chemicals are directly related to the amount of water produced.

A rough estimate of the average, minimum and maximum cost for water used on the South Coast is summarized in Table 2. These values are generated from numbers received from all water purveyors and are not reflective of any one agency. Table 2 is presented to show the magnitude of costs from one source to the next. Bottom line: water from Lake Cachuma is by far the least expensive, closely followed by groundwater with the most expensive being the supplemental water purchases from the State Water Project.

Along with contracted water from the State Water Project, also called “Table A State Water”, almost all agencies have purchased supplemental State Water on the open market. The cost for this water can be especially difficult to estimate because, as the Jury learned, this water in some cases is not purchased outright but is in fact “leased.” Contracts for this type of supplemental State Water include the requirement that the purchasing agency must return the water within ten years and pay for the transportation costs incurred. These conditions could result in a doubling of the cost and agencies cannot determine the true cost until the time the “leased” water is returned.

⁶ Cachuma Operations and Maintenance Board, Financial Statements, Bartlett, Pringle & Wolf, LLP, June 30, 2015 and 2014,

⁷ <http://www.ccrb-board.org>

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

Table 2. Estimated Average and Range of Water Costs Based on Water Source

Water Source	Average per AF	Minimum per AF ^a	Maximum per AF ^a
Lake Cachuma	\$300	\$100	\$500
Groundwater	\$430	\$120	\$610
Table A State Water	\$5,000	\$2,100	\$8,000
Reclaimed / Recycled Wastewater	\$360	\$160	\$440
Supplemental State Water ^b	\$1,800 ^b	\$750 ^b	\$3,400 ^b
Desalinated	\$1,400 ^c	Not Available	Not Available

^a Variations in minimum and maximum cost per AF are a function of the amount of water produced during the year and the constant value of the fixed costs.

^b Cost for supplemental State Water could easily be doubled once the costs to return this “leased” water are factored in.

^c Desalinated water is not yet in production. Cost is an estimate of operating costs only. No capital cost is included.

METHODOLOGY

The Jury conducted interviews with elected officials and staff involved with the Cachuma Project. In addition, the Jury studied pertinent contractual documents, water agencies’ websites, annual reports, board meeting minutes, and board meeting agendas.

OBSERVATIONS

Status of Lake Cachuma Today

The water in Lake Cachuma today is over allocated. The Lake, once billed as the long term solution to the water problem on the South Coast and designed to withstand a six to seven-year drought, was virtually empty in 2015, only four years after the lake had spilled. As of March 2016, the Lake was at 14.9 percent capacity. Siltation in the Lake has resulted in continued loss of storage capacity. Demands on the water supply exist today that did not exist in 1995 when new water allotments were calculated. Just as importantly, the current drought is worse than the drought of 1947-52 called the “design drought”, which was used to determine the original water allotments. All of these factors have resulted in a decrease in the volume of water that is, in reality, available to South Coast water users. Yet, the amount of water withdrawn each year has not been adjusted to account for this decrease. With negotiations to discuss renewal of the 1995 Contract set to begin in 2017, now is the time for member units to realistically address long term Lake water supply reliability.

Siltation

Siltation occurs when particles are washed into the reservoir and settle on the bottom. Recent fires such as the Zaca Fire contributed greatly to siltation in all Santa Ynez river reservoirs. Cachuma, Jameson, and Gibraltar reservoirs have all lost storage capacity due to siltation. Past attempts to remove silt were suspended due to environmental concerns. Furthermore, the Jury was told that cost calculations show future attempts would be prohibitively expensive. The Lake’s original design capacity was 205,000 AF, allowing 32,000 AF of water to be withdrawn every year (see Table 1). By 1995, siltation reduced the Lake’s capacity to 190,000 AF and the sustained annual yield was reduced

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

to 25,714 AFY. The most recent sediment survey⁸, done in 2013, determined that this trend in lost capacity is continuing and the Lake capacity was measured at 184,121 AF, an overall loss of over 11% of the original design capacity. New contract negotiations for annual water allotments need to take into account this loss of storage capacity and the additional losses that are predicted to occur due to continuing siltation.

Downstream Water Rights

From its inception, all parties and signatories to the Cachuma Project agreed “not to take, restrict, impair, or interfere with any or all of said presently established rights to water”⁹ from the Santa Ynez River. All participants agreed that the “Cachuma Project shall continue to be operated to provide for the protection of prior downstream rights holders and public trust resources in accordance with Project Water Rights.”¹⁰ Project Water Rights are defined as permits and licenses issued for the Project pursuant to State law together with all orders of the State Water Resources Control Board (SWRCB). Cachuma Project water rights were issued by the SWRCB in 1973, 1988, 1989, and 1994.

The Jury learned that downstream users receive many recreational benefits from the mandated water releases from the Lake. However, more importantly, the City of Lompoc and its residents, located at the end of the Santa Ynez River, are solely dependent on groundwater for their potable water supply. The Santa Ynez River is the primary source of their groundwater recharge. By a vote of the people in 1991, Lompoc elected not to participate in the State Water Project, and therefore, receives no state water. New contract negotiations for annual water allotments to member units need to continue to account for the priority of water rights of Lompoc residents and other downstream users.

Endangered Species Act

In addition to water releases from the Lake for downstream water users, the Endangered Species Act and the 2000 Biological Opinion from NMFS require water be released from the Lake to protect the environment of the steelhead (rainbow) trout. Regardless of opinions about this endangered species’ status, this release is a requirement of Federal Law. The NMFS 2000 Biological Opinion was enacted after the safe yields in the 1995 Contract were already determined. In 2015, 2,696 AF were released downstream to meet the Federal requirement. Table 3 shows the magnitude of the effect of this additional demand on the Lake’s supplies. It is equivalent to the water allotted per year to each of the communities of Carpinteria, Santa Ynez and Montecito.

Furthermore, in March 2012 the SWRCB held a public hearing and anticipated issuing a new water rights order by the end of 2012. This new order has not yet been issued; however, all expectations are that it will require an increase in downstream releases. New contract negotiations for annual water allotments to member units need to take into account the water no longer available to them due to required water releases under the 2000 and future NMFS biological opinions.

⁸ Results of 2013 Survey and Sedimentation Update on Lake Cachuma, February 17, 2014

⁹ *United States Department of the Interior, Bureau of Reclamation, Contract for the Furnishing of Water to Member Units of Santa Barbara County Water Agency, September 12, 1949*

¹⁰ *Ibid*

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

Table 3 Annual Entitlement^a / Demands, AFY, on Lake Cachuma, 2015

Entitlements	AFY
Goleta Water District	9,312
City of Santa Barbara	8,277
Carpinteria Valley Water District	2,813
Santa Ynez RWCD ID #1	2,652
Montecito Water District	2,651
Required Reserve	
Dead Pool	12,000 AF
Actual Demands for 2015	
Downstream Water Rights	10,186 AFY
Fish Habitat Water Release, 2015	2,696 AFY
Evaporation ^b	7,105 AFY

^a Entitlements are not the actual allotments of water for each member unit. Other demands in the table are actual volumes for, 2015.

^b When the Lake is full the water lost to evaporation is estimated at 16,000 AFY. As the water level in the lake and the surface area go down so does the volume of water lost to evaporation.

The “New Normal” Drought

The current drought (2011 to 2015 with 51 inches of rain) is worse than the design drought of 1947 to 1952 with 59 inches of rain. The long anticipated El Niño storms are not materializing this year, which means that the South Coast is entering a fifth year of drought. Some experts are predicting this may be the “new normal”. New contract negotiations for annual water allotments to member units must consider the “new” worst case scenario and take into account the possibility of more severe droughts, lasting for longer time periods.

