

**CITY OF SANTA BARBARA  
CITY COUNCIL  
REDEVELOPMENT AGENCY**

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*City Attorney/Agency Counsel*

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

**APRIL 21, 2009  
AGENDA**

**ORDER OF BUSINESS:** Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council and Redevelopment Agency meetings begin 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 Council/Redevelopment Agency 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 Council/Redevelopment Agency meeting, and at the beginning of each special Council/Redevelopment Agency meeting, any member of the public may address them concerning any item not on the Council/Redevelopment Agency 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 Council/Redevelopment Agency. Should Council/Redevelopment Agency business continue into the evening session of a regular Council/Redevelopment Agency meeting at 6:00 p.m., the Council/Redevelopment Agency 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 Council/Redevelopment Agency, 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 Council/Redevelopment Agency 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 Council/Redevelopment Agency.

**CONSENT CALENDAR:** The Consent Calendar is comprised of items that will not usually require discussion by the Council/ Redevelopment Agency. A Consent Calendar item is open for discussion by the Council/Redevelopment Agency upon request of a Council/Agency Member, 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/Redevelopment Agency considers the Consent Calendar.

**AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

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

## **ORDER OF BUSINESS**

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

### **SPECIAL ORDINANCE COMMITTEE MEETING - 12:00 P.M. IN THE COUNCIL CHAMBER (120.03)**

#### **Subject: Tree Preservation Policy Recommendations**

Recommendation: That the Ordinance Committee consider proposed amendments to Municipal Code Chapters 15.20 and 15.24 pertaining to tree preservation and forward the ordinance amendments to the City Council for introduction and adoption.

### **FINANCE COMMITTEE MEETING - 12:30 P.M. IN THE DAVID GEBHARD PUBLIC MEETING ROOM (120.03)**

#### **Subject: Proposed Finance Committee Review Schedule For Fiscal Year 2010 Recommended Budget**

Recommendation: That the Finance Committee consider and approve the proposed Finance Committee review schedule and topics related to the Fiscal Year 2010 Recommended Budget.

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

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**CEREMONIAL ITEMS**

- 1. Subject: Proclamation Declaring The Week Of April 19-26, 2009, As Days Of Remembrance In Memory Of The Victims Of The Holocaust (120.04)**

**CHANGES TO THE AGENDA**

**PUBLIC COMMENT**

**CONSENT CALENDAR**

**CITY COUNCIL**

- 2. Subject: City Of Santa Barbara 2009 Legislative Platform (160.02)**

Recommendation: That Council:

- Adopt the proposed City of Santa Barbara 2009 Legislative Platform; and
- Authorize the Mayor, her designee in her absence, and staff, acting on behalf of the City of Santa Barbara, to contact state and federal representatives and send letters to advocate positions consistent with the goals of the City's Legislative Platform.

- 3. Subject: Lease Agreement For Primo Boxing Club/Say Yes To Kids (330.04)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a five-year lease agreement for the Haley Street Youth Sports Center with Primo Boxing Club/Say Yes to Kids.

## CONSENT CALENDAR (CONT'D)

### CITY COUNCIL (CONT'D)

**4. Subject: Contract For Design Services For The Carrillo/Anacapa Intersection Traffic Safety Improvements Project (530.05)**

Recommendation: That Council authorize the Public Works Director to execute a contract with Penfield & Smith (P&S) in the amount of \$29,750 for design services for the Carrillo/Anacapa Intersection Traffic Safety Improvements Project (Project), and authorize the Public Works Director to approve expenditures of up to \$2,975 for extra services of P&S that may result from necessary changes in the scope of work.

**5. Subject: Adoption Of Ordinance For Amendments To The 2007 Fire Code (520.03)**

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Subsection E of Section 8.04.020 and Subsections C and D of Section 22.04.020 of the Santa Barbara Municipal Code Concerning Local Requirements for the Installation of Automatic Fire Sprinklers.

**6. Subject: Introduction Of Ordinance For Attornment Agreement With H. Oliver Dixon, Inc., And Business First Bank (330.04)**

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute an attornment agreement between the City of Santa Barbara, as Lessor, H. Oliver Dixon, Inc., as Lessee, and Business First Bank, a Division of Heritage Oaks Bank, as Lender, pertaining to Lease Agreement No. 21,810, dated November 1, 2005; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Attornment Agreement Between the City of Santa Barbara, as Lessor, H. Oliver Dixon, Inc., as Lessee, and Business First Bank, a Division of Heritage Oaks Bank, as Lender, Pertaining to Lease Agreement No. 21,810 dated November 1, 2005.

**7. Subject: Easements At The Airport (330.03)**

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute the Second Amendment of Avigation, Noise, and Runway Protection and Navigational Aids Easement between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, as Grantor, substituting a Revised Exhibit 6 to the 2001 Easement, at the Airport;

(Cont'd)

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

### CITY COUNCIL (CONT'D)

#### **7. (Cont'd)**

- B. Approve and authorize the City Administrator to execute the Grant of Access Easements between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, as Grantor, to provide access to the westerly-most Federal Aviation Administration navigational aid; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting the Grant of Access Easements on Real Property Known as Coromar Drive and Discovery Drive (Assessor's Parcel No. 073-450-005).

### NOTICES

- 8. The City Clerk has on Thursday, April 16, 2009, 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.
- 9. Recruitment for City Advisory Groups:
  - A. The City Clerk's Office will accept applications through Friday, May 22, 2009, at 5:00 p.m. to fill current vacancies on various City Advisory Groups, scheduled vacancies on the Central Coast Commission for Senior Citizens, Living Wage Advisory Committee, Single Family Design Board, and Housing Authority Commission, and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Wednesday, May 6, 2009;
  - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, June 2, 2009, at 4:00 p.m. (Estimated Time), Tuesday, June 9, 2009, at 6:00 p.m., and Tuesday, June 16, 2009, at 4:00 p.m. (Estimated Time);
  - C. The City Council Subcommittee will conduct interviews of applicants for vacancies on the Lower Westside and Westside Center Advisory Committees on Wednesday, June 17, 2009, at 7:00 p.m. at the Franklin Neighborhood Center, 1136 E. Montecito Street; and
  - D. The City Council will make appointments to fill the vacancies on various City Advisory Groups on Tuesday, June 30, 2009.
- 10. A City Council site visit is scheduled for Monday, April 27, 2009, at 1:30 p.m. to the property located at 1900 Lasuen Road, El Encanto Hotel and Garden Villas, which is the subject of an appeal hearing set for April 28, 2009, at 2:00 p.m.

**This concludes the Consent Calendar.**

## REPORT FROM THE ORDINANCE COMMITTEE

## REPORT FROM THE FINANCE COMMITTEE

## CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

### ADMINISTRATIVE SERVICES DEPARTMENT

**11. Subject: Set A Date For Public Hearing Regarding Appeals Of Architectural Board Of Review Preliminary Approval For 1298 Coast Village Road (640.07)**

Recommendation: That Council set the date for hearing the appeals filed by 1) Save Coast Village Road and 2) Anthony Fischer, Attorney, representing Protect Our Village, of the Architectural Board of Review Preliminary Approval of an application for property owned by Olive Oil & Gas, LP, and located at 1298 Coast Village Road.

(Continued from April 14, 2009, Item No. 13)

### FINANCE DEPARTMENT

**12. Subject: Fiscal Year 2010 Recommended Operating And Capital Budget (230.05)**

Recommendation: That Council:

- A. Accept the Fiscal Year 2010 recommended Operating and Capital Budget;
- B. Hear a report from staff in connection with the filing of the Fiscal Year 2010 recommended budget; and
- C. Approve the proposed public hearing schedule and review schedule for the presentation of the recommended budget.

## REDEVELOPMENT AGENCY REPORTS

**13. Subject: Report On The Vacant Storefront Art Program**

Recommendation: That the Redevelopment Agency Board receive a report on the Agency-funded Vacant Storefront Art Program.

## COUNCIL AND STAFF COMMUNICATIONS

## COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

## CLOSED SESSIONS

### 14. Subject: Conference With Real Property Negotiator (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of section 54956.8 of the Government Code to consider instructions to City staff and the City Attorney regarding potential lease negotiations with Cushman & Wakefield and Hayes Commercial Group for a four-acre parcel of real property located at 6100 Hollister Avenue at the Airport, bounded by Hollister Avenue, Frederic Lopez Road, Francis Botello Road and David Love Place, owned by the City of Santa Barbara (Parcel 22 of the Airport Specific Plan Map [City Parcel Map No. 20,608]). City Negotiators are: Karen Ramsdell, Airport Director; Paul Casey, Community Development Director; Sarah Knecht, Assistant City Attorney.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

### 15. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Landslide Repair Foundation v. City of Santa Barbara, SBSC Number 1304297.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

### 16. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: Robert Markmann v. City of Santa Barbara, WCAB, Case Number ADJ 1863783.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

### 17. Subject: Conference With Legal Counsel - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: Rudolph Moreno v. City of Santa Barbara, WCAB, Case Numbers ADJ 3706676 and ADJ 4345221.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

## ADJOURNMENT

To Monday, April 27, 2009, at 1:30 p.m. at the property located at 1900 Lasuen Road.  
(See Agenda Item No. 10)

CITY OF SANTA BARBARA

**ORDINANCE COMMITTEE**

SPECIAL MEETING AGENDA

DATE: April 21, 2009  
TIME: 12:00 p.m.  
PLACE: Council Chambers

Das Williams, Chair  
Dale Francisco  
Grant House

Office of the City  
Administrator

Office of the City  
Attorney

Nina Johnson  
Assistant to the City Administrator

Stephen P. Wiley  
City Attorney

**ITEM FOR CONSIDERATION**

**Subject: Tree Preservation Policy Recommendations**

Recommendation: That the Ordinance Committee consider proposed amendments to Municipal Code Chapters 15.20 and 15.24 pertaining to tree preservation and forward the ordinance amendments to the City Council for introduction and adoption.



# CITY OF SANTA BARBARA

## ORDINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** April 21, 2009

**TO:** Ordinance Committee

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

**SUBJECT:** Tree Preservation Policy Recommendations

### RECOMMENDATION:

That the Ordinance Committee consider proposed amendments to Municipal Code Chapters 15.20 and 15.24 pertaining to tree preservation and forward the ordinance amendments to the City Council for introduction and adoption.

### EXECUTIVE SUMMARY:

On December 9, 2008, the City Council referred proposed revisions to the City's Tree Preservation policies and enforcement procedures to the Ordinance Committee for further consideration. The City Council also requested recommendations from the Street Tree Advisory Committee (STAC) and the Park and Recreation Commission regarding the use of American National Standards Institute (ANSI) A300 Pruning Standards and Best Management Practices (BMPs) in the City's regulation of trees. At its regular meeting on March 5, 2009, the STAC considered whether the ANSI A300 Pruning Standards are appropriate for use as the City's standard for enforcement, the benefits to the urban forest of strengthening the City's enforcement standard, and the challenges of determining violations if the amount of foliage is the measure. In addition to concurring with other amendments proposed by staff, the STAC recommended additional amendments, including: 1) define a substantial alteration as a reduction of the height and/or spread of the tree crown by more than  $\frac{1}{4}$  in a 12-month period, 2) require that work by permit on City-owned trees is in conformance with the ANSI A300 Pruning Standards and BMPs, and 3) add a new section in Chapter 15.24 referencing the ANSI A300 Pruning Standards and BMPs and encouraging their use. At its regular meeting on March 25, 2009, the Park and Recreation Commission considered and concurred with the proposed amendments, including the STAC recommendations.

## **DISCUSSION:**

On December 9, 2008, the City Council received a presentation on the Tree Preservation and Landscape Plan Maintenance Policies and Enforcement Procedures Review and referred the proposed revisions to the Municipal Code to the Ordinance Committee for further consideration. The City Council also requested that staff seek recommendations from the STAC and the Park and Recreation Commission regarding the use of ANSI A300 Pruning Standards and BMPs in the City's regulation of trees.

This staff report briefly discusses the ANSI A300 Pruning Standards and BMPs (included as Attachment 1), outlines the recommendations of the STAC and the Park and Recreation Commission regarding the use of the ANSI A300 Pruning Standards and BMPs, and presents the proposed amendments to Municipal Code Chapters 15.20 and 15.24 (included as Attachment 2). The report also reviews the proposed fine schedule, and proposed education and outreach efforts to increase public knowledge and understanding of City tree preservation rules. The Community Development Department will provide the Ordinance Committee with the landscape maintenance policy recommendations at a later date.

### ANSI A300 Pruning Standards and BMPs

ANSI publishes standards for use in many different industries. The ANSI A300 Pruning Standards for tree care operations are intended for use as guidelines for federal, state, municipal, and private authorities including property owners, property managers, and utilities in drafting maintenance specifications. The ANSI A300 Pruning Standards includes definitions of pruning techniques as well as pruning tools, tree structure, and tree professional categories. The Parks and Recreation Department currently uses these standards when preparing contract specifications for tree pruning work, or as mitigation measures when appropriate for tree trimming violations. Forestry staff also uses these standards as a guideline for City tree pruning practices.

The BMPs document is published to help interpret and implement the ANSI A300 Pruning Standards. The BMPs document defines several types of pruning techniques and describes where to make cuts related to the anatomical structure of the tree. The purpose of the BMPs document is to establish a common description of preferred pruning styles and methods.

### STAC Discussion and Recommendations

At its regular meeting on March 5, 2009, the STAC reviewed and discussed the ANSI A300 Pruning Standards and BMPs as potential tools for the enforcement of the City's regulations related to private trees. Included as Attachment 3, the STAC staff report outlines the key issues for discussion.

Chapter 15.24, Preservation of Trees, regulates the management and removal of trees on private property located in the front setback or, where required, in parking lots. As currently written, section 15.24.020 of Chapter 15.24 prohibits the cutting down or otherwise destroying a tree without a permit. The term “cut down or otherwise destroy” is defined as cutting a tree down or pruning a tree in such a way that its natural character is significantly altered or its overall size is reduced by more than  $\frac{1}{3}$ . This definition establishes violations and defines the scope of pruning that is allowed without a permit. By contrast, one of the provisions of the ANSI A300 Pruning Standard recommends that no more than  $\frac{1}{4}$  of a tree’s foliage be removed within an annual growing cycle.

Staff has proposed revisions to Chapter 15.24 that include the replacement of the term “cut down or otherwise destroy” with the term “remove or significantly alter”. As proposed by staff, a significant alteration was defined as either a significant alteration of the tree’s natural character or the reduction of the height and/or spread of the tree crown by more than  $\frac{1}{3}$  in a 12-month period.

The STAC considered the following topics regarding the City’s ordinance:

1. Should the ANSI A300 Pruning Standards and BMPs be incorporated by reference as the City’s tree preservation enforcement standard?
2. Should the City standard allow a reduction of up to  $\frac{1}{3}$  without a permit or should the limit be set at a reduction of no more than  $\frac{1}{4}$ ?
3. Should the City’s ordinance be based on the size of the tree crown or the amount of foliage removed?

The STAC considered whether the ANSI A300 Pruning Standards are appropriate for use as the City’s standard for enforcement, the benefits to the urban forest of strengthening the City’s enforcement standard, and the challenges of determining violations if the amount of foliage is the measure. There was also discussion regarding how the ANSI A300 Pruning Standards and BMPs could be referenced in Chapters 15.20 and 15.24 even if they were not adopted as the enforcement standard. In addition to concurring with other amendments proposed by staff, the STAC made the following specific recommendations:

1. Amend Municipal Code 15.24.010.G to define a substantial alteration as a reduction of the height and/or spread of the tree crown by more than  $\frac{1}{4}$  in a 12-month period.
2. Amend Section 15.20.130 to require that work by permit on City-owned trees is in conformance with the ANSI A300 Pruning Standards and BMPs.

3. Add a new section to Chapter 15.24 referencing the ANSI A300 Pruning Standards and BMPs and encouraging their use by the public in the maintenance of private trees.

#### Park and Recreation Commission Recommendations

At its regular meeting on March 25, 2009, the Park and Recreation Commission considered and concurred with the STAC recommendations and the other proposed amendments to Chapters 15.20 and 15.24.

#### Penalties for Tree Violations

As discussed with City Council on December 9, 2008, staff is recommending that the City establish significant penalties for tree violations. The current administrative fine of \$100 per tree violation is not an adequate deterrent. It is anticipated that higher fines, in addition to requiring corrective action (rehabilitation or replacement of trees that are affected), will achieve greater compliance. Staff developed and presented the proposed schedule to Council in December 2008.

Action without or in violation of a permit	Trunk diameter from 4" up to 12"	Trunk diameter over 12" and up to 24"	Trunk diameter over 24"
Pruning Offense	Up to \$500	Up to \$1,000	Up to \$1,000
Removal	Up to \$1,000	Up to \$3,000	Up to \$5,000

The proposed schedule establishes maximum fines and allows flexibility to differentiate between minor violations and more significant or repeated violations. The proposed fine schedule and corrective action requirements will be incorporated in a resolution for adoption by the City Council.

#### Other Proposed Amendments

In addition to the changes proposed for the enforcement of private setback and parking lot trees, the proposed amendments to Chapters 15.20 and 15.24 (as presented to City Council on December 9, 2008) include the following:

1. Formalization of the role of the Street Tree Advisory Committee in permitting procedures. (Sections 15.20.110 and 15.24.040)
2. Requiring compliance with the ANSI A300 Pruning Standards and BMPs as a requirement for permitted work on City trees by private individuals or companies. (Section 15.20.130.B)

3. Setting the height where trunk width is measured in a manner consistent with industry practice. (Section 15.24.030.A)
4. Clarifying which trees will be considered setback trees when only a portion of the trunk lies in the front setback. (Section 15.24.020)
5. Accommodating tree maintenance activities on private property when the work is being done pursuant to an order from the Fire Department to maintain defensible space or to comply with the City's Wildland Fire Plan. (Section 15.24.030.E)

### Education and Information Programs

In addition to the proposed amendments to the City's tree preservation policies, Staff proposes to implement a voluntary education program and expand the City's website in order to educate property owners and industry professionals on the City's rules and regulations regarding tree preservation. The Parks and Recreation Department will provide training on the Municipal Code requirements once per year to landscape companies and tree care professionals. The City's web site will be expanded to include a specific page related to tree preservation policies and educational resources.

### **SUSTAINABILITY IMPACT:**

Tree preservation and landscape plan maintenance policies are essential tools for the maintenance of a healthy urban forest and provide community aesthetic benefits. Updated policies will provide long-term protection for the City's urban forest which provides community energy conservation, water quality, air quality, and wildlife habitat benefits.

NOTE: Attachment 1 is available for public review online at <http://www.santabarbaraca.gov/CAP/> and in the City Clerk's Office.

- ATTACHMENTS:**
1. 2008 ANSI A300 Pruning Standards and BMPs
  2. Proposed Ordinance Revisions to Municipal Code Chapters 15.20 and 15.24
  3. Street Tree Advisory Committee Staff Report, March 5, 2009

**PREPARED BY:** Jill E. Zachary, Assistant Parks and Recreation Director  
Scott Vincent, Assistant City Attorney

**SUBMITTED BY:** Nancy L. Rapp, Parks and Recreation Director

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

# American National Standard

*for Tree Care Operations —  
Tree, Shrub, and Other Woody Plant  
Management —  
Standard Practices (Pruning)*

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for Tree Care Operations —  
Tree, Shrub, and Other Woody Plant Management —  
Standard Practices (*Pruning*)

Secretariat  
Tree Care Industry Association, Inc.

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## **American National Standard**

Approval of an American National Standard requires review by ANSI that the requirements for due process, consensus, and other criteria for approval have been met by the standards developer.

Consensus is established when, in the judgement of the ANSI Board of Standards Review, substantial agreement has been reached by directly and materially affected interests. Substantial agreement means much more than a simple majority, but not necessarily unanimity. Consensus requires that all views and objections be considered, and that a concerted effort be made toward their resolution.

The use of American National Standards is completely voluntary; their existence does not in any respect preclude anyone, whether he has approved the standards or not, from manufacturing, marketing, purchasing or using products, processes or procedures not conforming to the standards.

The American National Standards Institute does not develop standards and will in no circumstances give an interpretation of any American National Standard. Moreover, no person shall have the right or authority to issue an interpretation of an American National Standard in the name of the American National Standards Institute. Requests for interpretations should be addressed to the secretariat or sponsor whose name appears on the title page of this standard.

**CAUTION NOTICE:** This American National Standard may be revised or withdrawn at any time. The procedures of the American National Standards Institute require that action be taken periodically to reaffirm, revise, or withdraw this standard. Purchasers of American National Standards may receive current information on all standards by calling or writing the American National Standards Institute.

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\* The term pruning type is replaced with the term pruning method. The purpose of this is to label the processes detailed in section 6 with greater accuracy.

**Foreword** This foreword is not part of American National Standard A300 (Part 1)-2008 *Pruning*

ANSI A300 Standards are divided into multiple parts, each focusing on a specific aspect of woody plant management (e.g. Pruning, Fertilization, etc).

These standards are used to develop written specifications for work assignments. They are not intended to be used as specifications in and of themselves. Management objectives may differ considerably and therefore must be specifically defined by the user. Specifications are then written to meet the established objectives and must include measurable criteria.

ANSI A300 standards apply to professionals who provide for or supervise the management of trees, shrubs, and other woody landscape plants. Intended users include businesses, government agencies, property owners, property managers, and utilities. The standard does not apply to agriculture, horticultural production, or silviculture, except where explicitly noted otherwise.

This standard has been developed by the Tree Care Industry Association (TCIA), an ANSI-accredited Standards Developing Organization (SDO). TCIA is secretariat of the ANSI A300 standards, and develops standards using procedures accredited by the American National Standards Institute (ANSI).

Consensus for standards writing was developed by the Accredited Standards Committee on Tree, Shrub, and Other Woody Plant Management Operations – Standard Practices, A300 (ASC A300).

Prior to 1991, various industry associations and practitioners developed their own standards and recommendations for tree care practices. Recognizing the need for a standardized, scientific approach, green industry associations, government agencies and tree care companies agreed to develop consensus for an official American National Standard.

The result – ANSI A300 standards – unify and take authoritative precedence over all previously existing tree care industry standards. ANSI requires that approved standards be developed according to accepted principles, and that they be reviewed and, if necessary, revised every five years.

TCIA was accredited as a standards developing organization with ASC A300 as the consensus body on June 28, 1991. ASC A300 meets regularly to write new, and review and revise existing ANSI A300 standards. The committee includes industry representatives with broad knowledge and technical expertise from residential and commercial tree care, utility, municipal and federal sectors, landscape and nursery industries, and other interested organizations.

Suggestions for improvement of this standard should be forwarded to: A300 Secretary, c/o Tree Care Industry Association, Inc., 136 Harvey Road - Suite B101-B110, Londonderry, NH, 03053.

ANSI A300 (Part 1)-2008 Pruning was approved as an American National Standard by ANSI on May 1, 2008. ANSI approval does not require unanimous approval by ASC A300. The ASC A300 committee contained the following members at the time of ANSI approval:

Tim Johnson, Chair  
(Artistic Arborist, Inc.)

Bob Rouse, Secretary  
(Tree Care Industry Association, Inc.)

*(Continued)*

<i>Organizations Represented</i>	<i>Name of Representative</i>
American Nursery and Landscape Association .....	Warren Quinn Craig J. Regelbrugge (Alt.)
American Society of Consulting Arborists .....	Donald Zimar
American Society of Landscape Architects .....	Ron Leighton
Asplundh Tree Expert Company.....	Geoff Kempter Peter Fengler (Alt.)
Bartlett Tree Expert Company.....	Peter Becker Dr. Thomas Smiley (Alt.)
Davey Tree Expert Company .....	Joseph Tommasi R.J. Laverne (Alt.)
International Society of Arboriculture .....	Bruce Hagen Sharon Lilly (Alt.)
National Park Service .....	Robert DeFeo Dr. James Sherald (Alt.)
Professional Grounds Management Society .....	Thomas Shaner
Professional Land Care Network .....	Preston Leyshon
Society of Municipal Arborists .....	Gordon Mann Andy Hillman (Alt.)
Tree Care Industry Association .....	Dane Buell James McGuire (Alt.)
USDA Forest Service .....	Ed Macie Keith Cline (Alt.)
Utility Arborist Association .....	Matthew Simons Jeffrey Smith (Alt.)

**Additional organizations and individuals:**

American Forests (Observer)  
Mike Galvin (Observer)  
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Richard Roux (NFPA-780 Liaison)

**ASC A300 mission statement:**

*Mission: To develop consensus performance standards based on current research and sound practice for writing specifications to manage trees, shrubs, and other woody plants.*

## American National Standard for Tree Care Operations –

# Tree, Shrub, and Other Woody Plant Management – Standard Practices (Pruning)

## 1 ANSI A300 standards

### 1.1 Scope

ANSI A300 standards present performance standards for the care and management of trees, shrubs, and other woody plants.

### 1.2 Purpose

ANSI A300 performance standards are intended for use by federal, state, municipal and private entities including arborists, property owners, property managers, and utilities for developing written specifications.

### 1.3 Application

ANSI A300 performance standards shall apply to any person or entity engaged in the management of trees, shrubs, or other woody plants.

## 2 Part 1 – Pruning standards

### 2.1 Purpose

The purpose of Part 1 – *Pruning* is to provide performance standards for developing written specifications for pruning.

### 2.2 Reasons for pruning

The reasons for tree pruning may include, but are not limited to, reducing risk, managing tree health and structure, improving aesthetics, or achieving other specific objectives. Pruning practices for agricultural, horticultural production, or silvicultural purposes are exempt from this standard unless this standard, or a portion thereof, is expressly referenced in standards for these other related areas.

## 2.3 Implementation

2.3.1 Specifications for pruning should be written and administered by an arborist.

2.3.1.1 Specifications should include location of tree(s), objectives, methods (types), and extent of pruning (location, percentage, part size, etc).

2.3.2 Pruning specifications shall be adhered to.

## 2.4 Safety

2.4.1 Pruning shall be implemented by an arborist, familiar with the practices and hazards of pruning and the equipment used in such operations.

2.4.2 This performance standard shall not take precedence over applicable industry safe work practices.

2.4.3 Performance shall comply with applicable Federal and State Occupational Safety and Health standards, ANSI Z133.1, Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and other Federal Environmental Protection Agency (EPA) regulations, as well as state and local regulations.

## 3 Normative references

The following standards contain provisions, which, through reference in the text, constitute provisions of this American National Standard. All standards are subject to revision, and parties to agreements based on this American National Standard shall apply the most recent edition of the standards indicated below.

ANSI Z60.1, Nursery stock

ANSI Z133.1, Arboriculture – Safety requirements  
29 CFR 1910, General industry <sup>1)</sup>

29 CFR 1910.268, Telecommunications <sup>1)</sup>

29 CFR 1910.269, Electric power generation,  
transmission, and distribution <sup>1)</sup>

29 CFR 1910.331 - 335, Electrical safety-related  
work practices <sup>1)</sup>

## 4 Definitions

4.1 **arboriculture:** The art, science, technology, and business of commercial, public, and utility tree care.

<sup>1)</sup> Available from U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210

**4.2 arborist:** An individual engaged in the profession of arboriculture who, through experience, education, and related training, possesses the competence to provide for or supervise the management of trees and other woody plants.

**4.3 arborist trainee:** An individual undergoing on-the-job training to obtain the experience and the competence required to provide for or supervise the management of trees and other woody plants. Such trainees shall be under the direct supervision of an arborist.

**4.4 branch:** A shoot or stem growing from a parent branch or stem (See Fig. 4.4).

**4.4.1 codominant branches/codominant leaders:** Branches or stems arising from a common junction, having nearly the same size diameter (See Fig. 4.4).

**4.4.2 lateral branch:** A shoot or stem growing from another branch (See Fig. 4.4).

**4.4.3 parent branch or stem:** A tree trunk or branch from which other branches or shoots grow (See Fig. 4.4).

**4.4.4 scaffold branch:** A primary branch that forms part of the main structure of the crown (See Fig. 4.4).

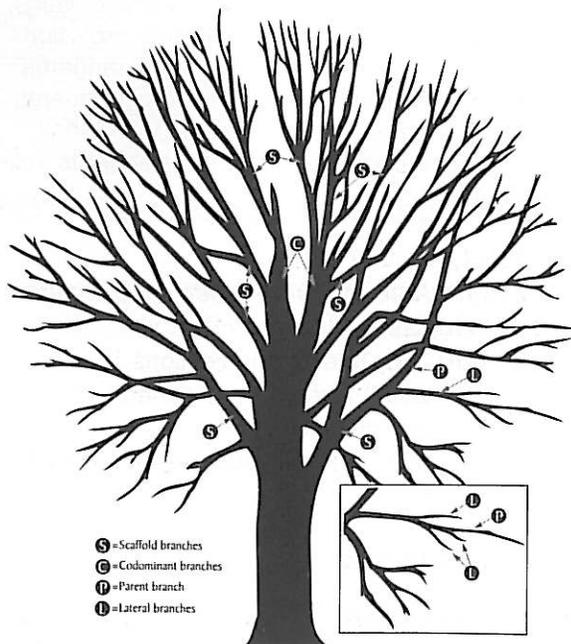


Figure 4.4 Standard branch definitions.

**4.5 branch bark ridge:** The raised area of bark in the branch crotch that marks where the branch and parent stem meet. (See Figs. 5.3.2 and 5.3.3).

**4.6 branch collar:** The swollen area at the base of a branch.

**4.7 callus:** Undifferentiated tissue formed by the cambium around a wound.

**4.8 cambium:** The dividing layer of cells that forms sapwood (xylem) to the inside and inner bark (phloem) to the outside.

**4.9 clean:** Selective pruning to remove one or more of the following non-beneficial parts: dead, diseased, and/or broken branches (7.2).

**4.10 climbing spurs:** Sharp, pointed devices strapped to a climber's lower legs used to assist in climbing trees. (syn.: gaffs, hooks, spurs, spikes, climbers)

**4.11 closure:** The process in a woody plant by which woundwood grows over a pruning cut or injury.

**4.12 crown:** Upper part of a tree, measured from the lowest branch, including all the branches and foliage.

**4.13 decay:** The degradation of woody tissue caused by microorganisms.

**4.14 espalier:** The combination of pruning, supporting, and training branches to orient a plant in one plane (6.5).

**4.15 establishment:** The point after planting when a tree's root system has grown sufficiently into the surrounding soil to support growth and anchor the tree.

**4.16 facility:** A structure or equipment used to deliver or provide protection for the delivery of an essential service, such as electricity or communications.

**4.17 frond:** A leaf structure of a palm.

**4.18 heading:** The reduction of a shoot, stem, or branch back to a bud or to a lateral branch not large enough to assume the terminal role.

- 4.19 interfering branches:** Crossing, rubbing, or upright branches that have the potential to damage tree structure and/or health.
- 4.20 internode:** The area between lateral branches or buds.
- 4.21 job briefing:** The communication of at least the following subjects for arboricultural operations: work specifications, hazards associated with the job, work procedures involved, special precautions, electrical hazards, job assignments, and personal protective equipment.
- 4.22 leader:** A dominant, typically upright, stem – usually the main trunk. There can be several leaders in one tree.
- 4.23 lion's tailing:** The removal of an excessive number of inner and/or lower lateral branches from parent branches. Lion's tailing is not an acceptable pruning practice (6.1.7).
- 4.24 live crown ratio:** Crown height relative to overall plant height.
- 4.25 mechanical pruning:** A pruning technique where large-scale power equipment is used to cut back branches (9.3.2).
- 4.26 method:** A procedure or process for achieving an objective.
- 4.27 peeling:** The removal of dead frond bases without damaging living trunk tissue at the point they make contact with the trunk. (syn.: shaving)
- 4.28 petiole:** A stalk of a leaf or frond.
- 4.29 pollarding:** Pruning method in which tree branches are initially headed and then reduced on a regular basis without disturbing the callus knob (6.6).
- 4.30 pruning:** The selective removal of plant parts to meet specific goals and objectives.
- 4.31 qualified line-clearance arborist:** An individual who, through related training and on-the-job experience, is familiar with the equipment and hazards in line clearance and has demonstrated the ability to perform the special techniques involved. This individual may or may not be currently employed by a line-clearance contractor.
- 4.32 qualified line-clearance arborist trainee:** An individual undergoing line-clearance training under the direct supervision of a qualified line-clearance arborist. In the course of such training, the trainee becomes familiar with the equipment and hazards in line clearance and demonstrates ability in the performance of the special techniques involved.
- 4.33 raise:** Pruning to provide vertical clearance (7.3).
- 4.34 reduce:** Pruning to decrease height and/or spread (7.4).
- 4.35 remote area:** As used in the utility pruning section of this standard, an unpopulated area.
- 4.36 restoration:** Pruning to redevelop structure, form, and appearance of topped or damaged trees (6.3).
- 4.37 rural area:** As used in the utility pruning section of this standard, a sparsely populated place away from large cities, suburbs, or towns but distinct from remote areas.
- 4.38 shall:** As used in this standard, denotes a mandatory requirement.
- 4.39 shoot:** Stem or branch and its leaves, especially when young.
- 4.40 should:** As used in this standard, denotes an advisory recommendation.
- 4.41 specifications:** A document stating a detailed, measurable plan or proposal for provision of a product or service.
- 4.42 sprouts:** New shoots originating from epicormic or adventitious buds, not to be confused with suckers. (syn.: watersprouts, epicormic shoots)
- 4.43 standard, ANSI A300:** The performance parameters established by industry consensus as a rule for the measure of extent, quality, quantity, value or weight used to write specifications.
- 4.44 stem:** A woody structure bearing buds, foliage, and giving rise to other stems.
- 4.45 structural pruning:** Pruning to improve branch architecture (6.2).

**4.46 stub:** Portion of a branch or stem remaining after an internodal cut or branch breakage.

**4.47 subordination:** Pruning to reduce the size and ensuing growth rate of a branch or leader in relation to other branches or leaders.

**4.48 sucker:** Shoot arising from the roots.

**4.49 thin:** pruning to reduce density of live branches (7.5).

**4.50 throw line:** A small, lightweight line with a weighted end used to position a climber's rope in a tree.

**4.51 topping:** Reduction of tree size using internodal cuts without regard to tree health or structural integrity. Topping is not an acceptable pruning practice (6.1.7).

**4.52 tracing:** The removal of loose, damaged tissue from in and around the wound.

**4.53 trunk:** The main woody part of a tree beginning at and including the trunk flare and extending up into the crown from which scaffold branches grow.

**4.54 trunk flare:** 1. The area at the base of the plant's trunk where it broadens to form roots. 2. The area of transition between the root system and trunk (syn.: root flare).

**4.55 urban/residential areas:** Populated areas including public and private property that are normally associated with human activity.

**4.56 utility:** A public or private entity that delivers a public service, such as electricity or communications.

**4.57 utility space:** The physical area occupied by a utility's facilities and the additional space required to ensure its operation.

**4.58 vista/view prune:** Pruning to enhance a specific view without jeopardizing the health of the tree (6.4).

**4.59 wound:** An opening that is created when the bark of a live branch or stem is cut, penetrated, damaged, or removed.

**4.60 woundwood:** Partially differentiated tissue responsible for closing wounds. Woundwood develops from callus associated with wounds.

## 5 Pruning practices

### 5.1 Tree inspection

**5.1.1** An arborist or arborist trainee shall visually inspect each tree before beginning work.

**5.1.2** If a condition is observed requiring attention beyond the original scope of the work, the condition should be reported to an immediate supervisor, the owner, or the person responsible for authorizing the work.

**5.1.3** Job briefings shall be performed as outlined in ANSI Z133.1, subclause 3.1.4.

### 5.2 Tools and equipment

**5.2.1** Equipment, tools, and work practices that damage living tissue and bark beyond the scope of normal work practices shall be avoided.

**5.2.2** Climbing spurs shall not be used when entering and climbing trees for the purpose of pruning.

Exceptions:

- when branches are more than throw-line distance apart and there is no other means of climbing the tree;
- when the outer bark is thick enough to prevent damage to the inner bark and cambium;
- in remote or rural utility rights-of-way.

### 5.3 Pruning cuts

**5.3.1** Pruning tools used in making pruning cuts shall be sharp.

**5.3.2** A pruning cut that removes a branch at its point of origin shall be made close to the trunk or parent branch without cutting into the branch bark ridge or branch collar or leaving a stub (see Figure 5.3.2).

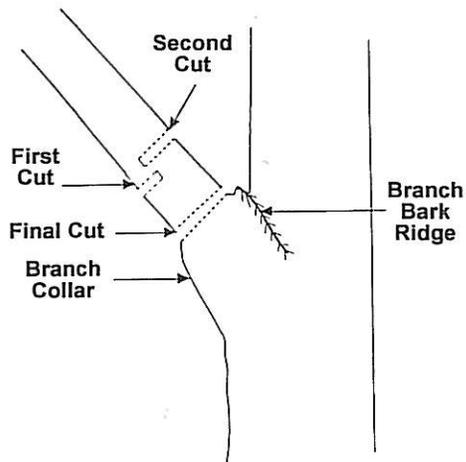


Figure 5.3.2. A cut that removes a branch at its point of origin. (See Annex A – Pruning cut guideline).

5.3.3 A pruning cut that reduces the length of a branch or parent stem shall be made at a slight downward angle relative to the remaining stem and not damage the remaining stem. Smaller cuts shall be preferred (see Fig. 5.3.3).

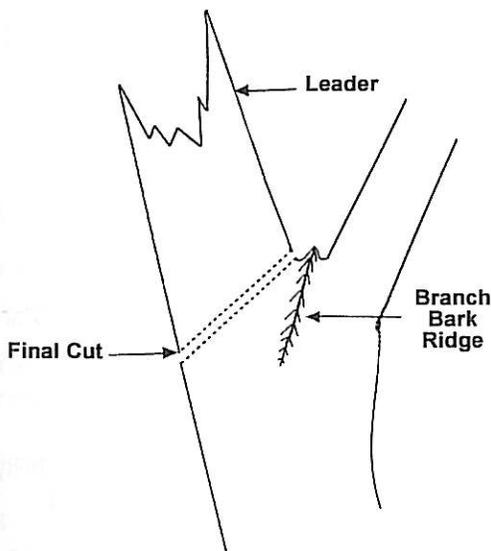


Figure 5.3.3. A cut that reduces the length of a branch or parent stem.

5.3.4 When pruning to a lateral, the remaining lateral branch should be large enough to assume the terminal role.

5.3.5 The final cut should result in a flat surface with adjacent bark firmly attached.

5.3.6 When removing a dead branch, the final cut shall be made just outside the collar of living tissue.

5.3.7 Tree branches shall be removed in such a manner so as to avoid damage to other parts of the tree or to other plants or property. Branches too large to support with one hand shall be precut to avoid splitting of the wood or tearing of the bark (see Figure 5.3.2). Where necessary, ropes or other equipment shall be used to lower large branches or portions of branches to the ground.