Contract Period

The first contract between the Santa Barbara County Water Agency and the Bureau of Reclamation was in effect for 46 years. The contract was renewed in 1995 with an effective term of 25 years. New contract negotiations need to consider an effective term less than 25 years to address water demand changes that will allow for a timelier and nimbler management of this valuable resource. The Jury determined through its investigation that a periodic mandatory review and revision clause on the order of every five or six years must be included. Such clauses would require signatories to recalculate new safe yields periodically.

Operating Mode Modifications

The “contracting officer”, defined as the Secretary of the US Department of the Interior or a duly authorized representative, has the ultimate say in determining the maximum supply of water available each water year to the Cachuma Project member units, which may not be their full entitlement. Member units submit a request for delivery of a quantity of water along with a monthly delivery schedule prior to the beginning of each water year. The contracting officer then either approves the amount to be delivered and the delivery schedule or modifies the quantity if the request exceeds the quantity authorized by law. Section 9(a) of the master Contract states that “the contracting officer shall

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

use the best efforts to operate the Project efficiently and in a manner that will allow there to be the maximum amount of Available Supply each Water Year.”¹¹

Table 4 summarizes the annual amount of water distributed to each member unit from the Lake over the past six years. It also shows the water remaining in storage as of September of each year. The Lake currently operates whereby each member unit begins the new water year with a clean slate and is entitled to their full annual allotment of water from the Lake along with any “carryover water” which is water not used during the previous water year. The carryover water explains why the water distributed in some years, shown as shaded areas in Table 4, is greater than the agency’s annual allotment. By 2013, two years after the Lake spilled, the water in the lake was reduced by about 50% to 91,922 AF. In hindsight, alarm bells should have been ringing at this point. Reductions in water distributions did not occur until 2014 when Lake Cachuma was at only 33% and member units took approximately 20% less than their entitled amount. ***For the first time in the history of the Cachuma Project, no new annual water allotments are scheduled for 2016.***

Table 4. Water Actually Distributed, AFY, from Lake Cachuma per COMB¹²

Water Year	Montecito Water District	Santa Ynez ID No. 1	Carpinteria Valley Water District	City of Santa Barbara	Goleta Water District	Total from Lake Cachuma ^a	AF Water in Storage, Sept	% Entitlement Approved or % of Allotment Taken
2010	3,124	73	3,033	7,457	11,980	25,667	152,855	-----
2011 ^b	2,752	80	2,655	9,422	11,351	26,260	180,986	-----
2012	3,610	80	3,447	9,613	11,991	28,741	142,970	-----
2013	3,905	75	3,888	11,232	10,737	29,837	91,922	-----
2014	1,171	34	2,610	8,720	6,634	19,169	61,107	80%
2015	473	25	889	3,472	4,529	9,388	32,989	45%
2016 ^c	797	6	300	1,712	1,446	4,261	28,714	0%

^a Total Allotment by contract = 25,714 AFY

^b Cachuma spilled March 2011

^c As of April 2016, all water is from the carryover account, 0% entitlement for 2016

Drawing down the Lake in the manner and as rapidly as was done over the last five years has resulted in an added expense of \$8.6 M over three years (fiscal years 13/14, 14/15, and 15/16) for the four members units south of the Lake. This additional cost is for the Emergency Pumping Facility Project. This project was needed because the water level in the Lake was below the lowest gate of the water intake tower. The \$8.6 M included the design, construction, project management, and operation of the barge and pipes needed to pump water from the remaining pools of water in the Lake over to the intake tower.

The Jury learned that because of their geographical location, there are some areas of Goleta, Santa Barbara, and Montecito that are completely reliant on surface water for their water needs. If no water deliveries are made from surface water sources or groundwater wells, these areas would have to be served with alternative emergency water plans. The Jury was told that emergency plans are in place to serve customers in the case of a complete loss of surface water supplies. On a temporary basis water

¹¹ *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995.*

¹² Data was taken from COMB monthly reports, see COMB website, board minutes and agenda packets for each year, <http://www.cachuma-board.org/meetingdocs/2015-meeting-archives.htm>

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

service would only be possible under extreme rationing and would only be available for health and safety use and no outdoor watering.

There is no contractual wording requiring a decrease in entitlements as the amount of water in the Lake decreases. The Jury was told repeatedly that this operational mode has contributed to the current angst and speed at which the water has been withdrawn from the Lake and that changes need to be made.

The Jury was informed of two water release alternatives that can be implemented to address what many see as a flaw in the efficient management of this valuable resource. One scenario calls for water withdrawals on a sliding scale, based on the time since the last Lake spill. Drawing the reservoir down as much as possible in “Year One” after a spill would provide more capacity to exist in the Lake so that the maximum amount of water could be captured the following year, assuming it is a rainy year. “Year Two” after a spill would begin mandatory reductions in withdrawals, assuming that year is the beginning of the next drought. Another alternative calls for mandatory reductions to member unit entitlements that would be triggered as the Lake capacity decreases.

The new contract for annual water allotments to member units must include changes to elements of the current operational mode, post spill year, which would maximize the amount of “Available Supply each Water Year”¹³ and minimize extra costs incurred by the community such as those needed to install the emergency pumping facility or to purchase additional expensive supplemental State Water.

Water Management Planning

The Jury learned that each member unit makes decisions based on their own needs and water management plans. Urban Water Management Plans (UWMPs)¹⁴ are required to be prepared every five years by urban water suppliers that provide over 3,000 AFY of water or serve over 3,000 customers. The UWMP supports long term resource planning, encourages the efficient use of available supplies, and ensures that adequate water supplies are available to meet existing and future water demands. In years of long term drought, having a plan to manage your water supply is even more important. Without such a plan, elected public officials lack the guidance to make responsible decisions based on a careful analysis of their agency’s water portfolio and could succumb to pressure from constituents to make decisions for political reasons.

Santa Ynez Water Conservation District ID No. 1 is the only member unit exempt from the UWMP requirement. Of the remaining four member units, only Montecito Water District does not have an updated UWMP. Montecito Water District (MWD) must update its UWMP with a focus on developing supply and demand strategies they can rely on during prolonged drought periods.

Conservation Efforts

With dwindling surface water supplies, member units had two choices: (1) buy supplemental water on the open market or, (2) initiate conservation efforts to extend the limited amount of available water. In this instance, Santa Barbara County water agencies were initially united in their individual efforts to promote conservation among their water users. Table 5 is a timeline summarizing conservation efforts and subsequent reversals of such efforts. By March 2014, when Lake Cachuma was below 50%

¹³ *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995.*

¹⁴ California Department of Water Resources website, <http://www.water.ca.gov/urbanwatermanagement/>

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

capacity, and it was apparent the area was in the third year of below average rainfall, four of the five member units, Santa Barbara, Carpinteria, Montecito, and Goleta had declared a drought emergency. By June 2014, Santa Ynez declared a Stage 1 drought and by September 2014 Santa Barbara and Goleta were at Stage 2 drought.

Table 5. Timeline of Conservation Efforts and Lack Thereof

Date	Conservation Action	Member Unit
Feb 2014	Stage 1 Ordinance 92 & 93	Santa Barbara and Carpinteria MWD
Mar 2014	Stage 1	Goleta Water District
May 2014	Stage 2	City of Santa Barbara
June 2014	Stage 1	Santa Ynez Water Conservation District ID No. 1
Sept 2014	Stage 2	Goleta Water District
Mar 2015	Ordinance 94	MWD – Increases water allotments
April 2015	Executive Order B-29-15	Governor of CA issues Executive order for mandatory reductions for urban water suppliers
May 2015	Stage 2 Stage 3	Carpinteria Valley Water District City of Santa Barbara and Goleta Water District
Sept 2015	Stage 2	Santa Ynez Water Conservation District ID No. 1

Each stage of declared drought can mean something different at each water agency. Most drought stages set limits on outside water use. Unique among agencies enacting water use restrictions is the Montecito Water District. Rather than limiting water uses and adding a drought surcharge to water bills, which would compensate for some of the reduced revenue from decreased water use, MWD (in Ordinance 93) gave an allotment of water to each customer based on property size, enacted penalties for overuse, and added a moratorium on water service connections. Of concern to the Jury is the action taken by MWD, and the confusing message it sent to its customers with the passage of Ordinance 94, in March 2015. Ordinance 94 was enacted in response to a successful search to buy supplemental state water on the open market. In this ordinance, the MWD Board of Directors approved an increase in water allotments to their customers. This occurred just one month before the Governor of California enacted an unprecedented executive order for statewide mandatory water use reductions.

Member units need to work together to send a clear message to their constituents, to reduce confusion and to emphasize the severity of the water shortages all residents are facing. Of benefit to the regional water community would be a consistent set of defined conservation measures that would be written into the subcontracts between the Agency and all member units, and that member units would enact within their jurisdictional areas in response to specific drought triggers.

Regional Cooperation

The Jury learned that during the previous drought period of 1986-1990, member units voluntarily agreed to a 20% decrease in their allotments when the Lake's capacity reached 100,000 AF. A similar voluntary reduction was not agreed to by all members during the current drought. The Jury learned how such a decision is understandable. From the viewpoint of a water agency that has a diversified water portfolio, such as the Goleta Water District, it can opt to make decisions, based on financial reasons, to use up all of its allotment of inexpensive Lake water before dipping into its more expensive

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

groundwater or State Project Water supplies, see Table 2. However, not all member units participating in the Cachuma Project are fortunate enough or have had the foresight to develop a diversified water portfolio. The member units that rely on surface water for up to 90% of their water supplies are more focused on keeping as much water in the Lake for as long as possible.

The City of Santa Barbara has started to rebuild its desalination plant as one way to diversify its water supply. Montecito Water District relies almost exclusively (95%) on surface water with groundwater making up the remaining 5%. The Jury learned that Santa Barbara and Montecito are involved in discussions to participate as partners in the rebuilding of the City's desalination plant. The Jury recommends that in light of regional cooperation, and obtaining a new reliable source of water for the South Coast, that these discussions continue.

Cooperation among member units took a turn for the worse in 2011 when CCRB was transferred to COMB, which then began implementing the Fish Management Plan. When this happened, Santa Ynez ID No.1 lost some of their power in how the Fish Management Plan was implemented and has continuously objected to paying for their share of work they believe is outside the scope of the original fisheries Memorandum of Understanding and Biological Opinion. This conflict is beyond the scope of this report, but should be resolved within the existing organizational structure.

At the same time, Carpinteria Valley Water District dropped out of CCRB for financial reasons. CCRB's activities are funded by its members, which in turn are funded by their water rate payers. Carpinteria stopped paying their share of CCRB's operating costs while still retaining the benefits reaped from the advocacy activities of this group. This action has placed a greater financial burden on the other member units and their rate payers.

Community Development Plans

Control of growth within an area is, in part, the responsibility of planning and development departments. However, when a development is approved at the planning level, the developer is required to receive notification from the governing water agency in that area confirming that water is available to service the needs of the development. Each water agency does this in a slightly different way, whether through "Can and Will Serve" letters, "Intent to Serve" letters, or a similar document. The Jury learned that water agencies are loathe to be the limiting factor for development. However, they are the responsible agency when it comes to determining whether they have adequate water supplies to support the needs of their service areas.

Until recently, developments continued to receive approval for water service. The Jury noted that most of these approvals have no expiration date. Documents issued by all member units that approve new water service must include language that limits the permit life.

Developments that replace existing structures are approved with the understanding that water for the development is limited to the same amount as is being used under the existing structure. The Jury was told that in some cases, if low flow plumbing fixtures are installed and/or if landscaping is drought tolerant or restricted, water demand at the new development could be less than the existing demand.

New construction is minimal in a city such as Santa Barbara that has little room for growth. However, in a newer city such as Goleta, new construction is taking place throughout the community. Citizens of Goleta continue to express their dismay within formal public arenas (such as newspapers, board

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

meetings, and online chat websites) and less formally in casual conversations all over town, at the amount of development that is going on during the worst drought in history. The Jury learned that the Goleta Water District issues its “Can and Will Serve” letters on water resources they predict will be available during a normal weather year. No consideration is given to the possibility of having to supply water to an ever growing community when water shortages occur over many years. The result of this type of approval is that Goleta Water District residents are asked to pay more for water, perhaps at the expense of their quality of life.

Future commitments for water service for all water agencies must be based on the water available under the worst case water supply scenario, not under what would be a “normal” year, as there does appear to be a “new normal” emerging.

CONCLUSION

The 2015-16 Santa Barbara County Grand Jury, made up of 19 citizens from throughout the County with a variety of backgrounds and a genuine interest in the operations of government within the County of Santa Barbara, found it difficult to unravel the complex web of water agencies, water contracts, water regulations, water purchases, water sales, water portfolios, and water management plans that are designed to supply a safe and secure water source to all people living on the South Coast. This report attempts to unravel portions of this web and to address those issues deemed most pressing and most able to be improved with a focus on the importance of Lake Cachuma.

As the residents of the South Coast of Santa Barbara County come to terms with an ever limited supply of water for an ever growing community, the value of every drop of water has come to be appreciated. The Jury recommends that local water agencies work cooperatively to craft a new master contract with periodic mandatory review and revision clauses between the United States Bureau of Reclamation and the Santa Barbara County Water Agency for the operations of Lake Cachuma and include: the lost water storage capacity due to siltation, the increased demand for downstream habitat preservation, and the reality of more frequent multiyear droughts. The Jury also recommends that each member unit of the Cachuma Project improve their individual water portfolio and reassess their process of approving new water service in light of more limited water supply.

For close to two centuries, providing a reliable and sufficient water supply to the residents and agriculture of Santa Barbara County has been a challenge. This challenge has been met year after year by sometimes contentious meetings as public officials try to come to terms with the stress of making sure their constituents have a safe and sufficient supply of water at a reasonable cost. Meeting this challenge in the future with the possibility of increasing multi-year droughts, will be ever more difficult.

With the predicted population increase, the demands on this limited resource will also increase. Approximately 250,000 people, many without knowing it, are reliant on their local elected water officials and staff to work together to ensure that wherever they live in Santa Barbara County and regardless of their income, they will have enough water for their basic human needs.

FINDINGS AND RECOMMENDATIONS

Finding 1

Siltation is continuing to decrease the storage capacity and the safe yield of Lake Cachuma as defined in *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995*.

Recommendation 1

That the safe yield from Lake Cachuma as defined in *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995*, be recalculated and used in the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency taking into account lost storage capacity due to siltation.

Finding 2

Downstream water rights are protected in the *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995* and must be considered when calculating the safe yield.

Recommendation 2

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency must continue to emphasize the importance of downstream water rights and be used in the calculations of the safe yield.

Finding 3

The *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995* was written prior to the 2000 National Marine Fisheries Service Biological Opinion and does not include the requirement to release water under the auspices of the Endangered Species Act.

Recommendation 3a

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency include the required water releases for the protection of fish habitat under the 2000 National Marine Fisheries Service Biological Opinion.

Recommendation 3b

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency add language to include the amount of water that will be required to be released by the new Biological Opinion from the National Marine Fisheries Services when it is released.