5.3.8 A cut that removes a branch with a narrow angle of attachment should be made from the outside of the branch to prevent damage to the parent branch (see Figure 5.3.8).

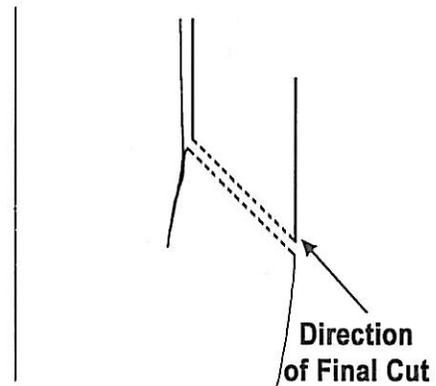


Figure 5.3.8. A cut that removes a branch with a narrow angle of attachment.

5.3.9 Severed branches shall be removed from the crown upon completion of the pruning, at times when the tree would be left unattended, or at the end of the workday.

#### 5.4 Wound treatment

5.4.1 Wound treatments shall not be used to cover wounds or pruning cuts, except when necessary for disease, insect, mistletoe, or sprout control, or for cosmetic reasons.

**5.4.2** Wound treatments that are damaging to tree tissues shall not be used.

**5.4.3** When tracing wounds, only loose, damaged tissue shall be removed.

## 6 Pruning objectives

**6.1** Pruning objectives shall be established prior to beginning any pruning operation.

**6.1.1** Objectives should include, but are not limited to, one or more of the following:

- Risk reduction
- Manage health
- Clearance
- Structural improvement/correction
- View improvement/creation
- Aesthetic improvement
- Restoration

**6.1.2** Established objectives should be specified in writing (See Annex B – *Specification writing guideline*).

**6.1.3** To obtain the defined objective, the growth cycles, structure, species, and the extent of pruning to be performed shall be considered.

**6.1.4** Not more than 25 percent of the foliage should be removed within an annual growing season. The percentage and distribution of foliage to be removed shall be adjusted according to the plant's species, age, health, and site.

**6.1.5** When frequent excessive pruning is necessary for a tree to avoid conflicts with elements such as infrastructure, view, traffic, or utilities, removal or relocation of the tree shall be considered.

**6.1.6** Pruning cuts should be made in accordance with section 5.3 *Pruning cuts*.

**6.1.7** Topping and lion's tailing shall be considered unacceptable pruning practices for trees.

**6.2 Structural:** Structural pruning shall consist of selective pruning to improve tree and branch architecture primarily on young- and medium-aged trees.

**6.2.1** Size and location of leaders or branches to be subordinated or removed should be specified.

**6.2.2** Dominant leader(s) should be selected for development as appropriate.

**6.2.3** Strong, properly spaced scaffold branch structure should be selected and maintained by reducing or removing others.

**6.2.4** Temporary branches should be retained or reduced as appropriate.

**6.2.5** Interfering, overextended, defective, weak, and poorly attached branches should be removed or reduced.

**6.2.6** At planting, pruning should be limited to cleaning (7.2).

**6.3 Restoration:** Restoration shall consist of selective pruning to redevelop structure, form, and appearance of severely pruned, vandalized, or damaged trees.

**6.3.1** Location in tree, size range of parts, and percentage of sprouts to be removed should be specified.

**6.4 Vista/view:** Vista/view pruning shall consist of the use of one or more pruning methods (types) to enhance a specific line of sight.

**6.4.1** Pruning methods (types) shall be specified.

**6.4.2** Size range of parts, location in tree, and percentage of foliage to be removed should be specified.

## 6.5 Espalier

**6.5.1** Branches that extend outside the desired plane of growth shall be pruned or tied back.

**6.5.2** Ties should be replaced as needed to prevent girdling the branches at the attachment site.

## 6.6 Pollarding

**6.6.1** Consideration shall be given to the ability of the individual tree to respond to pollarding.

**6.6.2** Management plans shall be made prior to the start of the pollarding process for routine removal of sprouts.

**6.6.3** Heading cuts shall be made at specific locations to start the pollarding process. After the initial cuts are made, no additional heading cuts shall be made.

**6.6.4** Sprouts growing from the cut ends of branches (knuckles) should be removed annually during the dormant season.

## 7 Pruning methods (types)

**7.1** One or more of the following methods (types) shall be specified to achieve the objective.

**7.2 Clean:** Cleaning shall consist of pruning to remove one or more of the following non-beneficial parts: dead, diseased, and/or broken branches.

**7.2.1** Location of parts to be removed shall be specified.

**7.2.2** Size range of parts to be removed shall be specified.

**7.3 Raise:** Raising shall consist of pruning to provide vertical clearance.

**7.3.1** Clearance distance shall be specified.

**7.3.2** Location and size range of parts to be removed should be specified.

**7.3.3** Live crown ratio should not be reduced to less than 50 percent.

**7.4 Reduce:** Reducing shall consist of pruning to decrease height and/or spread.

**7.4.1** Consideration shall be given to the ability of a species to tolerate this type of pruning.

**7.4.2** Location of parts to be removed or clearance requirements shall be specified.

**7.4.3** Size of parts should be specified.

**7.5 Thin:** Thinning shall consist of selective pruning to reduce density of live branches.

**7.5.1** Thinning should result in an even distribution of branches on individual branches and throughout the crown.

**7.5.2** Not more than 25 percent of the crown should be removed within an annual growing season.

**7.5.3** Location of parts to be removed shall be specified.

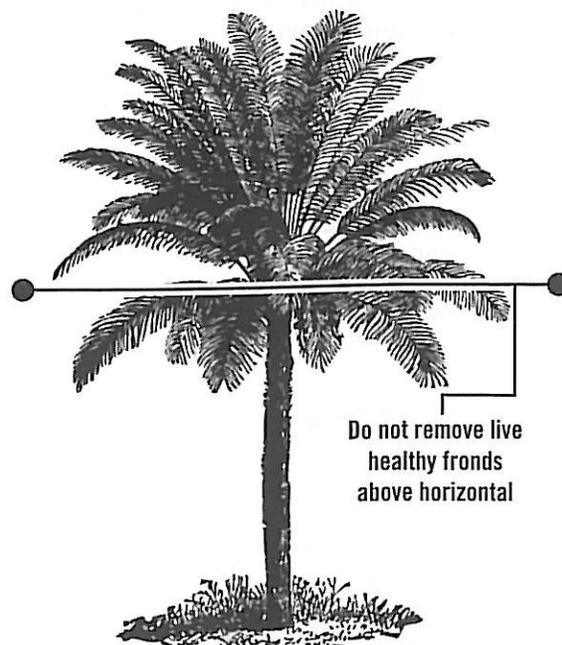
**7.5.4** Percentage of foliage and size range of parts to be removed shall be specified.

## 8 Palm pruning

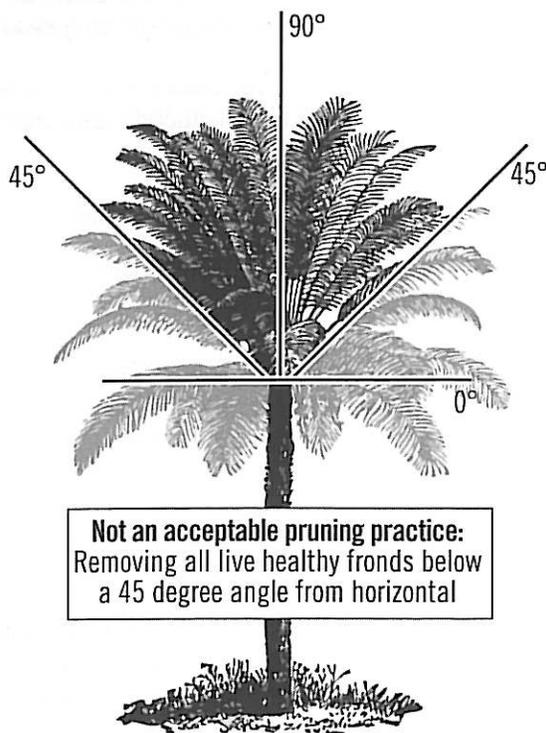
**8.1** Palm pruning should be performed when fronds, fruit, or loose petioles may create a dangerous condition.

**8.2** Live healthy fronds should not be removed.

**8.3** Live, healthy fronds above horizontal shall not be removed. Exception: Palms encroaching on electric supply lines (see Fig. 8.3a and 8.3b).



**Figure 8.3a** Frond removal location.



**Figure 8.3b An overpruned palm (not an acceptable pruning practice).**

**8.4** Fronds removed should be severed close to the petiole base without damaging living trunk tissue.

**8.5** Palm peeling (shaving) should consist of the removal of only the dead frond bases at the point they make contact with the trunk without damaging living trunk tissue.

## 9 Utility pruning

### 9.1 Purpose

The purpose of utility pruning is to prevent the loss of service, comply with mandated clearance laws, prevent damage to equipment, maintain access, and uphold the intended usage of the facility/utility space while adhering to accepted tree care performance standards.

### 9.2 General

**9.2.1** Only a qualified line-clearance arborist or line-clearance arborist trainee shall be assigned to

line clearance work in accordance with ANSI Z133.1, 29 CFR 1910.331 – 335, 29 CFR 1910.268 or 29 CFR 1910.269.

**9.2.2** Utility pruning operations are exempt from requirements in subclause 5.1, *Tree Inspection*, for conditions outside the utility pruning scope of work.

**9.2.3** Job briefings shall be performed as outlined in ANSI Z133.1, subclause 3.1.4.

## 9.3 Utility crown reduction pruning

### 9.3.1 Urban/residential areas

**9.3.1.1** Pruning cuts should be made in accordance with subclause 5.3, *Pruning cuts*. The following requirements and recommendations of 9.3.1.1 are repeated from subclause 5.3 *Pruning cuts*.

**9.3.1.1.1** A pruning cut that removes a branch at its point of origin shall be made close to the trunk or parent branch, without cutting into the branch bark ridge or collar, or leaving a stub (see Figure 5.3.2).

**9.3.1.1.2** A pruning cut that reduces the length of a branch or parent stem shall be made at a slight downward angle relative to the remaining stem and not damage the remaining stem. Smaller cuts shall be preferred (see Fig. 5.3.3).

**9.3.1.1.3** The final cut shall result in a flat surface with adjacent bark firmly attached.

**9.3.1.1.4** When removing a dead branch, the final cut shall be made just outside the collar of living tissue.

**9.3.1.1.5** Tree branches shall be removed in such a manner so as not to cause damage to other parts of the tree or to other plants or property. Branches too large to support with one hand shall be pre-cut to avoid splitting of the wood or tearing of the bark (see Figure 5.3.2). Where necessary, ropes or other equipment shall be used to lower large branches or portions of branches to the ground.

**9.3.1.1.6** A cut that removes a branch with a narrow angle of attachment should be made from the outside of the branch to prevent damage to the parent branch (see Figure 5.3.8).

**9.3.1.2** A minimum number of pruning cuts should be made to accomplish the purpose of facility/utility pruning. The structure and growth habit of the tree should be considered.

**9.3.1.3** Trees directly under and growing into facility/utility spaces should be removed or pruned. Such pruning should be done by removing entire branches or leaders or by removing branches that have laterals growing into (or once pruned, will grow into) the facility/utility space.

**9.3.1.4** Trees growing next to, and into or toward, facility/utility spaces should be pruned by reducing branches to laterals (5.3.3) to direct growth away from the utility space or by removing entire branches. Branches that, when cut, will produce sprouts that would grow into facilities and/or utility space should be removed.

**9.3.1.5** Branches should be cut to laterals or the parent branch and not at a pre-established clearing limit. If clearance limits are established, pruning cuts should be made at laterals or parent branches outside the specified clearance zone.

### **9.3.2 Rural/remote locations – mechanical pruning**

Cuts should be made close to the main stem, outside of the branch bark ridge and branch collar. Precautions should be taken to avoid stripping or tearing of bark or excessive wounding.

### **9.4 Emergency service restoration**

During a utility-declared emergency, service must be restored as quickly as possible in accordance with ANSI Z133.1, 29 CFR 1910.331 – 335, 29 CFR 1910.268, or 29 CFR 1910.269. At such times, it may be necessary, because of safety and the urgency of service restoration, to deviate from the use of proper pruning techniques as defined in this standard. Following the emergency, corrective pruning should be done as necessary.

## Annex A

### Pruning cut guideline

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#### A-1 Three-cut method

Multiple cutting techniques exist for application of a three-cut method. A number of them may be used to implement an acceptable three-cut method.

A-1.1 The technique depicted in *Figure 5.3.2* demonstrates one example of a three-cut method that is common to hand-saw usage. It is not intended to depict all acceptable three-cut method techniques.

## Annex B Specification writing guideline

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A300 (Part 1)-2008 *Pruning* standards are performance standards, and shall not be used as job specifications. Job specifications should be clearly detailed and contain measurable criteria.

The words "should" and "shall" are both used when writing standards. The word "shall" is used when writing specifications.

Writing specifications can be simple or complex and can be written in a format that suits your company/the job. The specifications consist of two sections.

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### I. General:

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This section contains all aspects of the work to be performed that needs to be documented, yet does not need to be detailed.

Saying under the General section that "all work shall be completed in compliance with A300 Standards" means the clauses covering safety, inspections, cuts, etc. will be adhered to. There is no need to write each and every clause into every job specification.

Other items that may be covered in the General section could be: work hours and dates, traffic issues, disposal criteria, etc.

The second section under Job Specifications would be:

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### II. Details:

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This section provides the clear and measurable criteria; the deliverables to the client.

This section, to be written in compliance with A300 standards, shall contain the following information:

**1. Objective – Clause 6**

These objectives originate from/with the tree owner or manager. The arborist shall clearly state what is going to be done to achieve the objective(s).

Objectives can be written for the entire job or individual trees. Rarely can one or two words clearly convey an objective so that all parties involved (client, sales, crew, etc.) can visualize the outcome.

**2. Method – Clause 7**

Here the method(s) to be used to achieve the objective are stated. Again, depending on the type of job, this can be stated for the individual tree or a group of trees.

**3. Location – Clause 7.2.1, 7.3.2, 7.4.2, 7.5.3**

This is the location in the tree(s) that the work methods are to take place.

**4. Density – Clause 7.3.1, 7.3.3, 7.5.1, 7.5.2, 7.5.4**

This is the amount or volume of parts that are to be removed and can be stated exactly or in ranges.

**5. Size – Clause 7.2.2, 7.3.2, 7.4.3, 7.5.4**

This is the size or range of sizes of cut(s) utilized to remove the volume specified.

**NOTE:** Items # 4 & 5 are directly related to resource allocation, staffing and dollars.

### SAMPLE PRUNING SPECIFICATIONS

**#1. Scope:** Large live oak on west side of pool

**Objectives:** Increase light penetration through east side of tree. Reduce risk potential of 1-inch-diameter branches falling.

**Specifications:** All broken branches and 1-inch-plus diameter dead branches shall be removed from the crown.

The three lowest 8-inch-plus diameter branches on the east side shall be thinned 25 percent with 1-inch- to 3-inch-diameter cuts.

**NOTE:** All work shall be completed in compliance with ANSI A300 and Z133.1 Standards.

## Annex B Specification writing guideline

#2. **Scope:** 1 Arizona ash

**Objective:** Enhance structure/structural development.

**Specifications:** General:

All pruning shall be completed in compliance with A300 Standards.

Detail:

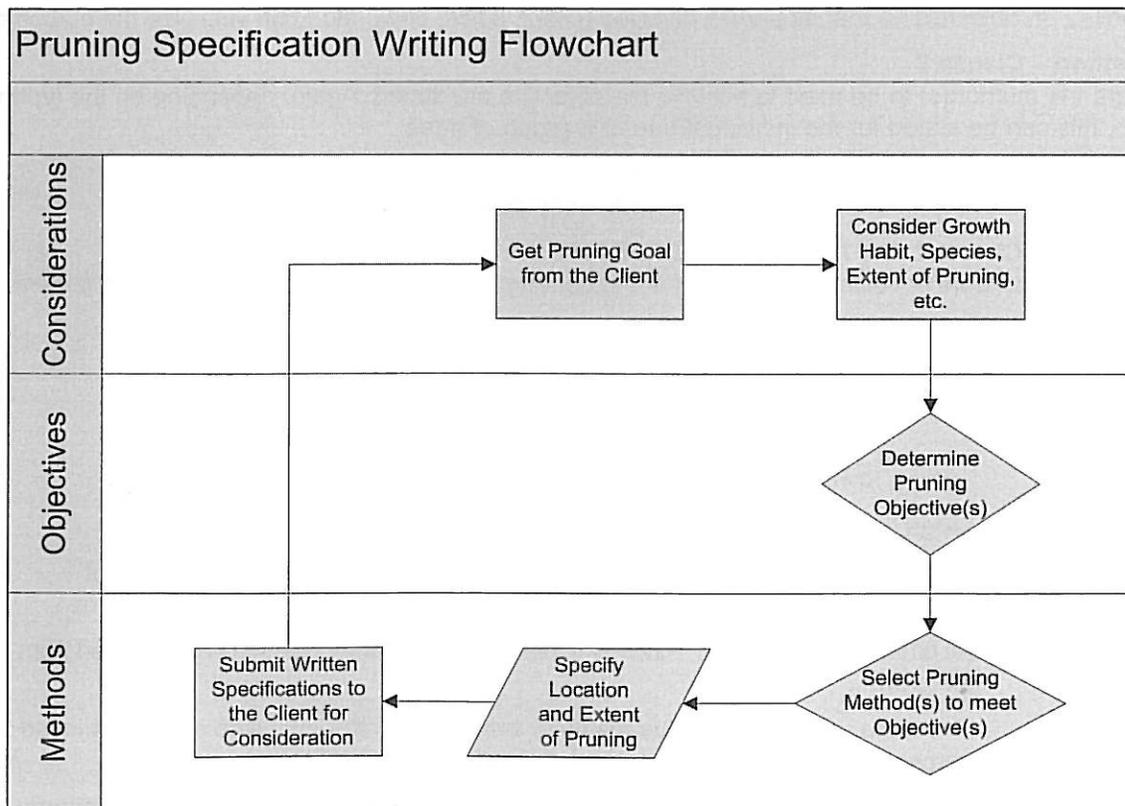
Thin crown 20-25 percent with 1-inch- to 4-inch-diameter cuts. Reduce west codominant leader by approximately 12 feet.

#3. **Scope:** Twenty-three newly installed evergreen elms

**Objective:** Maximize establishment – reduce nuisance while enhancing natural growth habit.

All work shall be completed in compliance with A300 Standards and the following specifications.

- Specifications:**
- Retain as much size as possible and 80-90 percent density of foliage.
  - Lowest permanent branch will be 6 feet above grade in four to five years.
  - Retain all sprout growth originating 18 inches above grade on trunk and 4 inches out from branch attachments throughout crown.
  - Remove weakest rubbing branches.
  - Remove dead branches.
  - Reduce broken branches or branches with dead ends back to live laterals or buds. Heading cuts can be used.
  - Maintain 6 inches behind adjacent edge of walks all growth that originates between 1.5 feet (18 inches) and 6 feet (72 inches) above grade. Heading cuts are acceptable.



## Annex C

### Applicable ANSI A300 interpretations

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The following interpretations apply to Part 1 – *Pruning*:

#### **C-1 Interpretation of “should” in ANSI A300 standards**

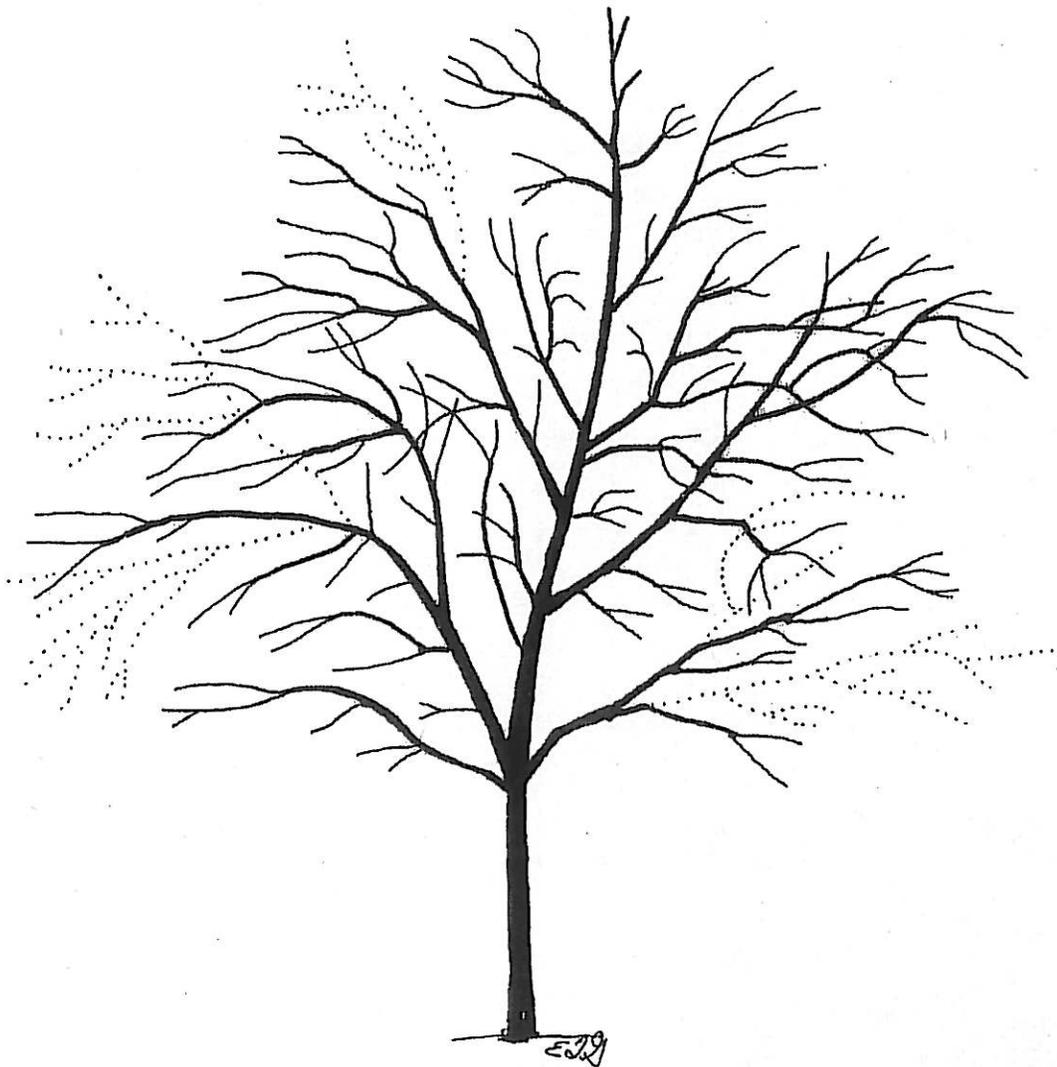
“An advisory recommendation” is the common definition of “should” used in the standards development community and the common definition of “should” used in ANSI standards. An advisory notice is not a mandatory requirement. Advisory recommendations may not be followed when defensible reasons for non-compliance exist.

#### **C-2 Interpretation of “shall” in ANSI A300 standards**

“A mandatory requirement” is the common definition of “shall” used in the standards development community and the common definition of “shall” used in ANSI standards. A mandatory requirement is not optional and must be followed for ANSI A300 compliance.

# Best Management Practices

## TREE PRUNING (Revised 2008)



Companion publication to the ANSI A300 Part 1: Tree, Shrub, and  
Other Woody Plant Maintenance—Standard Practices, Pruning

# **Best Management Practices**

## **TREE PRUNING (Revised 2008)**

**Edward F. Gilman and Sharon J. Lilly**

**Companion publication to the ANSI A300 Part 1: Tree, Shrub, and  
Other Woody Plant Maintenance—Standard Practices, Pruning**

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## Purpose

Professionals in the field of arboriculture established a committee to develop standards for tree maintenance designed to provide a more uniform level of service and to help ensure public safety. This committee, working under the auspices of the American National Standards Institute (ANSI), developed standards for pruning, fertilization, support systems, and other aspects of tree care. *ANSI A300, The American National Standard for Tree Care Operations—Tree, Shrub, and Other Woody Plant Maintenance—Standard Practices* was written to provide minimal performance standards for use in writing maintenance specifications.

The International Society of Arboriculture (ISA) has developed companion publications known as Best Management Practices to aid in the interpretation and implementation of ANSI A300 standards. These publications are intended as guides for practicing arborists, tree workers, their supervisors, and the people who employ their services.

Because trees are unique living organisms, not all practices can be applied to all trees. It is important that contracts and specifications developed using these guidelines and the ANSI A300 standards are written or reviewed by a knowledgeable arborist. Departures from the standards should be made with careful consideration of the objectives and with supporting rationale.

*Best Management Practices: Tree Pruning* is the companion publication to *ANSI A300 Part 1—Tree, Shrub, and Other Woody Plant Maintenance—Standard Practices, Pruning*.

# Introduction

This document addresses the question “How do I ensure that my pruning meets industry standards and customer expectations while causing minimal harm to the tree?” It provides reasons why pruning is undertaken, explains pruning types and amounts, provides background on pruning cuts, reviews sample specifications, and comments on timing of these operations. Experience and observation teach the truth in Alex Shigo’s observation: “Pruning is one of the best things an arborist can do for a tree but one of the worst things we can do to a tree.” Pruning is a double-edged sword, either helping or hurting—depending on where, when, how, and why it is applied.

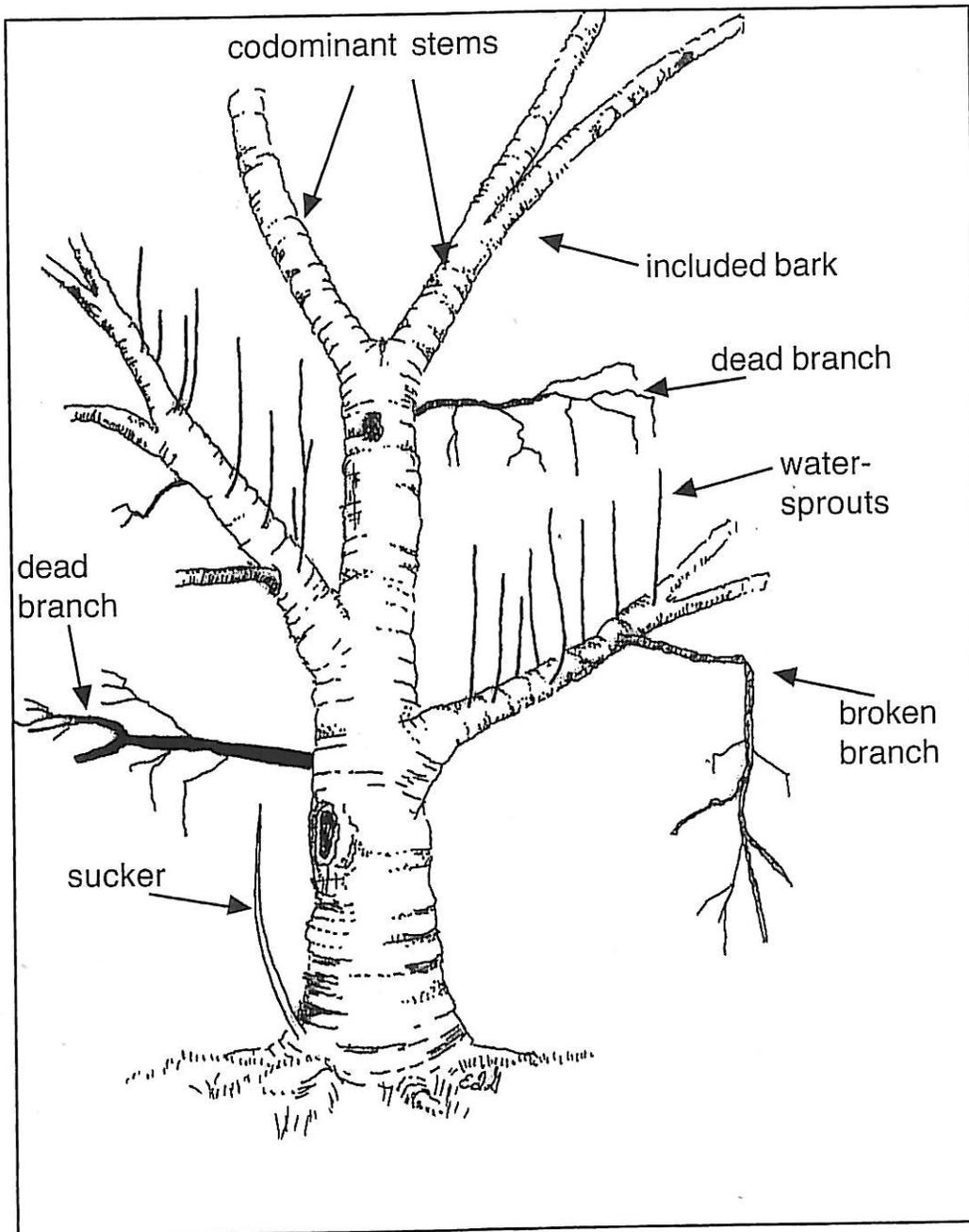
When pruning is properly executed, a variety of benefits are derived. Benefits include reduced risk of branch and stem breakage, better clearance for vehicles and pedestrians, improved health and appearance, enhanced view, and increased flowering. When improperly performed, pruning can harm the tree’s health, stability, and appearance. Several consequences occur when pruning is not performed at all (Figure 1). These consequences include development of low limbs; weak, codominant stems; defects such as included bark; and accumulation of dead branches. Formation of codominant stems and defects such as included bark can lead to increased risk of breakage.

One of the most common defects in planted trees is formation of large, low limbs. They could overextend and break, or they may droop under their own weight and have to be removed later, leaving a large pruning wound. Removal of large branches and those more than about half the trunk diameter is more likely to initiate decay than removal of smaller branches. Therefore, measures should be taken to minimize occurrence of this defect.

On mature trees, live branch removal is less desirable than it is on young trees, but sometimes it is necessary. However, cleaning the crown by removing dead, diseased, or broken branches is a highly recommended practice on mature trees. Because reduction cuts can initiate problems, perform crown reduction only after other options have been considered. Do not remove small interior branches because doing so adversely affects tree structure and can increase failure potential. Trees planted for use as shade trees should not be topped or rounded-over with heading cuts because this practice creates weak structure, exposes wood to infection, can initiate cracks and decay, and looks terrible. Topping also has been shown to increase risk of failure. Reaction zones can reduce available stored energy reserves, making such reserves less available for tree growth and defense.

It is essential first to evaluate the tree and the customer’s needs to determine which objectives should be accomplished with pruning. Appropriate pruning meth-

ods can be chosen to meet these objectives. The arborist then enters the tree and makes appropriate pruning cuts for the chosen pruning methods. This decision is based on an understanding of branch attachment and tree biology.



**Figure 1. Problems can develop on trees — including codominant stems; included bark; broken and dead branches; suckers and watersprouts; and large, low limbs that require removal.**

# Pruning Objectives

No tree should be pruned without first establishing clearly defined objectives. Seven main objectives are described (Table 1), along with pruning types that help meet those objectives. These objectives serve as examples and can be expanded or shortened to meet site conditions and customer expectations. Removing the correct stems and branches to accomplish specified objectives is as important as making correct pruning cuts. Even with proper pruning cuts, if the wrong branches — or too many branches — are removed, nothing of merit has been accomplished.

**Table 1. Objectives of pruning.**

- 
- Reduce risk of failure
  - Provide clearance
  - Reduce shade and wind resistance
  - Maintain health
  - Influence flower or fruit production
  - Improve a view
  - Improve aesthetics
- 

## **Reduce Risk of Failure**

Risk of tree failure can be reduced by establishing a structural pruning program that begins at planting and could carry through the first 25 years or more, depending on the species. This program should be designed to create structurally sound trunk and branch architecture that will sustain the tree for a long period. Some structural pruning can be conducted on older trees as well. Medium-aged and mature trees can be cleaned, thinned, reduced, raised, or restored to manage risk. The choice among these pruning methods depends on the tree and the situation.

## **Provide Clearance**

Growth can be directed away from an object such as a building, security light, or power line by reducing or removing limbs on that side of the tree. However, trees often grow back to fill the void created by pruning. Regular pruning is required to maintain artificial clearance. Shortening or removing low branches can raise the crown. Crown reduction or pollarding helps maintain a tree smaller than it would be without pruning. Utility pruning keeps limbs clear of overhead wires and other utility structures.

## **Reduce Shade and Wind Resistance**

Lawns, ground covers, or shrubs can receive more sunlight when live foliage is removed from the crowns of large overstory trees. The tree's resistance to wind also can be reduced with pruning. Structural pruning, thinning, reduction, and pollarding are used to accomplish this objective.

## **Maintain Health**

Health can be maintained by cleaning the crown, especially in medium-aged and mature trees. Removing dead, diseased, and rubbing branches in the crowns of young trees also is important.

## **Influence Flower or Fruit Production**

Pruning can influence the number and/or size of flowers or fruit. Fruit size can be increased on certain plants, such as peach, by removing some of the developing fruit or flowers. Flower cluster size can be increased on certain species, such as crapemyrtle, by heading. Fruit production can be eliminated by removing flowers or developing fruit.

## **Improve a View**

A view can be enhanced or created by removing live branches at the edge of the crown, at the top of the tree, or on the lower side of the crown. This pruning can include thinning, reducing, pollarding, and raising.

## **Improve Aesthetics**

A tree can be pruned to improve appearance. Cleaning, reducing, thinning, pollarding, and restoring can be used to meet this objective.

## Pruning Methods (Types)

Several pruning methods (types) are used in arboriculture to achieve the tree owner's or manager's objective. The four primary pruning methods include cleaning, thinning, raising, and reducing. Trees are also pruned to improve structure and for crown restoration. When writing job specifications the diameter range and location of the branches and stems to be removed should always be included.

### Pruning to Clean

Cleaning is the selective removal of dead, diseased, detached, cracked, and broken branches. This type of pruning is done to reduce the risk of branches falling from the tree and to reduce the movement of decay, insects, and diseases from dead or dying branches into the rest of the tree. It can be performed on trees of any age but is most common on medium-aged and mature trees. Cleaning is the preferred pruning type for mature trees because it does not remove live branches unnecessarily.

The location of branches to be removed should be specified if the entire crown is not going to be cleaned. The diameter of branches to be removed also should be specified. This usually is done by specifying the smallest branch to remove (for example, "clean branches 1 inch [2.5 cm] in diameter and larger").

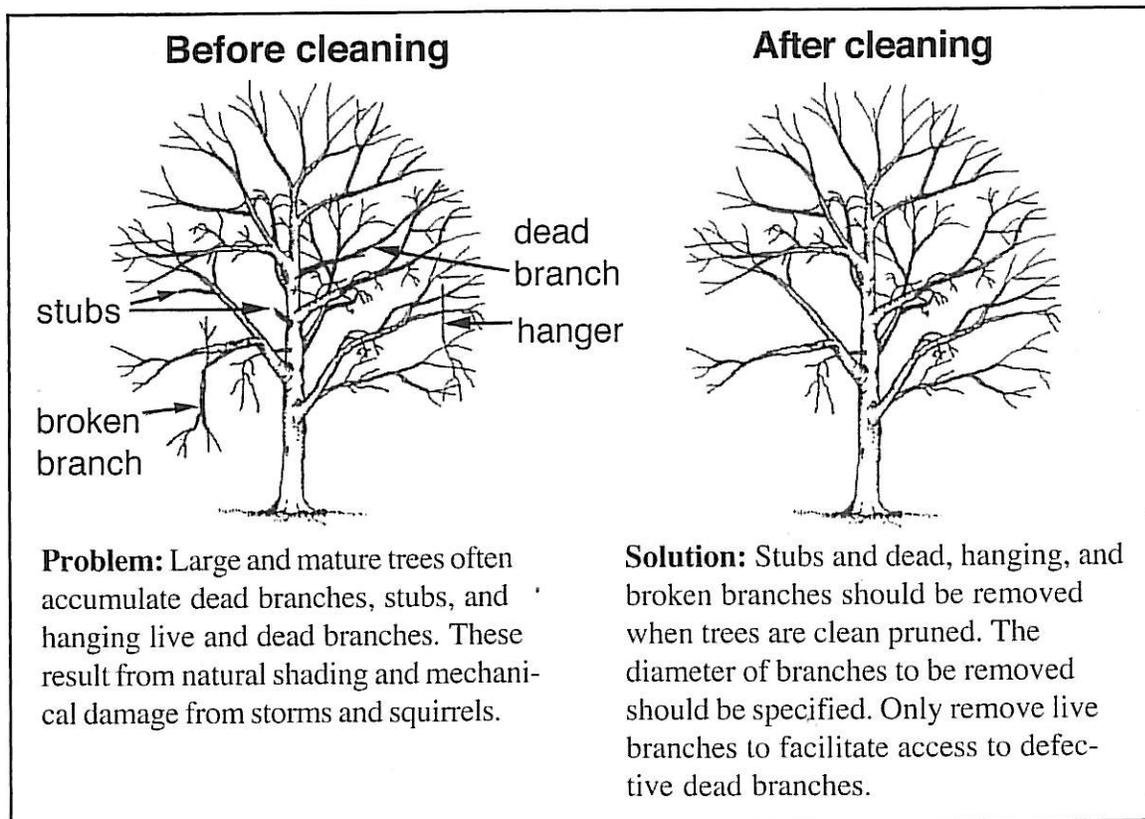
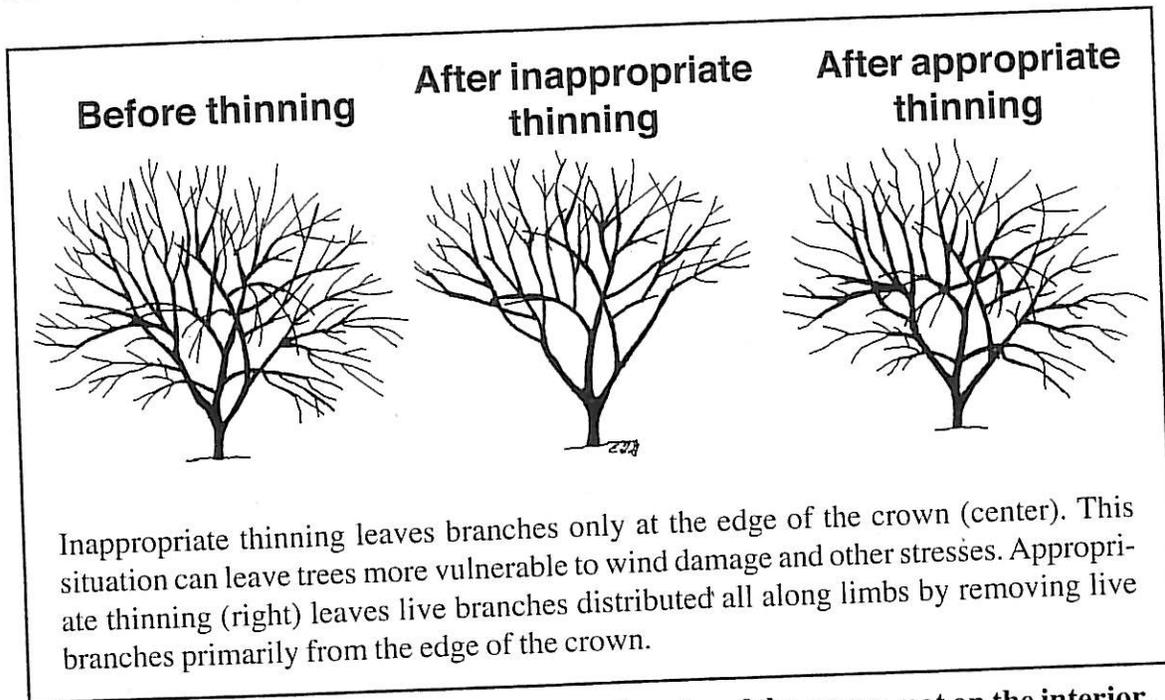


Figure 2. Pruning to clean

## Pruning to Thin

Thinning is the selective removal of small live branches to reduce crown density (Figure 3). Because the majority of small branches are at the outside edge of the crown, thinning is focused in that area. Proper thinning retains crown shape and size and should provide an even distribution of foliage throughout the crown.