Finding 4

The 2011-2016 drought is far worse than the “design drought” of 1947-1952 used in the *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between*

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995 for Lake Cachuma.

Recommendation 4

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency calculate new water entitlements for member units using the current 2011-2016 worst case drought as its “design drought”.

Finding 5

The United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995 extending from 1995 to 2020 (25 years) is too long a period and includes no review and revision clauses to recalculate the “safe yield” of the Cachuma Project.

Recommendation 5a

That the term of the new contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency be less than 25 years in length.

Recommendation 5b

That the new contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency include periodic mandatory review and revision clauses on the order of every five or six years to recalculate the “safe yield” of Lake Cachuma and to make any other necessary contract changes.

Finding 6

Safe yield from Lake Cachuma in the current *United States Department of the Interior, Bureau of Reclamation, Cachuma Project, California, Contract Between the United States and Santa Barbara County Water Agency Providing for Water Service from the Project, 1995* is based on a static volume per year.

Recommendation 6

That the new master contract between the United States Bureau of Reclamation and the Santa Barbara County Water Agency include a new safe yield in Year One after Lake Cachuma spills, and, in subsequent years, use either a sliding scale or specify mandatory reductions.

Finding 7

The Montecito Water District does not have an updated Urban Water Management Plan.

Recommendation 7

That the Montecito Water District update its Urban Water Management Plan.

Finding 8

Conservation policies and drought declarations differ from one member unit to another, possibly confusing water users.

Recommendation 8a

That the member units, in conjunction with the Santa Barbara County Water Agency, create consistent

LAKE CACHUMA - PROTECTING A VALUABLE RESOURCE

policies and procedures that govern conservation efforts especially during times of a severe drought and that these are documented in the subcontracts between the Santa Barbara County Water Agency and the member units.

Recommendation 8b

That the policies and procedures in Recommendation 8a be announced to the community by all member units at the same time.

Finding 9

The City of Santa Barbara has started to rebuild its desalination facility and has been in intermittent discussions with the Montecito Water District on sharing use of the facility.

Recommendation 9

That the City of Santa Barbara and the Montecito Water District continue discussions on options that could optimize the desalination facility as a regional one.

Finding 10

The Carpinteria Valley Water District no longer participates in the Cachuma Conservation Release Board yet continues to reap the benefits of negotiations paid for by the remaining agencies.

Recommendation 10

That the Carpinteria Valley Water District, as a benefiting party, rejoin and participate in the Cachuma Conservation Release Board.

Finding 11

Member units approve new water service by issuing, can and will serve letters, intent to serve letters, water service availability documents, or other documents, without expiration dates to citizens and developers.

Recommendation 11

That all member units include expiration dates for their water service approval documents.

Finding 12

Member units utilize can and will serve letters, intent to serve letters, water service availability documents, or other documents to grant new water service that are approved based on water availability during a “normal” year’s water supply.

Recommendation 12

That member units change their policies to begin approving new water service on the water available during a “worst case” drought year.

REQUEST FOR RESPONSE

Pursuant to *California Penal Code Sections 933 and 933.05*, the Jury requests each entity or individual named below to respond to the enumerated findings and recommendations within the specified statutory time limit:

Santa Barbara County Board of Supervisors – 90 days

Findings 1, 2, 3, 4, 5, 6, 8

Recommendations 1, 2, 3, 4, 5a, 5b, 6, 8a, 8b

Carpinteria Valley Water District Board of Directors – 90 days

Findings 1, 2, 3, 4, 5, 6, 8, 10, 11, and 12

Recommendations 1, 2, 3, 4, 5a, 5b, 6, 8a, 8b, 10, 11, and 12

City of Santa Barbara City Council – 90 days

Findings 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, and 12

Recommendations 1, 2, 3, 4, 5a, 5b, 6, 8a, 8b, 9, 10, 11, and 12

Goleta Water District Board of Directors – 90 days

Findings 1, 2, 3, 4, 5, 6, 8, 10, 11, and 12

Recommendations 1, 2, 3, 4, 5a, 5b, 6, 8a, 8b, 10, 11, and 12

Montecito Water District Board of Directors – 90 days

Findings 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12

Recommendations 1, 2, 3, 4, 5a, 5b, 6, 7, 8a, 8b, 9, 10, 11, and 12

Santa Ynez River Water Conservation District ID No. 1 Board of Directors – 90 days

Findings 1, 2, 3, 4, 5, 6, 8, 11, and 12

Recommendations 1, 2, 3, 4, 5a, 5b, 6, 8a, 8b, 11, and 12



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 2016
TO: Mayor and Councilmembers
FROM: City Clerk Services Division, Administrative Services Department
SUBJECT: Response To Grand Jury Report Regarding "City of Santa Barbara Commissions, Committees, and Boards"

RECOMMENDATION:

That Council review and approve a draft letter in response to the findings and recommendations of the 2015-2016 Santa Barbara County Civil Grand Jury report titled, City of Santa Barbara, Commissions, Committees, and Boards and authorize the City Administrator to sign the response letter and forward it to the Presiding Judge.

DISCUSSION:

On June 6, 2016 the Santa Barbara County Civil Grand Jury delivered to the City of Santa Barbara a copy of the report titled, *City of Santa Barbara, Commissions, Committees, and Boards*.

The report included three findings and recommendations which require written responses from the City. California Penal Code Section 933(c) requires that the governing body of each public agency which is the subject of a report from the county civil grand jury respond on the findings and recommendations contained in the report which are relevant to that particular public agency. Staff has drafted a proposed response letter from the City for Council approval. The County Civil Grand Jury has requested a response by September 4, 2016.

ATTACHMENT(S): 1. Draft Response Letter from City of Santa Barbara to the Presiding Judge of Santa Barbara County Superior Court
2. 2015-2016 Grand Jury Report entitled, "City of Santa Barbara, Commissions, Committees, and Boards"

PREPARED BY: Sarah P. Gorman, City Clerk Services Manager
SUBMITTED BY: Kristine E. Schmidt, Administrative Services Director
APPROVED BY: City Administrator's Office



City of Santa Barbara

Office of Mayor

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August 2, 2016

Helene Schneider
Mayor

Honorable James Herman
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City Hall
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93101-1990

Santa Barbara County Grand Jury
1100 Anacapa St.
Santa Barbara, CA 93101

Mailing Address:
P.O. Box 1990
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93102-1990

Reference: Response to Santa Barbara Civil Grand Jury Report Titled "City of Santa Barbara, Commissions, Committees, and Boards"

Judge Herman and Grand Jury Members:

Tel: 805.564.5323
Fax: 805.564.5475

The City of Santa Barbara City Council is providing its responses to the above-referenced Civil Grand Jury Report.

The City appreciates the opportunity to respond to the Grand Jury Report.

In accordance with the Grand Jury's direction, answers are provided below pursuant to Section 933.05 of the California Penal Code.

Findings, Recommendations and Responses

Finding 1:

The City of Santa Barbara has at least 38 commissions, committees and boards, some of which may have outlived their purpose. No review process exists concerning their relevance.

Recommendation 1 (Sunset Rule):

That the City of Santa Barbara City Council review at least every five years the functioning, productivity, and relevance, of all advisory groups and continue, merge, or delete their mandates.



City Response:

The City Council will undertake to review the statuses of Advisory Group every two years, as part of the biannual Advisory Groups guidelines review.

Finding 2:

The City of Santa Barbara's website does not make a clear distinction between decision making and advisory bodies.

Recommendation 2:

That the City of Santa Barbara City Council makes a clear distinction which Committees and Boards have decision-making mandates and those that are advisory only to the City of Santa Barbara City Council.