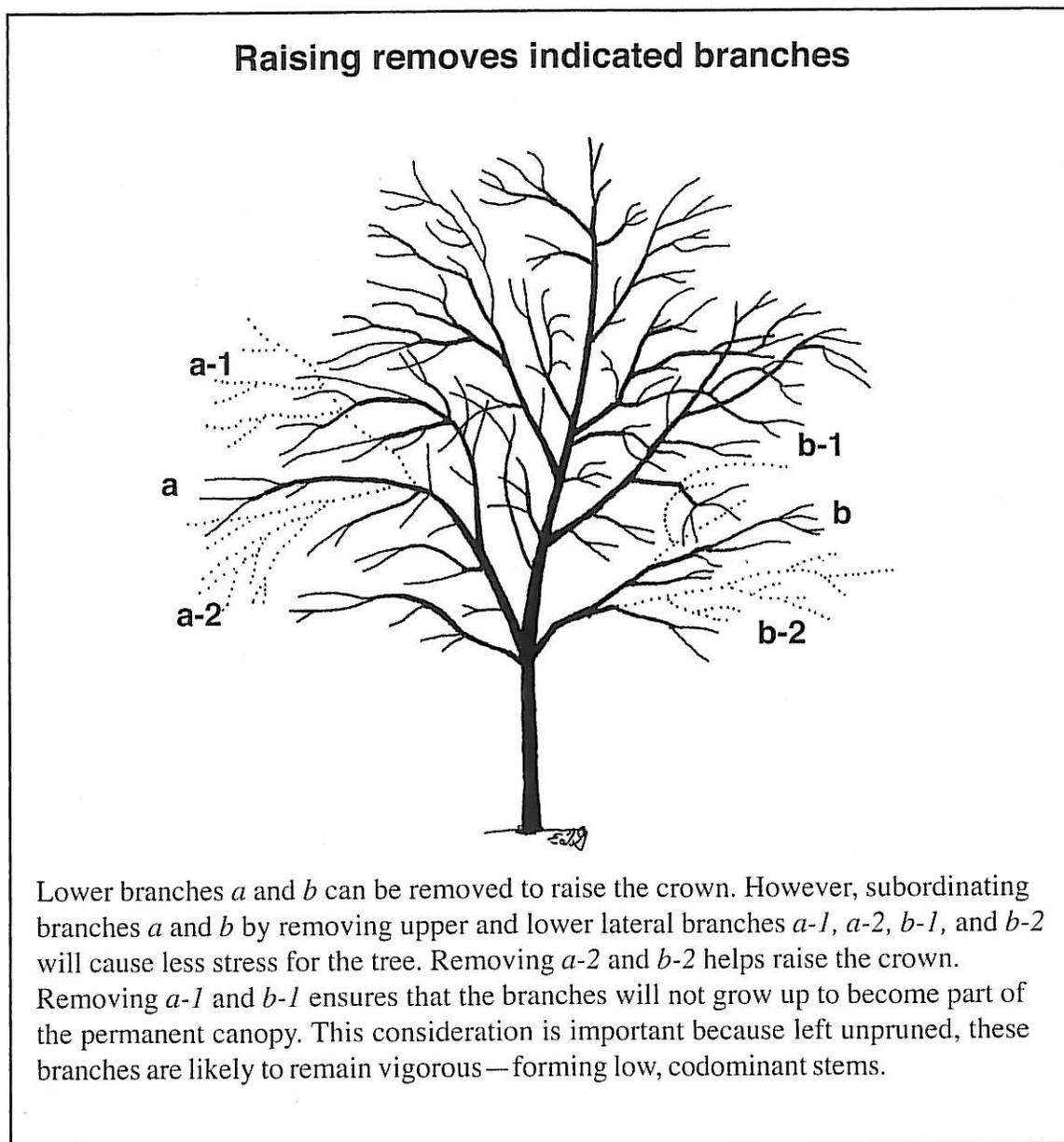
**Figure 3. Thinning trees reduces density at the edge of the crown, not on the interior.**

Thinning increases sunlight penetration and air movement through the crown. Increased light and air stimulate and maintain interior foliage, which can encourage taper on scaffold branches. Thinning a limb should be considered if cabling will be performed. Thinning also can remove suckers from the base of the tree and *some* watersprouts on the interior. Excessive removal of watersprouts often produces more watersprouts, so it is not recommended. Vigorous production of watersprouts on interior limbs often is a sign of overthinning, topping, or lion tailing.

Excessive branch removal on the lower two-thirds of a branch or stem (lion tailing) can have adverse effects on the tree and therefore is not an acceptable pruning practice (Figure 3). Lion tailing concentrates foliage at the ends of branches and may result in sunburned bark tissue, watersprouts, cracks in branches, reduced branch taper, increased load on branch unions, and weakened branch structure. Lion tailing also changes the dynamics of the limb and often results in excessive branch breakage.

If the entire crown will not be thinned, the areas to be thinned must be specified. The size range and percentage of foliage to be removed also must be specified—usually in the 10 to 15 percent range—but should not exceed 25 percent of the

foliage, especially on mature trees. Most thinning removes branches 1/2 inch (1.5 cm, small trees) to 2.5 inches (6.5 cm, mature trees) in diameter. If larger branches are removed, large gaps may be created in the crown, or watersprouts can result.



**Figure 4. Raising**

### **Pruning to Raise (Elevate, Lift)**

Raising is the selective removal of branches to provide vertical clearance. Crown raising shortens or removes lower branches of a tree to provide clearance for buildings, signs, vehicles, pedestrians, and vistas.

Excessive removal of lower limbs can slow development of trunk taper, can cause cracks or decay in the trunk, and concentrates foliage at the top of the tree.

Mature trees could become stressed if large-diameter lower branches are removed. Clearance sometimes can be achieved by shortening some of the low branches rather than removing them to prevent these problems. Live crown ratio should be no less than 50 percent when raising is completed (Figure 4), and more is better. Structural pruning should be considered along with raising.

When raising, the desired clearance should be specified. To differentiate between complete branch removal and shortening, specify the size range of the limbs to remove and their location (for example, “raise 12 feet [3.5 m] above the road by removing downward-growing branches 2 inches [5 cm] in diameter and smaller”).

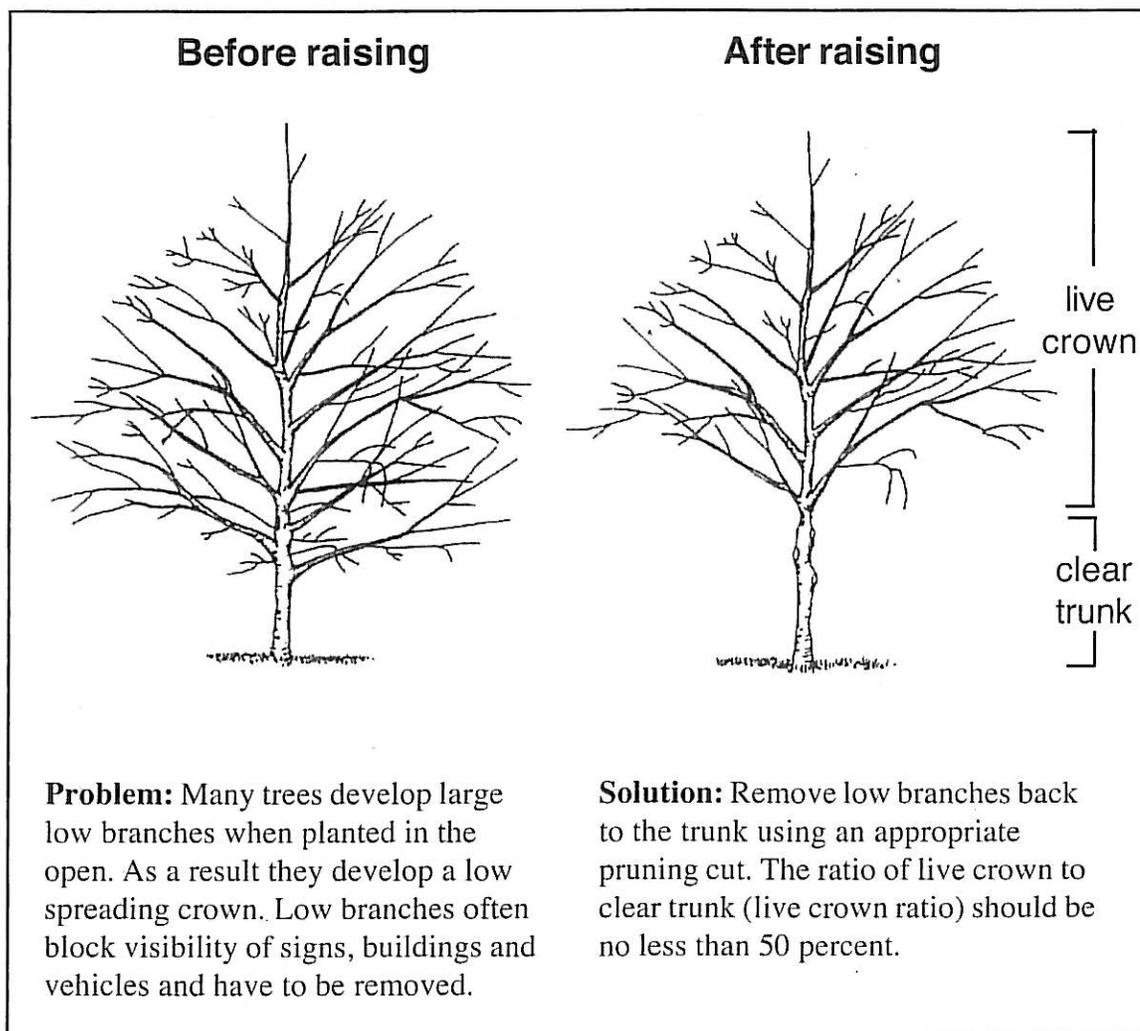
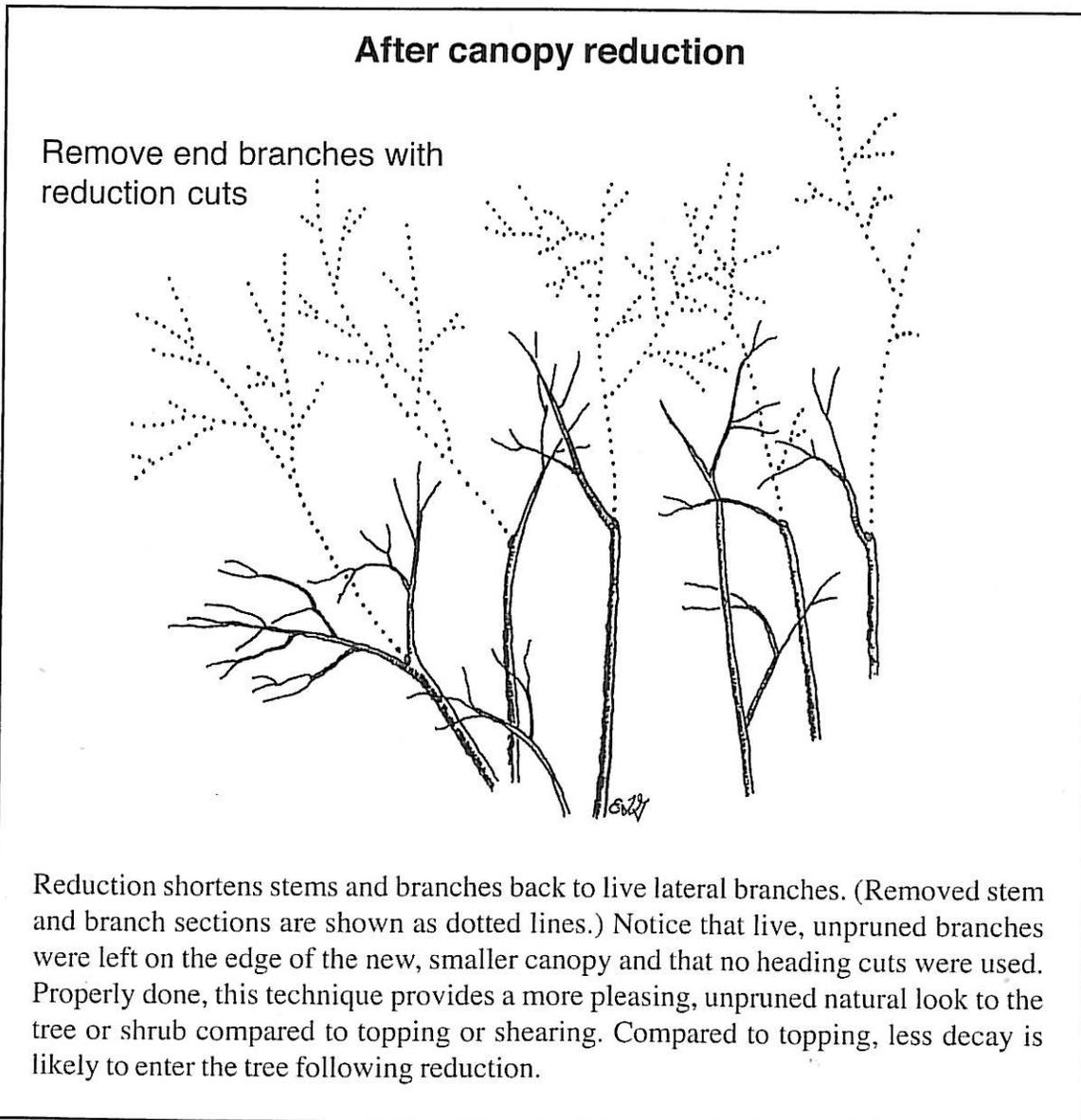


Figure 5. Raising the crown by removing low branches.

## Pruning to Reduce (Shape, Drop Crotch)

Reduction is the selective removal of branches and stems to decrease the height and/or spread of a tree or shrub (Figure 6). This type of pruning is done to minimize risk of failure, to reduce height or spread, for utility line clearance, to clear vegetation from buildings or other structures, or to improve the appearance of the plant. Portions of the crown, such as individual limbs, can be reduced to balance the canopy, provide clearance, or reduce likelihood of breakage on limbs with defects. Occasionally, the entire crown is reduced. Reducing or thinning should be considered if cabling would be performed. Crown reduction should be accomplished with reduction cuts, not heading cuts.

Not all tree and shrub species can be reduced. Therefore, the species and plant health should be considered before starting work. Old, stressed, or mature trees could decline or become more stressed as a result of this treatment. When a limb on a



**Figure 6. Reduction makes a plant, or portion of a plant, smaller in size.**

mature tree is cut back to a lateral, no more than one-fourth of its foliage should be removed in routine tree care. More can be removed when pruning to reduce risk, or on a young tree to accomplish particular objectives. Decay is more likely to enter the tree following reduction than following other pruning types.

The clearance distance or percentage of size reduction should be specified. Because making many small cuts or just a few larger-diameter cuts can reduce a tree, it is important also to specify the size range of cuts. Reduction usually should be done on smaller-diameter branches (for example, 1 to 4 inches [2.5 to 10 cm] for trees and 1/4 to 1 inch [0.5 to 2.5 cm] for shrubs).

### **Structural Pruning**

Structural pruning is the removal of live branches and stems to influence the orientation, spacing, growth rate, strength of attachment, and ultimate size of branches and stems. Structural pruning is used on young and medium-aged trees to help engineer a sustainable trunk and branch arrangement. If young trees are pruned to promote good structure, they likely will remain serviceable in the landscape for more years than trees that have not been structurally pruned. Waiting until the tree grows larger makes structural pruning difficult and is more damaging to the tree.

Structural pruning of large-maturing trees such as maples, eucalyptus, and oaks reduces certain defects and spaces main branches along one dominant trunk. Subordination can reduce branches, so they remain smaller than about half the trunk diameter, which helps prevent structural failure later. This pruning type can be summed up in the phrase: subordinate or remove codominant stems. Small-maturing trees can be trained to several trunks or pruned to develop only one, depending on the situation. Small-maturing trees and shrubs are structurally pruned to properly space codominant stems, reduce or remove rubbing limbs, and provide desirable crown configuration. The maximum diameter of the reduction cuts used with this pruning type should be specified.

Multiple prunings over time (for example, 15 to 25 years) usually are required to develop a dominant leader (Table 2). Competing stems and branches are subordinated (reduced in length) or removed (Figure 7). Subordination usually is preferred over removal, especially if the problem stem or stems are larger than half the trunk diameter. Subordination may cause less trunk decay than removal. The offending

**Table 2. To establish a dominant leader on a young or medium-aged tree, follow these four steps to encourage a leader to dominate the crown.**

1. Choose the one stem that will make the best leader.
2. Identify which stems and branches are competing with this leader.
3. Decide how much to shorten these competing stems.
4. Prevent branches from growing larger than half the trunk diameter by regular pruning.

stem(s) can always be removed later, if necessary. Cleaning and raising are usually done in conjunction with structural pruning.

The lowest permanent limb should be established by shortening vigorous branches below it and any lower branches that grow up into the crown (Figure 7). This procedure may not be possible on a young tree if all branches are below the best position for the lowest permanent limb. The height of the lowest limb is determined by the location and intended function of the tree. For example, the lowest permanent limb on a street tree might be higher than that on an arboretum specimen.

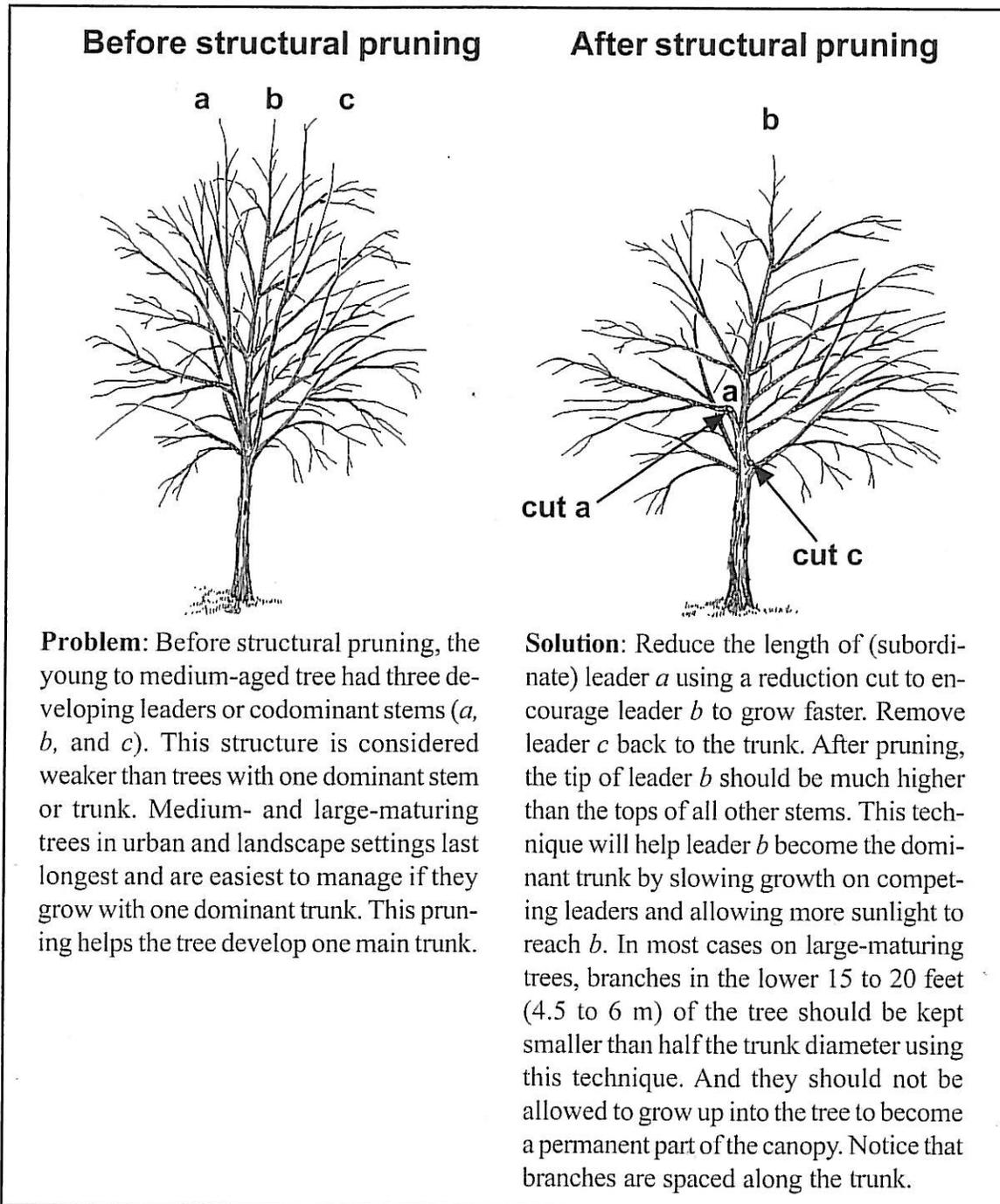


Figure 7. Structural pruning of a small tree.

Select and establish scaffold limbs by subordinating or removing competing stems or branches (Figure 8). Scaffold selection can take 10 to 20 years or more depending on climate, the type of tree, and its location. Scaffold limbs are located above the lowest permanent limb and provide the base on which to build the permanent crown. Scaffold limbs should be free of serious defects such as crooks, included bark, and cracks; should be among the largest on the tree; and should be appropriately spaced. Vertical spacing should be at least 18 inches (46 cm) for large-maturing trees and about 12 inches (30 cm) for smaller trees.

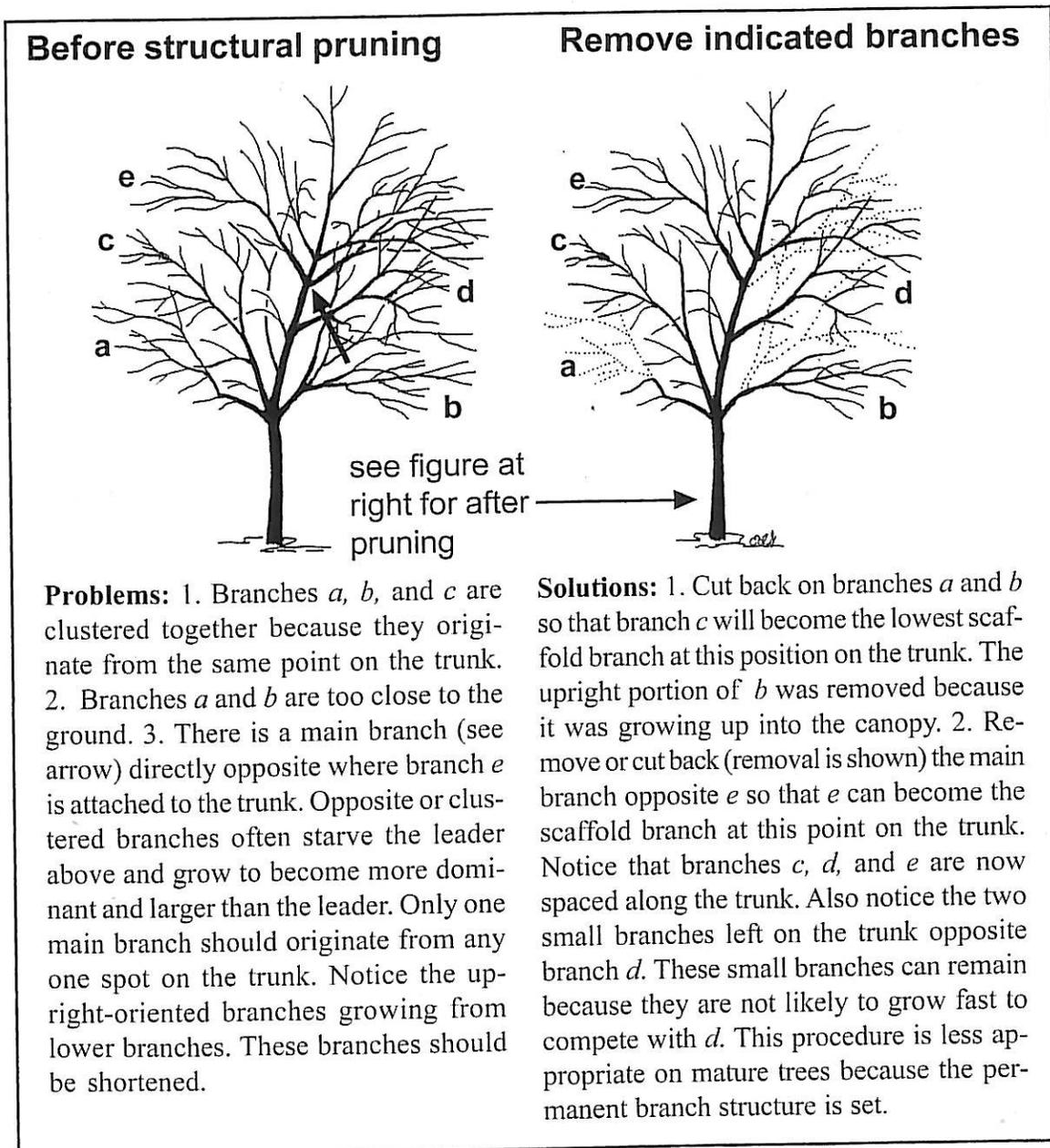


Figure 8. Structural pruning is done to ensure more sustainable growth patterns.

## Pruning to Restore

Restoration (remedial pruning) is the selective removal of branches, sprouts, and stubs from trees and shrubs that have been topped, severely headed, vandalized, lion tailed, broken in a storm, or otherwise damaged (Figure 9). The goal of restoration is to improve a tree or shrub's structure, form, or appearance.

On trees with many sprouts originating at the ends of branch stubs, one to three sprouts are selected to become permanent branches and to reform a more natural-appearing crown. To accomplish this objective, consider shortening some sprouts, removing others, and leaving some untouched. Some vigorous sprouts that will remain as branches may need to be shortened to control growth and ensure adequate attachment for the size of the sprout.

Lion-tailed trees can be restored by allowing sprouts to develop along the interior portion of limbs for one to three years depending on size, age, and condition of the tree. Then remove and shorten some of the sprouts along the entire length of the limbs, so they are evenly distributed and spaced apart. Restoration usually requires several prunings over a number of years.

Restoration may require a variety of types of cuts. At times, heading cuts may be preferable to branch removal cuts or reduction cuts to preserve as much of a damaged branch as practical. This is sometimes the case in restoration after storm damage.

Specify the location in the tree (for example, top or interior) and the percentage of sprouts to be removed or reduced. Typically, one-third of the sprouts are removed and one-third are reduced each pruning until adequate branches have developed.

## Pollarding

Pollarding is a training system that involves heading the first year followed by annual sprout removal to maintain trees or shrubs at a predetermined size or to maintain a "formal" appearance. Pollarding is not topping. Pollarding historically was used to generate shoots for fuel, shelter, and various products because of the abundance of adventitious sprouts that a tree or shrub produces in this process. The pollarding process should be started on deciduous trees when the tree is young by making heading cuts through stems and branches no more than about three years old.

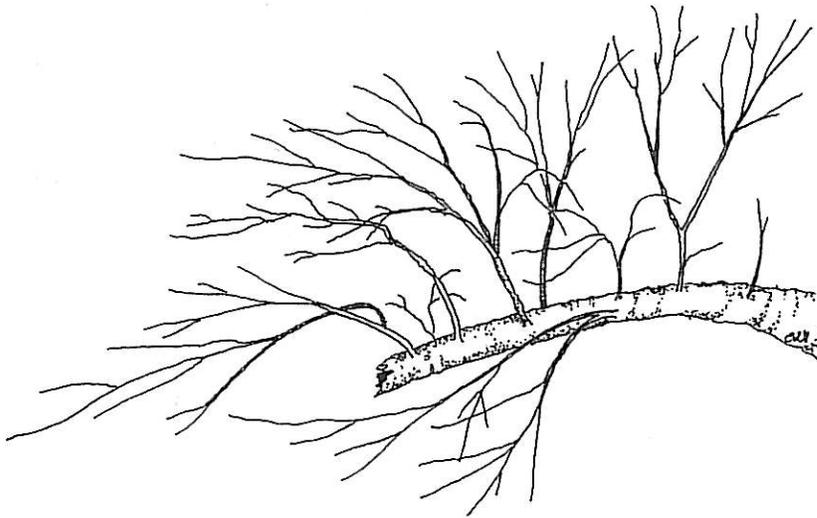
**Table 3. Some species in these genera are known to tolerate pollarding.**

---

Ash ( <i>Fraxinus</i> )
Beech ( <i>Fagus</i> )
Catalpa ( <i>Catalpa</i> )
Crapemyrtle ( <i>Lagerstroemia</i> )
Elm ( <i>Ulmus</i> )
Hawthorn ( <i>Crataegus</i> )
Horsechestnut ( <i>Aesculus</i> )
Japanese quince ( <i>Chaenomales</i> )
Linden ( <i>Tilia</i> )
Maple ( <i>Acer</i> )
Oak ( <i>Quercus</i> )
Pear ( <i>Pyrus</i> )
Plane tree ( <i>Platanus</i> )
Sweetgum ( <i>Liquidambar</i> )

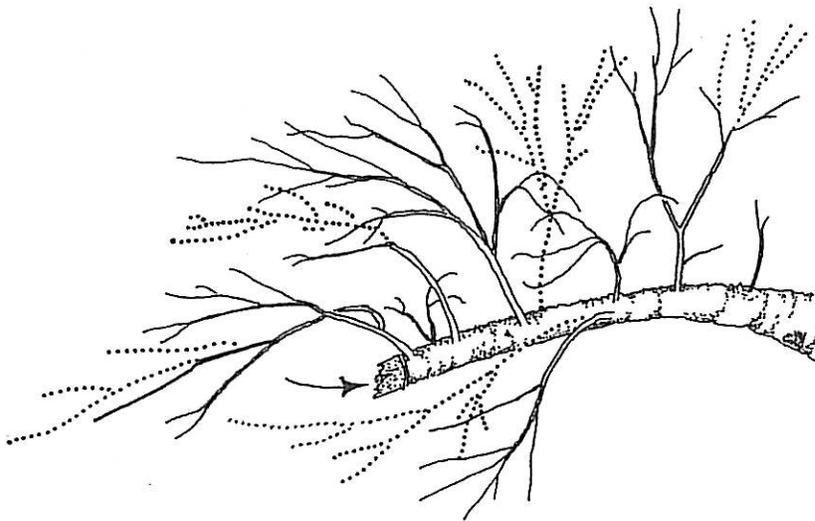
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### Before restoration



**Problem:** Many sprouts form from the cut ends of topped or storm-damaged trees. Some sprouts also develop behind the cuts. All are poorly attached to the tree—at least for several years—and can break easily. Notice the eight sprouts that developed from the damaged branch. There are too many sprouts too close together.

### After restoration



**Solution:** Begin by removing dead stubs (see arrow), removing some sprouts completely, and shortening others using reduction cuts (indicated by dotted lines). This procedure helps rebuild structure by spacing unpruned sprouts apart so that they can develop into branches. The shortened branches help protect the sprouts that remain.

Figure 9. Restoration attempts to improve structure by removing or reducing sprouts.

Severe heading (topping) through older tissue may kill or start a decline syndrome on some tree species. Table 3 lists several trees that can tolerate pollarding.

Heading cuts are made at strategic locations so that the sprouts from all cuts have access to sunlight. After the initial cuts are made, no additional heading cuts should be necessary. After a few pruning cycles, pollard heads (also called knuckles or knobs) develop, and the tree produces sprouts from these knuckles. Sprouts that grow from knuckles should be removed during the dormant season, taking care not to cut into or below the knobs. The knobs are the key differentiating factor between pollarding and topping. If knobs are damaged or removed in subsequent pruning, the branches react as they would on a topped tree.

### **Pruning Palms**

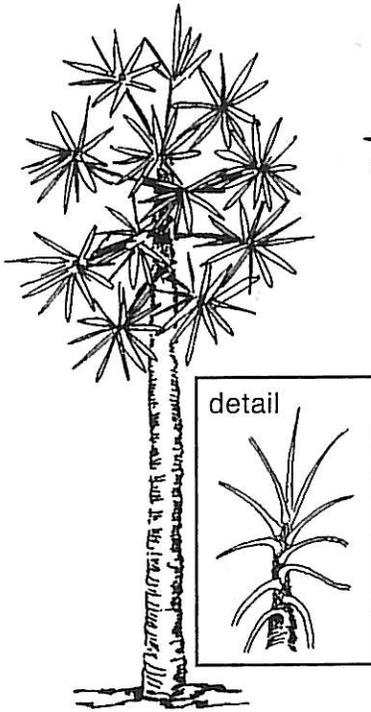
Palm pruning is the removal of fronds, flowers, fruit, stems, or loose petioles that may create a hazardous condition. Palms also may be pruned for aesthetic reasons to eliminate sprouts and stems or dead fronds and seedpods. Live, healthy fronds should not be removed. If they must be removed, however, avoid removing those that initiate above horizontal (Figure 10). Fronds removed should be severed close to the petiole base without damaging living trunk tissue. Climbing spikes should not be used to climb palms for pruning.

### **Pruning Conifers**

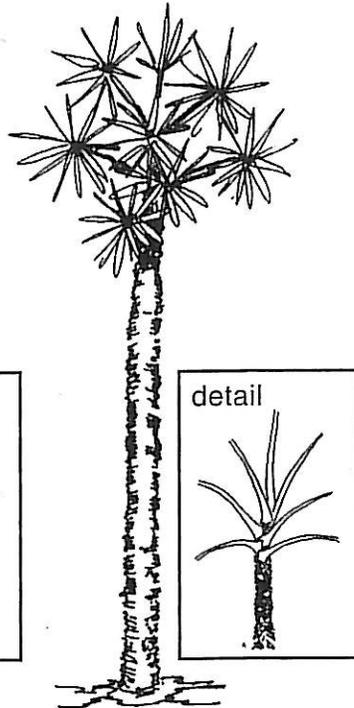
Some pruning types are not appropriate for all conifers. For example, branch spacing and scaffold limb development in conifers usually are not necessary. Thinning on spruces and firs rarely is needed, although in windy area thinning (spiral thinning) could reduce wind resistance and therefore tree failures. Pine growth may be managed by shortening new growth (candles) and removing older needles rather than branch removal. Few conifers respond well to pollarding or reduction.

## Palm Pruning

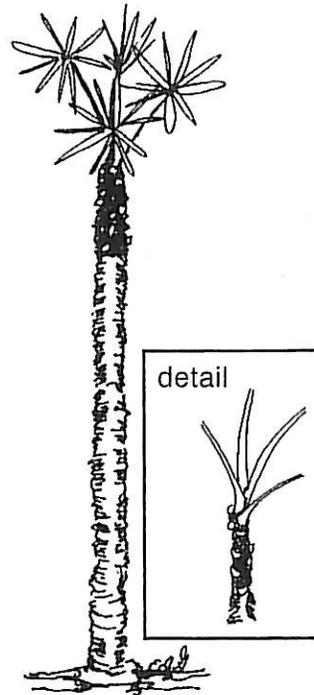
### Before pruning



### Proper pruning



### Overpruning



Consider treating nutrient deficiencies along with pruning. Pruning nutrient-deficient palms could cause symptoms to appear in remaining foliage. Remove lower fronds that are chlorotic or dead. There is no biological reason to remove live green fronds on palms. Removing live green fronds is not known to reduce future pruning requirements.

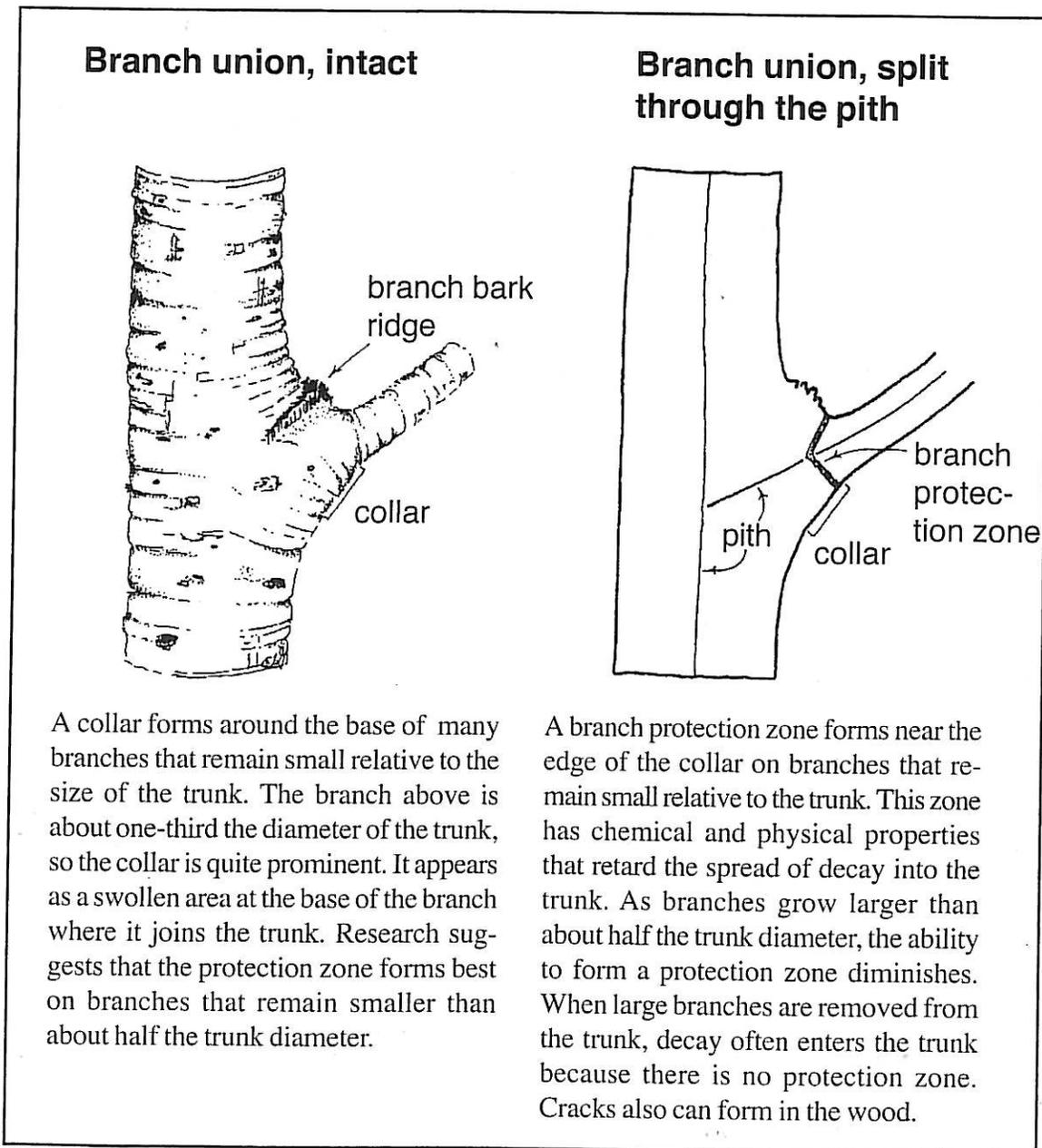
Remove lower fronds that are dead or more than about half chlorotic. It is best for the palm if green fronds remain intact. (If you decide to remove green fronds, the ANSI A300 pruning standard advises never to remove those growing above horizontal.)

Overpruned palms look terrible, have slow growth, and can attract pests. In the detail above, you can see that many upright fronds were removed. Green fronds are almost always removed during this overpruning.

Figure 10. Palm pruning primarily removes dead or chlorotic fronds.

# Branch Attachment

When branches remain small relative to the trunk diameter, a swollen collar often develops around the base of the branch. The collar is formed by overlapping and deflected branch and trunk wood (Figure 11). The overlapping wood makes a union strong. Inside the collar on most trees is a unique chemical barrier called the branch protection zone (Figure 11). Its function is to retard the spread of decay organisms into the trunk. If the collar is removed or severely damaged, decay can more easily enter trunk wood and lead to defects.



**Figure 11. A collar containing a branch protection zone forms when branches remain small compared to the trunk.**

When two stems of approximately equal size (codominant stems, diameter ratios greater than 80 percent) arise from a union, there is little overlapping wood (Figure 12). The result is a weaker union. Decay can enter when one stem is removed because there is no branch protection zone at the base of a codominant stem. The union is even weaker when included bark is part of the condition. Included bark becomes trapped and embedded inside the union as the two stems grow and develop. This condition weakens the union, making the tree prone to failure at that point. There is no traditionally shaped branch bark ridge at the top of the union when included bark is present (Figure 13). Branches and stems with included bark should be removed or shortened on young trees. Removal on large trees may not be a good option because of the potential for decay. Reducing the stem's length or installing a structural support system (see *Best Management Practices: Tree Support Systems*) can minimize the likelihood of the limb failure.

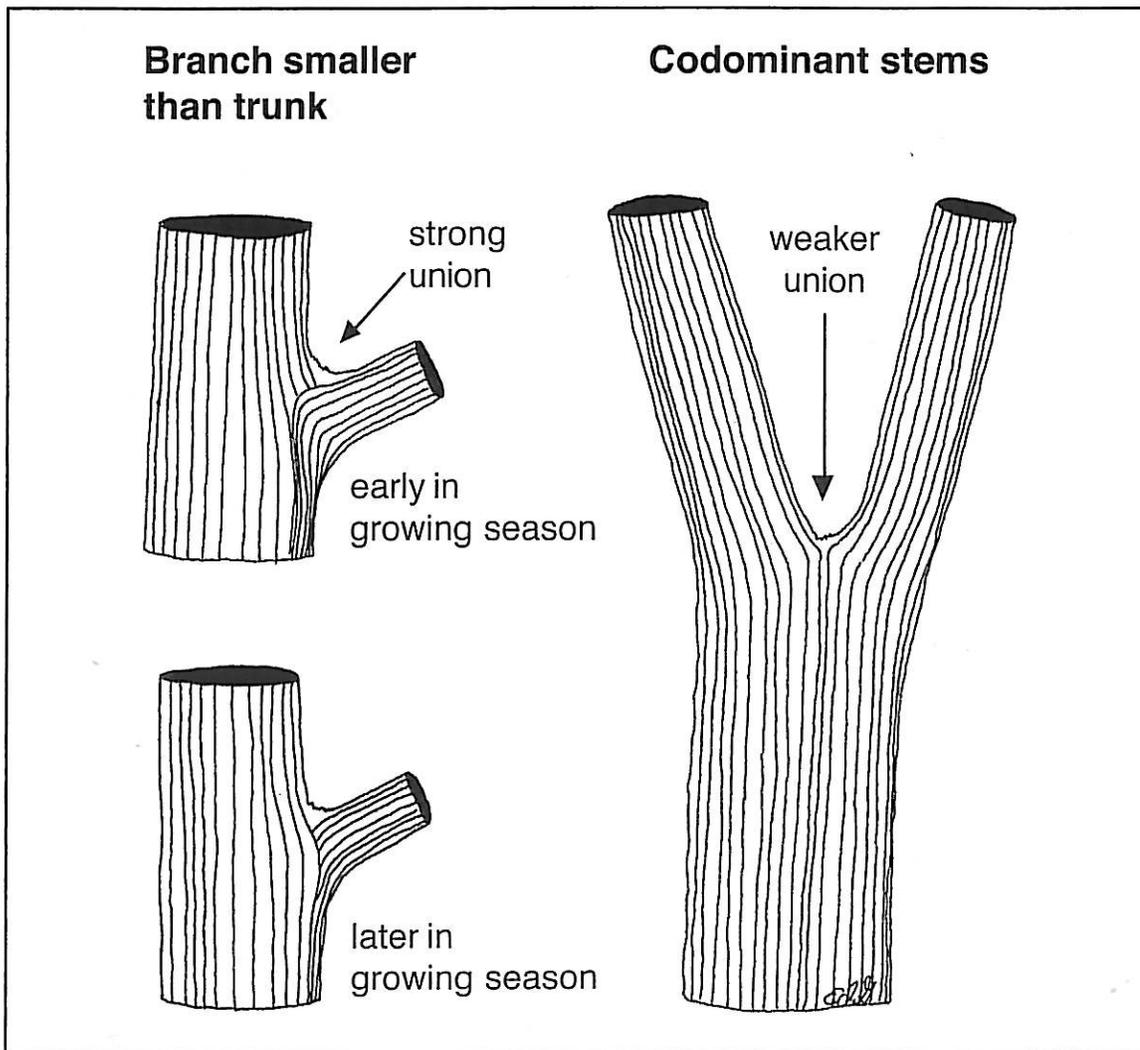
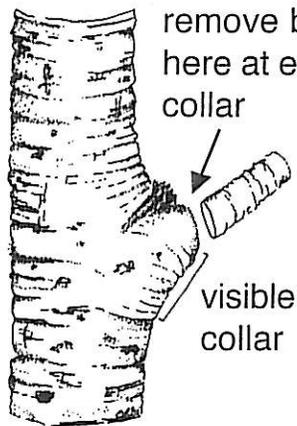


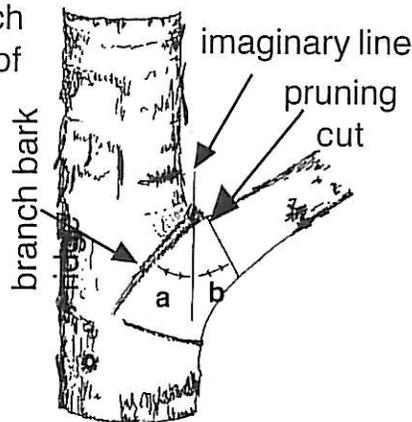
Figure 12. Small branches are well connected to the trunk as a result of overlapping trunk and branch tissue in the union (left). Codominant stems are not as well connected because wood tissue does not overlap in the union (right).

### Visible collar



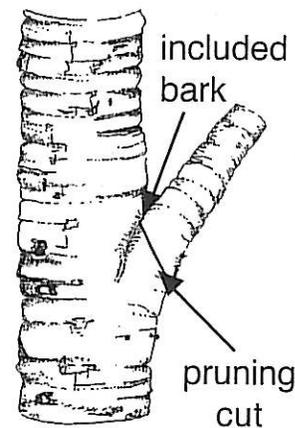
Make the pruning cut just outside the edge of the visible collar. The collar is the swollen area at the base of the branch. If you make the cut here, the branch protection zone remains intact, and decay usually is excluded from the trunk. If the cut is made closer to the trunk, the protection zone is removed, and decay and cracks could occur in the trunk. Do not leave a stub beyond the collar. Leaving a stub could result in the spread of decay into the trunk.

### No visible collar



Without a visible collar, construct an imaginary line parallel with the trunk. Estimate angle  $a$  between the branch bark ridge and the imaginary line. Angle  $b$  should be greater than or equal to angle  $a$ . Make your pruning cut where the top of the branch makes an abrupt turn (see pruning cut arrow) into the union. Another guideline is to make the cut to minimize the size of the pruning wound—that is, cut perpendicular to the top of the branch.

### No collar and included bark



To remove a branch with included bark and no visible collar, cut through the branch as far down into the union as possible without cutting into the trunk. Never cut below the point where the exposed included bark crack ends. Be careful not to injure trunk tissue when making the cut. If doing so is difficult because of the large size of the branch or the shape of the union, cut farther out on the branch than indicated here.

Figure 13. Removing branches from trunks or from parent branches.

# Pruning Cuts

Three general types of cuts are used in arboricultural pruning: branch removal cut (thinning cut), reduction cut, and heading cut. Removal cuts are preferred because they leave the branch protection zone intact.

## Branch Removal Cut (Thinning Cut)

When removing a branch at its point of origin on a trunk, stem, or larger branch, make the cut as close to the trunk as possible without cutting into the branch bark ridge or branch collar and without leaving a stub (Figure 13). The cut should leave a smooth surface with no jagged edges or torn bark. If there is no collar, the top of the cut should be located where the top of the branch makes an abrupt upward turn into the union. The correct position varies among trees and branches. Pruning here most closely simulates where branches are shed naturally. The bottom of the cut can be located according to Figure 13. Except on large limbs, the branch protection zone allows for compartmentalization of the wound. If there is a bark inclusion in the union, cut as far down into the union as possible without injuring trunk wood.

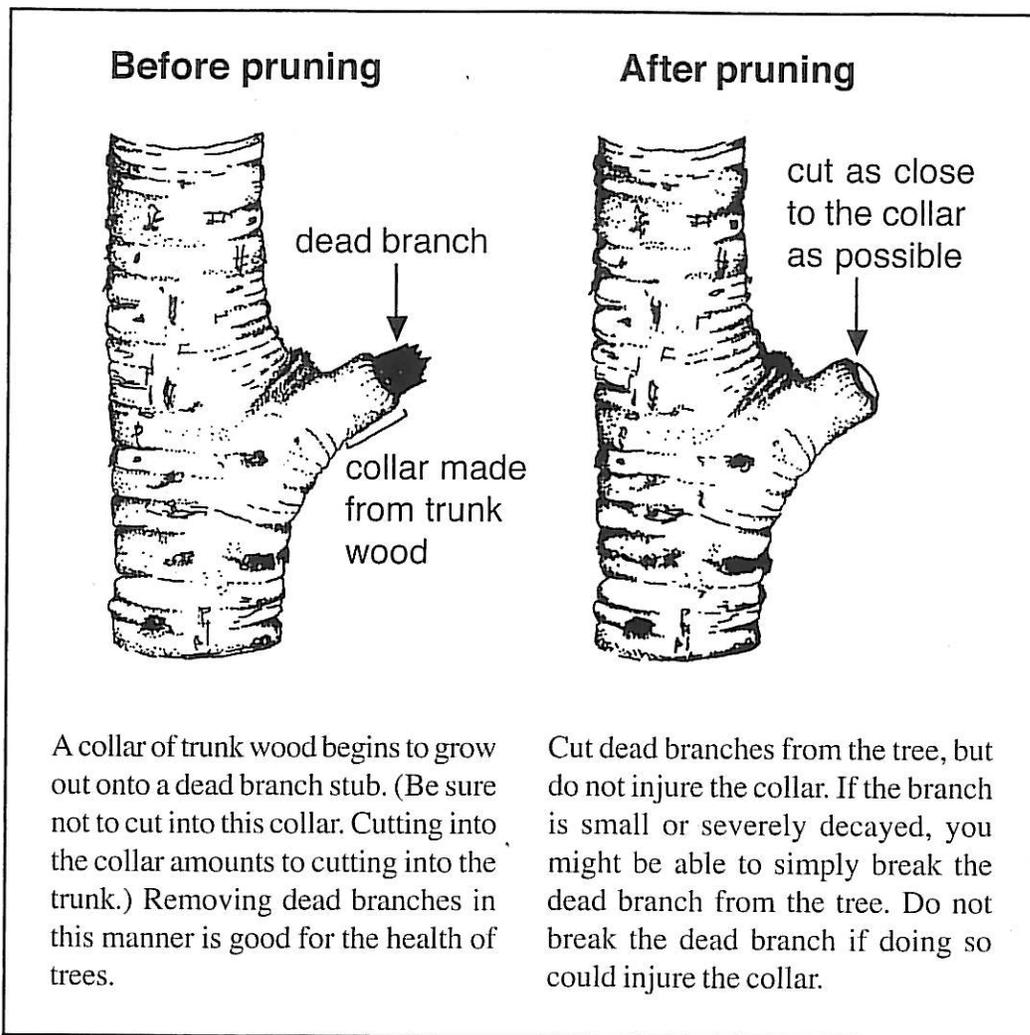
Large or heavy branches should be removed using three cuts. The first one undercuts the limb 1 to 2 feet (0.3 to 0.6 m) out from the parent branch or trunk. The undercut reduces the chance of the branch “peeling” or tearing bark as it is removed. The second cut is the top cut, which on small branches should be made directly above the undercut or slightly farther out on the limb than the undercut. The third and final cut is to remove the stub carefully without tearing bark below the cut.

With large trees, branches often need to be lowered rather than dropped to the ground to reduce damage to the tree and objects below the tree. This procedure is done with ropes, cranes, or other equipment. Details on these procedures can be found in *The Art and Science of Practical Rigging* (DVDs and accompanying book published by the International Society of Arboriculture).

When removing a dead branch, the final cut should be made just outside the collar of living tissue (Figure 14). If the collar has grown along a dead branch stub, only the dead stub should be removed. The collar contains live tissue and should not be injured or removed.

## Reduction Cut (Cutting to a Lateral, Lateral Cut, Drop-Crotch Cut)

A reduction cut shortens a limb or branch back to a smaller lateral branch or similarly sized limb (Figure 15). Reduction cuts commonly are used in



**Figure 14. Removing a dead branch should not remove the swollen collar.**

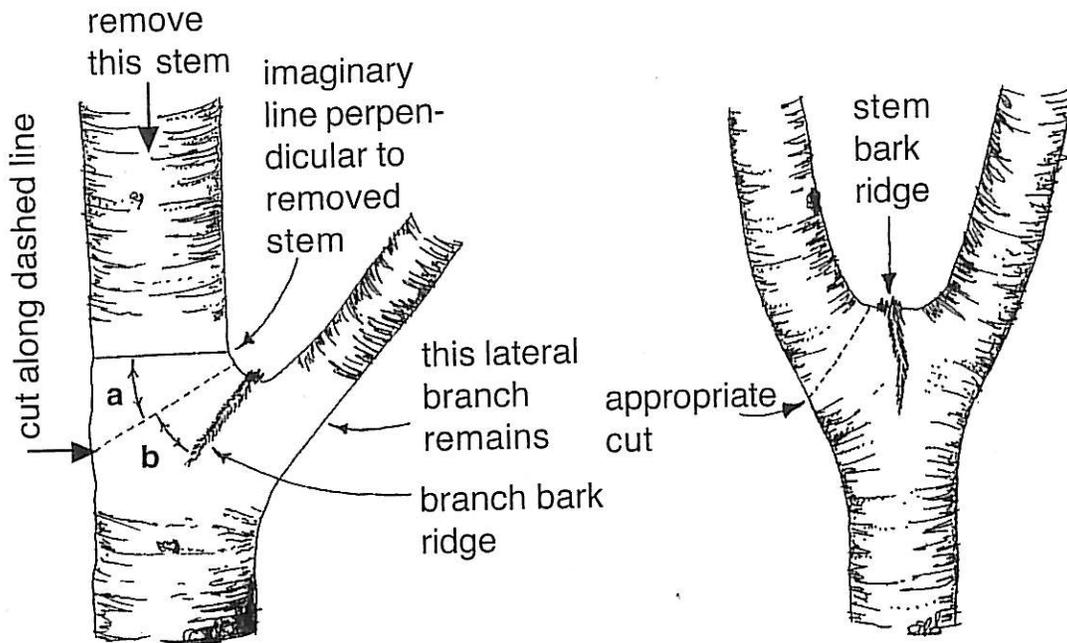
structural pruning or when reducing tree size. A stem is cut back to a lateral capable of sustaining the remaining limb and assuming the terminal role. A common rule of thumb is that the remaining lateral branch should be at least one-third to one-half the diameter of the removed portion. At such a size, the lateral branch should be able to produce enough energy to keep the parent branch alive, and enough growth regulator should be present to suppress excessive sprouting on many species. This rule varies with tree species, age, and condition, and with climate. Old, stressed, or mature trees could decline or become more stressed if too much foliage is removed.

When possible, avoid large reduction cuts (more than 2 inches [5 cm] diameter) on permanent scaffold limbs. Avoiding large cuts is less important on limbs that will be removed from the tree later. On permanent branches, it also is important to consider the ability of the lateral branch to sustain the limb. Cutting back to

## Reduction Cuts

Removed stem larger than branch

Stems of equal size



**Determining where to make an appropriate reduction cut:** Draw an imaginary line perpendicular to the stem to be removed, as shown. Bisect the angle between this line and the branch bark ridge so that angle *a* equals angle *b*. Cut along this bisect line (shown as a dashed line) to just outside of the branch bark ridge.

**Determining where to make an appropriate reduction cut:** Begin the cut just beyond the edge of the stem bark ridge. Cut at an angle to minimize the size of the exposed pruning wound. This location is approximately along the dashed line. There is no natural boundary to resist decay inside the cut stem from reduction cuts.

A reduction cut removes a stem or branch back to a lateral branch or stem that is large enough to assume the terminal role. Typically, this lateral branch should be at least one-third the diameter of the removed portion. If the lateral branch that remains is less than one-third the diameter of the removed stem, then the cut is considered a heading cut. A heading cut is considered inappropriate on most landscape trees. A reduction cut may cause some decay behind the cut. The extent of decay depends on the diameter of the cut and the tree species. Larger-diameter cuts (greater than about 2 to 3 inches [5 to 7.6 cm]) are likely to cause more decay than smaller cuts.

Figure 15. A reduction cut shortens a stem back to a lateral branch.

a lateral that is insufficient in size is much like making a topping or heading cut. Pruning cuts to reduce the length of a limb should bisect the angle between the branch bark ridge and an imaginary line perpendicular to the branch or stem being removed (Figure 15). Cutting *toward* the branch bark ridge reduces the risk of the union splitting out.

Trees do not compartmentalize this type of wound as well as the wound created following a removal cut. The ability of the tree to compartmentalize the wound is a function of the size of the cut, the age of the cut stem or branch, tree vigor or vitality, species, and perhaps the time of year. The smaller the cut and the more vigorous the tree, the better the wound closure and compartmentalization.

### **Heading Cut**

A heading cut (topping cut, lopping cut) is made between branches. This type of cut leaves a stub. These cuts rarely are appropriate on established trees. They can, however, be used on current season's growth to remove old flower heads and developing fruit or to reduce the length of a branch or sprout to improve appearance. Heading cuts are used in the first year of pollarding. Heading should not be used to reduce the height or size of trees in other instances. This practice is called topping and is extremely damaging to shade trees. Shearing (or rounding-over) large-maturing trees also is inappropriate because it causes a profusion of sprouts that grow rapidly into a dense mass of foliage. This practice spoils good tree architecture and can significantly increase maintenance requirements. Shearing is appropriate and commonly practiced on shrubs to maintain size.

### **Wound Dressing**

Wound dressings are treatments applied to pruning cuts or other tree wounds. Traditionally, they were formulated with asphalt-based products in paint or spray form. Wound dressings once were thought to accelerate wound closure and reduce decay. Research shows that these products do not reduce the spread of decay. However, studies have shown beneficial effects of wound dressings in reducing borer attack and oak wilt infection and controlling sprout production and mistletoe. Wound dressings are used primarily for cosmetic purposes, and neither are required nor recommended in most cases. If a dressing must be applied, only a light coating of a nonphytotoxic material should be used.

## How Much to Prune

Energy reserves (starch, sugars, and oils) are stored in branches, stems, trunk, and roots. This energy can be preserved by removing the fewest number of live branches necessary to accomplish the desired objective. Excessive branch removal depletes these reserves and reduces the ability of the tree to photosynthesize more energy. There should be a good reason to remove more than 25 percent of the live crown in a single year. Many trees generate adventitious sprouts in response to overpruning as they attempt to replace the stored energy. Live branch pruning, however, is an essential ingredient to forming good structure, so it is a necessary procedure in an urban tree care program.

## When to Prune

The best time to prune live branches depends on the desired results. Removal of dying, diseased, broken, rubbing, or dead limbs can be accomplished any time, with little negative effect on the tree.

Growth is maximized and defects are easier to see on deciduous trees if live-branch pruning is done in the winter or before growth resumes in early spring. Pruning when trees are dormant can minimize the risk of pest problems associated with wounding and allows trees to take advantage of the full growing season to close and compartmentalize wounds. Trees with Dutch elm disease should have diseased branches removed as soon as a branch shows flagging.

The timing of pruning can be an important part of a Plant Health Care program. For example, one of the ways to reduce the spread of oak wilt or Dutch elm disease fungus is to prune during the dormant season and avoid pruning susceptible species during the time of the vector beetle flight in areas where disease is a problem.

Plant growth rate can be reduced if live-branch pruning takes place during or soon after the initial growth flush. This is the period when trees have just expended a great deal of stored energy to produce roots, foliage, and early shoot growth, so pruning at this time usually is not recommended because of the potential stresses. Do not prune live branches from stressed trees at this time because they need all their live foliage to help recover.

Flowering can be prevented or enhanced by pruning at the appropriate time of the year. To retain the most flowers on landscape trees that bloom on current season's growth, such as crapemyrtle (*Lagerstroemia* spp.) or linden (*Tilia* spp.), prune these trees in winter, prior to leaf emergence, or in the summer just after bloom. Plants that bloom on last season's wood, such as crabapples (*Malus* spp.) and cherries (*Prunus* spp.), should be pruned just after bloom in order to preserve the flower display. Fruit trees can be pruned during the dormant season to enhance structure and distribute fruiting wood, and they are pruned after bloom to thin fruit.

Certain species of trees, such as maples (*Acer* spp.) and birches (*Betula* spp.), drip sap (bleed) when pruned in the early spring when sap flow is heavy (Table 4). Although unattractive, sap drainage has little negative effect on tree growth or health. Some of the sap dripping can be avoided by pruning in summer or at other times of the year.

**Table 4. Trees that often drip sap (bleed) when pruned in late winter or early spring.**

---

Avocado (*Persea americana*)  
Birch (*Betula* spp.)  
Cottonwood (*Populus* spp.)  
Elm (*Ulmus* spp.)  
Flowering dogwood (*Cornus florida*)  
Hackberry (*Celtis* spp.)  
Honeylocust (*Gleditsia triacanthos*)  
Magnolia (*Magnolia* spp.)  
Maple (*Acer* spp.)  
Mesquite (*Prosopis* spp.)  
Poplar (*Populus* spp.)  
Silk-oak (*Grevillea robusta*)  
Walnut (*Juglans* spp.)  
Willow (*Salix* spp.)

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## Tools

Pruning tools adequate for the size of cuts being made should be selected. Tools should be sharp so as to make clean cuts without jagged edges or stubs. Dull, anvil-type pruning tools, with a blade that cuts to a flat surface, should be avoided because they crush tissue; tools with bypass (scissors-type) blades are preferred. Place the blade side of the pruner toward the tree and squeeze the blade *up* through or *across* the branch. Passing the blade *down* through the branch can cause the union to split.

Equipment and work practices that damage living tissue and bark beyond the scope of the work should be avoided. Climbing spurs are not to be used to climb trees for pruning operations except when limbs are more than a throwline distance apart and there are no other means of climbing the tree, when the bark is thick enough to prevent damage to the cork cambium (for example, on thick-barked species such as mature redwoods), to reach an injured worker, or when removing the entire tree.

Although probably a rare occurrence, the probability of spreading pathogens on pruning tools varies with the particular disease, the plant, the pruning tools used, the environmental conditions, and the timing. Chain saws are difficult, if not impossible, to sterilize during pruning operations. If tools are sterilized, it is important to use a material that will not injure plant tissues or damage tools. Materials commonly used to sterilize tools include bleach (10 percent solution), Lysol, and automotive antifreeze.

# Pruning Specifications

Written specifications are the core of executing good pruning. Without good specifications, each arborist bidding on a pruning job bids on the work he or she thinks should be done, and this decision could vary widely among arborists. Municipalities, condominium and home owner associations, and commercial property managers may benefit most from using specifications. Commercial tree care companies should use ANSI A300 terms when writing pruning specifications on their work orders.

Specifications should include objectives of the pruning, pruning types to be used, size range of branches to remove, percentage of live crown to remove, and location of branches (Table 5). The specifications should state that all work shall be performed according to the ANSI A300 pruning standard and the ANSI Z133.1 safety standard.

**Table 5. Minimum pruning specification requirements.**

- 
- Clearly state which trees are to be pruned.
  - Include a statement that all work shall be performed in accordance with the ANSI A300 pruning standard and the ANSI Z133.1 safety standard.
  - Include clearly defined pruning objectives.
  - Specify the pruning types to be performed to meet the objectives.
  - State the size specifications of the minimum and/or maximum branch size to be removed.
  - Specify the maximum amount (expressed as a percentage) of live tissue that can be removed.
-

## **Example 1**

### **Specification example to include in a request for bids for pruning medium-aged and mature trees**

*(The following is only an example and should not be used as is. Develop specifications based on your needs, the objectives of the customer, and the condition and size of the trees to be pruned.)*

“Shall” refers to a practice that is mandatory; “should” refers to a practice that is recommended. If a “should” recommendation will not be followed, a written explanation must be provided.

#### **Objectives**

Twenty-seven oak trees along Sweetwater Lane from 1600 block to 1800 block shall be pruned to improve structure and reduce the risk of limb failure by

1. cleaning the entire crown of each tree by removing all undesirable branches greater than 1-inch (2.5 cm) diameter.
2. reducing the length of long, horizontal branches by about 5 feet (1.5 m).
3. reducing the length of branches or stems with included bark by 5 to 10 feet (1.5 to 3 m).
4. reducing or thinning by 20 percent any limbs that require cabling.

#### **Procedures**

1. Live branches less than 1-inch (2.5 cm) diameter should not be removed from the interior of the crown (some branches may need to be removed to allow the arborist to enter and work in the trees). No live branches greater than 4-inch (10 cm) diameter shall be removed from the tree without authorization from owner or owner’s agent.
2. Dead, diseased, or broken branches greater than 1-inch (2.5 cm) diameter (measured at the base of the branch) shall be removed from the canopy of all trees.
3. No more than 20 percent of live foliage shall be removed from any tree.
4. Swollen collars, even if they are quite large, shall remain on the tree following removal of dead branches.
5. Pruning cuts shall be in accordance with ANSI A300 pruning standard, and work shall be performed in accordance with the ANSI Z133.1 safety standard. Pruning shall be in accordance with ISA’s *Best Management Practices: Tree Pruning*.

#### **Personnel Qualifications**

All work should be performed under the supervision of an ISA Certified Arborist or state licensed arborist.

## Example 2

### Sample work order for residential tree work

(The following is only an example and should not be used as is. Develop work orders based on your needs, the desires and objectives of the customer, and the condition and size of the trees to be pruned.)

“Shall” refers to a practice that is mandatory; “should” refers to a practice that is recommended. If a “should” recommendation will not be followed, a written explanation must be provided.

#### Pruning Types to Execute on This Job (Check All That Apply)

structural     clean     thin     raise     reduce     restore

#### Objectives and Procedures

1. Reduce potential for failure in large, front-yard white oak (*Quercus alba*) by
  - cleaning (1-inch [2.5 cm] diameter and larger).
  - removing north limb (8-inch [20 cm] diameter) with split crotch and included bark.
2. Raise 12-inch (30 cm) green ash (*Fraxinus pennsylvanica*) in rear to allow under-clearance of 8 feet (2.5 m).
3. Clean (branches greater than 1-inch [2.5 cm] diameter) and thin (remove branches between 1/2- and 1-inch [1.2 to 2.5 cm] diameter only) maple by vegetable garden to allow greater sunlight penetration.

#### General

No live branches greater than 5-inch (12.5 cm) diameter shall be removed from the tree without authorization from the home owner. No more than 20 percent of live foliage will be removed from the tree. Pruning cuts shall be in accordance with ANSI A300 pruning standard, and work shall be performed in accordance with the ANSI Z133.1 operations standard. Pruning shall be in accordance with ISA's *Best Management Practices: Tree Pruning*.

## Glossary

**ANSI A300**—In the United States, industry-developed, national consensus standards of practice for tree care.

**ANSI Z133.1**—In the United States, industry-developed, national consensus safety standards of practice for tree care.

**arboriculture**—Practice and study of the care of trees and other woody plants in the landscape.

**arborist**—Professional who possesses the technical competence gained through experience and related training to provide for or supervise the management of trees and other woody plants in residential, commercial, and public landscapes.

**bark inclusion**—See included bark.

**best management practices**—Best-available, industry-recognized courses of action, in consideration of the benefits and limitations, based on scientific research and current knowledge.

**branch**—A stem arising from a larger stem; a subdominant stem; the pith in true branches has no connection to the parent stem.

**branch bark ridge**—Raised strip of bark at the top of a branch union, where the growth and expansion of the trunk or parent stem and adjoining branch push the bark into a ridge.

**branch collar**—Area where a branch joins another branch or trunk that is created by the overlapping vascular tissues from both the branch and the trunk. Typically enlarged at the base of the branch.

**branch protection zone**—Chemically and physically modified tissue within the trunk or parent branch at the base of a smaller, subordinate branch that retards the spread of discoloration and decay from the subordinate stem into the trunk or parent branch.

**cambium**—Thin layer(s) of meristematic cells that give rise (outward) to the phloem and (inward) to the xylem, increasing stem and root diameter.

**cleaning**—Selective pruning to remove dead, diseased, cracked, and broken branches and foreign objects.

**climbing spurs**—Sharp devices strapped to a climber's lower legs to assist in climbing poles or trees being removed. Also called spikes, gaffs, irons, hooks, or climbers.

**closure**—The process in a woody plant by which woundwood grows over a pruning cut or injury.

**codominant stem**—Forked branches nearly the same diameter (diameter ratios > 80 percent), arising from a common junction and lacking a normal branch union.

**compartmentalization**—Natural defense process in trees by which chemical and physical boundaries are created that act to limit the spread of disease and decay organisms.

**crown**—Upper part of a tree, measured from the lowest branch, including all the branches and foliage.

**decay**—(1) (*noun*) An area of wood that is undergoing decomposition. (2) (*verb*) decomposition of organic tissues by fungi or bacteria.

**dominant leader/trunk/stem**—The stem that grows much larger than all other stems and branches.

**frond**—Large, divided leaf structure found in palms and ferns.

**good structure/architecture/form**—Branch and trunk architecture resulting in a canopy form that resists failure.

**heading**—Cutting a shoot back to a bud or cutting branches back to buds, stubs, or lateral branches not large enough to assume apical dominance. Cutting an older branch or stem back to a stub in order to meet a structural objective.

**included bark**—Bark that becomes embedded in a crotch (union) between branch and trunk or between codominant stems. Causes a weak structure.

**interior foliage**—Typically small-diameter (less than 3 inches [7.6 cm]) branches with foliage on the interior or inner portion of the crown.

**kerf**—Slit or cut made by a saw in a log. Space created by a saw cut.

**lateral**—A branch arising from a larger stem or branch.

**leader**—Primary terminal shoot or trunk of a tree. Large, usually upright stem. A stem that dominates a portion of the crown by suppressing lateral branches.

**lion tailing**—Poor pruning practice in which an excessive number of branches are thinned from the inside and lower part of specific limbs or a tree crown, leaving mostly terminal foliage. Results in poor branch taper, poor wind load distribution, and a higher risk of branch failure.

**live crown ratio**—The ratio of the height of the crown containing live foliage to the overall height of the tree.

**mature trees**—Trees that have reached at least 75 percent of their typical final height and spread.

**method**—A procedure or process for achieving an objective.

**parent branch or stem**—A tree trunk or branch from which other branches or shoots grow.

**peeling**—The removal of dead frond bases without damaging living trunk tissue at the point they make contact with the trunk.

**petiole**—Stalk or support axis of a leaf.

**permanent branches (permanent limbs)**—In structural pruning of young trees, branches that will be left in place, often forming the initial scaffold framework of a tree.

**photosynthesis**—Process in green plants (and in algae and some bacteria) by which light energy is used to form glucose (chemical energy) from water and carbon dioxide.

**phytotoxic**—Term to describe a compound that is poisonous to plants.

**pollarding**—Specialty pruning technique in which a tree with a large-maturing form is kept relatively short. Starting on a young tree, internodal cuts are made at a chosen height, resulting in the development of callus knobs at the cut height. Requires regular (usually annual) removal of the sprouts arising from the cuts.

**pruning**—Removing branches (or occasionally roots) from a tree or other plant using approved practices, to achieve a specified objective.

**raising**—Selective pruning to provide vertical clearance; also known as lifting.

**reaction zone**—Natural boundary formed chemically within a tree to separate damaged wood from existing healthy wood. Important in the process of compartmentalization.

**reducing**—Pruning to decrease height or spread on entire tree or one section; also referred to as reduction or reduction pruning.

**reduction cut (drop-crotch cut, lateral cut)**—Pruning cut that reduces the length of a branch or stem back to a lateral branch large enough to assume apical dominance—typically at least one-third of the diameter of the cut stem.

**removal cut (thinning cut)**—Cut that removes a branch at its point of origin. Collar cut.

**restoring**—The process of pruning to improve the structure, form, and appearance of trees that have been improperly trimmed, vandalized, or damaged.

**scaffold limb**—A limb or branch that is among the largest diameter on the tree and will remain on the tree perhaps to maturity.

**shoot**—New stem or branch growth on a plant.

**specifications**—Detailed plans, requirements, and statements of particular procedures and/or standards used to define and guide work.

**stem**—Woody structure bearing foliage and buds that gives rise to other stems (branches).

**starch**—Chain of sugar molecules linked together that serves as a form of energy storage in plants.

**structural pruning**—Pruning to establish a strong arrangement or system of scaffold branches.

**stub**—Portion of a branch or stem remaining after a stub cut, branch breakage, or branch death.

**subordination**—Pruning to reduce the size and ensuing growth of a branch in relation to other branches or leaders.

**sucker**—Shoot arising from the roots. Contrast with *watersprout*.

**thinning**—In pruning, the selective removal of live branches to provide light or air penetration through the tree or to lighten the weight of the remaining branches.

**throwline**—Thin, lightweight cord attached to a throwbag or throwing ball used to set climbing or rigging lines in trees.

**topping**—Inappropriate pruning technique to reduce tree size. Cutting back a tree to a predetermined crown limit, often at internodes.

**trunk**—Stem of a tree.

**union (crotch)**—The junction between stem and branch or between stems.

**watersprouts**—Upright, epicormic shoots arising from the trunk or branches of a plant above the root graft or soil line. Incorrectly called a sucker. Contrast with *sucker*.

**wound**—An opening that is created when the bark of a live branch or stem is cut, penetrated, damaged, or removed.

**wound dressing**—Compound applied to tree wounds or pruning cuts.

## Other Sources of Information

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## About the Authors

**Edward F. Gilman** is professor in the Environmental Horticulture Department at the University of Florida in Gainesville. He has been studying and teaching pruning since he arrived there in 1986. He received a B.S. in forestry and a Ph.D. in plant pathology from Rutgers University. Before joining the faculty at the University of Florida, Ed worked in the tree care and landscape industry for four years.

He continues to conduct tree care research, seminars, and workshops throughout the world. He has authored five books and more than a dozen horticultural software programs. Ed received the ISA author's citation award in 1999 and the American Horticultural Society's Gunlogson Award in 2001 for achievements demonstrating a commitment to the highest standards of horticultural excellence. He has published more than 200 research and trade journal articles on tree and landscape care during the past 20 years.

**Sharon J. Lilly** is director of educational goods and services for ISA. She received her B.S. and M.S. from The Ohio State University and has more than 30 years of experience as a practicing arborist. Sharon is the author of many books, articles, and training materials in the field of arboriculture.



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ORDINANCE COMMITTEE DRAFT 04-21-09  
SHOWING CHANGES FROM EXISTING CODE

INCLUDING RECOMMENDATIONS FROM STREET TREE ADVISORY COMMITTEE  
AND THE PARKS AND RECREATION COMMISSION

AN ORDINANCE OF THE COUNCIL OF  
THE CITY OF SANTA BARBARA  
AMENDING CHAPTERS 15.20 AND  
15.24 OF THE SANTA BARBARA  
MUNICIPAL CODE RELATING TO THE  
PRESERVATION AND MANAGEMENT  
OF TREES

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

**SECTION ONE.** Chapter 15.20 of Title 15 of the Santa Barbara Municipal Code  
is amended to read as follows:

**15.20.010 Title.**

Recognizing that the urban forest is a valuable asset to the City of Santa Barbara,  
this chapter shall be known as and may be cited and referred to as the "Street Tree  
Ordinance of the City of Santa Barbara."

**15.20.020 Definitions.**

For the purpose of this chapter, certain terms and words are hereby defined as  
follows:

A. DIRECTOR. The person having control and management of the Parks and  
Recreation Department of the City or the Director's designated representative.