City Response:

At times, certain Committees are decision-making, and some are advisory. The City of Santa Barbara Charter and Municipal Code are available online for review of the role of a given body's role and responsibilities.

Finding 3:

The City of Santa Barbara's website does not contain current information about committees, boards and commissions.

Recommendation 3:

That the City of Santa Barbara City Council update the section of the website dealing with Committees, Boards and Commissions.

City Response:

The City will continue to update the website as appropriate.

Sincerely,

Helene Schneider, Mayor
City of Santa Barbara

Cc: City of Santa Barbara Councilmembers
Maria Millsaps, Foreperson, 2016-16 Santa Barbara Civil Grand Jury



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**GRAND JURY
SANTA BARBARA COUNTY**

RECEIVED

JUN 6 2016

City Council
City of Santa Barbara
735 Anacapa Street
Santa Barbara, CA 93101

**MAYOR & COUNCIL OFFICE
SANTA BARBARA**

June 6, 2016

To Members of the City Council,

On behalf of the 2015 - 2016 Santa Barbara County Grand Jury, I am enclosing a copy of our report, titled "City of Santa Barbara, Commissions, Committees, and Boards" for your review and response.

The Grand Jury, County Counsel, and Presiding Judge James Herman have approved this report. The pertinent sections of the California Penal Code require the following:

- You are receiving this report two working days prior to its release to the public; you shall not disclose this report prior to its public release (California Penal Code Section 933.05(f)).
- You must respond to each relevant Finding and Recommendation in this report.
- You must submit your original response to Presiding Judge James Herman.
- You must also submit a printed copy to the current impaneled Grand Jury.
- If you are an elected county officer or agency head, the response time is not later than 60 days from the date of receipt of our report.
- If you are the governing body of a public agency subject to the reviewing authority of the Grand Jury, the response time is not later than 90 days of receipt of our report.

Your response will be posted on the Grand Jury website and may be included in our final report.

Please send your response to:

The Honorable James Herman **and**
County Courthouse
1100 Anacapa St.
Santa Barbara, CA 93101

Santa Barbara County Grand Jury
1100 Anacapa Street
Santa Barbara, CA 93101

Respectfully yours,



Maria Millsaps
Foreperson
2015 - 2016 Santa Barbara County Grand Jury



CITY OF SANTA BARBARA

Commissions, Committees, and Boards

SUMMARY

The 2015-2016 Santa Barbara County Grand Jury (Jury) was asked to investigate potential conflicts of interest among the City of Santa Barbara's (City) appointed commissions, committees, and boards and the influence of their members on the City's policies. The City has functioning advisory groups to the City Council, Charter Boards, and Commissions required by Article VIII of the City Charter. The City also makes appointments to four groups created by California State law. The Jury looked into the very large number of these advisory groups, their responsibilities and their influence. The Jury considered the following questions: Do conflicts of interest exist; have some of these entities outlived their usefulness; do some of them have overlapping mandates? The Jury concluded that the answer to these questions is sometimes yes.

BACKGROUND

The Santa Barbara County Grand Jury (Jury) received a complaint questioning an advisory committee member's influence on the City of Santa Barbara's (City) Council decisions. The complainant was concerned that these positions may attract volunteers with potentially prejudicial motives or with conflicts of interest, real or perceived. The complainant questioned whether the objective decision making process of the City Council has been influenced unduly, resulting in disregard of the public good.

The City of Santa Barbara has at least 38 commissions, committees, and boards that all provide advice to the Santa Barbara City Council (Council). The Jury noted that the numbers of groups do not always agree in various parts of the City's websites. There are 11 committees that were part of the original Santa Barbara City Charter. These City Charter Committees often have decision making mandates. A clear distinction should be made between these decision making bodies and those which are purely advisory.

METHODOLOGY

The Jury interviewed a present committee member, senior City employees, former City employees, City engineers, a City planner, a City zoning ordinance officer, and an ex-council member. The Jury reviewed requested documents from the City, the City's web pages, and the website of the Fair Political Practices Commission.

OBSERVATIONS AND ANALYSIS

Engaged citizens volunteer to serve on those advisory groups in which they have interest and knowledge. Some boards require detailed knowledge of the field such as the Board of Architectural Review. Some boards denote an interest in the subject, such as Art in Public Places. All of the advisory groups require a moderate to great amount of personal time and commitment. In several of the advisory groups, participation has historically been a stepping stone to running for public office. The Jury noted that some groups have outlived their mandate, such as the 2006 Measure P Committee (marijuana enforcement priority). Others appear to have overlapping mandates.

No process is evident that calls for periodic review of the effectiveness and/or continued need for these committees. Additionally, there is no "sunset" rule in place whereby the committee's mandate would be revoked automatically unless it is extended intentionally.

Number of Vacancies

How many vacancies are there? According to the City's website, there are currently 43 open positions on its various advisory committees. Currently, for example, 15 committees have no vacancies, and one has six. Among the four State mandated appointments, two have current vacancies; the Housing Authority Commission has three vacancies, the Central Coast Commission for Senior Citizens has one. Table 1 shows which committees currently have unfilled positions.

CITY OF SANTA BARBARA

Table 1 - City Committees, Boards, and Commissions

Committee Title	Committee Size	Vacancies*	Required By
Access Advisory Committee	7	0	Optional
Airport Commission	7	0	City Charter
Airport Public Art Advisory Comm.	7	0	Optional
Architectural Board of Review	7	0	City Charter
Arts Advisory Committee	7	0	Optional
Building & Fire Code Board of Appeals	8	1	Optional
Central Coast Commission for Senior Citizens	12, of which Santa Barbara is 1	1	State Mandate
Civil Service Commission	5	0	City Charter
Community Development & Human Services Committee	13	3	Optional
Community Events & Festivals Comm.	7	0	Optional
Creeks Advisory Committee	7	2	Optional
Downtown Parking Committee	7	1	Optional
Fire & Police Commission	5	0	Optional
Fire & Police Pension Commission	5	2	Optional
Front Country Trails Task Force	6-All City/County Empl	No Data	Optional
Golf Advisory Committee	7	Outdated Data	Optional
Harbor Commission	7	2	City Charter
Historic Landmarks Commission	9	0	City Charter
Housing Authority Commission	7	3	State Mandate
Integrated Pest Management Advisory Committee	5	No data	Optional
Library Advisory Committee - County	18, Santa Barbara provides 1	2, one from Santa Barbara	Optional
Library Board	5	2	City Charter
Living Wage Advisory Committee	7	2	Optional
Measure P Committee	7	4	Optional
Metropolitan Transit District Board	7, Santa Barbara provides 2	0	State Mandate
Mosquito & Vector Management Dist.	1	0	State Mandate
Neighborhood Advisory Council	13	4	Optional
Noise Abatement Committee	No data	No data	Optional
Oversight board	7	0	Optional
Parks & Recreation Commission	7	2	City Charter
Planning Commission	7	0	City Charter
Rental Housing Mediation Board	10	3	Optional
SB Arts & Crafts Show Advisory Comm.	5	2	Optional
Santa Barbara Youth Council	15	6	Optional
Sign Committee	6	0	Optional
Single Family Design Board	7	1	Optional
Sister Cities Board	3	0	Optional
Staff Hearing Officer	1	0	Optional
Street Tree Advisory Committee	5	0	Optional
Sustainability Committee	7 City Employees	0	Optional
Transportation & Circulation Committee	7	0	Optional
Water Commissioners Board of	5	0	City Charter

*As of the date of this report.

CITY OF SANTA BARBARA

Application Process

An application to fill a vacancy on a committee, commission, or board is submitted to the Council. The application form is available on this website: (<http://www.santabarbaraca.gov/gov/brdcomm/app.asp>). The applicant must provide personal information and agree to provide financial information if requested. The Council reviews the applications, interviews applicants, and makes appointments twice yearly. Applicants are interviewed at City Council meetings open to the public. Appointments are later made, by a majority vote, also at City Council meetings open to the public¹. In most instances, an applicant must be a City of Santa Barbara resident. Exceptions exist in cases where the committee advises an entity whose jurisdiction covers areas outside of the City limits. (Examples are Metropolitan Transit District, Library Advisory Committee, Central Coast Commission for Senior Citizens, and Santa Barbara Youth Council.)

Conflict of Interest

How do conflict of interest laws affect the various City committees? The answer to this question varies, depending on which committee is being discussed. They generally fall into one of three categories:

1. Twenty groups for which ethics and conflict of interest training is mandated by California State law (Assembly Bill 1234, enacted in 2005); and City Resolution 14-068.
2. Fourteen groups which are exempt from AB 1234 but are still required by the City to conform to ethics requirements by City Resolution 13-006.
3. Remaining groups who are exempt from the AB 1234 law but are required by the City's Code of Conduct to follow all State conflict of interest laws.

The Jury was told that appointment to the advisory boards and committees is inherently a political process and having committee members representing "special interests" is not uncommon, and not necessarily undesirable. The Jury was also told that a separate analysis might be required to determine if a conflict of interest exists in a given situation. The selection process can result in politically motivated appointments. A volunteer's employment in a field closely related to their advisory role may well enhance their livelihood and could also be a benefit to the citizens of the City. A "personal financial effects" rule requires a volunteer to abstain from discussion and voting in select situations.

Although, the decision making authority of the various committees, commissions, and boards is varied, the level of concern for conflicts of interest should not vary.

¹ Guidelines for the City of Santa Barbara Advisory Groups, pages 10 and 11, February 12, 2013
<https://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=11620>

CITY OF SANTA BARBARA

Volunteer groups are often advisors to the City Council. The burden of objective and impartial decision making is on the City Council, whose members answer to the public. The City Council members have had mandatory ethics training and make open-meeting public decisions that the voting public can scrutinize. The Council should consider whether the same conflict of interest and ethics training required of Council members should be added as a requirement to the remaining advisory groups, as well.

The City of Santa Barbara's advisory groups are subject to the Brown Act. They conduct announced meetings with an agenda and are all open to the public. Meeting minutes are recorded by a City employee and posted on the City's web site. Each advisory group has a City employee as a liaison along with support staff, who are also City employees. The City bears the cost of each advisory group and their support staff.

Is there a "sunset" provision in place?

The Jury determined that no provision exists for eliminating advisory groups that may have outlived their usefulness. As a result, bureaucratic inertia may set in and the committees just continue in existence, accomplishing nothing other than expending the time of support staff and tax payer money. The Jury recommends City Council review the functioning of the committees and their mandates every five years.

Are all of these committees necessary? Do their mandates overlap?

The Jury's answer to the first question is, probably not, but this decision is up to the City Council. The community may not need, for example, separate advisory committees for Airport Public Art oversight, Arts Advisory (except the airport), and oversight of the Arts and Crafts show. The purpose of the website is to provide data to prospective volunteer committee members to help them decide whether to apply. On the other hand the Water Commission site is well done and contains much useful information.

FINDINGS AND RECOMMENDATIONS

Finding 1

The City of Santa Barbara has at least 38 commissions, committees, and boards, some of which may have outlived their purpose. No review process exists concerning their relevance.

Recommendation 1 (Sunset Rule)

That the City of Santa Barbara City Council review at least every five years the functioning, productivity, and relevance, of all advisory groups and continue, merge, or delete their mandates.

Finding 2

The City of Santa Barbara's website does not make a clear distinction between decision making and advisory bodies.

CITY OF SANTA BARBARA

Recommendation 2

That the City of Santa Barbara City Council makes a clear distinction which Committees and Boards have decision-making mandates and those that are advisory only to the City of Santa Barbara City Council.

Finding 3

The City of Santa Barbara's website does not contain current information about committees, boards, and commissions.

Recommendation 3

That the City of Santa Barbara City Council update the section of the website dealing with committees, boards, and commissions.

REQUEST FOR RESPONSE

Pursuant to *California Penal Code Section 933 and 933.05*, the Santa Barbara County Grand Jury requests the Santa Barbara City Council to respond to the enumerated findings and recommendations within the 90 day statutory time limit:

City of Santa Barbara City Council – 90 days

Findings: 1, 2, and 3

Recommendations: 1, 2, and 3



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Increase In Construction Change Order Authority For The Charles E. Meyer Desalination Facility

RECOMMENDATION: That Council

- A. Increase appropriations and estimated revenues in the State Revolving Fund (SRF) Loan by \$3,950,000 to cover the costs of the proposed contracts and City staff costs related to the reactivation of the Charles E. Meyer Desalination Facility, funded from an expected increase in the SRF loan;
- B. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra work for the contract for the Charles E. Meyer Desalination Facility with IDE Americas, Inc., Contract No. 25,221, in the amount of \$3,750,000, for a total Project expenditure authority of \$51,351,654; and
- C. Authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for extra services for the contract for Owner Support Services for the Charles E. Meyer Desalination Facility with Carollo Engineers, Inc., Contract No. 25,222, in the amount of \$125,000, for a total Project expenditure authority of \$2,423,782.

DISCUSSION:

Background

The City's 2011 Long Term Water Supply Plan (LTWSP) included the Charles E. Meyer Desalination Facility (Desal Facility), which was completed in March 1992, and put into long-term standby mode in 1997. The Desal Facility was included in the plan as a recognized drought water supply. The City is currently experiencing a drought condition that is drier than the historic drought of record, which was used as the drought planning basis of the LTWSP. As a result of continued dry conditions, Council awarded a contract on July 21, 2015, to IDE Americas, Inc. (IDE), to reactivate the Desal Facility. The reactivation will ensure the community continues to have sufficient uninterrupted drinking water supplies, should drought conditions continue beyond 2016.

Council Agenda Report

Increase In Construction Change Order Authority For The Charles E. Meyer Desalination Facility

August 2, 2016

Page 2

Current Status

Onsite construction for the reactivation of the Desal Facility started in September 2015. To date, foundations have been completed for all equipment, and all underground piping and electrical conduits have been installed at the Desal Facility. The reverse osmosis skids have been delivered and set in place. Work continues on the above-ground piping and electrical conduits for the skids. The power distribution center for the Desal Facility is in place and the electrical tie-in work continues. The foundations for the switchgear that supplies power from the Southern California Edison (SCE) substation and the new transformer for the El Estero Wastewater Treatment Plant are complete. The final tie-over for electrical power is scheduled for the end of August. The marine work to install the intake pumps began at the end of July and will take a few months to complete.