B. GROUND COVER. Includes grass, turf or perennial plants that normally grow in a prostrate manner so as to conceal, or with the purpose of concealing, the ground surface, and that do not exceed eight inches in height, and that will tolerate light pedestrian traffic.

C. HISTORIC TREE. A tree which has been found by the Board of Park Commissioners, the Historic Landmarks Commission, or the City Council to be a tree of notable historic interest and has been designated by resolution of the City Council as an "historic tree".

D. MAINTENANCE or MAINTAIN. Pruning, spraying, bracing, root pruning, staking, fertilizing, watering, treating for disease or injury, and other work performed to promote the health, beauty, or adaptability of trees and shrubs, but shall not include the watering of such trees in residential zones.

E. OFFICIAL TREE. A tree so designated by the Director because of its desirable characteristics of growth and beauty with reference to its crown, root structure, and adaptability to local climatic, soil and street conditions. The Director shall keep a list of official trees.

F. PARKWAY STRIP. Either (i) the area between the curb and sidewalk within a fully improved street right-of-way, or (ii) that area extending six feet from the curb towards the nearest right-of-way line in an area with no sidewalk, or (iii) any area within a street right-of-way in which an official or parkway tree is located.

G. PARKWAY TREE. A tree planted or caused to be planted by the City within a street right-of-way.

H. PUBLIC AREA. Parks, playgrounds, areas around public buildings and all other

areas under the supervision and maintenance of the City not including any street right-of-way.

I. SHRUB. Woody vegetation or a woody plant having multiple stems and bearing foliage from the ground level up.

J. SPECIMEN TREE. A tree which has been found by the Board of Park Commissioners to be of high value because of its type and/or age and which has been so designated by resolution of the City Council as a “specimen tree”.

K. STREET. Shall have the meaning set forth in section 28.04.665 of this Code.

L. TREE. A usually tall, woody plant, distinguished from a shrub by having comparatively greater height and, characteristically, a single trunk rather than several stems.

M. TREE WELL. A planting area found in an otherwise paved street right-of-way.

**15.20.030 Master Street Tree Plan.**

All trees within a parkway strip shall be planted and maintained according to the Master Street Tree Plan adopted by the City Council. The Director shall administer the Master Street Tree Plan and, with the approval of the Board of Park Commissioners, shall have the authority to amend or add to the Master Street Tree Plan at any time that circumstances make such amendment or addition advisable.

**15.20.040 Other Plantings or Improvements in Parkway Strips.**

It is unlawful to install or plant in a Parkway Strip any of the following without a written permit: (i) any tree not designated an official tree in the Master Street Tree Plan; (ii) any other plant whose ultimate growing height is over eight inches; (iii) any other non-living ground cover, ~~without a written permit from the Director.~~

The Parks and Recreation Department shall maintain a list of plant materials which comply with the height requirements of this Title.

**15.20.050 Director Authority and Responsibility.**

The Director is hereby made responsible for inspection, maintenance, removal and replacement of all trees planted in public areas, parkway strips, and tree wells.

The Director shall have authority to remove or replace any tree or other planted improvements within a parkway strip which does not conform to the "Master Street Tree Plan" or this Title.

#### **15.20.060 Development Activity - Tree Plans.**

The applicant for any activity for which approval by the Architectural Board of Review, the Historic Landmarks Commission, the Single Family Design Board, or the Planning Commission is required by City law shall, concurrently with processing of such application, submit to the Director and the appropriate review body plans for the planting of official trees within any parkway strip on or adjacent to the lot, parcel or building site. The Director may designate the species, kind, number, spacing, and method of planting of such trees and may require the inclusion of root inhibiting planters.

#### **15.20.070 New Subdivisions - Conformity with Master Street Tree Plan.**

No subdivision shall be approved unless it is found to include planting of official trees within the parkway strips in conformity with the "Master Street Tree Plan" and under the Director's supervision. Any such approval shall assure that the costs of planting and first two years maintenance, including irrigation, for all official trees are borne by the subdivider. ~~Posting of a faithful performance bond may be accepted by the Director as a means of complying with this requirement.~~

The Director may require the posting of a performance bond to secure faithful performance of the planting, maintenance, and irrigation obligations in a manner consistent with the security provisions of the state Subdivision Map Act (Government Code section 66499 et seq.).

#### **15.20.080 Street Improvements - Integration of Plans.**

Any proposed change in the direction or width of a public street right-of-way or any proposed street improvement shall, where feasible, incorporate plans for installation of parkway strips. Plans and specifications for planting such areas shall be integrated into the general plan of improvements and it shall be the duty of the City Engineer to coordinate the design of such improvements with the Parks and Recreation Department prior to completion of final overall plans.

In order to provide for coordinating the multiple use of all street improvements, plans and specifications for street planting proposed by the Parks and Recreation Department shall be submitted to the City Engineer, Traffic Engineer and City Planner for their recommendations.

#### **15.20.090 Maintenance Responsibility of Property Owner.**

An owner of property adjoining a street right-of-way is responsible for maintaining all trees and other vegetation planted between the edge of the pavement nearest said property and the right of way line separating the property

from the street, except those trees to be maintained by the Director pursuant to section 15.20.050. This maintenance obligation shall include keeping such area free from weeds or any obstructions inimical to public safety and or contrary to the Master Street Tree Plan. The placing of tar paper, plastic or other material over the ground, or the use of materials or chemicals intended to permanently sterilize the soil in these areas, is prohibited.

Nothing in this chapter shall be deemed to relieve the owner of any property from the duty to keep the property, including any adjacent sidewalks and parkway strip in front thereof, in a safe condition and so as not to be hazardous to public travel. For purposes hereof, "owner" shall include any occupant of property.

#### **15.20.100 Abatement of Dangerous Conditions - Authority of Director.**

The Director may remove a limb from any tree, regardless of the location of such tree, if in the Director's opinion such removal is necessary to maintain the safety of the public right of way. In the event such tree is on private property, the Director shall notify the property owner of the intent to remove a limb by written notice at least ten (10) days prior to such removal and, where possible, obtain the owner's consent for entry upon the property, except in the case of manifest public danger and immediate necessity.

**15.20.110 Permit Required for Planting, Maintaining, or Removing any Tree  
Growing Within a Street Right-of-Way or Public Area.**

A. APPLICATION. Whenever a ~~property owner or occupant~~City resident or a resident's agent desires to plant, prune, trim, perform maintenance on, or remove any tree planted in a parkway strip, tree well, public area or street right of way, an ~~application shall be filed with the Parks and Recreation Department for a permit for such actions.~~application shall be filed with the Parks and Recreation Department on forms provided for such purpose. The application shall show clearly by diagram, plot plan or photograph, the location and identity of the tree or trees sought to be planted, maintained or removed, the name and address of the resident, and such other information as indicated on the form provided.

B. PLANTING. When an application proposes the planting of a tree in a parkway strip, tree well, public area or street right of way, the Director shall consider whether the proposed planting conforms to the Master Street Tree Plan. The Director may designate the species, kind, number, spacing, and method of planting of such trees and may require the inclusion of root inhibiting planters as necessary to conform to the Master Street Tree Plan. The Director may approve, conditionally approve, or deny the application. If the application does not conform to the Master Street Tree Plan or the applicant does not agree to the Director's conditions of approval, the Director shall deny the application.

C. MAINTENANCE. When an application is submitted for maintenance of a tree planted in a parkway strip, tree well, public area or street right of way, the

Director shall consider whether the proposed maintenance will benefit the state of the urban forest and may approve, conditionally approve, or deny the application on the basis of that consideration in the sole discretion of the Director.

D. REMOVAL. When an application is submitted for the removal a tree planted in a parkway strip, tree well, public area or street right of way, the application shall be processed in accordance with this Subsection D.

1. Notice. Any tree for which a removal permit has been requested must be posted with notice of the permit request by the Parks and Recreation Department for at least ten (10) days prior to issuing a permit for removal.

2. Administrative Review. The application shall first be reviewed by the Director to consider whether the removal would benefit the state of the urban forest considering the factors specified in paragraphs 3 and 4 below. If the Director finds that the removal is either: (i) beneficial to the state of the urban forest, or (ii) imperative for public safety, the Director may issue the permit. If the Director finds that the removal will not benefit the state of the urban forest and is not imperative for safety, the Director may deny the application. The Director may also refer the application to the Street Tree Advisory Committee for further review consistent with this Section. Except in cases of where the Director finds that removal is necessary for public safety, the applicant or any interested person may request review of the application by the Street Tree Advisory Committee and the Board of Park Commissioners as provided in this Section.

3. Street Tree Advisory Committee. If the application is referred to the Street Tree Advisory Committee by the Director or at the request of the applicant

or any interested person, the application shall be presented to the Street Tree Advisory Committee at the next available meeting of the Committee. The Street Tree Advisory Committee shall consider the application and make a recommendation to the Board of Park Commissioners to approve, conditionally approve, or deny the application. When making its recommendation, the Street Tree Advisory Committee shall consider the following factors:

- a. Whether such tree is designated as an historic or specimen tree;
- b. Whether the tree species and placement conforms to the “Master Street Tree Plan;”
- c. The condition and structure of the tree and the potential for proper tree growth and development of the tree canopy;
- d. The number and location of adjacent trees on City property and the possibility of maintaining desirable tree density in the area through additional planting on City property; and
- e. Any beneficial effects upon adjacent trees to be expected from the proposed removal.

4. Board of Park Commissioners. Following the decision of the Street Tree Advisory Committee, the application shall be presented to the Board of Park Commissioners at the next available meeting of the Commission. After receiving the recommendation of the Street Tree Advisory Committee and a recommendation from the Director, the Board of Park Commissioners shall approve, conditionally approve, or deny the application. When making its decision, the Board of Park Commissioners shall consider the following factors:

a. Whether such tree is designated as an historic or specimen tree;

b. Whether the tree species and placement conforms to the "Master Street Tree Plan;"

c. The condition and structure of the tree and the potential for proper tree growth and development of the tree canopy;

d. The number and location of adjacent trees on City property and the possibility of maintaining desirable tree density in the area through additional planting on City property; and

e. Any beneficial effects upon adjacent trees to be expected from the proposed removal.

~~If the Director finds that such maintenance is to the advantage of the tree, or that removal is imperative due to safety considerations, then a permit may be issued. The Director may waive the permit requirement for minor pruning activities such as the removal of palm fronds.~~

~~B. All costs incurred in maintaining or removing a tree as permitted by the Director shall be borne by the permittee. Where a tree is removed under permit, the Director may require a replacement tree to be planted, and all costs related to the replacement tree shall be borne by the permittee.~~

#### **15.20.120 Permit for Maintenance or Removal - Time Limit.**

Any tree for which a removal permit has been requested must be posted with notice of the permit request by the Parks and Recreation Department for at least

ten (10) days prior to issuing a permit for removal. Any work authorized by a permit shall be done within sixty (60) days of issuance thereof, under the general supervision of the Director, and in accordance with rules established by the Director. A permit shall be void after the expiration of the sixty day period. All costs incurred in maintaining or removing a tree as permitted pursuant to this Chapter 15.20 shall be borne by the permittee. Where a tree is removed under permit, the Director or Board of Park Commissioners may require a replacement tree to be planted, and all costs related to the replacement tree shall be borne by the permittee.

#### **15.20.130 ~~Liability Insurance Required for Tree Removal~~**

##### **Businesses Conditions of Maintenance or Removal.**

Any person, firm or corporation ~~engaged in the business of pruning or removing trees and which engages in such activity as to~~ who receives a permit to prune or remove an official or parkway trees shall comply with the following conditions:

A. ~~e~~Carry public liability and property damage insurance in an amount to be determined by the City Council and maintain a current certificate of such insurance ~~shall be~~ on file with the City Clerk.

B. Conduct all pruning activities in compliance with the current pruning standards published by the American National Standards Institute (ANSI A300) and the companion best management practices published by the International

Society of Arboriculture.

C. ~~The Director may require the posting of Post~~ a performance bond in the amount equal to the cost of a proposed job, if required by the Director.

**15.20.140 Interference with Work Prohibited.**

No person shall interfere, or cause any person to interfere with, any work being done under provisions of this chapter by any employee of the City or any person or firm doing work for the City on bid, hire or assignment.

**15.20.150 Injuring Trees - Unlawful Acts.**

It is unlawful for any person to injure or destroy any tree growing within a City street right-of-way or in public areas by any means, including, but not limited to the following:

- A. Constructing a concrete, asphalt, brick or gravel sidewalk or otherwise filling up the ground area around any tree so as to substantially shut off air, light or water from its roots;
- B. Piling building equipment, material or any other substance around any tree so as to cause injury;
- C. Pouring any deleterious matter on or around any tree or on the surrounding ground, lawn or sidewalk;
- D. Posting any sign, poster, notice or otherwise on any tree, tree stake or

guard, or fastening any guy wire, cable, rope, nails, screws or other device to any tree, tree stake or guard without having first obtained a permit from the Director;

E. Causing any wire charged with electricity to come in contact with any tree without having first obtained a permit from the Director;

F. Causing any fire or burning near or around any tree.

#### **15.20.160 Appeals to Park Commission.**

Any ~~resident of the City~~ applicant or interested person may appeal a decision of the Director regarding a permit required for the planting, or maintaining ~~or removal of~~ a tree in a street right-of-way or public area by filing a written notice thereof with the Parks and Recreation Department within ten days after such decision is made. Implementation of the decision shall be stayed during the pendency of the appeal. The notice shall clearly specify the reasons for the appeal. The appeal shall be placed on the agenda of the Board of Park Commissioners at its next ~~regularly scheduled~~ available meeting. The Board of Park Commissioners shall make a ruling based on the evidence presented, and may sustain, modify or reverse the decision of the Director.

#### **15.20.170 Appeals to City Council.**

~~—An appeal to the City Council from any ruling of the Board of Park Commissioners may be made pursuant to the provisions of Section 1.30.050 of~~

~~this Code.~~ Any action of the Board of Park Commissioners made pursuant to this Chapter 15.20 may be appealed to the City Council pursuant to the provisions of Section 1.30.050 of this Code.

**15.20.180 Designation of "Specimen" and "Historic" Trees.**

Any recommendation by the Board of Park Commissioners or the Historic Landmarks Commission to City Council for the designation of a "Specimen" or "Historic" tree shall be preceded by two public hearings, which shall be at least 30 days apart.

**SECTION TWO.** Chapter 15.24 of Title 15 of the Santa Barbara Municipal Code is amended to read as follows:

**15.24.001 Use of American National Standards Institute Pruning Standards.**

The City recommends the use of the pruning standards published by the American National Standards Institute [ANSI A300 (Part 1)] and the companion best management practices published by the International Society of Arboriculture. The City encourages residents to utilize and follow the current standards and best management practices in the management of their trees.

**15.24.010 Definitions.**

For the purpose of this Chapter, certain terms and words are hereby defined as

follows:

A. TREE. A usually tall, woody plant, distinguished from a shrub by having comparatively greater height and, characteristically, a single trunk rather than several stems;

B. PALM TREE. Any tree from the Palmae plant family;

C. SPECIMEN TREE. Any tree which has been found by the Board of Park Commissioners to be of high value because of its type and/or age and which has been designated by resolution of the City Council as a "specimen tree";

D. HISTORIC TREE. A tree which has been found by the Board of Park Commissioners, the Historic Landmarks Commission or the City Council to be a tree of notable historic interest and has been designated by resolution of the City Council as an "historic tree";

~~E. CUT DOWN OR OTHERWISE DESTROY. To cut a tree down or to prune a tree in such a way that its natural character is significantly altered or its overall size is reduced by more than one-third.~~

E. DIRECTOR. The person having control and management of the Parks and Recreation Department of the City or the Director's designated representative.

F. REMOVE A TREE. To cut a tree down or to otherwise remove a tree from its location by any means.

G. SIGNIFICANTLY ALTER A TREE. To prune a tree in such a way that either (i) its natural character is significantly altered, or (ii) the height and/or

spread of the tree crown is reduced by more than one-quarter within any twelve month period.

H. TREE CROWN. The leaves and branches of a tree measured from the lowest branch on the trunk to the top of the tree.

#### **15.24.020 Prohibition.**

~~Except as provided in Sections 15.24.030 and 15.24.035, it is unlawful to cut down or otherwise destroy~~remove or significantly alter or to authorize or allow the ~~destruction or cutting down~~removal or significant alteration of any tree without a permit if the tree is either:

~~A. S(i) situated in the front setback of any lot or situated in the area of any lot required to be landscaped pursuant to Section 28.90.050 of this Code, or except as provided in Sections 15.24.030 and 15.24.035 of this chapter, without the express permission of the Board of Park Commissioners, or City Council, on appeal;~~

~~B. That (ii) has been~~ designated as an historic or specimen tree by the City Council ~~as defined herein, anywhere it may occur on a lot, parcel or building site.~~  
For purposes of this Section 15.24.020, a tree is situated in the front setback of a lot if more than 50% of the tree trunk is situated within the front setback.

#### **15.24.030 Lawful Removal of Trees Without a Permit Application.**

~~Trees coming within the following exceptions may be removed lawfully without application to or permission from the Board of Park Commissioners or City Council.~~ A tree that is subject to the prohibition specified in Section 15.24.020 may be lawfully removed without a permit if the tree satisfies any one of the following definitions:

A. ~~Trees whose~~ The tree's main trunk is less than four inches (4") in diameter at a point ~~twelve inches (12") above the ground or palm trees with a trunk less than three feet (3') in height~~ four feet six inches (4'6") above the highest natural grade adjacent to the trunk;

B. ~~Diseased trees whose~~ The tree is diseased and the tree's condition is a source of present danger to healthy trees in the immediate vicinity; provided ~~ed~~ ing a certificate attesting such condition has been filed with the Parks and Recreation Director by a member of the American Society of Consulting Arborists, an arborist certified by the International Society of Arboriculture, or by an authorized employee of the City Parks and Recreation Department;

C. ~~Trees~~ The tree is so weakened by age, disease, storm, fire, or any injury so as to cause imminent danger to persons or property, provided ~~ed~~ ing prior written notice of such condition has been given to the Parks and Recreation Director at least forty-eight (48) hours prior to the removal of the tree or shorter period if approved by the Parks and Recreation Director;

D. ~~Dead trees~~ The tree is dead, provided prior written notice of such condition has been given to the Parks and Recreation Director at least forty-eight (48) hours prior to the removal of the tree or shorter period if approved by the Parks

and Recreation Director; or

E. The Fire Department has ordered the tree removed in order to maintain required defensible space on the lot or to comply with the City's Wildland Fire Plan.

**15.24.035 Lawful ~~Reduction~~ Significant Alteration of Trees Without Application.**

A tree that is subject to the prohibition specified in Section 15.24.020 may be significantly altered without a permit if the tree satisfies either of the following definitions:

A. Any~~The~~ tree posing a potential danger to persons or property due to age, disease, storm, fire, or other injury; provided: may be lawfully pruned in such a way that the natural character of the tree is significantly altered or the overall size of the tree is reduced by more than one-third without application to or permission from the Board of Park Commissioners or City Council if:

A1. A written report prepared by a member of the American Society of Consulting Arborists or an arborist certified by the International Society of Arboriculture specifying the reason(s) for the reduction and the extent of the proposed work is filed with the Parks and Recreation Director; and

2.B. An authorized employee of the City Parks and Recreation Department assesses the condition of the tree and approves the proposed work as comporting with sound arboricultural practices as specified in the American

National Standards Institute tree pruning standards.

B. The City Fire Department has ordered the pruning of the tree in order to maintain required defensible space or to comply with the City's Wildland Fire Plan; provided, the scope of the pruning allowed pursuant to this section is limited to extent of the pruning specified in the Fire Department order that is filed with the Parks and Recreation Director.

#### **15.24.040 Application to Remove a Tree.**

~~An application for authority to remove a tree when permission is required shall be~~  
When a permit is required for the removal of a tree pursuant to this Chapter 15.24, the application for such permit shall be processed as follows:

A. APPLICATION. An application shall be filed with the Parks and Recreation Department on forms provided for such purpose. The application shall show clearly by diagram, plot plan or photograph, the location and identity of the tree or trees sought to be removed, the name and address of the owner and such other information as indicated on the form provided.

B. STREET TREE ADVISORY COMMITTEE. The application shall be presented to the Street Tree Advisory Committee at the first available meeting of the Committee following receipt of the application. The Street Tree Advisory Committee may receive a report from the Director regarding the application and the Committee shall make a recommendation to the Board of Park

Commissioners to approve, conditionally approve, or deny the application based on the considerations specified in Section 15.24.060.

C. BOARD OF PARK COMMISSIONERS. Following the decision of the Street Tree Advisory Committee, the application shall be presented to the Board of Park Commissioners at the first available meeting of the Commission. After receiving the recommendation of the Street Tree Advisory Committee and a report from the Director, the Board of Park Commissioners shall approve, conditionally approve, or deny the application. When making its decision, the Board of Park Commissioners shall consider the factors listed in Section 15.24.060 and, before approving or conditionally approving the application, the Commission shall make one or more of the findings specified in Section 15.24.070.

#### **15.24.050 Board of Park Commissioners Action.**

The Board of Park Commissioners shall vote upon the application within sixty (60) days after it is filed. A majority vote of the members present shall be required to approve a tree removal. Failure of the Board of Park Commissioners to vote upon the application within sixty (60) days shall be deemed approval thereof. The Parks and Recreation Department shall notify the applicant in writing of the decision of the Board of Park Commissioners.

**15.24.060 Considerations for Removal.**

The following considerations shall be taken into account by the Board of Park Commissioners in acting upon a tree removal request made pursuant to this chapter:

- A. Whether such tree is designated as an historic or specimen tree;
- B. The potential size of the tree in relation to the size of the lot or building site and the size of the proposed or existing improvements;
- C. The number and size of other trees which would remain upon the building site after the requested removal;
- D. The number and location of adjacent trees on City property and the possibility of maintaining desirable tree density in the area through additional planting on City property;
- E. Any beneficial effects upon adjacent trees to be expected from the proposed removal;
- F. Whether the tree sought to be removed was planted by or with the permission of the applicant or the applicant's co-tenant at the time such tree was planted.
- G. The condition and structure of the tree and the potential for proper tree growth and development of the tree canopy.

**15.24.070 Findings for Removal.**

~~As a prerequisite to granting a tree removal request, the Board of Park Commissioners may impose conditions and Before approving or conditionally approving an application for the removal of a tree pursuant to this Chapter 15.24, the Board of Park Commissioners shall make one (1) or more of the following findings:~~

- A. That principles of good forest management will best be served by the proposed removal;
- B. That a reasonable and practical development of the property on which the tree is located requires removal of the tree or trees whose removal is sought;
- C. That the character of the immediate neighborhood with respect to forestation will not be materially affected by the proposed removal;
- D. That topography of the building site renders removal desirable;
- E. That regard for the safety of persons or property dictates the removal.

#### **15.24.080 Appeals to City Council.**

~~An appeal of the action of the Board of Park Commissioners may be filed by the applicant or any interested person pursuant to the provisions of Section 1.30.050 of this Code. Any action of the Board of Park Commissioners made pursuant to this Chapter 15.24 may be appealed to the City Council pursuant to the provisions of Section 1.30.050 of this Code.~~



**City of Santa Barbara**  
Parks and Recreation Department

**Memorandum**

**DATE:** March 5, 2009

**TO:** Street Tree Advisory Committee

**FROM:** Tim Downey, Urban Forest Superintendent  
Jill E. Zachary, Assistant Parks and Recreation Director

**SUBJECT:** Tree Preservation Polices and Enforcement Procedures

**RECOMMENDATION:** That the Street Tree Advisory Committee (STAC):

1. Provide recommendations to the Ordinance Committee of the Santa Barbara City Council regarding the use of American National Standard Institute (ANSI) Standards and Best Management Practices in the City's regulation of trees; and
2. Review and comment on the proposed changes to Chapter 15.20 and Chapter 15.24 related to tree preservation policies and enforcement procedures, including formalizing the existing role of the STAC.

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Introduction

The purpose of this staff report is to initiate a discussion with the STAC regarding the use of ANSI A300 Standards and Best Management Practices (BMPs) in the City's regulation of trees, and to review the preliminary proposed changes to Chapter 15.20 and Chapter 15.24 related to the protection of trees, including formalizing the role of the STAC.

City staff presented the tree preservation and landscape plan maintenance policy recommendations to the City Council on December 9, 2008. The Council Agenda Report with those recommendations is included as Attachment 1 to this staff report. At that time, the City Council took action to refer the recommendations to the Ordinance Committee, and requested Street Tree Advisory Committee recommendations regarding the use of the ANSI standards and best management practices. Some members of the public, including some STAC members, have recommended that the City adopt the ANSI A300 pruning standards and Best Management Practices as the means of establishing tree violations under the Municipal Code. Letters to the Park and Recreation Commission and the City Council are included as Attachment 2.

### ANSI A300 Standard and Best Management Practices

The ANSI A300 Standard for tree care operations are intended for use as guidelines for federal, state, municipal, and private authorities including property owners, property managers, and utilities in drafting maintenance specifications. The ANSI A300 standard includes definitions of pruning techniques as well as pruning tools, tree structure, and tree professional categories. Within the forward of the document it states that users “first interpret the wording”. Then “apply their knowledge of the growth habits of certain plant species in a given environment. In this manner, the user develops their specifications for plant maintenance.” This illustrates the intended use of the documents. Included as Attachment 3 to this staff report, the Forestry Program currently uses these standards when contract specifications are prepared for tree pruning work, or as mitigation measures when appropriate for tree trimming violations. Forestry staff also uses these standards as a guideline for City tree pruning practices.

The Best Management Practices document is published to help interpret and implement the ANSI A300 standard. Included as Attachment 4 to this staff report, it defines several types of pruning techniques and describes where to make cuts related to the anatomical structure of the tree. The purpose of the BMP document is to establish a common description of preferred pruning styles and methods.

### Santa Barbara Municipal Code

Chapter 15.20, Tree Planting and Maintenance, regulates the management and removal of trees located in City rights of way and public spaces. Chapter 15.24, Preservation of Trees, regulates the management and removal of trees on private property located in the front setback or, where required, in parking lots.

Section 15.24.020 of Chapter 15.24 prohibits the cutting down or otherwise destroying a tree without a permit. As the Municipal Code is currently written, the term “cut down or otherwise destroy” is defined as cutting a tree down or pruning a tree in such a way that its natural character is significantly altered or its overall size is reduced by more than one-third.

The requirements and prohibitions established under Section 15.24.020 and Section 15.20.110 (permits required for planting, maintaining or removing a Street Tree) of the Municipal Code allows the City to enforce violations. When the City investigates a suspected violation that involves tree pruning, the primary consideration is whether the tree’s natural character has been altered. Frequently, but not always, pruning methods that alter the natural character of a tree also remove more than one-third and the violation is readily apparent. Most of the pruning violations involve pruning techniques that alter the natural character of the tree such as topping or pollarding. In some cases, excessive thinning can also alter the natural character of the tree. There are occasions

when a suspected pruning violation requires City staff to thoroughly evaluate the tree to determine whether or not more than one-third has been removed. To do this, staff measures the size of the cuts, compares those cuts to the size of the branch, and extrapolates the cuts to an average length of growth that would have been removed based on the knowledge of how that particular species grows. In some cases, the City has determined that the natural character of the tree was altered, even though the overall size of the tree was not reduced by more than one-third.

#### Use of ¼ Foliage Reduction Standard and BMPs as Guidelines or Enforcement Standards

Staff supports the use of the one-quarter foliage reduction standard as a tree pruning guideline and supports the use of the ANSI A300 Standards and Best Management Practices. However, Staff has a number of concerns about incorporating these standards and practices in Chapter 15.24 as a penal ordinance. These concerns include:

- 1) Difficulty of determining the amount of foliage removed after the fact: A primary concern in drafting a penal ordinance is its enforceability. While the number, location and size of limb cuts can assist in the determination of an overall size reduction, tree foliage is more variable. Without adequate documentation of the tree's condition prior to pruning, it would be difficult to prove the amount of foliage that was removed.
- 2) Enforcement of a guideline with a penal ordinance: The ANSI standards are written as industry guidelines that allow for individual interpretation by the person managing the tree. The BMPs are written as guides that owners and practicing arborists should strive to achieve. The ANSI standards and BMPs are not written as minimum standards that, if violated, subject a person to criminal prosecution. For these reasons, Staff does not recommend their use as the standard on which to enforce.
- 3) Lack of Flexibility: Another consideration is lack of flexibility for reasonable tree pruning that requires the removal of more than one-quarter of the foliage. In many cases, the goal of trimming is to slow the growth rate. The key is to reduce it to a level that slows the rate but doesn't cause the tree to respond to the pruning by producing a flush of growth. Slowing the growth maintains the beauty of the tree while reducing risk, maintenance costs and litter from the tree.

A permitting provision could extend the lawful reduction to allow for trimming beyond one-quarter based on the needs of the tree and the opinion of an independent arborist. However, additional permitting requirements may not be well received by certified arborists and would result in higher staff workload that, overall, may not be warranted.

- 4) Conflict with City Standards: The Best Management Practices document includes pruning techniques that the City considers unacceptable. For example, within the BMP

document pollarding is considered an acceptable practice under certain circumstances. The City considers pollarding a violation of the tree preservation ordinance since it alters the natural character of the tree.

It may be appropriate to reference the ANSI A300 Standards and BMPs in Chapter 15.20 under tree planting and maintenance. This reference could include, "tree trimming should be consistent with A300 (Part 1) and Best Management Practices Tree Pruning documents except where they conflict with the provisions of the municipal code."

### Proposed Municipal Code Changes

Pending the discussion related to the ANSI A300 standard and Best Management Practices, preliminary changes to the municipal code are provided in Attachment 5. These changes include:

- Clarify definition of reduce (now termed "significant alteration")
- Extending protections beyond setback trees and parking lot trees to all trees in approved landscape plans
- Clarification of when a tree is located within the setback
- An exemption for fire safety
- Cross references for all tree and landscape municipal code (to be completed in a later draft)
- Consistent measurement standard for trees
- Formalization of the Street Tree Advisory Committee

Proposed changes to the fines associated with tree violations will be established separately by resolution of the City Council.

### Staff Recommendation

Staff continues to support the use of the ANSI standards and Best Management Practices as guidelines for tree pruning techniques and to determine proper mitigation for violations when appropriate. Staff recommends the Street Tree Advisory Committee discuss these documents and provide recommendations regarding their use in the Municipal Code. These recommendations will be given to the Ordinance Committee of the Santa Barbara City Council.

- ATTACHMENTS:**
1. December 9, 2008 Council Agenda Report
  2. Letters to the Park and Recreation Commission and City Council
  3. ANSI A300 Standards (Part 1)-2001 Pruning
  4. ANSI Best Management Practices: Tree Pruning
  5. Preliminary Ordinance Revisions

CITY OF SANTA BARBARA

**FINANCE COMMITTEE**

MEETING AGENDA

DATE: April 21, 2009

TIME: 12:30 p.m.

PLACE: David Gebhard Public Meeting Room  
630 Garden Street

Roger L. Horton, Chair

Helene Schneider

Iya Falcone

James L. Armstrong  
City Administrator

Robert D. Peirson  
Finance Director

**ITEM TO BE CONSIDERED:**

**Subject: Proposed Finance Committee Review Schedule For Fiscal Year 2010  
Recommended Budget**

Recommendation: That the Finance Committee consider and approve the proposed Finance Committee review schedule and topics related to the Fiscal Year 2010 Recommended Budget.



# CITY OF SANTA BARBARA

## FINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** April 21, 2009  
**TO:** Finance Committee  
**FROM:** Administration Division, Finance Department  
**SUBJECT:** Proposed Finance Committee Review Schedule For Fiscal Year 2010 Recommended Budget

### **RECOMMENDATION:**

That the Finance Committee consider and approve the proposed Finance Committee review schedule and topics related to the Fiscal Year 2010 Recommended Budget.

### **DISCUSSION:**

In accordance with City Charter, the Fiscal Year 2010 Recommended Budget is being filed with the City Clerk's Office on Tuesday, April 21, 2009 and is being presented to Council on this same day.

City staff has scheduled special City Council budget work sessions over the next two months during which the details of the recommended budget will be presented and discussed. Over the course of the special meetings, each department will present their respective budgets to City Council, with the focus being on the budget adjustments required to respond to the overall impacts on all funds, in particular the General Fund.

In addition to the review by Council, staff is recommending that the Finance Committee review certain topics germane to the recommended budget. These elements include General Fund revenue assumptions and projections, the General Fund multi-year forecast, City wide reserves, and the proposed capital program. The proposed Finance Committee review schedule is included as an attachment to this report.

**ATTACHMENT:** Proposed Finance Committee Review Schedule  
**PREPARED BY:** Robert Samario, Assistant Finance Director  
**SUBMITTED BY:** Robert D. Peirson, Finance Director  
**APPROVED BY:** City Administrator's Office

**CITY OF SANTA BARBARA**  
**Finance Committee Review Schedule**  
**Fiscal Year 2010 Recommended Budget**

<b>Meeting Date and Time</b>	<b>Department</b>
<b>Tuesday, April 28, 2009</b> 12:00 p.m.	<ul style="list-style-type: none"> <li>➤ General Fund revenue assumptions and projections</li> <li>➤ General Fund multi-year forecast</li> <li>➤ Review of City wide reserves</li> </ul>
<b>Tuesday, May 5, 2009</b> 12:00 p.m.	<ul style="list-style-type: none"> <li>➤ Capital program budget</li> </ul>
<b>Tuesday, May 12, 2009</b> 12:00 pm	<ul style="list-style-type: none"> <li>➤ General Fund department revenues and proposed fees</li> </ul>
<b>Tuesday, May 19, 2009</b> 12:00 pm	<ul style="list-style-type: none"> <li>➤ Enterprise Fund revenues and proposed fees</li> </ul>
<b>Tuesday, June 2, 2009</b> 12:00 pm	<ul style="list-style-type: none"> <li>➤ Staff recommended adjustments (if any)</li> </ul>



**PROCLAMATION**  
**Days of Remembrance**  
*April 19 – 26, 2009*

*WHEREAS, the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945. Jews were the primary victims – six million were murdered; Gypsies, the handicapped, and Poles were also targeted for destruction or decimation for racial, ethnic, or national reasons. Millions more, including homosexuals, Jehovah's Witnesses, Soviet prisoners of war and political dissidents, also suffered grievous oppression and death under Nazi tyranny; and*

*WHEREAS, the history of the Holocaust offers an opportunity to reflect on the moral responsibilities of individuals, societies, and governments; and*

*WHEREAS, we the people of the City of Santa Barbara should always remember the terrible events of the Holocaust and remain vigilant against hatred, persecution, and tyranny; and*

*WHEREAS, we the people of the City of Santa Barbara should actively rededicate ourselves to the principles of individual freedom in a just society. The Days of Remembrance have been set aside for the people of the City of Barbara to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples.*

*NOW, THEREFORE, I, MARTY BLUM, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, California, do hereby proclaim the week of Sunday, April 19 through Sunday, April 26, 2009 as **Days of Remembrance** in memory of the victims of the Holocaust, and in honor of the survivors, rescuers and liberators.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California, to be affixed this 21<sup>st</sup> day of April 2009.*

*Marty Blum*  
MARTY BLUM, MAYOR





# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** City Of Santa Barbara 2009 Legislative Platform

**RECOMMENDATION:** That Council:

- A. Adopt the proposed City of Santa Barbara 2009 Legislative Platform; and
- B. Authorize the Mayor, her designee in her absence, and staff, acting on behalf of the City of Santa Barbara, to contact state and federal representatives and send letters to advocate positions consistent with the goals of the City's Legislative Platform.

### **DISCUSSION:**

The City's Legislative Platform outlines the City's position on legislative matters. It serves as the foundation for the City to state support, remain neutral or oppose positions on State and Federal legislative actions.

This year the Committee on Legislation dedicated two meetings to review and discuss proposed updates to the Legislative Platform. On March 17, 2009, at the committee's second meeting, the Committee on Legislation reviewed and approved an updated Legislative Platform for 2009 (Attachment A). The Committee recommends that the Council adopt the proposed City of Santa Barbara 2009 Legislative Platform. Changes to the platform fell under three principal categories:

- Added statements to cover new Council initiatives or increased emphasis on certain topics;
- Deleted obsolete sections; and
- Made general clarification and corrections

Attachment B summarizes the changes incorporated in the proposed City of Santa Barbara 2009 Legislative Platform. Minor or grammatical changes have been excluded. Final format changes will be made and a table of contents will be added after Council adopts the Legislative Platform. The Legislative Platform will also be added to our website for the public to access.

## **Legislative Platform**

The platform has been updated to incorporate legislative policy positions adopted by Council over time. The proposed Legislative Platform is structured under the following issue areas:

- Revenue and Taxation
- Public Safety
- Transportation, Communications and Public Works
- Environmental Quality
- Housing, Community and Economic Development
- Airport
- Waterfront
- Community Services
- Employee Relations
- City Administration

The platform outlines legislative issues of interest to the City. In cases where a legislative issue is not addressed in the platform, staff will return to the Committee on Legislation and/or the City Council for direction as necessary.

### Guidelines for Advocacy

We will continue to use previously established guidelines for legislative advocacy. The guidelines are designed to produce timely and effective communication with legislators. Advocacy efforts will generally occur in one or more of the following ways:

#### **1. Advocacy Letters**

- The platform is organized by topic with a lead department assigned to each topic. With coordination from the City Administrator's Office, designated departments are responsible for handling the process for taking positions on legislation as assigned.
- Upon referral from the Mayor and Council, City Administrator's Office, League of California Cities or other sources, designated department staff will compare legislative proposals against the City's Legislative Platform. If the proposed bill raises legal issues, department staff will consult with the City Attorney's Office.
- If a legislative matter is covered in our legislative platform and correspondence is determined to be appropriate, a letter will be drafted and forwarded electronically to the City Administrator's Office and the Mayor's Office for review and action. In cases where proposed legislation is not addressed in the platform, staff will return to the City Council for final direction as necessary.
- As needed, the Mayor and/or staff will contact legislators, or their staff, via telephone, e-mail or in person to reinforce the City's position or to provide additional information.

## **2. Committee on Legislation**

- The Committee on Legislation has regularly scheduled meetings on the fourth Monday of every month but will meet only as necessary. The Director of Administrative Services and the City Attorney provide staff support to the Committee on Legislation..
- During the legislative session, Staff may consult with and enlist the Council's Committee on Legislation and/or the Mayor if efforts beyond the standard position letter are required. The Mayor and Committee on Legislation may undertake direct contact with legislators or recommend to the City Council that more extensive actions be taken. The Mayor and Committee members may also communicate with other parties who may have an interest in proposed bills.