There have been several large project change orders, which are summarized in the table below:

Change Order to Date for IDE Contract

Item	Description	Change Order Costs	Change Order Allowance
Change Order/Allowance	Original Change Order Allowance with IDE Contract		\$3,394,420
Contaminated Soils	Testing, planning, removal and disposal of contaminated soils – totals through April and including Project acceleration	\$2,045,841	
Contaminated Soils	Increase in IDE contract		\$2,300,000
SCE changes	Unable to use SCE facilities - install a separate pullbox and conduit for the Desal Facility and El Estero electrical	\$631,081	
Direct Bury Electric	Electrical line to the pump station found to be encased in concrete, preventing removal for replacement – installation of approximately 1700 feet of new electrical cable required.	\$615,723	
Brine Box Modifications	Remove work from the Environmentally Sensitive Habitat area buffer and obtain a Coastal Development permit for work that cannot be removed. Install a backflow device to prevent brine from entering the secondary effluent sampler.	\$569,744	
Other	SCADA/communication	\$262,175	
TOTAL		\$4,124,564	\$5,694,420

Council Agenda Report

Increase In Construction Change Order Authority For The Charles E. Meyer Desalination Facility

August 2, 2016

Page 3

Several new items described below have potentially large associated change orders and will require an increase in project funding:

- At the main Desal Facility site, debris found in the contaminated soils necessitated that the contractor use a different method of shoring that required more soil removal than planned for the installation of underground piping and electrical conduit. Some foundation areas needed to be over-excavated and additional backfill had to be imported to achieve the appropriate soil compaction. The areas where storm water features were planned needed to be extended and excavated to groundwater level per the Santa Barbara County environmental codes to ensure there were no contaminated soils in the percolation areas. Additional contaminated soils were found at the pump station site, as well as the areas for the electrical conduit run to the pump station and the brine box.
- In preparing to replace the electrical cable that runs from the pump station area to the ocean, it was discovered that two of the four transition fittings along the length of the intake pipeline have failed and need replacing. It is anticipated that two other transition fittings, one located in the beach and the other in the ocean, will also need replacing. The ocean work is scheduled to take place in early August. Work to expose the transition fitting in the beach has been approved by the Coastal Commission, but the work cannot take place until the work area is clear of the spawning Grunion.

The table below summarizes the costs for the remaining work:

Estimated Change Order for IDE Contract

Item	Description	Change Order Costs	Change Order Allowance
Remaining Change order			\$1,569,856
Additional Contaminated Soils	Additional Contaminated soils at the in Desal Facility, Pump Station and El Estero work area	\$1,900,000	
Transition Pieces	Replace four intake pipeline transition fittings (two are known to be damaged)	\$2,255,000	
Other Identified Items	Sewer lines, pressure testing, chemical tank rehab, sump repair, SCE costs	\$650,000	
Other Unidentified Items		\$500,000	
Total		\$5,305,000	
Anticipated amount needed			\$3,735,144

The increase in the contract for IDE was rounded up to \$3,750,000 based on the uncertainty of the potential change order items.

With the contaminated soils delay, the original completion date of mid-October, was changed to the beginning of November. However, because of the unknown conditions noted above, the project completion date could be delayed to January 2017, meaning water production from the Desal Facility may not be available until the end December.

In addition to the increase in the contract for IDE, staff is recommending a \$125,000 increase in the contract with Carollo Engineers, who are providing owner-support services for the City on the project. While extra funds were obtained with the original contaminated soils delay, the extra work described above has required unanticipated permit review, inspections, schedule analysis and administrative duties.

Additional funds of \$75,000 are also recommended for engineering staff time. No additional funds were obtained with the original contaminated soils delay. The unanticipated work has required additional environmental work, preparation for Architectural Board of Review, and change order review and administrative duties.

BUDGET/FINANCIAL INFORMATION:

The following summarizes the additional expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY FOR IDE

	Base Contract	Previous Change Order (including increases)	Proposed Change Order	Total
IDE	\$43,437,234	\$4,164,420	\$3,750,000	\$51,351,654
Carollo	\$2,032,622	\$266,160	\$125,000	\$2,423,782
Staff	\$255,739	\$0	\$75,000	\$330,739

Once the need for additional water and/or negotiations with the Montecito Water District have concluded, staff will work with the State Water Resources Control Board to increase the State Revolving Fund Loan to cover these additional costs. Initial discussions about increasing the amount of the loan have been favorable. If the State loan cannot be increased, there are sufficient reserve funds in the Water Fund to cover the increased costs.

PREPARED BY: Brian D'Amour, P.E., City Engineer/LS/kts
SUBMITTED BY: Rebecca J. Bjork, Public Works Director
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 2016

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Authorization For Agreement For Legal Services With Colantuono, Highsmith & Whatley, PC

RECOMMENDATION:

That Council authorize the City Attorney to execute a legal services agreement with Colantuono, Highsmith & Whatley, PC, in an amount not to exceed \$75,000, for special counsel services relating to utility rates.

DISCUSSION:

Local agencies must comply with the substantive and procedural requirements of Proposition 218, approved by the voters in 1996 (Cal. Constitution art. XIII D), before they can impose fees and charges for services, including water and sewer fees.

Colantuono, Highsmith & Whatley, PC is recognized in California as a top quality law firm on Proposition 218. The City Attorney's Office has worked with the Colantuono firm on several tax related matters and recommends that Council authorize the City Attorney to execute a legal services agreement in a not to exceed amount of \$75,000 to assist the City Attorney's Office.

SUBMITTED BY: Ariel Pierre Calonne, City Attorney

APPROVED BY: Ariel Pierre Calonne, City Attorney

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Capital Improvement Program Annual Report For Fiscal Year 2016

RECOMMENDATION:

That Council accept the Capital Improvement Program Annual Report for Fiscal Year 2016.

DISCUSSION:

The attached report includes recent highlights for selected Capital Improvement Program (CIP) projects. The projects are divided based on degree of completion.

There were 14 CIP projects completed since the mid-year CIP Status Report in March 2016. The total investment in City infrastructure for these projects is approximately \$9.2 million. The attached CIP Annual Report highlights several completed projects, including the Low Impact Development Streets, Sidewalks and Alleys (Phase 1), Marina One (Phase 6), and Highway Safety Improvement Program (HSIP) Pedestrian Crosswalk Enhancements.

There are 31 CIP projects currently in the construction phase. This includes initial contract execution and submittal review on the front end, all the way through final acceptance and invoicing. The total construction contract cost for these projects is approximately \$99 million. The attached CIP Annual Report highlights several construction phase projects, including Traffic Signals Upgrades, Quarantina Street Permeable Paver Project, Wastewater Treatment Plant Secondary Process Improvements, and Fire Department Training Props Installation. CIPs currently under construction are summarized by the number and cost within each program area on the attached report.

There are 37 CIP projects currently in the design phase. The total investment in City infrastructure for these projects is approximately \$77 million. The attached CIP Annual Report highlights several design phase projects, including Zone 3 (Westside Neighborhood) Pavement Maintenance, Las Positas/Cliff Drive Roundabout, and On-Call Water Main Design. CIP projects currently in design are summarized by the number and cost within each program area in the attached report.

ATTACHMENT: Capital Improvement Program Annual Report for Fiscal Year 2016

PREPARED BY: Brian D'Amour, City Engineer/TB

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

CAPITAL IMPROVEMENT PROJECTS ANNUAL REPORT Fiscal Year 2016

INTRODUCTION

Purpose and Scope

This Capital Improvement Program (CIP) Report summarizes the City's delivery of the Six-Year CIP for the period covering Fiscal Year 2016. This report highlights progress made on a selection of significant projects within various program areas.

City of Santa Barbara



2016-2021 Capital Improvement Program
February 2015

PROJECT HIGHLIGHTS

Completed Construction Projects

Fourteen projects were completed in the third and fourth quarter of Fiscal Year 2016, from January through June 2016 (see Table 1). The following are highlights of specific projects completed in that period:

- Low Impact Development (LID) Streets, Sidewalks, and Alleys Phase 1:**
 The completed project consisted of installing over 23,000 square feet of permeable concrete pavers in the sidewalks around Alice Keck Park Memorial Gardens and the Parks and Recreation Department's service road at Plaza de Vera Cruz. The project was designed to capture and treat the volume of storm water generated from a 1-inch 24-hour storm event. The project will be used as an example of a Best Management Practice that meets the City's Storm Water Management Program requirements and can be installed almost anywhere there is existing hardscape. This project received 80 percent of its funding through the Proposition 84 Storm Water Grant Program, with the remainder being funded by Measure B.