## **3. Meetings with State and Federal Representatives, legislative advocates and coordination with others**

- We will continue to work closely with advocacy partners. As an example, Dave Mullinax, Regional Public Affairs Manager with the League of California Cities Channel Counties Division has appeared before the Committee on Legislation to update the City on State legislation and priority issues. We will continue to work closely with the League.
- Staff and elected officials from the cities of Goleta and Carpinteria have attended the meetings of the Committee on Legislation when there are issues that interest or impact their cities. We're pleased to have the south coast cities at our meetings and to share our Legislative Platform with them.
- As part of the legislative action process, the Committee on Legislation may invite members of our State Assembly, State Senate and Congress, or legislative advocates, to committee meetings to discuss legislative positions and interests. The Mayor and Councilmembers will be invited when such meetings are scheduled; City Staff will participate as appropriate.

NOTE: The City of Santa Barbara 2009 Legislative Platform is available for public review online at [http://www.santabarbaraca.gov/Government/Council/Legislation\\_Program/2009.htm](http://www.santabarbaraca.gov/Government/Council/Legislation_Program/2009.htm) and in the Office of the City Clerk

**ATTACHMENTS:** A. City of Santa Barbara 2009 Legislative Platform  
B. Summary of changes in the Legislative Platform

**SUBMITTED BY:** Marcelo A. López, Administrative Services Director

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



# **Legislative Platform 2009**

## **City of Santa Barbara**

### III. CITY OF SANTA BARBARA 2009 LEGISLATIVE PLATFORM

*Proposed: April 21, 2009*

<b>REVENUE AND TAXATION</b>		
<b>SCOPE</b>		Issues and recommendations related to finance administration, taxation reform, and revenue needs, and revenue sources at the federal, state and local levels.
<b>EFFECTIVE FINANCING</b>	Finance	<b>Support</b> meaningful fiscal reform that allows each level of government to adequately finance its service responsibilities.
<b>BEST USE OF FUNDS</b>	Finance	<b>Support</b> the emphasis on efficiency and effectiveness, encouraging governments to achieve the best possible use of public resources.
<b>ALLIANCES</b>	Finance	<b>Support</b> alliances with counties, schools, other cities, employee organizations, other local agencies, and business and professional organizations to support cooperation, sound financial policies and joint action.
<b>ECONOMIC STIMULUS</b>	Finance	<b>Support</b> an economic stimulus package that creates a balance between investments and tax incentives.
<b>LOCAL CONTROL</b> <ul style="list-style-type: none"> <li>• Sales Tax</li> <li>• Rights-of-Way</li> <li>• Local Revenues</li> <li>• Preservation</li>   <li>• Property Tax</li> <li>• Fees</li> <li>• VLF</li>   <li>• Simple Majority</li> </ul>	Finance	<b>Support</b> state and local authority to collect legally due sales tax on remote transactions; and <b>Support</b> continued local control over public rights-of-way. <b>Support</b> local, political authority and accountability for revenues raised and services provided. <b>Support</b> the preservation of local authority and accountability for cities, and state policies that: <ul style="list-style-type: none"> <li>• Ensure the protection of existing city revenue sources for all cities, including the local share of property tax, sales tax, vehicle license fees, and Redevelopment Agency revenues, among others.</li> <li>• Allow every level of government to enjoy budgetary independence from programs and costs imposed by other levels of government.</li> <li>• Authorize a simple majority of the voters in a city or county to establish local priorities, including the right to increase taxes or issue general obligation bonds.</li> </ul>
<b>STATE MANDATES REIMBURSEMENT</b>	Finance	<b>Support</b> full and prompt reimbursement to all local agencies for all state-mandated programs and/or infractions and losses associated with local revenue shifts and reforms to accomplish such objectives.

<b>ADDITIONAL REVENUE FOR LOCAL NEEDS</b>	Finance	<b>Support</b> efforts to bring additional revenue to the state/local revenue structure to meet the needs of a growing population and deteriorating services and facilities.
<b>SITUS-BASED SALES TAX – BRADLEY BURNS</b>	Finance	<b>Support</b> efforts to preserve and protect the existing situs-based sales tax under the Bradley Burns 1% baseline.
<b>REGIONAL REVENUES</b>	Finance	<b>Support</b> the identification and implementation of multi-jurisdictional revenues in cases where regional issues, programs, and services are identified.

<b><u>PUBLIC SAFETY</u></b>		
<b>SCOPE</b>		Federal and state legislation and issues related to law enforcement, fire and life safety policies including emergency communications and emergency services including ambulance and disaster preparedness.
<b>FIRE AND EMERGENCY MEDICAL SERVICES</b> <ul style="list-style-type: none"> <li>• Mission</li> <li>• Local Control</li> <li>• Transport</li>   <li>• Staffing</li> </ul>	Fire	<p><b>Support</b> the fire service mission of saving lives and protecting property through fire prevention, disaster preparedness, hazardous-materials mitigation, specialized rescue, etc., as well as cities authority and discretion to provide all emergency services in their communities.</p> <p><b>Support</b> local control of emergency medical services and authorize cities and fire districts to prescribe and monitor the manner and scope of pre-hospital emergency medical services, including ambulance transport services, provided within local boundaries to improve pre-hospital emergency medical service.</p> <p><b>Oppose</b> legislation, regulations and standards that impose minimum staffing and response time standards for city fire and emergency medical services since such determinations should reflect the conditions and priorities of individual cities.</p>
<b>DISASTER RESPONSE</b>		<b>Support</b> funding for improved public notification mechanisms including continuous radio reporting during natural disasters and other emergencies.
<b>FEDERAL FUNDING</b>	Police	<b>Support</b> federal funding for the Local Law Enforcement Block Grant, Homeland Security Block Grant, the COPS program and other law enforcement programs.
<b>FEDERAL HOMELAND PROTECTION</b> <ul style="list-style-type: none"> <li>• Matching Funds</li> <li>• Communication</li>   <li>• Standards</li> <li>• Local Control</li> </ul>	Police	<p><b>Support</b> direct federal funding to cities, without any match requirements to support local protection efforts with incentives for regional collaboration without any match requirements.</p> <p><b>Support</b> direct communication between federal agencies and local authorities on critical homeland issues.</p> <p><b>Support</b> federal standards, guidelines, and protocols to ensure reliable, consistent, timely, and redundant preparedness on the front lines.</p> <p><b>Support</b> local control over front line responses.</p>

<p><b>LAW ENFORCEMENT</b></p> <ul style="list-style-type: none"> <li>• Penalties</li> <li>• Violent Offenders</li> <li>• Cost Reimbursement</li>   <li>• Booking Fees</li>   <li>• Parking Citations</li>   <li>• Data Collection</li>   <li>• Predators</li>   <li>• Racial Profiling</li>   <li>• Deportable Criminals</li>   <li>• Smoking</li> </ul>	<p><b>Police</b></p>	<p><b>Support</b> the promotion of public safety through:</p> <ul style="list-style-type: none"> <li>• Stiffer penalties for violent offenders; and</li> <li>• Additional funding for local agencies to recoup the costs of crime and increase community safety.</li> </ul> <p><b>Oppose</b> booking fees and seek their repeal, while encouraging localities to pursue resolution of the issues with their respective counties.</p> <p><b>Support</b> legislation that allows mailing parking citations to violators.</p> <p><b>Support</b> data collection on hate crimes based on race, national origin, religion, gender, or sexual orientation and improved federal-local communication and coordination on hate crimes.</p> <p><b>Support</b> federal action to identify predatory lending practices and increase federal enforcement action against lenders who target the elderly, low-income families, and racial minorities.</p> <p><b>Support</b> federal anti-racial profiling legislation that provides financial support to state and local law enforcement agencies for training, equipment, and data collection.</p> <p><b>Support</b> reimbursement by the federal government to local agencies, specifically cities, for the costs associated with incarcerating deportable criminals.</p> <p><b>Support</b> legislation that reduces the impacts of environmental tobacco smoke on residents in outdoor settings and in multiple family housing.</p>
<p><b>NUISANCE CONTROL</b></p> <ul style="list-style-type: none"> <li>• Adult Entertainment</li> <li>• Alcohol</li> <li>• Drugs</li> </ul>	<p><b>Police</b></p>	<p><b>Support</b> enhanced local control over public nuisances including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Adult entertainment facilities;</li> <li>• Problem alcohol establishments; and</li> <li>• Properties where illegal drugs are sold.</li> </ul>
<p><b>VIOLENT CRIMES</b></p>	<p><b>Police</b></p>	<p><b>Support</b> the reduction of violence through strategies that address domestic violence, youth access to tools of violence, including but not limited to firearms, knives, etc., and those outlined in the California Police Chiefs Policy Paper endorsed by the League of California Cities’ Board of Directors.</p>
<p><b>GRAFFITI</b></p>	<p><b>Police</b></p>	<p><b>Support</b> the “Tag You Lose” anti-graffiti campaign.</p> <p><b>Support</b> increased authority and resources devoted to cities for abatement of graffiti and other acts of public vandalism.</p>
<p><b>CHILDREN/YOUTH</b></p>	<p><b>Police Parks and Recreation, Community Development, and Library</b></p>	<p>See page 25 for the following issues in this category:</p> <ul style="list-style-type: none"> <li>• Job Training • Prenatal Care • Youth Program • Federal Grants • Natural Policy • After School • Equal Access • Educational Programs • Parks and Recreation Facilities • Library funding • Universal Health Care</li> </ul>

<b>TRANSPORTATION, PUBLIC WORKS and COMMUNICATIONS</b>		
<b>SCOPE</b>		Review both state and federal legislation as it relates to issues of transportation funding, construction, public works, telecommunications, and other related areas.
<b>TRANSPORTATION</b> <ul style="list-style-type: none"> <li>• Funding</li> <li>• TEA 21</li> <li>• Alternative Transportation</li> <li>• Fund on Merit</li>   <li>• Directly Appropriate</li>   <li>• Unmet Infrastructure</li>   <li>• Housing</li>   <li>• Gas tax</li>   <li>• Local Autonomy</li>   <li>• Bicycle/ Pedestrians</li>   <li>• Commuter Rail</li>   <li>• Measure D</li>   <li>• On TRAC</li> </ul>	<b>Public Works/ Community Development</b>	<p><b>Support</b> continued funding for surface transportation programs authorized in the Transportation Equity Act for the 21st Century (TEA 21).</p> <p><b>Support</b> additional funding for local public transportation, other transportation alternatives to single occupancy vehicles, and other critical unmet infrastructure needs.</p> <p><b>Support</b> funding projects on their merit in accordance with identified criteria.</p> <p><b>Support</b> the adoption and implementation of a long-term capital investment plan and budget to upgrade and repair vital infrastructure.</p> <p><b>Support</b> a continuous appropriation of new funds directly to cities and counties for the preservation, maintenance and rehabilitation of the local street and road system.</p> <p><b>Support</b> maximizing investments in infrastructure and reinforce local land use practices to accomplish strategic local growth objectives such as compact land development patterns, revitalizing urban cores, transit-oriented development and preservation of open space.</p> <p><b>Support</b> leveraging state investments to fund affordable housing and critical local and regional infrastructure projects to accomplish regional priorities.</p> <p><b>Support</b> a permanent shift of the sales tax on gasoline for transportation purposes and an allocation formula equivalent to a 40/40/20 split with 40% to cities and counties, 40% to STIP and 20% to public transit and other alternative transportation modes.</p> <p><b>Support</b> enhanced autonomy for local transportation decision-making and pursue transportation policy changes that move more funding and decision-making to local policy leaders or fund urban infrastructure needs.</p> <p><b>Support</b> bicycle and pedestrian access with maximum local flexibility to prioritize this transportation need, as long as funding is available directly for it and other transportation priorities are not affected.</p> <p><b>Support</b> legislation that would provide funding to explore the feasibility of establishing commuter-rail service within the region.</p> <p><b>Support</b> legislation and policies that promote the goals, objectives, and continuation of Measure D programs.</p> <p><b>Support</b> legislation and policies that promote the goals and objectives of the On-TRAC program.</p>

<b>PUBLIC WORKS PROJECTS</b> <ul style="list-style-type: none"> <li>• Flexibility</li> <li>• Partnerships</li>   <li>• Innovations</li>   <li>• Lower Mission Creek</li> </ul>	<b>Public Works</b>	<p><b>Support</b> retaining maximum flexibility for timely and cost-effective completion of public works projects.</p> <p><b>Support</b> innovative strategies including public-private partnerships at the state and local levels to enhance public works funding.</p> <p><b>Support</b> changes to law that allow cities options to use design-build contracting and other innovations designed to enhance efficiency with public contracting.</p> <p><b>Support</b> continued funding for the Lower Mission Creek project in annual federal appropriations and authorized by the Water Resource Development Act.</p>
<b>VEHICLES</b> <ul style="list-style-type: none"> <li>• Road Damage</li>   <li>• Local Control</li>   <li>• Safety</li> </ul>	<b>Public Works/ Community Development</b>	<p><b>Oppose</b> all efforts that allow vehicles that will jeopardize the integrity of the public infrastructure or the health and safety of the motoring public, cyclists or pedestrians on the road.</p> <p><b>Support</b> retention of maximum City control of the local street and road system.</p> <p><b>Support</b> traffic safety enhancements such as motorcycle helmets, child restraints, seat belt and speed limit laws. Allow for greater local discretion for setting lower speed limits.</p>
<b>CABLE TELEVISION – ACCESS AND REVENUES</b>	<b>Finance</b>	<p><b>Support</b> the ability of cities to retain public, educational and government access channels, institutional networks and franchise revenues from cable television and other video providers.</p>
<b>TELECOMMUNICATIONS</b> <ul style="list-style-type: none"> <li>• Local Control/ Taxes</li> <li>• Infrastructure</li>   <li>• Right-of-Way</li> </ul>	<b>Public Works</b>	<p><b>Oppose</b> any state or federal efforts to erode the ability of local governments to maintain existing taxes on telecommunication services.</p> <p><b>Support</b> the authority of cities to zone and plan for the deployment of telecommunications infrastructure.</p> <p><b>Support</b> the ability of cities to maintain and manage the public right-of-way and receive compensation for its use.</p>

<b>ENVIRONMENTAL QUALITY</b>		
<b>SCOPE</b>		Issues related to air and water quality, CEQA, integrated waste management, hazardous materials, coastal issues, energy, water conservation, and utilities.
<b>Air Quality</b> <ul style="list-style-type: none"> <li>• Improvements</li> <li>• Regulations</li> <li>• Land Use</li> <li>• Local Involvement</li> <li>• Fund Diversion</li> <li>• Programs/Standards</li>   <li>• Health/Safety Code</li> </ul>	<b>Public Works/Community Development</b>	<p><b>Support</b> regulatory changes and infrastructure improvements that will reduce air pollution.</p> <p><b>Oppose</b> legislation that will reduce air quality standards or restrict a city’s permitting authority for land uses that may negatively affect air quality.</p> <p><b>Support</b> inclusion of city officials on the governing boards of air districts.</p> <p><b>Support</b> cities having the authority to establish local air quality standards and programs that are stricter than state and federal standards and oppose efforts to restrict such authority, while reserving the right to question or oppose stronger standards on the merits.</p> <p><b>Oppose</b> legislation redirecting the funds authorized by Health and Safety Code Section 44223, which currently are used by local governments for locally based air quality programs.</p>
<b>WATER QUALITY</b> <ul style="list-style-type: none"> <li>• Infrastructure investment</li>   <li>• Standards</li>   <li>• Liability</li>   <li>• Federal Safe/Clean Water</li>   <li>• “Bounty Hunters”</li> <li>• Water Softeners</li>   <li>• Watershed Management</li> </ul>	<b>Public Works/Community Development</b>	<p><b>Support</b> a renewed federal financial commitment to water infrastructure investment.</p> <p><b>Support</b> a federal financial commitment to surface water quality improvement and urban creek restoration.</p> <p><b>Support</b> the ability of cities to enact discharge and water quality requirements or standards that are stricter than state or federal standards, while reserving the right to question or oppose stronger standards on the merits.</p> <p><b>Support</b> legislation to protect public agencies that provide wastewater treatment services, from liability for pollution or contamination to groundwater from chemicals unlawfully discharged into the collection system.</p> <p><b>Support</b> efforts to improve the Federal Safe Drinking Water Act and the Federal Clean Water Act and their implementation procedures to protect public health and the environment in an efficient and effective manner.</p> <p><b>Oppose</b> legislation to enact “bounty-hunter” rewards for individuals who identify water quality or water pollution violators.</p> <p><b>Support</b> the rights of cities to enact ordinances that restrict the use of water softeners.</p> <p><b>Support</b> regulations and legislation that promote watershed management as a water quality tool that appropriately spreads the responsibility for clean water beyond the requirements that apply to point source dischargers and publicly owned treatment works.</p>

<p><b>WATER QUALITY, CONT'D</b></p> <ul style="list-style-type: none"> <li>• Treatment</li> <li>• Reclaimed Water</li> <li>• Reuse</li>   <li>• Graywater</li>   <li>• Numeric Limits</li> <li>• Diversion</li> <li>• Financial Commitment</li>   <li>• Frivolous Lawsuits</li>   <li>• Fees/Penalty Revenues</li> <li>• NPDES</li>   <li>• State/Regional Discretion</li> </ul>	<p><b>Public Works/Community Development</b></p>	<p><b>Support</b> legislation that encourages the treatment of municipal wastewater for non-potable reuse and maximizes the responsible use of reclaimed water as an alternative to California’s fresh water supply.</p> <p><b>Support</b> legislation that removes barriers to gray water systems in public, commercial, industrial, multi-family, and single family projects.</p> <p><b>Support</b> legislation that updates gray water standards, and encourages simple and cost effective permitting process of gray water systems.</p> <p><b>Oppose</b> legislation that requires the use of unreasonable numeric limits in waste discharge permits and storm water permits.</p> <p><b>Support</b> efforts to set clear water quality goals as occurred with solid waste diversion legislation.</p> <p><b>Support</b> federal financial commitment to cities that have a history of effective management of water or wastewater infrastructure requirements/investments.</p> <p><b>Support</b>, as appropriate, state and federal legislative and administrative remedies that would:</p> <ul style="list-style-type: none"> <li>• Limit frivolous citizen lawsuits for personal financial gain but continue to allow injunctive relief for documented violations of the Clean Water Act if the violations are not the subject of enforcement proceedings by state agencies or by local water quality control boards;</li> <li>• Ensure that the majority of funds collected from a city as fees, penalties, or judgments are directed toward correcting the cause of past, current and projected violations of a city’s National Pollution Discharge Elimination System permit;</li> <li>• Return limited discretion to state and regional water quality control boards in setting penalties to allow fairness based on severity and circumstances of the violation; and</li> <li>• Encourage the state and regional water quality control boards to use their existing discretionary authority, in keeping with the requirements of the Clean Water Act, to issue permits that are reasonably achievable.</li> </ul>
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<p><b>HAZARDOUS MATERIALS</b></p> <ul style="list-style-type: none"> <li>• Local Control/Standards</li> <li>• Streamlining</li>   <li>• Administrating Agencies</li>   <li>• Building Permits</li>   <li>• Land Use</li>   <li>• Biodiesel</li> </ul>	<p><b>Public Works/Community Development and Fire</b></p>	<p><b>Support</b> the ability of local governments to enact local standards or regulations that are stronger than those enacted by the state and federal governments.</p> <p><b>Support</b> efforts to streamline and coordinate hazardous materials regulation among various levels of government, including city fire departments and county environmental health departments.</p> <p><b>Support</b> the ability of city fire departments to be administrating agencies for any of the major hazardous materials laws or to be the lead agency (the Certified Unified Program Agency) under the SB 1082 program.</p> <p><b>Oppose</b> legislation or regulations to restrict such authority.</p> <p><b>Oppose</b> efforts to restrict the ability of cities to issue building or other permits it is now authorized to issue, relative to hazardous materials laws, as long as such facilities comply with established health and safety standards.</p> <p><b>Oppose</b> any proposals that would preempt the ability of a city to deny a land use permit or restrict its ability to issue a conditional use permit for the siting of a hazardous waste facility.</p> <p><b>Support</b> regulation that allows the storage of biodiesel (up to blends of B20) in existing Underwriters Laboratory (UL) rated in ground tanks that have secondary containment and working leak detection systems, at the discretion of the local jurisdiction.</p>
<p><b>REVITALIZATION OF BROWNFIELDS</b></p> <ul style="list-style-type: none"> <li>• Local Control</li> <li>• Additional Funding</li>   <li>• Mitigation</li>   <li>• Remediation</li> <li>• Restrictions</li> <li>• State Involvement</li>   <li>• Owner Responsibility</li> </ul>	<p><b>Community Development</b></p>	<p><b>Support</b> protecting cities' ultimate say on whether a proposed brownfield remediation project is consistent with local land use policy.</p> <p><b>Support</b> additional fiscal resources and options to restore and develop urban and industrial brownfields contaminated by hazardous materials.</p> <p><b>Support</b> the clean up level of a project being based on its proposed use (i.e., parking garage, as opposed to residential development).</p> <p><b>Support</b> placing and keeping mechanisms, such as restrictive covenants or deed restrictions, in place to ensure that a future use for the property is appropriate given the level of remediation.</p> <p><b>Support</b> state agencies having the responsibility to do the technical evaluation for site assessment and remediation plans.</p> <p><b>Support</b> a property owner being required to do the necessary site assessment and clean up if the owner plans to develop the site.</p>

<p><b>INTEGRATED WASTE MANAGEMENT</b></p> <ul style="list-style-type: none"> <li>• Integrated Waste Management Act</li> <li>• Local Control</li> <li>• AB 939</li> <li>• CIWMB</li>   <li>• Market development</li>   <li>• E-waste</li>   <li>• Curbside recycling</li> <li>• AB 2020</li>   <li>• Multi-Unit Housing Recycling</li>     <li>• Local LEA</li>   <li>• Land Use</li>   <li>• Landfill Certification</li> </ul>	<p><b>Finance / Community Development</b></p>	<p><b>Support</b> retention of local authority for decisions on how to achieve the recycling and diversion requirements of the Integrated Waste Management Act of 1989 (AB 939).</p> <p><b>Support</b> continued efforts to streamline provisions of AB 939 and to assist in its compliance.</p> <p><b>Oppose</b> efforts to dismantle the California Integrated Waste Management Board (CIWMB) and transfer its functions to another department. Support inclusion of a designated local government representative on the CIWMB.</p> <p><b>Support</b> legislation and other efforts to increase the markets for recycled materials, including advance disposal fees, minimum content laws, and recycling market development zones.</p> <p><b>Support</b> legislation implementing the concept of manufacturer responsibility for electronic waste.</p> <p><b>Support</b> efforts to strengthen curbside recycling programs.</p> <p><b>Support</b> legislation to expand the container types included in the AB 2020-bottle bill program.</p> <p><b>Support</b> legislation that promotes reduced packaging and Extended Producer Responsibility (EPR).</p> <p><b>Support</b> legislation that requires owners of multi-unit housing to provide recycling to the tenants.</p> <p><b>Support</b> legislation to develop a permit process for solid waste anaerobic digestion and/or conversion technologies (including gasification, pyrolysis, plasma arc and refuse derived fuel) that are capable of minimizing the amount of solid waste landfill and do not impede or impair existing and planned recycling and waste reduction programs.</p> <p><b>Support</b> the ability of jurisdictions to impose a fee or tax on single-use bags.</p> <p><b>Support</b> the right of cities under existing law to be designated as Local Enforcement Agencies for solid waste facility permitting, inspection, and enforcement.</p> <p><b>Oppose</b> legislation that would preempt local land use authority over solid waste facilities, restrict the ability of a city to issue a land use permit for a solid waste facility, or restrict the ability of a city to condition such facilities through the conditional use permit process.</p> <p><b>Oppose</b> legislation that would authorize the Waste Board to consider landfill capacity as a reason for denying concurrence of a solid waste facility permit.</p>
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<p><b>UTILITIES</b></p> <ul style="list-style-type: none"> <li>• Local Control</li> <li>• PUC</li>   <li>• Rate Setting</li> </ul>	<p><b>Public Works</b></p>	<p><b>Support</b> the constitutional right of municipal utilities to operate outside the jurisdiction of the California Public Utilities Commission (PUC) and oppose any legislation that would erode the ability of municipal utilities to operate, or place them under PUC control.</p> <p><b>Oppose</b> any legislation that interferes with local utility rate setting authority and oppose any legislation that restricts the ability of a city to transfer revenue from a utility (or other enterprise activity) to a city's general fund.</p>
<p><b>CLIMATE PROTECTION</b></p> <ul style="list-style-type: none"> <li>• Incentives</li>   <li>• Fuel Efficient</li>   <li>• Renewable Energy</li> </ul>	<p><b>Public Works/ Community Development</b></p>	<p><b>Support</b> grants, loans, tax credits, and other incentives to assist local governments, businesses, and the public invest in energy efficient equipment and renewable energy technology.</p> <p><b>Support</b> incentives for local governments to complete an inventory of local government facility greenhouse gas emissions, and to conduct an inventory of their whole jurisdiction.</p> <p><b>Support</b> legislation that streamlines permitting requirements and costs for energy producing facilities on federal land or which exempts small energy plants (less than 5 mW) from FERC licensing requirement, and require only state and local regulations as applicable.</p> <p><b>Support</b> grants, loans, tax credits, and other incentives to assist the public and local governments in using alternative fuels and purchasing fuel efficient vehicles.</p> <p><b>Support</b> legislation that increases energy efficiency requirements as part of the building codes.</p> <p><b>Support</b> legislation to permit assignment of the Public Goods Charge to local governments for implementation of energy conservation programs and projects.</p> <p><b>Support</b> legislation and measures that encourage renewable energy generation, remove roadblocks to renewable resource development, and provide incentives for small renewable generation projects.</p> <p><b>Support</b> legislations or regulations allowing wheeling of power and or appropriate remuneration for energy provided to the grid by municipalities.</p>

<p><b>CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)</b></p> <ul style="list-style-type: none"> <li>• Fair Argument Test</li> <li>• Master EIR Funding</li> <li>• Notification</li>   <li>• Duty to Respond</li> <li>• Timelines for CEQA Contract</li> <li>• Arbitration</li>   <li>• Bounty Hunter</li>   <li>• Re-Circulation</li>   <li>• Notices</li>   <li>• Effect on Environment</li>   <li>• Significant Thresholds</li>   <li>• Indirect and Cumulative Effects</li> </ul>	<p><b>Community Development</b></p>	<p><b><u>Procedures and Notices</u></b></p> <p><b>Oppose</b> the elimination of the fair argument test as the threshold for determining whether to prepare an Environmental Impact Report (EIR).</p> <p><b>Support</b> the development of a funding source for Master EIRs as proposed in the Little Hoover Commission report.</p> <p><b>Oppose</b> shifting the responsibility to notify responsible agencies from the Lead Agency to the State Clearing House.</p> <p><b>Oppose</b> shielding Lead Agencies from responding to comments received more than 30 days after a Notice of Preparation (NOP) or received verbally.</p> <p><b>Support</b> eliminating subdivision (b) of Public Resources Code Section 21151.5, which mandates the timeline for entering into CEQA contracts.</p> <p><b>Support</b> adding a “CEQA arbitrator” option to the requirement that each county over 200,000 designate a “CEQA judge.”</p> <p><b>Support</b> voluntary efforts and encouragement of arbitration/mediation in CEQA disputes but not mandatory arbitration.</p> <p><b>Support</b> limitations on lawsuits that have little merit by eliminating the availability of provisions for fee recovery by petitioners or by authorizing cities to collect their fees and costs in cases where they are the prevailing party.</p> <p><b>Support</b> raising the threshold for re-circulation of EIRs so that only new “significant unavoidable impacts” would necessitate re-circulation.</p> <p><b>Support</b> requiring that all projects proposed by any state or local public agencies comply with the identical local public notice requirements that would be applicable to projects sponsored by private developers in the jurisdiction where the project is located.</p> <p><b><u>Definition of a Project</u></b></p> <p><b>Support</b> narrowing the definition of “project” to discourage CEQA lawsuits on non-environmental matters.</p> <p><b><u>Significant Environmental Effects</u></b></p> <p><b>Oppose</b> the creation of a new mandate requiring each city to develop boilerplate significance thresholds.</p> <p><b>Oppose</b> a single statewide set of standards for determining significance at the local level.</p> <p><b>Support</b> focusing CEQA review by limiting analysis to physical environmental effects.</p> <p><b>Oppose</b> amending the definition of effects to eliminate the analysis of indirect and cumulative environmental effects.</p>
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<p><b>CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)</b> (CONTINUED)</p> <ul style="list-style-type: none"> <li>• Alternative Site Requirement</li> <li>• No Project Alternative</li> <li>• Coastal Commission Authority</li> <li>• Frivolous Appeals</li> <li>• Offshore Development</li>   <li>• Authority</li>            <li>• Lead Agency</li>   <li>• Restrictions/ Mandates</li>            <li>• Local Standards</li>            <li>• Habitat Plans</li>            <li>• Environmental Review</li> </ul>	<p><b>Community Development</b></p>	<p><b>Oppose</b> exempting projects that are subject to their own subsequent environmental review from consideration as a reasonably foreseeable future project when analyzing cumulative impacts.</p> <p><b><u>Alternatives</u></b></p> <p><b>Support</b> eliminating the alternative site requirement for all private projects.</p> <p><b>Oppose</b> the elimination of the “no project alternative.”</p> <p><b><u>Coastal Issues</u></b></p> <p><b>Oppose</b> legislation that would permit the state to impose unreasonable conditions on Local Coastal Plans developed by cities and counties.</p> <p><b>Support</b> efforts to curb frivolous appeals to local coastal decisions.</p> <p><b>Support</b> extension of the Federal Coastal Protection Act prohibition of additional offshore development based, in part, on concern about the impacts to on-shore support facilities and services by offshore development activities.</p> <p><b>Oppose</b> legislation that grants authority to the Coastal Commission that is inconsistent, duplicative and overlapping with the authority of other regulatory agencies, such as regional water quality control boards or other agencies or that grants the Coastal Commission authority outside the coastal zone.</p> <p><b><u>Miscellaneous</u></b></p> <p><b>Support</b> the right of cities to serve as Lead Agencies for the purposes of the Surface Mining and Reclamation Act (SMARA).</p> <p><b>Oppose</b> any federal or state regulation, statute or constitutional amendment which would place restrictions on federal, state, and local government actions regulating private property or requiring additional compensation beyond the continually evolving judicial interpretation of the Fifth Amendment of the U.S. Constitution.</p> <p><b>Support</b> flexibility for state and local governments to enact environmental and other standards or mandates that are stronger than the federal standards, reserving the right to question or oppose stronger standards on the merits.</p> <p><b>Oppose</b> legislation that prohibits state and local governments from enacting stricter standards.</p> <p><b>Support</b> the ability of local governments to voluntarily develop and approve species habitat plans for their communities, in conjunction with willing property owners.</p> <p><b>Support</b> legislation that would consolidate environmental review studies and processes, and encourage other forms of inter-agency cooperation, for proposed development projects that require permits from multiple jurisdictions (local, state, and federal). Oppose legislation, proposed administrative procedures or other initiatives that would add redundant environmental review processes.</p>
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<b>HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT</b>		
<b>SCOPE</b>		Policies that foster local control of community planning decisions as they relate to land use, affordable housing, cultural arts, human and neighborhood services, redevelopment and the community's economic health.
<b>AIR QUALITY</b>	<b>Community Development /Public Works</b>	See page 7 for the following issues under this category: • Improvements • Regulations • Standards • Land Use • Local Control • Fund Diversion • Governance • Health/Safety Code.
<b>WATER QUALITY</b>	<b>Community Development/ Public Works</b>	See page 7 for the following issues under this category: • Infrastructure investment • Local Control • Standards • Liability • Streamlining reform • “Bounty Hunters” • Water Softeners • Watershed Management • Treatment • Reuse • Reclaimed Water • Numeric Limits • Diversion • Frivolous lawsuits • Remedies • Fees/Penalty revenues • NPDES • State/regional discretion.
<b>HAZARDOUS MATERIALS</b>	<b>Community Development /Public Works</b>	See page 9 for the following issues under this category: • Local control/standards • Streamlining • Administrating agencies • Lead agency • Building permits • Land use.
<b>INTEGRATED WASTE MANAGEMENT</b>	<b>Community Development /Public Works</b>	See page 10 for the following issues under this category: • Local control • AB 939 • Streamline • Green Waste • CIWWB • Diversion • Measurement • Requirements • Non-burn transformation • Market development • Staffing • Variable can rates • E-waste • Curbside recycling • AB 2020 • Packaging • Local LEA • Authority • Landfills • Land use • Landfill certification.
<b>TOURISM</b> • Identity/Funds	<b>Community Development</b>	<b>Support</b> federal and state efforts to foster tourism policy development and coordination, and raise awareness of the economic impact of travel and tourism. <b>Support</b> funding to create a national identity for the U.S. as a premier travel destination with funds to be allocated directly to local governments. <b>Support</b> federal and state assistance to the travel and tourism industry.
<b>ARTS</b> • National Support • Funding • Museums, Humanities, Education	<b>Community Development</b>	<b>Support</b> the National Endowment for the Arts, National Endowment for the Humanities, and the Office of Museum Services within the Institute of Museum and Library Services. <b>Support</b> funding for these agencies at levels to sustain the nation's cultural infrastructure. <b>Support</b> funding for Arts in Education in the U.S. Department of Education's Fund for Improvement of Education to encourage high quality arts instruction in schools.

<p><b>PLANNING AND ZONING</b></p> <ul style="list-style-type: none"> <li>• General Plans</li> <li>• Water Supply/Land Use</li>   <li>• Zoning</li> </ul>	<p><b>Community Development</b></p>	<p><b>Support</b> the use of the general plan as a guide to meeting community planning needs. A city’s general plan should not be subject to mandatory review by regional or state agencies.</p> <p><b>Support</b> having the best information available on the reliability of water supplies when land use decisions are made by local agencies, while protecting and retaining local land use decision-making authority.</p> <p><b>Support</b> protection of local zoning as a primary function of cities and an essential component of home rule. State agency siting of facilities, including campuses and office buildings, should be subject to local notice and hearing requirements, and local land use policy and zoning requirements in order to meet concerns of the local community.</p>
<p><b>AFFORDABLE HOUSING</b></p> <ul style="list-style-type: none"> <li>• Financing</li>   <li>• CDBG/Home</li>   <li>• Federal Funding</li> <li>• Legal Protections</li> <li>• HOPE VI</li> <li>• Section 202</li> <li>• Elderly Housing</li> <li>• Non-Profits</li> <li>• Section 8</li> <li>• Section 811 Funding</li> <li>• McKinney Act</li> <li>• Fair Market Rents</li> </ul>	<p><b>Community Development</b></p>	<p><b>Support</b> legislation and state and federal programs that assist in providing financing for affordable housing, including the development of fiscal tools and incentives to assist local governments in their efforts to encourage housing and finance the infrastructure to support housing.</p> <p><b>Support</b> federal funding for the Community Development Block Grant Program (CDBG) and the HOME Investment Partnerships Program.</p> <p><b>Support</b> federal funding of: 1) HOPE VI for an additional ten years; 2) Section 202 for new construction and rental assistance, modernization of units of elderly housing; 3) efforts to preserve elderly housing, permitting nonprofit organizations to purchase elderly housing projects with expiring Section 8 contracts; 4) Section 811 funding for the disabled; and 5) McKinney Act homeless assistance grants.</p> <p><b>Support</b> and encourage legislation that establishes additional legal protections to local agencies that approve affordable housing and that establish local pro-active affordable housing policies.</p> <p><b>Support</b> the preservation of Section 8 Program Funding.</p> <p><b>Support</b> at the federal level, the calculation of Section 8 “fair market rents” and “area median income” on a sub-regional basis, rather than on a countywide basis.</p>

<p><b>HOUSING</b></p> <ul style="list-style-type: none"> <li>• General Plan</li> <li>• Housing Element</li>   <li>• Growth</li> <li>• Allocation of</li> <li>• Accountability</li>   <li>• Performance Standard</li> <li>• Incentives</li> <li>• Streamlining</li>   <li>• Reforms</li>   <li>• Growth</li>   <li>• RHNA Units</li>   <li>• Disputes</li>   <li>• Consistency</li> </ul>	<p><b>Community Development</b></p>	<p><b>Support</b> the following housing principles:</p> <p>Housing issues should be addressed in the general plan as other planning issues are. The housing element should be prepared for the benefit of local governments and should have equal status with the other elements of the general plan.</p> <p>The projections of regional and local growth and the allocation of housing units should account for state and local planning factors and should be subject to a formal hearing and appeal process to ensure that they are realistic and fair. Cities or cities and counties should be allowed to work together to allocate housing units among themselves within a sub-region. Politically accountable officials at the state and regional levels should hear appeals to ensure that all public entities in the South Coast region receive an equitable allocation of housing units.</p> <p>Local government efforts should be subject to realistic performance standards not to arbitrary state agency review of the housing element. Local government housing efforts should be rewarded by incentives. These incentives should include streamlining by not being subject to HCD review, priority ranking for discretionary funds, and new discretionary funds available for general fund purposes.</p> <p><b>Support</b> and encourage legislation that implements comprehensive reforms to the housing element process to:</p> <ul style="list-style-type: none"> <li>• Address conflicts between local growth projections and state regional housing need numbers;</li> <li>• Resolve the problems associated with the distribution of RHNA units within a council of governments;</li> <li>• Achieve improvements to the housing element review process; and</li> <li>• Develop a neutral dispute resolution process and fair enforcement alternatives to deal with disputes over questions of compliance.</li> </ul> <p><b>Support</b> and encourage legislation that requires state laws and policies, which affect housing and land use, to be internally consistent and consistent with each other.</p>
<p><b>REDEVELOPMENT</b></p> <ul style="list-style-type: none"> <li>• Flexibility</li> <li>• Liability</li> <li>• Project Area</li>   <li>• Redevelopment Plan</li> </ul>	<p><b>Community Development</b></p>	<p><b>Support</b> legislation that increases the flexibility in the use of redevelopment authority.</p> <p><b>Oppose</b> limiting authority or increasing the liability of redevelopment agencies.</p> <p><b>Support</b> legislation that provides for the appropriate extension of existing redevelopment project areas that face statutory expiration.</p> <p><b>Support</b> legislation that allows redevelopment agencies to continue to collect tax increment and extend project area activities in pursuit of Redevelopment Plan goals and to provide affordable housing beyond existing statutory deadlines.</p>

<b>REDEVELOPMENT (CONTINUED)</b> <ul style="list-style-type: none"> <li>• ERAF</li> <li>• RDA Sunset</li> </ul>	<b>Community Development</b>	<p><b>Oppose</b> legislation such as Educational Revenue Augmentation Fund (ERAF) that diverts locally-generated tax increment funds from redevelopment agencies.</p> <p><b>Support</b> legislation to retain redevelopment agency authority to collect and use the increment for affordable housing beyond the current RDA sunset.</p>
<b>RENT CONTROL</b> <ul style="list-style-type: none"> <li>• Ordinances</li> <li>• Mobile Homes</li> </ul>	<b>Community Development</b>	<p><b>Oppose</b> any legislation that restricts the ability of cities to enact rent control ordinances for mobile homes and other forms of housing that are tailored to meet local conditions and circumstances.</p> <p><b>Oppose</b> any legislation that would require a city to adopt a mobile home rent control ordinance.</p>
<b>SUBDIVISION MAP ACT</b> <ul style="list-style-type: none"> <li>• Local Control</li> <li>• Antiquated subdivisions</li> </ul>	<b>Community Development</b>	<p><b>Support</b> maximizing local control over subdivisions and public improvement financing. Discretion over the conditions and length of subdivision and parcel maps should be retained by cities.</p> <p><b>Support</b> reversal of legislation recognizing antiquated subdivisions as legal lots.</p>
<b>RESIDENTIAL CARE FACILITIES</b> <ul style="list-style-type: none"> <li>• Permitting</li> <li>• Regulating</li> <li>• Licensing</li> <li>• Restrictions</li> </ul>	<b>Community Development</b>	<p><b>Support</b> permitting cities to exercise review and land use regulation of group home facilities and residential care facilities in residential neighborhoods including the application of zoning, building, and safety standards. State and county licensing agencies should be required to confer with a city's planning agency in determining whether to grant a license to a community care facility. Better review and regulation of residential care facilities will protect both the community surrounding a facility and the residents within a facility from a poorly managed facility or the absence of state oversight.</p>
<b>DEVELOPMENT FEES</b> <ul style="list-style-type: none"> <li>• Local authority</li> <li>• Infrastructure</li> <li>• Mitigation</li> <li>• Condition and Deny Authority</li> </ul>	<b>Community Development</b>	<p><b>Support</b> providing local discretion in the assessment, collection, and usage of development fees. Support the state provision of infrastructure funding to help local communities meet California's growth demands and to increase housing affordability.</p> <p><b>Oppose</b> limiting the ability of cities to levy fees to provide for infrastructure or services.</p> <p><b>Support</b> maintaining city discretion over the extent to which legislative authority should be exercised to fully mitigate impacts from development to the adequacy of school facilities.</p> <p><b>Support</b> maintaining the cities' ability to condition and deny projects that determine to inadequately mitigate impacts to community schools.</p>

<b>ANNEXATION AND INCORPORATION</b>	<b>Community Development</b>	<b>Support</b> strengthening city control over urban boundaries. Sphere of Influence law should be modified to limit urban development in unincorporated areas of a county and to facilitate the annexation of urban areas to cities. The Revenue and Taxation Code should not allow counties to block annexations in exchange for unreasonable property tax sharing agreements. In addition, cities should have expanded authority over adjacent lands outside their sphere of influence regardless of jurisdictional lines so long as the land is not within another city's sphere.
<b>DEVELOPMENT AGREEMENTS</b>	<b>Community Development</b>	<b>Support</b> voluntary development agreements as one tool for providing flexibility in development approvals.
<b>BUILDING STANDARDS</b> <ul style="list-style-type: none"> <li>• Health and Safety</li> <li>• Occupancy</li>   <li>• Licensing</li> </ul>	<b>Community Development</b>	<b>Support</b> flexibility in the adoption and implementation of health and safety standards contained in the building codes. <b>Support</b> authorizing cities to adopt independent occupancy standards to prevent overcrowding and associated health and safety hazards, including fire-related fatalities. <b>Oppose</b> legislation that would remove licensing requirements for professionals such as architects, landscape architects, contractors, and others related to building and development.
<b>MILITARY BASE CLOSURE AND REUSE</b> <ul style="list-style-type: none"> <li>• Local Involvement</li> <li>• Reuse</li> </ul>	<b>Community Development</b>	<b>Support</b> local decision-making over closed military base reuse. <b>Support</b> incentives for the reuse of closed military facilities to meet local community needs as determined by local governments.
<b>MOBILE HOME REGULATION AUTHORITY</b>	<b>Community Development</b>	<b>Support</b> initiatives that maintain cities as the enforcement authority for mobile home park regulation.
<b>SIGN REGULATION</b>	<b>Community Development</b>	<b>Support</b> the authority of cities to regulate billboards and other signage.
<b>ARTS, CULTURAL RESOURCES, HISTORIC PRESERVATION AND ACTIVITIES</b>	<b>Community Development, Parks and Recreation</b>	<b>Support</b> the continued state funding for local arts activities and historic preservation.
<b>CHILDREN/YOUTH</b>	<b>Community Development, Parks and Recreation, Police, and Library</b>	See page 25 for the following issues in this category: • Job Training • Prenatal Care • Youth Program • Foster Care • Federal Grants • Natural Policy • After School • Equal Access • Educational Programs • Parks and Recreation Facilities • Library funding • Universal Health Care.

<b>AIRPORT</b>	
<b>SCOPE</b>	Issues related to federal and state legislation affecting airport operations, funding regulation, and implementation of the Aviation Facilities Plan.
<b>FUNDING</b> <ul style="list-style-type: none"> <li>• AIP</li> <li>• Funding</li>   <li>• Security</li>   <li>• Bankruptcy</li> <li>• Bonds</li> <li>• Alternative Minimum Tax</li> <li>• Passenger Facility Charge</li> <li>• Cap on PFC Charges</li> <li>• PFC Application</li> <li>• Jet fuel tax</li> <li>• DBE Program</li> </ul>	<b>Airport</b> <p><b>Support</b> legislation reauthorizing FAA and the Airport Improvement Program (AIP), including support of the following provisions:</p> <ul style="list-style-type: none"> <li>○ Increase AIP funding and maintain or reduce the 5% AIP match requirement for small airports;</li> <li>○ Strengthen or maintain budget protections for AIP funding.</li> <li>○ Eliminate the competition plan requirement for AIP.</li> <li>○ Eliminate unnecessary AIP grant assurances; and</li> <li>○ Maintain or expand revenue sources that contribute to AIP.</li> </ul> <p><b>Support</b> federal legislative efforts to maintain or increase appropriations to the AIP for infrastructure projects relating to safety, security, aviation operations and capacity, and noise abatement.</p> <p><b>Support</b> dedicated aviation security operations and infrastructure funding sources separate from the AIP.</p> <p><b>Support</b> efforts to reimburse airports for operational and infrastructure costs associated with implementation of federal security and other mandates.</p> <p><b>Support</b> bankruptcy reform legislation that helps protect airports from the impact of airline bankruptcies.</p> <p><b>Support</b> reclassification of all airport bonds as ‘governmental’ instead of ‘private activity.’</p> <p><b>Support</b> continuation of the elimination of the Alternative Minimum Tax (AMT) penalty on Airport Private Activity Bonds.</p> <p><b>Support</b> efforts to provide airports with greater flexibility in the use of AIP and Passenger Facility Charge (PFC) funds, including elimination of the mandated loss of entitlement funds from imposing a higher PFC.</p> <p><b>Support</b> an increase or elimination of the cap on PFC charges.</p> <p><b>Support</b> efforts to streamline the airport PFC application and reporting process.</p> <p><b>Support</b> equitable distribution of jet fuel tax revenues.</p> <p><b>Support</b> efforts to restructure the Airport Disadvantaged Business Enterprise (DBE) program.</p>

<b>SAFETY AND SECURITY</b> <ul style="list-style-type: none"> <li>• Streamlining</li> <li>• Cargo Screening</li>   <li>• Staffing</li>   <li>• TSA</li> </ul>	<b>Airport</b>	<p><b>Support</b> streamlining the airport security screening process to reduce passenger inconvenience and improve customer service, while maintaining security and safety.</p> <p><b>Support</b> a threat based (risk-based) system of air cargo inspection and screening.</p> <p><b>Support</b> local primacy in granting access to airport restricted areas.</p> <p><b>Support</b> efforts to preserve current staffing levels for Aircraft Rescue and Fire Fighting (ARFF) crews.</p> <p><b>Support</b> an adequately funded Transportation Security Administration (TSA).</p>
<b>ENVIRONMENT</b> <ul style="list-style-type: none"> <li>• Noise standards</li>   <li>• Greenhouse Gases</li> <li>• Airport Noise</li> <li>• Environmental Review</li> </ul>	<b>Airport</b>	<p><b>Support</b> measures to alleviate noise impacts on communities surrounding airports that benefit both the community and the airport such as the implementation of a phased Stage 3 requirement for lighter jet aircraft and the phase-out of noisy Stage 1 and Stage 2 jet aircraft weighing less than 75,000 lbs.</p> <p><b>Support</b> efforts to reduce potential greenhouse gas emissions resulting from aircraft operations and airport ground service equipment.</p> <p><b>Oppose</b> efforts to expand state airport noise standard variance requirements.</p> <p><b>Support</b> additional steps to expedite the airport environmental review and approval process while preserving environmental protections.</p>
<b>AIR SERVICE</b>	<b>Airport</b>	<p><b>Support</b> legislation that stimulates the airline industry's ability to provide air service to Santa Barbara.</p> <p><b>Support</b> legislation that recognizes or encourages aviation's contributions to the economy that result from air travel, commerce, freight transport, and manufacturing.</p>
<b>TRANSPORTATION/ INFRASTRUCTURE</b>	<b>Airport</b>	<p><b>Support</b> legislation funding connectivity between air and ground transportation through improved infrastructure and enhancement of alternative transportation options.</p>

<b>PLANNING</b> <ul style="list-style-type: none"> <li>• Land Use</li> <li>• Planning CEQA</li> <li>• Coordination</li> </ul>	<b>Airport</b>	<p><b>Support</b> efforts to ensure that development around airports is consistent with land use planning guidelines and compatible with airport operations.</p> <p><b>Support</b> development of a clear methodology for preparing CEQA analysis of potential global warming impacts of proposed projects.</p> <p><b>Support</b> coordination between FAA and sponsor airports on NEPA compliance issues and preparation of joint NEPA/CEQA documents.</p>
<b>RENTAL CAR CONCESSIONS</b>	<b>Airport</b>	<p><b>Support</b> airport interests in proposed legislation that may impact the terms under which rental car concessions operate at the airport.</p>
<b>EDUCATION</b>	<b>Airport</b>	<p><b>Support</b> aviation education that informs students about career opportunities in aviation and encourages interest in a math and science curriculum.</p>

<b>WATERFRONT</b>		
<b>SCOPE</b>		Issues related to federal and state legislation affecting harbor operations, funding, and regulation.
<b>PUBLIC ACCESS</b>	<b>Waterfront</b>	<b>Support</b> continued public access to marinas, state tidelands, waterfront facilities, and marine resources.
<b>ECONOMIC CONTRIBUTIONS</b>	<b>Waterfront</b>	<b>Support</b> legislation that recognizes economic contributions of ports and harbors to state and federal economies, through maritime trade, maritime industries and commercial fishing.
<b>CONGRESSIONAL OVERSIGHT</b>	<b>Waterfront</b>	<b>Support</b> Congressional oversight of Executive Agencies to ensure timely permitting of statutorily mandated Civil Works projects, and contain regulatory demands that inflate project costs.
<b>SEARCH AND RESCUE OPERATIONS</b>	<b>Waterfront</b>	<b>Support</b> the U.S. Coast Guard's services mission to conduct search-and-rescue operations as an agency priority.

<p><b>ENVIRONMENTAL</b></p> <ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Disposition of Crafts</li> <li>• Non-Native Marine Species</li> <li>• Waste</li>   <li>• Seabirds</li>   <li>• Water Pollution</li> <li>• Fuel Tank</li>   <li>• Oil Spills</li> <li>• Recycling</li> <li>• Boat Paint</li> </ul>	<p><b>Waterfront</b></p>	<p><b><u>General</u></b></p> <p><b>Support</b> enhanced local authority over disposition of wrecked, derelict, abandoned, non-operable or non-seaworthy craft.</p> <p><b>Support</b> legislation that encourages and/or funds eradication or control of non-native marine species in ports and harbors.</p> <p><b>Support</b> physical alternatives or grant funds for disposal of marina-generated household wastes, dredge materials or treated building materials.</p> <p><b>Support</b> efforts to ensure seabird protection while allowing ports and harbors to control or abate nuisance fowl.</p> <p><b><u>Water Pollution</u></b></p> <p><b>Support</b> state or federal funding for retrofits or rehabilitation of underground marine-fuel tanks or systems.</p> <p><b>Support</b> state or federal funding of mitigation or remediation of non-point source pollution that affects harbor water quality.</p> <p><b>Support</b> and advance programs and state funding aimed at reducing or eliminating point-source pollution in California ports and harbors.</p> <p><b>Support</b> efforts to fund oil-spill prevention and/or recovery in ports and harbors.</p> <p><b>Support</b> efforts to fund recycling and/or disposal options for waste oil and other byproducts of maritime activities or vessel maintenance.</p> <p><b>Support</b> efforts to research and test alternatives to copper-based anti-fouling paints for boat bottoms.</p>
<p><b>FISHERIES</b></p> <ul style="list-style-type: none"> <li>• Fishing</li> <li>• Ecological Health</li> <li>• Planning</li> </ul>	<p><b>Waterfront</b></p>	<p><b>Support</b> environmentally compliant commercial and recreational fishing, as essential to the fabric of working ports and harbors.</p> <p><b>Support</b> legislative efforts to sustain the ecological health of aquatic biological systems, including fish and shellfish.</p> <p><b>Support</b> a planning process for the Marine Life Protection Act in Southern California that includes input from the science community and all interested stakeholders to protect the marine heritage and ensure long term viability of coastal communities and fisheries.</p>

<p><b>LOCAL CONTROL</b></p> <ul style="list-style-type: none"> <li>• Revenues</li>   <li>• Use</li>   <li>• Preservation</li> <li>• Environment</li> <li>• Sanctuaries</li>   <li>• Local Control</li> <li>• Cruise Ships</li> <li>• Air Quality</li> </ul>	<p><b>Waterfront</b></p>	<p><b>Support</b> compliance with the California Constitution as it relates to preservation of tideland revenues, as well as the return of local user fees, locally collected property taxes and similar funds to the California ports and harbors of origin.</p> <p><b>Support</b> legislation allowing ports and harbors to establish or designate local control over special-use areas for vessels or related recreational equipment of a specific type or use.</p> <p><b>Support</b> the preservation of ocean resources through established marine sanctuaries, while reserving the ability to comment on potential sanctuary expansion by the Harbor District that could affect activities including but not limited to dredging, vessel traffic, wastewater disposal, general construction, and maintenance and repair.</p> <p><b>Support</b> local jurisdictional control and environmental/regulatory oversight of cruise ship visits near ports and harbors.</p> <p><b>Support</b> state and federal efforts to reduce air and water quality impacts of shipping in the Santa Barbara Channel.</p>
<p><b>DREDGING</b></p> <ul style="list-style-type: none"> <li>• Funding</li>   <li>• Material</li>   <li>• Corps of Engineers</li>   <li>• Federal Initiatives</li>   <li>• Obligation</li> </ul>	<p><b>Waterfront</b></p>	<p><b>Support</b> policies and funding for dredging small-craft ports and harbors, including the use of dredged materials for beach nourishment.</p> <p><b>Support</b> opportunities, when environmentally feasible, for the removal and disposition of dredged materials.</p> <p><b>Support</b> full execution by the Corps of Engineers of its basic navigation, shore and flood protection mission, as well as environmental restoration and recreation authorized by Congress.</p> <p><b>Support</b> federal initiatives that benefit Congressionally authorized marine infrastructure needs including: Maritime Infrastructure Banks; Marine Transportation System Vision 2020; expanded ocean dredge disposal sites; and development of new upland dredge disposal and reuse sites with provisions of federal ownership and cost sharing for such sites.</p> <p><b>Oppose</b> any action that would prohibit U.S. Army Corps of Engineers from realizing its mission obligation to dredge Santa Barbara Harbor.</p>

<p><b>FACILITIES</b></p> <ul style="list-style-type: none"> <li>• Funding</li>   <li>• Abandoned Watercraft</li>   <li>• Utilities</li>   <li>• Boat Launching</li> <li>• Repair and Maintain Harbor Facilities</li> </ul>	<p><b>Waterfront</b></p>	<p><b>Support</b> legislation granting federal funds (or low-interest, no-interest loans) for development of harbor infrastructure facilities.</p> <p><b>Oppose</b> legislative or administrative efforts to eliminate the state Department of Boating and Waterways and/or reduce/reallocate its budget.</p> <p><b>Oppose</b> legislative or administrative efforts to reallocate or divert funds from the intended purposes of the Harbors and Watercraft Revolving Fund, as described in Sections 85-88 of the California Harbors and Navigation Code.</p> <p><b>Support</b> legislation expanding and/or increasing the budget of the state’s Abandoned Watercraft Abatement Fund.</p> <p><b>Oppose</b> legislative or administrative efforts to decrease the budget of the state’s Abandoned Watercraft Abatement Fund.</p> <p><b>Support</b> legislation providing harbor managers a financially feasible means of supplying utilities, such as electricity to berths and marinas.</p> <p><b>Support</b> legislation that funds construction and/or maintenance of boat-launching facilities.</p> <p><b>Oppose</b> legislation that seasonally restricts ability to repair and maintain harbor facilities, while considering impact to sensitive species.</p>
<p><b>BOATING SAFETY</b></p> <ul style="list-style-type: none"> <li>• Education</li> <li>• Enforcement</li> </ul>	<p><b>Waterfront</b></p>	<p><b>Support</b> boating safety, including education and enforcement or regulation of boating practices, vessel types and equipment.</p> <p><b>Support</b> legislation implementing a boater-safety certification program.</p> <p><b>Support</b> public safety and enforcement efforts through funding of equipment utilized by Harbor Patrol Officers.</p>
<p><b>ENFORCEMENT</b></p> <ul style="list-style-type: none"> <li>• Public Safety</li>   <li>• Homeland Security</li> </ul>	<p><b>Waterfront</b></p>	<p><b>Support</b> legislation that promotes public safety and law-enforcement efforts in or near California ports and harbors through funding resources.</p> <p><b>Support</b> Homeland Security legislation, programs and/or grants that benefit and protect small ports and harbors.</p>
<p><b>EDUCATION</b></p>	<p><b>Waterfront</b></p>	<p><b>Support</b> programs that utilize the California Department of Boating and Waterways as an educational vehicle for non-regulatory boating and harbor-management programs.</p>

<b>COMMUNITY SERVICES</b>		
<b>SCOPE</b>		Issues related to childcare, parks and recreation, libraries, cultural arts, and community and human services programs.
<b>PARKS FUNDING</b> <ul style="list-style-type: none"> <li>• Programs</li> <li>• Community Park Land</li> <li>• Partnerships</li> <li>• Coastal Access</li> </ul>	<b>Parks and Recreation</b>	<p><b>Support</b> full federal funding for the Forest Service's Urban and Community Forestry Program, the Land and Water Conservation Fund, and the Urban Parks and Recreation Recovery Program.</p> <p><b>Support</b> legislation that promotes the acquisition, development or redevelopment of park land to meet community park and recreation needs.</p> <p><b>Support</b> regional multi-agency open space acquisition initiatives.</p> <p><b>Support</b> the continuation of funding for Coastal Access Projects.</p>
<b>ARTS, CULTURAL RESOURCES, HISTORIC PRESERVATION AND ACTIVITIES</b>	<b>Parks and Recreation and Community Development</b>	<b>Support</b> the continued state funding for local arts activities and historic preservation.
<b>CHILD CARE</b> <ul style="list-style-type: none"> <li>• Child Care</li> </ul>	<b>Parks and Recreation</b>	<p><b>Support</b> the creation of more affordable, innovative, and quality local child care options for parents and concurrently encourage adherence to strict regulations and guidelines.</p> <p><b>Support</b> legislation that encourages child care facilities throughout the community.</p> <p><b>Support</b> state and federal efforts to provide high quality, safe, and affordable childcare for all who need it.</p>
<b>CHILDREN/YOUTH</b> <ul style="list-style-type: none"> <li>• Job Training</li> <li>• Prenatal Care</li> <li>• Youth Program</li> <li>• Foster Care</li> <li>• Federal Grants</li> <li>• National Policy</li> <li>• After School</li> </ul>	<b>Parks and Recreation/ Police/ Community/ Development/ Library</b>	<p><b>Support</b> state and federal funding for school-based job training programs in order to produce more job placement opportunities and collaborations with municipal services.</p> <p><b>Support</b> increased state and federal funding for prenatal care, early health care, preschool, and childcare programs to ensure healthy children and school readiness.</p> <p><b>Support</b> increased funding for foster care.</p> <p><b>Support</b> creation of permanent state and/or federal funding sources for children and youth programs.</p> <p><b>Support</b> federal reauthorization and full funding of the Individuals with Disabilities Education Act (IDEA), the Child Care and Development Block Grant, and the Temporary Assistance to Needy Families (TANF) block grant, including after-school recreation and tutoring programs.</p> <p><b>Support</b> formation of a President's national youth cabinet to create a comprehensive national policy for children.</p> <p><b>Support</b> increased state and federal funding for affordable after-school programs.</p>

<p><b>CHILDREN/YOUTH</b> (CONTINUED)</p> <ul style="list-style-type: none"> <li>• Equal Access</li> <li>• Parks and Recreation Facilities</li> <li>• Educational Programs</li> <li>• Library funding</li> <li>• Universal Health Care</li> <li>• Health Care</li> </ul>	<p><b>Parks and Recreation/ Police/ Community Development /Library</b></p>	<p><b>Support</b> legislation that would provide state and federal funding for increased access for children with disabilities to after-school and other recreation programs, including required staff support related to medications, mobility, and activity integration.</p> <p><b>Support</b> legislation that would provide state and federal funding for the development and operation of park and recreation facilities that serve underprivileged children, families, and older adults.</p> <p><b>Support</b> legislation providing state and federal funding for improving pre-school reading readiness, for supporting public library services assisting elementary and secondary school students with information, research, and curriculum materials, for adult literacy and computer literacy instruction, and for acquisition of learning materials.</p> <p><b>Oppose</b> legislation or administrative efforts to decrease the state's budgets for First 5 and K through 12 programs that support children and families.</p> <p><b>Support</b> the concept of universal health care for all Californians.</p> <p><b>Support</b> incentives to improve coordination of public health considerations with community land use planning.</p>
<p><b>PARK BOND FUNDS</b></p> <ul style="list-style-type: none"> <li>• Eligibility</li> <li>• Distribution</li> <li>• Release</li> </ul>	<p><b>Parks and Recreation</b></p>	<p><b>Oppose</b> tying local eligibility for park bond grant funds to non-park related issues, such as rent control or housing element status. Statewide park bond measures should include a component that provides per capita grants to cities and counties.</p> <p><b>Monitor</b> quarterly state actions regarding distribution or hold-up of allocated bond funds and other state funding sources related to Creeks Program and park capital projects.</p> <p><b>Work</b> with League of California Cities to assure bond funds are not held for other state funding needs.</p>
<p><b>PUBLIC LIBRARIES</b></p> <ul style="list-style-type: none"> <li>• Funding</li> <li>• Computers</li> </ul>	<p><b>Library</b></p>	<p><b>Support</b> full funding of the State Public Library Foundation so that the state's full share of funding is provided to the program, understanding how libraries play an integral role in building and sustaining our communities.</p> <p><b>Support</b> legislation providing federal funding for improving pre-school reading readiness, for supporting public library services assisting elementary and secondary school students with information, research, and curriculum materials, for adult literacy and computer literacy instruction, and for acquisition of learning materials.</p> <p><b>Support</b> federal funding for telecommunications equipment and services in public libraries in order to provide equal access to information to all residents; oppose requirements on use of federal funds for Internet access services for adults that mandate installation of filtering software.</p>

<b>PUBLIC LIBRARIES (CONTINUED)</b> <ul style="list-style-type: none"> <li>• State Public Library</li>   <li>• Foundation Privacy Rights</li> </ul>	<b>Library</b>	<p><b>Support</b> efforts to maintain and restore the State Public Library Foundation.</p> <p><b>Oppose</b> reductions of funding for library services.</p> <p><b>Oppose</b> any further reduction of the State Public Library Foundation.</p> <p><b>Oppose</b> legislation that requires public libraries to install and maintain computer-filtering software for use on computers in the library that, in an attempt to block obscene materials, also prevents access to material protected by the First Amendment.</p> <p><b>Oppose</b> legislation, regulations, and guidelines that erode privacy, information access and Constitutional rights, and oppose the use of governmental authority to suppress the free and open exchange of information and ideas.</p>
<b>SENIORS</b> <ul style="list-style-type: none"> <li>• Programs</li>   <li>• Care Facilities</li>   <li>• Wellness</li> </ul>	<b>Parks and Recreation</b>	<p><b>Support</b> efforts to develop and improve intergenerational recreation programs and activities that include seniors.</p> <p><b>Support</b> legislation that would provide funding for side-by-side day care facilities for California's youth, adults, and seniors.</p> <p><b>Support</b> legislation that facilitates development of senior residential and day care facilities integrated within the community-at-large.</p> <p><b>Support</b> funding for wellness, physical activity, and recreational programs for seniors on low or fixed incomes.</p> <p><b>Support</b> funding for senior daycare facilities and programs.</p>
<b>NATURAL RESOURCE PROTECTION</b>	<b>Parks and Recreation</b>	<p><b>Support</b> legislation that fosters protection and restoration of natural resources, including streams, stream and riparian habitat, wetlands, estuaries, rural and urban open space, etc.</p> <p><b>Support</b> legislation that provides local agencies with matching grants and/or technical support from California Resources Agency or other state agencies to revise and implement new resource protection policies and programs.</p>
<b>PARKS AND YOUTH EDUCATION</b>	<b>Parks and Recreation</b>	<p><b>Support</b> legislation that establishes new grants or expands scope of existing grants (currently limited to urbanized areas with populations over 100,000) for which the City would be eligible for park development, park improvement, and youth recreation programs.</p>
<b>PROPOSITION 40/50</b> <ul style="list-style-type: none"> <li>• Distribution</li> </ul>	<b>Parks and Recreation</b>	<p><b>Support</b> legislation that distributes bond funds as competitive monies to a range of State agencies and does not limit funds based on geographic location or scope of need.</p> <p><b>Support</b> legislation that allows grantee opportunity to receive grant funds for project design and permitting, in addition to construction, and also provides a mechanism to extend completion schedules.</p>

<b>EMPLOYEE RELATIONS</b>		
<b>SCOPE</b>		Issues related to the field of labor relations and human resource management.
<b>LABOR RELATIONS</b> <ul style="list-style-type: none"> <li>• Local Authority</li>   <li>• Improve Exemptions</li>   <li>• Strikes</li>   <li>• Arbitration</li>   <li>• MOU</li>   <li>• State Board</li>   <li>• Mutual Agreement</li> </ul>	<b>City Administrator</b>	<p><b>Support</b> efforts to promote, initiate, and improve both public and private sector labor-management relations.</p> <p><b>Oppose</b> interference with management rights or the ability of cities and their employees to bargain on matters within the scope of representation.</p> <p><b>Support</b> legislation that specifically exempts local public agencies from the requirement to negotiate with any labor or special interest group about matters submitted to the voters of that jurisdiction as initiatives or Charter amendments.</p> <p><b>Support</b> the long-held position of California courts that public employees cannot engage in strikes.</p> <p><b>Oppose</b> any system of compulsory and binding interest arbitration, including state-mandates and the imposition of binding arbitration through the initiative process.</p> <p><b>Oppose</b> any legislative action that requires the continuation of the terms of any Memorandum of Understanding (MOU) between a public agency and an employee organization until a successor MOU is agreed upon.</p> <p><b>Oppose</b> any extension of the State Public Employment Relations Board jurisdiction over local public agency labor relation disputes and charges of unfair labor practices, and to any interference or intervention in local collective bargaining by any labor-management relations councils or boards.</p> <p><b>Oppose</b> state-mandated compulsory mediation or fact-finding processes that are not mutually agreed upon by the local public agency and its employee organizations, except as provided by local law.</p>

<p><b>EQUAL EMPLOYMENT OPPORTUNITY</b></p> <ul style="list-style-type: none"> <li>• Civil Rights/EEO</li> <li>• Sexual Harassment</li> <li>• Standards</li>   <li>• CFCL/FMLA</li>   <li>• Sexual Orientation</li> </ul>	<p><b>City Administrator</b></p>	<p><b>Support</b> legislation furthering the purpose and clarifying the application of state and federal civil rights and equal employment opportunity laws.</p> <p><b>Support</b> a consistent standard for hostile sexual harassment cases by adopting the federal "reasonable victim" standards in matters before the FEHC. Support changing the standard from the "viewpoint of a reasonable victim" to a standard utilizing the "perception of reasonable persons of the same gender as the claimant," in order to shift from a gender-based sexual harassment standard to a plaintiff-based standard.</p> <p><b>Support</b> efforts to conform the California Family Care Leave Laws to the federal Family and Medical Leave Act (FMLA).</p> <p><b>Support</b> the amendment of federal civil rights legislation to prohibit employment discrimination on the basis of sexual orientation.</p>
<p><b>PUBLIC EMPLOYEES' RETIREMENT SYSTEM</b></p> <ul style="list-style-type: none"> <li>• Coalition</li> <li>• Public Pension Systems</li> <li>• Exemptions</li>   <li>• Limitations</li> <li>• Fraud</li>   <li>• PERS Credit</li>   <li>• Disability</li>   <li>• Airport Patrol</li> </ul>	<p><b>Administrative Services</b></p>	<p><b>Support</b> the PERS Coalition (PERS/PAC) and its efforts to maintain or further the interests of contracting agencies.</p> <p><b>Oppose</b> preemption of charter city authority over their public pension systems.</p> <p><b>Support</b> an exemption for retired PERS employees, allowing them to work for a PERS agency under contract or appointment by the local agency.</p> <p><b>Support</b> certain limitations upon recoveries under judgments against public retirement systems.</p> <p><b>Support</b> a requirement that the PERS Board adjust or cancel the retirement allowance of any person convicted of making fraudulent benefit claims.</p> <p><b>Support</b> extending the period for which employees may purchase PERS service credit for periods of lay off to five years.</p> <p><b>Support:</b> (a) reducing all disability retirement payments for employees hired after a certain date; (b) imposing an earnings test for persons receiving industrial disability retirement; (c) requiring state departments to identify annual unemployment and disability payments in separate budget items; (d) requiring persons receiving disability retirement payments to obtain an annual medical examination; (e) prescribing a 60% cap on payments for either job-related or non-job-related disabilities; (f) eliminating the tax-exempt status of disability retirement payments; (g) requiring mandatory reinstatement for employees certified able to work by medical exam; and (h) discontinuing disability retirement payments if the employee rejects reinstatement.</p> <p><b>Support</b> legislation to allow a PERS contracting agency to voluntarily elect to amend its PERS contract to provide safety retirement benefits to California peace officers serving as armed Airport Patrol Officers.</p>

<p><b>PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)</b></p> <ul style="list-style-type: none"> <li>• Pension System Reform</li> <li>• Employer Rate</li> <li>• Part-Time Work</li> <li>• Mandates</li> <li>• Benefits</li> <li>• CalPERS Board</li> </ul>	<p><b>Administrative Services</b></p>	<p><b>Support</b> pension system reform that will reduce long term costs while remaining effective in recruiting and retaining a skilled, quality work force.</p> <p><b>Oppose</b> a requirement that all plan assets of an employer plan, including “excess assets” be used in the determination of the employer rate.</p> <p><b>Support</b> allowing local agencies to make an exclusive determination of whether to utilize excess assets to offset costs of plan amendments.</p> <p><b>Oppose</b> declaring eligible for PERS benefits those part-time employees who have satisfied a minimum requirement of service, thereby defeating the intent and value of part-time employment.</p> <p><b>Oppose</b> legislation that mandates large increases in compensation during the final year of employment, which have the effect of increasing retirement benefits.</p> <p><b>Oppose</b> requiring an employer to continue to pay the salary of a member while PERS makes its decision on the member’s application for involuntary disability retirement.</p> <p><b>Support</b> expansion of the membership of the CalPERS Board of Administration to include one new member appointed by the League of California Cities.</p>
<p><b>WORKERS' COMPENSATION</b></p> <ul style="list-style-type: none"> <li>• Injuries</li> <li>• Workers' Compensation</li> <li>• Claim</li> <li>• Medical</li> <li>• Presumptive Injury</li> <li>• Legal process</li> </ul>	<p><b>Finance</b></p>	<p><b>Support</b> the principles of narrow causation and definition of injury.</p> <p><b>Support</b> requiring the employee to prove by clear and convincing evidence that sudden or extraordinary employment conditions were the predominant causes for the injury.</p> <p><b>Support</b> existing workers' compensation laws to be liberally construed only after an injury is deemed "specific" and consists of serious physical or bodily harm.</p> <p><b>Support</b> the cost containment of medical expenses for workers' compensation claims.</p> <p><b>Oppose</b> regulations or legislation that would require increased employer medical costs for workers' compensation.</p> <p><b>Oppose</b> regulations or legislation that would expand the definition of a “presumptive” injury, or create new “presumptive” injury categories that lack a basis in current proven medical science.</p> <p><b>Oppose</b> legislation that would permit an employee to use more than one legal process in regard to disability claims (i.e., ADA, workers' compensation, DFEH), or any other erosion of the “exclusive remedy” principle as it relates to disability claims covered under workers' compensation.</p>



<b>CITY ADMINISTRATION</b>		
<b>SCOPE</b>		Issues regarding election law and administration, insurance and tort reform, open meeting law, (the Brown Act), the Public Records Act, the Political Reform Act, and other conflict of interest laws, and regulation of smoking and tobacco products.
<b>OPEN MEETING LAW (THE BROWN ACT)</b>	<b>Administrative Services</b>	<p><b>Support</b> legislation that recognizes the need to conduct the public's business in public. To this end, the City supports the regulation of the state and other public agencies to ensure conformance to the principles of the open meetings provision in the Ralph M. Brown Act.</p> <p><b>Support</b> legislation that extends application of the Brown Act to the State.</p> <p><b>Oppose</b> legislation claiming to enhance open and public meetings that in practice unnecessarily complicates the ability of a city to properly communicate with the public and that discourages communications among governing body members through unproductive restrictions and inappropriate activities.</p> <p><b>Oppose</b> legislation that would impose further unnecessary restrictions on the action that a governing body can take in closed sessions.</p> <p><b>Support</b> legislation that recognizes the realities of other constraints under which a local governing body must operate that necessitates judicious use of closed sessions, including:</p> <ul style="list-style-type: none"> <li>• The privacy rights granted to individuals under the U.S. and California constitutions;</li> <li>• The personnel issues that have a potential impact on an individual's career and potential earning capacity and that raise serious liability questions for a local jurisdiction;</li> <li>• The protection of the taxpayer's interests over property and other acquisitions by a public agency; and</li> <li>• The proper maintenance of the same attorney-client privilege enjoyed by the private sector.</li> </ul>
<ul style="list-style-type: none"> <li>• Open Meetings</li> <li>• Restrictions</li> <li>• Closed Session</li> <li>• Privacy Rights</li> <li>• Personnel Issues</li> <li>• Property Acquisitions</li> <li>• Attorney/Client Privilege</li> </ul>		

<p><b>ELECTIONS</b></p> <ul style="list-style-type: none"> <li>• Costs/Procedures</li> <li>• Mail Ballots</li> <li>• Ballot measures</li> <li>• Challenges</li> </ul>	<p><b>Administrative Services</b></p>	<p><b>Support</b> legislation that reduces any unnecessary and costly procedures for conducting a municipal election. Oppose legislation that mandates costly and unnecessary procedures related to the local election process.</p> <p><b>Support</b> municipal mail ballot elections.</p> <p><b>Support</b> the requirement that the intent and text of a local ballot measure is to be filed with the City Clerk and published in a newspaper of general circulation, and a filing fee. With regard to any land use measure, support allowing the City Council to refer it to the planning agency for a report on the measure's effects.</p> <p><b>Oppose</b> any legislation or regulation that would prohibit legal action from being filed by any person(s) challenging the validity of the local initiative petition or ordinance after the date of the election.</p>
<p><b>RECALL ELECTIONS</b></p>	<p><b>Administrative Services</b></p>	<p><b>Support</b> legislation that maintains the integrity of the municipal recall process.</p> <p><b>Support</b> legislation that reduces the amount of local recall abuse while improving, streamlining, and ensuring that the public has full knowledge of the issues.</p>
<p><b>INSURANCE</b></p> <ul style="list-style-type: none"> <li>• Proof</li> <li>• Penalties</li> <li>• Earthquake</li> </ul>	<p><b>City Administrator</b></p>	<p><b>Support</b> the statewide administrative program that requires a motorist to have proof of insurance to register a vehicle with the Department of Motor Vehicles.</p> <p><b>Support</b> uninsured vehicles being subject to impoundment, and redeemed only with proof of insurance, with unredeemed vehicles being sold to pay for the cost of the program.</p> <p><b>Support</b> the creation of a state non-profit corporation to issue earthquake insurance policies to cover the cost of replacement or repairs to structures damaged by earthquake. The primary concern of the City in this issue should be maintaining an affordable housing market in local communities.</p>
<p><b>POLITICAL REFORM ACT</b></p> <ul style="list-style-type: none"> <li>• Practices</li> <li>• Local Authority</li>   <li>• Prop 208</li>   <li>• Reproduction Costs</li> </ul>	<p><b>Administrative Services</b></p>	<p><b>Support</b> legislation and regulations that establish sound practices and principles related to municipal political campaigns.</p> <p><b>Oppose</b> regulations and legislation that would restrict or preempt local authority.</p> <p><b>Support</b> appropriate efforts to improve and streamline the Political Reform Act and its implementation through regulations.</p> <p><b>Support</b> a legislative amendment to Proposition 208 that permits a candidate with excess campaign funds to give those excess funds to a charity of his or her choice in addition to all of the options provided in Proposition 208.</p> <p><b>Support</b> an increase in the fee for the reproduction of statements required under the Political Reform Act from ten cents (\$0.10) per page to twenty-five cents (\$0.25) per page.</p>

<p><b>SMOKING AND TOBACCO CONTROL</b></p> <ul style="list-style-type: none"> <li>• Statewide</li>   <li>• Minors</li> </ul>	<p><b>City Administrator</b></p>	<p><b>Support</b> legislation that establishes a statewide smoking and tobacco control standard, as long as such legislation does not preempt the ability of cities and counties to enact local laws that are stronger than the statewide standard or to regulate in areas not covered in the statewide standard. Oppose legislation that would restrict such local authority.</p> <p><b>Support</b> legislation that limits the ability of minors to obtain tobacco products.</p> <p><b>Support</b> legislation providing that all 477 California cities be equitably included in the distribution of moneys that the state receives from the Tobacco Settlement Memorandum of Understanding.</p>
<p><b>TORT REFORM</b></p> <ul style="list-style-type: none"> <li>• Local Exposure</li>   <li>• Liability</li>   <li>• Business Climate</li> </ul>	<p><b>City Attorney</b></p>	<p><b>Support</b> legislation that limits the exposure of local governments to lawsuits related to liability, including but not limited to such areas as unimproved natural conditions, design immunity, hazardous recreational activities, and injuries due to wild animals in public places.</p> <p><b>Support</b> modifications to the joint and several liability laws that require the responsible parties in a civil action to pay only their fair share of judgment based on their relative responsibility.</p> <p><b>Support</b> civil justice reform measures designed to improve the business climate in California. The City Attorney will evaluate these measures on a case-by-case basis.</p>