- **Marina One Phase 6:** The completed project consisted of replacement of the docking system and its associated utilities for the H and I fingers (Phase 6) in Marina One. Funding was provided by a low interest loan from the Division of Boating and Waterways.



- **Highway Safety Improvement Program (HSIP) Pedestrian Crosswalk Enhancements:** The completed project consisted of installing new rectangular rapid flashing beacons, streetlights, underground conduits, pedestrian access ramps, curb and gutter, a curb extension, and painted poles and decorative bases. New rectangular rapid flashing beacons were installed at Cabrillo Boulevard at Corona Del Mar. A new curb extension and center median was installed at State Street and Calle Palo Colorado, along with new pedestrian access ramps and new rectangular flashing beacons. New rectangular rapid flashing beacons and improved intersection lighting were installed at State and Islay Streets and also at State and Pedregosa Streets. This project was funded primarily through \$493,500 in grant funds.

Before



After



Table 1 shows the completed capital projects for the third and fourth quarter.

Table 1

Project Name	Design Costs	Construction Costs	Total Project Costs
North General Aviation Ramp Pavement Panel Replacement	\$35,000	\$402,438	\$437,438
On Call Sewer Main Pt. Repairs Fiscal Year 15	\$16,206	\$273,838	\$290,044
Vic Trace Pavement Repairs	\$6,734	\$49,906	\$56,640
LID Streets, Sidewalks, and Alleys Phase 1	\$82,810	\$1,099,065	\$1,181,875
Sanitary Sewer Cleaning Fiscal Year 16	\$0	\$168,865	\$168,865
El Estero Digester High Performance Coating	\$3,397	\$222,955	\$226,352
Marina One Replacement Phase 6	\$94,457	\$1,479,226	\$1,573,683
CDBG 2015-16 Westside Access Ramps	\$34,535	\$238,463	\$272,998
EEWWTP Sodium Hypochlorite Line Replacement	\$70,992	\$144,456	\$215,448
Elings Park Recycled Water Pump	\$119,152	\$487,782	\$606,934
EEWWTP FOG Odor Control System Replacement	\$109,162	\$75,593	\$184,755
Interior Coating Reservoir #1	\$16,928	\$434,959	\$451,887
Zone 2 Pavement Preparation	\$137,194	\$2,711,804	\$2,848,998
HSIP Pedestrian Crosswalk Enhancement	\$161,918	\$567,239	\$729,157
TOTAL	\$888,485	\$8,356,589	\$9,245,074

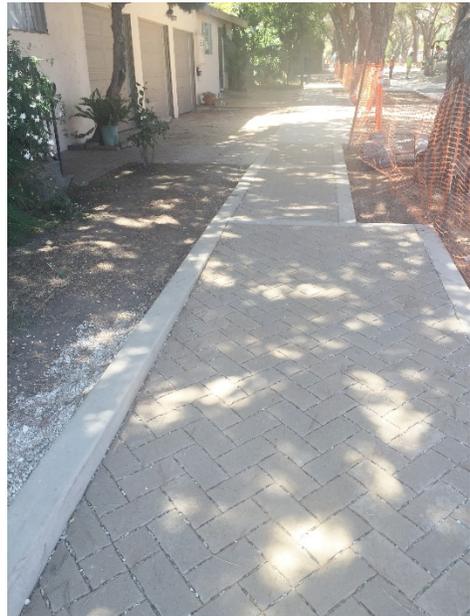
Construction Projects In Progress

Currently, there are 31 projects under construction, with an approximate construction contract value of nearly \$100 million (see Table 2). The following are highlights of construction projects in progress:

- **HSIP Traffic Signals:** The upgrades of 41 intersections is nearing completion. The project includes larger and more visible traffic signals and new access ramps at eight intersections. The intersection upgrades will benefit pedestrians. This project is 90 percent grant funded.



- **LID – Quarantina Street Permeable Paver Project:** Phase I has been completed. It consisted of the installation of permeable pavers on sidewalks along the west side of 700 and 800 Block of Quarantina Street. This project is 80 percent funded through the Proposition 84 Storm Water Grant Program, with the remaining 20 percent from Measure B.



- **Secondary Process Improvements:** The project began in May 2016, and the mobilization and potholing has been completed. The project will address various longstanding issues and will result in a higher quality of treated effluent discharged into the Pacific Ocean. The project is funded through a low-interest State Revolving Fund loan. The loan will be repaid from wastewater rate revenues.



- **Fire Department Training Props Installation:**

This Public Works Facilities project consisted of installing two custom-built steel fire training structures on the existing fire training site. The project consisted of significant site preparation, including grading and extensive storm water management improvements prior to placing and securing the custom-built steel fire training structures. Work began in April 2014, and was substantially completed and put into use in November 2015. The project has greatly improved the training capabilities of the Santa Barbara Fire Department. Funding for this project included City funds, Fire Training funds, and a significant donation from the Santa Barbara Fire Alliance.



Table 2 shows the Capital Improvement Projects currently in construction.

Table 2

PROJECT CATEGORY	CONSTRUCTION IN PROGRESS	
	No. of Projects	Construction Contract Costs
Airport	1	\$347,853
Downtown Parking	1	\$126,998
Facilities	1	\$400,000
Successor Agency to the Redevelopment Agency of the City of Santa Barbara	1	\$463,558
Public Works: Streets/Bridges	3	\$26,288,377
Public Works: Streets/Transportation	6	\$2,847,035
Public Works: Water/Wastewater	12	\$68,080,628
Waterfront	6	\$1,305,000
TOTAL	31	\$99,859,449

Design Projects In Progress

In addition to the projects in construction, there are currently 37 projects in design, with an estimated total project cost of approximately \$77 million (see Table 3).

The projects are scheduled to be funded over several years, as generally shown in the City's Six-Year CIP Report. The projects rely on guaranteed or anticipated funding and grants.

The following are design project highlights.

- **Zone 3 Pavement Preparation:** This project consists of \$3 million of grind and overlay on various streets primarily focused in the Westside Neighborhood, but extending to include critical streets in other neighborhoods. Construction is anticipated to begin in August 2016.



- **Las Positas/Cliff Drive Roundabout:** Design is complete, and the project is currently being advertised. Construction is anticipated to begin in October 2016, and last approximately five months, depending on weather. Construction of the roundabout is being timed to follow construction of the new sewer force main in the area.



- **On-Call Water Main Design Project:** The On-Call Water Main Design contract has been executed. The consultant is currently working on designs for Castillo Street, Calle Cesar Chavez, and one block of State Street.

Table 3 shows the Capital Improvement Projects currently in design.

Table 3

PROJECT CATEGORY	DESIGN IN PROGRESS	
	No. of Projects	Total Value of Projects
Airport	1	\$8,700,000
Downtown Parking	2	\$749,395
Other	1	\$300,000
Parks and Recreation	1	\$9,100,000
Facilities	1	\$749,000
Public Works: Streets/Bridges	7	\$31,813,655
Public Works: Streets/Transportation	13	\$10,179,544
Public Works: Water/Wastewater	11	\$15,246,066
TOTAL	37	\$76,837,660

SUMMARY

Significant progress has been made with the construction of several bridge projects, with several more approaching a potential spring 2017 start date. Work is ongoing to reactivate the desalination plant. These large capital projects, combined with smaller, more routine CIP projects, have resulted in a continued elevated workload. Despite these projects, there remains a significant deferred maintenance backlog as well with many unfunded CIP projects. City staff continue to explore alternative funding sources to meet these needs.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 2, 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 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