*END OF LEGISLATIVE PLATFORM*

PROPOSED 2009 LEGISLATIVE PLATFORM  
SUMMARY OF CHANGES

<b><u>PUBLIC SAFETY</u></b>	
<u>ADDED</u>	
<b>DISASTER RESPONSE (New Section)</b> <ul style="list-style-type: none"> <li>• Radio Reporting</li> </ul>	<b>Support</b> funding for improved public notification mechanisms including continuous radio reporting during natural disasters and other emergencies.
<b>LAW ENFORCEMENT</b> <ul style="list-style-type: none"> <li>• Mailed Parking Citation</li> <li>• Smoking</li> </ul>	<b>Support</b> legislation that allows mailing parking citations to violators. <b>Support</b> legislation that reduces the impacts of environmental tobacco smoke on residents in outdoor settings and in multiple family housing.
<b><u>TRANSPORTATION, PUBLIC WORKS and COMMUNICATIONS</u></b>	
<u>ADDED</u>	
<b>PUBLIC WORKS PROJECTS</b> <ul style="list-style-type: none"> <li>• Lower Mission Creek Funding</li> </ul>	<b>Support</b> continued funding for the Lower Mission Creek project in annual federal appropriations and authorized the Water Resource Development Act.
<u>MODIFIED</u>	
<b>TRANSPORTATION</b> <ul style="list-style-type: none"> <li>• Funding</li> <li>• Gas Tax</li> </ul>	<b>Support</b> additional funding for local <i>public</i> transportation, <i>other transportation alternatives to single occupancy vehicles</i> and other critical unmet infrastructure needs. <b>Support</b> a permanent shift of the sales tax on gasoline for transportation purposes and an allocation formula equivalent to a 40/40/20 split with 40% to cities and counties, 40% to STIP and 20% to <i>public transit and other alternative transportation modes</i> .
<b>VEHICLES</b> <ul style="list-style-type: none"> <li>• Infrastructure Protection</li> <li>• Safety</li> </ul>	<b>Oppose</b> all efforts that allow vehicles that will jeopardize the integrity of the public infrastructure or the health and safety of the motoring public, <i>cyclists or pedestrians</i> on the road. <b>Support</b> traffic safety enhancements such as motorcycle helmets, child restraints, seat belts and speed limit laws. <i>Allow for greater local discretion for setting lower speed limits.</i>

<b>ENVIRONMENTAL QUALITY</b>	
<u>ADDED</u>	
<b>WATER QUALITY</b> <ul style="list-style-type: none"> <li>• Financing</li> <li>• Gray Water</li> <li>• Infrastructure</li> </ul>	<p><b>Support</b> a federal financial commitment to surface water quality improvement and urban creek restoration.</p> <p><b>Support</b> legislation that removes barriers to gray water systems in public, commercial, industrial, multi-family, and single family projects.</p> <p><b>Support</b> legislation that updates gray water standards, and encourages simple and cost effective permitting process of gray water systems.</p> <p><b>Support</b> federal financial commitment to cities that have a history of effective management of water or wastewater infrastructure requirements/investments.</p>
<b>HAZARDOUS MATERIALS</b> <ul style="list-style-type: none"> <li>• Biodiesel Storage</li> </ul>	<p><b>Support</b> regulation that allows the storage of biodiesel (up to blends of B20) in existing Underwriters Laboratory (UL) rated in ground tanks that have secondary containment and working leak detection systems, at the discretion of the local jurisdiction.</p>
<b>INTEGRATED WASTE MANAGEMENT</b> <ul style="list-style-type: none"> <li>• Tenant Recycling</li> </ul>	<p><b>Support</b> legislation that requires owners of multi-unit housing to provide recycling to the tenants.</p>
<b>CLIMATE PROTECTION</b> <ul style="list-style-type: none"> <li>• Energy Facility Permits</li> <li>• Building Codes</li> <li>• Public Goods Charge</li> <li>• Renewable Energy</li> <li>• Energy Renumeration</li> </ul>	<p><b>Support</b> legislation that streamlines permitting requirements and costs for energy producing facilities on federal land or which exempts small energy plants (less than 5 mW) from FERC licensing requirement, and require only state and local regulations as applicable.</p> <p><b>Support</b> legislation that increases energy efficiency requirements as part of the building codes.</p> <p><b>Support</b> legislation to permit assignment of the Public Goods Charge to local governments for implementation of energy conservation programs and projects.</p> <p><b>Support</b> legislation and measures that encourage renewable energy generation, remove roadblocks to renewable resource development and provide incentives for small renewable generation projects.</p> <p><b>Support</b> legislation or regulations allowing wheeling of power and/or appropriate remuneration for energy provided to the grid by municipalities.</p>
<b>CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)</b> <ul style="list-style-type: none"> <li>• Physical Effects</li> </ul>	<p><b><u>Significant Environmental Effects</u></b></p> <p><b>Support</b> focusing CEQA review by limiting analysis to physical environmental effects.</p>

<u>MODIFIED</u>	
<b>AIR QUALITY</b> <ul style="list-style-type: none"> <li>• Local Authority</li> </ul>	<p><b>Support</b> cities having the authority to establish local air quality standards and programs that are stricter than state and federal standards and oppose efforts to restrict such authority, <i>while reserving the right to question or oppose stronger standards on the merits.</i></p>
<b>WATER QUALITY</b> <ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Public Health</li> <li>• Numeric Limits</li> <li>• Goals</li> </ul>	<p><b>Support</b> the ability of cities to enact discharge and water quality requirements or standards that are stricter than state or federal standards, <i>while reserving right to question or oppose stronger standards on the merits.</i></p> <p><b>Support</b> efforts to <i>improve</i> the Federal Safe Drinking Water Act and the Federal Clean Water Act <i>and their implementation procedures to protect public health and the environment in an efficient and effective manner.</i></p> <p><b>Oppose</b> legislation that requires the use of <i>unreasonable</i> numeric limits in waste discharge permits and storm water permits.</p> <p><b>Support</b> efforts to set clear <i>water quality</i> goals as occurred with solid waste diversion legislation.</p>
<b>INTEGRATED WASTE MANAGEMENT</b> <ul style="list-style-type: none"> <li>• Permit Process</li> <li>• Fees and Taxes</li> </ul>	<p><b>Support</b> legislation to develop a permit process for solid waste <i>anaerobic digestion and/or conversion technologies (including gasification, pyrolysis, plasma card, and refuse derived fuel)</i> that are capable of minimizing the amount of solid waste landfill and do not impede or impair existing and planned recycling and waste reduction programs.</p> <p><b>Support</b> the ability of jurisdictions to impose a fee or tax on single-use bags.</p>
<b>CLIMATE PROTECTION</b> <ul style="list-style-type: none"> <li>• Greenhouse Gas Emissions</li> <li>• Incentives</li> </ul>	<p><b>Support</b> incentives for local governments to complete an inventory of local government facility greenhouse gas emissions, <i>and to conduct an inventory of their whole jurisdiction.</i></p> <p><b>Support</b> grants, loans, tax credits and other incentives to assist the public <i>and local governments</i> in using alternative fuels and purchasing fuel efficient vehicles.</p>
<b>CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)</b> <ul style="list-style-type: none"> <li>• Unreasonable Conditions</li> <li>• Process</li> </ul>	<p><b><u>Coastal Issues</u></b></p> <p><b>Oppose</b> legislation that would permit the state to impose <i>unreasonable</i> conditions on Local Coastal Plans developed by cities and counties.</p> <p><b><u>Miscellaneous</u></b></p> <p><b>Support</b> legislation that would consolidate environmental review studies and processes, and encourage other forms of inter-agency cooperation, for proposed development projects that require permits from multiple jurisdictions (local, state, and federal). Oppose legislation, proposed administrative procedures or other initiatives that would add redundant environmental review processes.</p>



<b>HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT</b>	
<u>ADDED</u>	
<b>REDEVELOPMENT</b> <ul style="list-style-type: none"> <li>• Continuation/Extension</li> <li>• Fund Diversion</li> <li>• Authority After Sunset</li> </ul>	<p><b>Support</b> legislation that allows redevelopment agencies to continue to collect tax increment and extend project area activities in pursuit of Redevelopment Plan goals and to provide affordable housing beyond existing statutory deadlines.</p> <p><b>Oppose</b> legislation such as Educational Revenue Augmentation Fund (ERAF) that diverts locally-generated tax increment funds from redevelopment agencies.</p> <p><b>Support</b> legislation to retain redevelopment agency authority to collect and use the increment for affordable housing beyond the current RDA sunset.</p>
<b>SUBDIVISION MAP ACT</b> <ul style="list-style-type: none"> <li>• Antiquated Subdivision</li> </ul>	<p><b>Support</b> reversal of legislation recognizing antiquated subdivisions as legal lots.</p>
<b>BUILDING STANDARDS</b> <ul style="list-style-type: none"> <li>• Licensing Requirements</li> </ul>	<p><b>Oppose</b> legislation that would remove licensing requirements for professionals such as architects, landscape architects, contractors, and others related to building and development.</p>
<u>MODIFIED</u>	
<b>PLANNING AND ZONING</b> <ul style="list-style-type: none"> <li>• Local Authority</li> </ul>	<p><b>Support</b> protection of local zoning as a primary function of cities and an essential component of home rule. State agency siting of facilities, including campuses and office buildings, should be subject to local notice and hearing requirements, <i>and local land use policy and zoning requirements</i> in order to meet concerns of the local community.</p>
<b>RENT CONTROL</b> <ul style="list-style-type: none"> <li>• Local Authority</li> </ul>	<p><b>Oppose</b> any legislation that restricts the ability of cities to enact rent control ordinances for mobile homes and <i>other forms of housing</i> that are tailored to meet local conditions and circumstances.</p>

<p><b>HOUSING</b></p> <ul style="list-style-type: none"> <li>• General Plan</li>   <li>• Housing Allocation</li>   <li>• <b>Performance Standards</b></li>   <li>• <b>Regulating Consistency</b></li> </ul>	<p><b>Support</b> the following housing principles:</p> <ul style="list-style-type: none"> <li>• Housing issues should be addressed in the General Plan as other planning issues are. The housing element should be prepared for the benefit of local governments and should have equal status with the other elements of the General Plan.</li> <li>• The projections of regional and local growth and the allocation of housing units should account for state and local planning factors and should be subject to a formal hearing and appeal process to ensure that they are realistic <i>and fair</i>. <i>Cities or cities and counties</i> should be allowed to work together to allocate housing units among themselves within a sub-region. Politically accountable officials at the state and regional levels should hear appeals <i>to ensure that all public entities in the South Coast region receive an equitable allocation of housing units</i>.</li> <li>• Local government efforts should be subject to realistic performance standards not to arbitrary state agency review of the housing element. Local government housing efforts should be rewarded by incentives. These incentives should include streamlining by not being subject to HCD review, priority ranking for discretionary funds, and new discretionary funds available for general fund purposes.</li> </ul> <p><b>Support</b> and encourage legislation that requires state laws and policies, which affect housing and land use, to be internally consistent <i>and consistent with each other</i>.</p>
<p><b>RENT CONTROL</b></p> <ul style="list-style-type: none"> <li>• <b>Local Authority</b></li> </ul>	<p><b>Oppose</b> any legislation that restricts the ability of cities to enact rent control ordinances for mobile homes and <i>other forms of</i> housing that are tailored to meet local conditions and circumstances.</p>
<p><b>DEVELOPMENT FEES</b></p> <ul style="list-style-type: none"> <li>• <b>Local Authority</b></li> </ul>	<p><b>Support</b> <i>maintaining</i> the city's ability to condition and deny projects that determine <i>to</i> inadequately mitigate impacts to community schools.</p>
<p><b>MILITARY BASE CLOSURE AND REUSE</b></p> <ul style="list-style-type: none"> <li>• <b>Conversion/Reuse</b></li> </ul>	<p><b>Support</b> local decision-making over <i>closed</i> military base reuse.</p>
<p><u>DELETED</u></p>	
<p><b>REDEVELOPMENT</b></p> <ul style="list-style-type: none"> <li>• Continuation/Extension</li> </ul>	<p><b>Support</b> the ability of Redevelopment Agencies to extend project area activities to support affordable housing production.</p>

<b>AIRPORT</b>	
<u>ADDED</u>	
<b>FUNDING</b> <ul style="list-style-type: none"> <li>Alternative Minimum Tax</li> </ul>	<b>Support</b> continuation of the elimination of the Alternative Minimum Tax (AMT) penalty on Airport Private Activity Bonds.
<u>MODIFIED</u>	
<b>FUNDING</b> <ul style="list-style-type: none"> <li>FAA/AIP</li> </ul>	<b>Support</b> legislation reauthorizing FAA and the Airport Improvement Program (AIP), including support of the following provisions: <ul style="list-style-type: none"> <li>Increase AIP funding and maintain <i>or reduce</i> the 5% AIP match requirement for small airports.</li> <li>Strengthen or maintain budget protections for AIP funding.</li> <li>Eliminate the competition plan requirement for AIP.</li> <li>Eliminate unnecessary AIP grant assurances.</li> <li>Maintain or expand revenue sources that contribute to AIP.</li> </ul>
<u>DELETED</u>	
<b>ENVIRONMENT</b> <ul style="list-style-type: none"> <li>Alternative Energy</li> <li>Renumeration</li> </ul>	<b>Support</b> initiatives to encourage development of alternative energy sources. <b>Support</b> remuneration for alternative energy producers that contribute excess energy to the electrical grid.
<b>WATERFRONT</b>	
<u>ADDED</u>	
<b>FISHERIES</b> <ul style="list-style-type: none"> <li>Marine Life Protection Act</li> </ul>	<b>Support</b> a planning process for the Marine Life Protection Act in Southern California that includes input from the science community and all interested stakeholders to protect the marine heritage and ensure long term viability of coastal communities and fisheries.
<b>FACILITIES</b> <ul style="list-style-type: none"> <li>Harbor/Watercraft Revolving Fund</li> <li>Abandoned Watercraft Fund</li> </ul>	<b>Oppose</b> legislative or administrative efforts to reallocate or divert funds from the intended purposes of the Harbors and Watercraft Revolving Fund, as described in Sections 85-88 of the California Harbors and Navigation Code. <b>Oppose</b> legislative or administrative efforts to decrease the budget of the state's Abandoned Watercraft Abatement Fund.

<u>MODIFIED</u>	
<b>ENVIRONMENTAL</b> <ul style="list-style-type: none"> <li>• Marine Fuel Tanks</li> <li>• Mitigation Funding</li> </ul>	<b>Water Pollution</b> <b>Support</b> <i>state or federal</i> funding for retrofits or rehabilitation of underground marine-fuel tanks or systems. <b>Support</b> <i>state or federal</i> funding of mitigation or remediation of non-point source pollution that affects harbor water quality. <b>Support</b> and advance programs and <i>state</i> funding aimed at reducing or eliminating point-source pollution in California ports and harbors.
<b>AIR QUALITY</b> <ul style="list-style-type: none"> <li>• Local Control</li> </ul>	<b>Support</b> <i>state and federal</i> efforts to reduce air and water quality impacts of shipping in the Santa Barbara Channel.
<b>FACILITIES</b> <ul style="list-style-type: none"> <li>• Infrastructure Funding</li> <li>• Department of Boating Budget</li> <li>• Repair and Maintenance</li> </ul>	<b>Support</b> legislation granting <i>federal</i> funds (or low-interest, no-interest loans) for development of harbor infrastructure facilities. <b>Oppose</b> <i>legislative or administrative</i> efforts to eliminate the state Department of Boating and Waterways <i>and/or</i> reduce/reallocate its budget. <b>Oppose</b> legislation that seasonally restricts ability to repair and maintain harbor facilities, <i>while considering impact to sensitive species</i> .
<u>DELETED</u>	
<b>LOST AT SEA MEMORIALS</b>	<b>Support</b> government agency funding for the establishment of “Lost at Sea” memorials.
<u>COMMUNITY SERVICES</u>	
<u>ADDED</u>	
<b>PARKS FUNDING</b>	<b>Support</b> legislation that promotes the acquisition, development or redevelopment of park land to meet community park and recreation needs.
<b>CHILD CARE</b>	<b>Support</b> legislation that encourages child care facilities throughout the community.
<b>CHILDREN/YOUTH</b> <ul style="list-style-type: none"> <li>• Foster Care Funding</li> <li>• First Five</li> <li>• Public Health/Land Use</li> </ul>	<b>Support</b> increased funding for foster care. <b>Oppose</b> legislation or administrative efforts to decrease the state’s budgets for First 5 and K through 12 programs that support children and families. <b>Support</b> incentives to improve coordination of public health considerations with community land use planning.

<b>SENIORS</b> <ul style="list-style-type: none"> <li>• Day Care Facilities</li> </ul>	<b>Support</b> legislation that facilitates development of senior residential and day care facilities integrated within the community at large.
<u>MODIFIED</u>	
<b>CHILD CARE</b>	<b>Support</b> <i>state and</i> federal efforts to provide high quality, safe, and affordable childcare for all who need it.
<b>CHILDREN/YOUTH</b> <ul style="list-style-type: none"> <li>• Parks and Recreation</li> </ul>	<b>Support</b> legislation that would provide state and federal funding for the development and operation of park and recreation facilities that serve underprivileged children, families, <i>and older adults</i> .
<b>SENIORS</b> <ul style="list-style-type: none"> <li>• Intergenerational Recreation</li> </ul>	<b>Support</b> efforts to develop and improve intergenerational <i>recreation</i> programs and activities that include seniors.

### EMPLOYEE RELATIONS

<u>ADDED</u>	
<b>PUBLIC EMPLOYEES' RETIREMENT SYSTEM</b> <ul style="list-style-type: none"> <li>• Local Authority</li> <li>• Pension Reform</li> </ul>	<b>Oppose</b> preemption of charter city authority over their public pension systems. <b>Support</b> pension system reform that will reduce long term costs while remaining effective in recruiting and retaining a skilled, quality work force.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Lease Agreement For Primo Boxing Club/Say Yes To Kids

### **RECOMMENDATION:**

That Council authorize the Parks and Recreation Director to execute a five-year lease agreement for the Haley Street Youth Sports Center with Primo Boxing Club/Say Yes to Kids.

### **DISCUSSION:**

The Parks and Recreation Department administers lease agreements for facility space at below market rates. The agreements are with local non-profit social service providers at Community Centers and at the Youth Sports Center at 701 E. Haley Street.

Primo Boxing Club has occupied the Youth Sports Center since 1993. In November 2003, the City and Primo Boxing Club entered into a 5-year lease of the Youth Sports Center. The proposed lease, with a 5-year term, will expire in 2014.

Primo Boxing Club continues to provide a valuable service to the community of Santa Barbara through programming which engages youth at risk of becoming affiliated with or affected by youth violence, and is recognized in the community as an effective deterrent to youth violence. Long a partner with the City of Santa Barbara and the Santa Barbara Housing Authority, Primo Boxing has benefited from City, SBHA, CDBG, and Human Services funding for programs and facility improvements.

Over the course of the last 5-year lease term, the rental rate for the premises was increased from \$5,000 to \$19,464 per year to match the square footage rental rate charged to non-profit tenants at other City facilities. Over time, it became clear that Primo Boxing, a small grassroots non-profit organization, was unable to maintain the rental payments under this lease. The lease term ended with Primo Boxing \$33,760 in arrears on rental payments and penalties.

In recognition of the service that Primo Boxing has provided and continues to provide the community, especially during a time when youth violence is on the rise, the new lease grants a one-time waiver of the past-due rent and penalties. Additionally, the \$10,000 annual rent proposed in the new lease agreement is lower than the rent charged to non-profit tenants in other City facilities due to the below average physical condition of the Youth Sports Center compared to other City facilities leased to non-profits.

The waiver of arrears and reduction in annual rent are intended to improve the financial viability of Primo Boxing Club. The new lease terms include specific expectations related to steps Primo Boxing will take to strengthen their board of directors, increase fundraising, and improve financial management in order to meet all financial and performance obligations of this lease.

**BUDGET/FINANCIAL INFORMATION:**

Primo Boxing Club will pay an annual rent of \$10,000 paid on a quarterly basis on the 15<sup>th</sup> day of July, October, January, and April. Following the commencement of this lease, the first installment of rent shall be due and payable on or before July 15, 2009.

**PREPARED BY:** Antonio Velasquez, Community Services Supervisor

**SUBMITTED BY:** Nancy L. Rapp, Parks and Recreation Director

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Contract For Design Services For The Carrillo/Anacapa Intersection Traffic Safety Improvements Project

### **RECOMMENDATION:**

That Council authorize the Public Works Director to execute a contract with Penfield & Smith (P&S) in the amount of \$29,750 for design services for the Carrillo/Anacapa Intersection Traffic Safety Improvements Project (Project), and authorize the Public Works Director to approve expenditures of up to \$2,975 for extra services of P&S that may result from necessary changes in the scope of work.

### **DISCUSSION:**

#### **BACKGROUND**

The Carrillo/Anacapa intersection has been identified as having among the highest number of motor vehicle involved collisions in the City. According to the Police Department Traffic Collision Records, 62 collisions were reported at the Carrillo/Anacapa intersection between December 31, 2003 and December 31, 2007. There were 49 collisions reported as occurring within 75 feet of the intersection, and 33 of those were right angle collisions involving through traffic or left turning vehicles.

The Public Works Department contracted with P&S to provide a conceptual study which included evaluating existing conditions and developing recommendations for the Carrillo/Anacapa intersection. The primary goal of the study was to improve signal visibility and safety for all modes of transportation. P&S collected traffic counts at the study intersection, observed the intersection operations, and determined the existing intersection levels of service.

The conceptual study concluded that the two primary collision factors were eastbound traffic running red lights and signal visibility being compromised by signal pole location. The study also determined that the intersection geometry allows for incorporation of curb extensions on two corners to reduce pedestrian crossing time. Based on the study results, P&S provided several design options, and staff selected a preferred alternative for the Carrillo/Anacapa Intersection Traffic Safety Improvements project.

The Project was presented to the Transportation Circulation Committee (TCC) on September 25, 2008. The TCC found the Project consistent with the Circulation Element. The Project was also presented to the Historic Landmarks Commission on December 10, 2008, where it received preliminary approval.

#### PROJECT DESCRIPTION

Given the collision history data and field observations, the proposed improvements consist of new signal poles with mast arms over Carrillo Street to improve signal visibility along Carrillo Street, new pedestrian signal indicators with countdown heads in all directions, and relocation of the traffic control equipment cabinet. In addition, curb extensions and directional sidewalk access ramps would be installed on the northeast and southeast side of Carrillo Street. This intersection is a main transit route used by large delivery trucks; therefore, due to turning radius requirements for those vehicles, curb extensions are not recommended for the northwest and southwest sides of the intersection. Landscaping consistent with the City's water wise Landscape Design Standards will also be provided.

#### DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with P&S in the amount of \$29,750 plus \$2,975 for extra services for a total of \$32,725 for final design of the Project. P&S is one of the participants in the City's Three-year Prequalified Engineering Services Program and is experienced in this type of work.

#### FUNDING

The following summarizes all estimated total project costs:

#### ESTIMATED TOTAL PROJECT COST

Conceptual Study/Design with Penfield & Smith	\$23,600
Conceptual Landscape Plans	\$3,880
Design (by Contract)	\$32,725
Final Landscape Plans (by Contract)	\$3,565
Other Design Costs - City staff	\$12,000
<b>Subtotal</b>	<b>\$75,770</b>

Estimated Construction Contract w/Change Order Allowance	\$468,630
Estimated Construction Management/Inspection (by City)	\$64,000
Estimated Other Construction Costs (testing, etc.)	\$2,500
<b>Subtotal</b>	<b>\$535,130</b>
<b>TOTAL PROJECT COST</b>	<b>\$610,900</b>

Project funding includes approximately \$320,000 in Measure D funds. There are sufficient funds in the Streets Capital Fund to cover these remaining costs.

**SUSTAINABILITY IMPACT:**

This project will include the use of recycled materials, whenever feasible, and water wise landscaping.

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/LA/cc

**SUBMITTED BY:** Christine F. Andersen, Public Works Director

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

ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SUBSECTION E OF SECTION 8.04.020 AND SUBSECTIONS C AND D OF SECTION 22.04.020 OF THE SANTA BARBARA MUNICIPAL CODE CONCERNING LOCAL REQUIREMENTS FOR THE INSTALLATION OF AUTOMATIC FIRE SPRINKLERS

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

**SECTION 1. Findings**

1. Climatic Conditions

- A. The City of Santa Barbara is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry winds, (“Sundowners”) which may reach speeds of 60 m.p.h. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. In addition, the high winds generated often cause road obstructions such as fallen trees. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires. In addition to directly damaging or destroying buildings, these fires also disrupt utility services throughout the area. The City of Santa Barbara and adjacent front country have a history of such fires, including the 1990 Painted Cave Fire and the 1977 Sycamore Canyon Fire. In 2007, the city was impacted by the back country Zaca Fire and in 2008 the Tea Fire destroyed over 150 homes within the city.
- B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Fire Department’s ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the City.
- C. The city’s core area continues to become more concentrated, with new multi-storied mixed-use structures whose occupants, along with the structures themselves, could be vulnerable to uncontrolled fires due to lack of available water. This necessitates the need for additional and on-site fire protection features.

- D. These dry climatic conditions and winds contribute to the rapid spread of even small fires originating in high-density housing or vegetation. These fires spread very quickly and create a need for increased levels of fire protection. The added protection of fire sprinkler systems and other fire protection features will supplement normal fire department response by providing immediate protection for the building occupants and by containing and controlling the fire spread to the area of origin. Fire sprinkler systems will also reduce the use of water for firefighting by extinguishing fires at an early stage.

2. Topographical conditions:

- A. Natural slopes of 15 percent or greater generally occur throughout the foothills of Santa Barbara, especially in the High Fire Hazard areas such as the Foothill and Extreme Foothill zones. With much of the populated lower elevation areas already built upon, future residential growth is and will continue to occur on steeper slopes and in areas with greater constraints in terrain such as the Foothill and Extreme Foothill zones. Geographic and land-use constraints throughout the city have resulted in greater density along with a large number of mixed use projects, combining residential with commercial occupancies.

- B. Traffic and circulation congestion is an ongoing problem throughout the region. Traffic flow in and through Santa Barbara is limited by the transverse Santa Ynez Mountains, which provide limited passage to the north, and the Pacific Ocean to the south. The narrow corridor that Highway 101 occupies is subject to traffic delays under normal conditions and emergency events can render the highway impassable. This has the double effect of preventing traffic from leaving the city and potentially preventing emergency workers, who often live out of town, from entering. This condition existed for several days during the La Conchita slide in 2005 and it disrupted the return of city workers who live in the Ventura area. At various times in the city's history, Highway 101 has also been closed north of the city due to mudslides, fires and flooding, most recently near Gaviota Pass, where a fire also temporarily closed the Rail access.

In addition, roads in the foothills are narrow, often steep and vulnerable to emergency conditions. Some of the older roadways are below current access standards and pose challenges to responding emergency vehicles, especially fire engines. These challenges are exacerbated in the event of an evacuation, particularly in the Foothill and Extreme Foothill zones.

- C. These topographical conditions combine to create a situation which places fire department response time to fire occurrences at risk, and makes it necessary to provide automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

3. Geological conditions:

The City of Santa Barbara region is a densely populated area that has buildings constructed over and near a vast and complex network of faults that are believed to be capable of producing future earthquakes similar or greater in size than the 1994 Northridge and the 1971 Sylmar earthquakes. Known faults in the city include the Lavigia, North Channel Slope, Mesa and Mission Ridge-More Ranch faults. Additional faults near the city would also be capable of disruption of services, including fire protection. The Southern California Earthquake Center predicts that there is an 80-90% probability of a magnitude 7.0 earthquake somewhere in Southern California before the year 2024. Regional planning for reoccurrence of earthquakes is recommended by the State of California, Department of Conservation.

- A. Previous earthquakes have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings. The October 17, 1989, Loma Prieta earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally and over 500 responses, the department was taxed to its fullest capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. In addition to gas mains, individual gas and electric service connections to residences may provide both fuel and ignition sources during a seismic event. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants.
- B. Road circulation features located throughout Santa Barbara also make amendments reasonably necessary. There are major roadways, highways and flood control channels that create barriers and slow response times. Hills, particularly in the Foothill and Extreme Foothill zones, slopes, street and storm drain design accompanied by occasional heavy rainfall, cause roadway flooding and landslides and at times may make an emergency access route impassable. Much of Sycamore Canyon lies in an area subject to geologic activity, as witnessed by the recent closure of the road due to the slide potential.

The climatic, topographical, and geological conditions described above make it prudent to rely upon automatic fire sprinkler systems to mitigate extended fire department response times. The automatic sprinkler requirements specified in this ordinance are intended to lessen life safety hazards and keep fires manageable with potentially reduced fire flow (water) requirements for a given structure.

**SECTION 2.** Subsection E of Section 8.04.020 of the Santa Barbara Municipal Code is deleted in its entirety and readopted to read as follows:

E. **Chapter 9** of the International Fire Code is amended as follows:

1. **Section 903.2 “Where required.”** of Section 903 of the International Fire Code is amended to add Section 903.2.18 to read as follows:

**903.2.18 City of Santa Barbara Local Requirements.** Approved sprinkler systems shall be provided throughout a building in connection with the projects or changes of occupancy listed in this Section 903.2.18 or as specified elsewhere in this Section 903.2, whichever is more protective.

**903.2.18.1 New Buildings, Generally.** The construction of a new building containing any of the following occupancies: A, B, E, F, H, I, L, M, R, S or U.

Exceptions: A new building containing a Group U occupancy that is constructed in the City’s designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 500 square feet of floor area. A new building containing a U occupancy that is constructed outside the City’s designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 5000 square feet of floor area.

**903.2.18.2 New Buildings in the High Fire Hazard Area.** The construction of any new building within the City’s designated High Fire Hazard Area.

Exception: A new building containing a Group U occupancy that is constructed in the City’s designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 500 square feet of floor area.

**903.2.18.3 Additions to Buildings Other than Single Family Residences.** The addition of floor area to an existing building that contains any occupancy other than Group R, Division 3.

**903.2.18.4 Remodels of Buildings Other than Single Family Residences.** The remodel or alteration of the interior of an existing building that contains any occupancy other than Group R, Division 3, where the floor area of the portion of the building that is modified or altered exceeds 50% of the existing floor area of the building. For purposes of this section, all modifications or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate toward the 50% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section.

**903.2.18.5 Additions to or Remodels of Single Family Residences.** The addition of floor area to, or the modification or alteration of the interior of, an existing building that contains a Group R, Division 3 occupancy, where the floor area of the portion

of the building that is added, modified, or altered exceeds 1,000 square feet or 50% of the existing floor area of the building. For purposes of this section, all additions, modifications, or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate toward the 1,000 square foot threshold or the 50% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section.

**903.2.18.6 Change of Occupancy to a Higher Hazard Classification.**

Any change of occupancy in an existing building where the occupancy changes to a higher hazard classification.

**903.2.18.7 Computation of Square Footage.**

For the purposes of this Section 903.2.18, the floor area of buildings shall be computed in accordance with the definition of "Floor area, Gross" provided in Section 1002.1 of the California Building Code.

**903.2.18.8 Existing use.**

Except as provided in this Section 903.2, any building in existence at the time of the effective date of the ordinance adopting this section may continue with such use if such use was legal at the time.

2. **Section 907 "Fire Alarm and Detection Systems"** of the International Fire Code is amended to add Section 907.1.5 to read as follows:

**907.1.5 Mixed Use Occupancies.**

Where residential occupancies are combined with commercial occupancies, a fire alarm system shall be installed which notifies all occupants in the event of a fire. The system shall include automatic smoke detection throughout the commercial and common areas. In addition, a notification system shall be installed in a manner and location approved by the fire code official that indicates the presence of residential dwelling units in accordance with Municipal Code Section 8.04.030 B.

**SECTION 3.** Subsections C and D of Section 22.04.020 of the Santa Barbara Municipal Code are deleted in their entirety and readopted to read as follows:

C. Section 903.2 "Where Required." of Section 903 is amended to add Section 903.2.18 to read as follows:

**903.2.18 City of Santa Barbara Local Requirements.**

Approved sprinkler systems shall be provided throughout a building in connection with the projects or changes of occupancy listed in this Section 903.2.18 or as specified elsewhere in this Section 903.2, whichever is more protective.

**903.2.18.1 New Buildings, Generally.**

The construction of a new building containing any of the following occupancies: A, B, E, F, H, I, L, M, R, S or U.

Exceptions: A new building containing a Group U occupancy that is constructed in the City's designated High Fire Hazard Area is not required to provide a

sprinkler system as long as the building does not exceed 500 square feet of floor area. A new building containing a U occupancy that is constructed outside the City's designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 5000 square feet of floor area.

**903.2.18.2 New Buildings in the High Fire Hazard Area.** The construction of any new building within the City's designated High Fire Hazard Area.

Exception: A new building containing a Group U occupancy that is constructed in the City's designated High Fire Hazard Area is not required to provide a sprinkler system as long as the building does not exceed 500 square feet of floor area.

**903.2.18.3 Additions to Buildings Other than Single Family Residences.** The addition of floor area to an existing building that contains any occupancy other than Group R, Division 3.

**903.2.18.4 Remodels of Buildings Other than Single Family Residences.** The remodel or alteration of the interior of an existing building that contains any occupancy other than Group R, Division 3, where the floor area of the portion of the building that is modified or altered exceeds 50% of the existing floor area of the building. For purposes of this section, all modifications or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate toward the 50% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section.

**903.2.18.5 Additions to or Remodels of Single Family Residences.** The addition of floor area to, or the modification or alteration of the interior of, an existing building that contains a Group R, Division 3 occupancy, where the floor area of the portion of the building that is added, modified, or altered exceeds 1,000 square feet or 50% of the existing floor area of the building. For purposes of this section, all additions, modifications, or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate toward the 1,000 square foot threshold or the 50% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section.

**903.2.18.6 Change of Occupancy to a Higher Hazard Classification.** Any change of occupancy in an existing building where the occupancy changes to a higher hazard classification.

**903.2.18.7 Computation of Square Footage.** For the purposes of this Section 903.2.18, the floor area of buildings shall be computed in accordance with the definition of "Floor area, Gross" provided in Section 1002.1 of the California Building Code.

**903.2.18.8 Existing use.** Except as provided in this Section 903.2, any building in existence at the time of the effective date of the ordinance adopting this section may continue with such use if such use was legal at the time.

D. [Reserved.]

**Section 4.** This ordinance shall become effective on July 1, 2009. The provisions of this ordinance shall apply to any building permit application for the construction, addition, or remodel of any structure that is submitted to the City on or after July 1, 2009; provided, however, the provisions of this ordinance shall not apply to an application for a building permit for the construction of a residential structure to replace a residential structure that was damaged or destroyed by the Tea Fire and where the ownership of the property has not changed since the date of the fire.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009

**TO:** Mayor and Councilmembers

**FROM:** Business & Property Division, Airport Department

**SUBJECT:** Introduction Of Ordinance For Attornment Agreement With H. Oliver Dixon, Inc. And Business First Bank

**RECOMMENDATION:** That Council:

- A. Approve and authorize the Airport Director to execute an attornment agreement between the City of Santa Barbara, as Lessor, H. Oliver Dixon, Inc., as Lessee, and Business First Bank, a Division of Heritage Oaks Bank, as Lender, pertaining to Lease Agreement No. 21,810, dated November 1, 2005; and
- B. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Attornment Agreement Between the City of Santa Barbara, as Lessor, H. Oliver Dixon, Inc., as Lessee, and Business First Bank, a Division of Heritage Oaks Bank, as Lender, Pertaining to Lease Agreement No. 21,810 Dated November 1, 2005.

### **DISCUSSION:**

The subject Premises is located south of Hollister Avenue in an Airport Facilities (AF) zone.

H. Oliver Dixon, Inc. has been an Airport tenant since 1960, when his father, E.D. Dixon constructed a motel at the corner of Hollister and Fairview Avenues and entered into a lease agreement with the City for parking adjacent to the motel site. On November 1, 2005, Mr. Dixon and the Airport entered into a fifteen year lease with two five year options (Lease Agreement No. 21,810) for the parking area.

At this time, Mr. Dixon wishes to negotiate a loan with Business First Bank using the motel as security. The motel is located in Goleta, and is not on Airport property. Since the parking area owned by the City is required for operation of the motel, Business First Bank requested assurances from the City that it would be willing to allow the bank to cure a default that might result in termination of the parking lot lease and, in the event of a loan foreclosure, allow the bank to assume the lease, subject to City approval. Any assignee of the Lease proposed by the bank would be required to demonstrate experience and ability to meet the obligations set forth in the lease, including the

financial capability to keep the agreement in full force and effect. The Airport has also provided the bank with an estoppel letter stating the terms of Mr. Dixon's agreement and verifying that the tenant is in good standing. Approval of this Attornment Agreement will have no monetary effect.

**PREPARED BY:** Rebecca Fribley, Sr. Property Management Specialist

**SUBMITTED BY:** Karen Ramsdell, Airport Director

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

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

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AN ATTORNMENT AGREEMENT BETWEEN THE CITY OF SANTA BARBARA, AS LESSOR, H. OLIVER DIXON, INC., AS LESSEE, AND BUSINESS FIRST BANK, A DIVISION OF HERITAGE OAKS BANK, AS LENDER, PERTAINING TO LEASE AGREEMENT NO. 21,810 DATED NOVEMBER 1, 2005

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

In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, that certain attornment agreement between the City of Santa Barbara, as Lessor, H. Oliver Dixon, Inc., as Lessee, and Business First Bank, as Lender, allowing Business First Bank to cure any default of Lease Agreement No. 21,810, dated November 1, 2005, on behalf of H. Oliver Dixon, or to provide a substitute tenant, subject to the Airport's approval, in case of foreclosure of the loan; in order to provide continued use of the vehicle parking lot adjacent to the Super 8 Motel, at 6021 Hollister Avenue, at the Santa Barbara Airport, is hereby approved.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009  
**TO:** Mayor and Councilmembers  
**FROM:** Airport Administration, Airport Department  
**SUBJECT:** Easements At The Airport

**RECOMMENDATION:** That Council:

- A. Approve and authorize the City Administrator to execute the Second Amendment of Avigation, Noise, and Runway Protection and Navigational Aids Easement between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, as Grantor, substituting a Revised Exhibit 6 to the 2001 Easement, at the Airport;
- B. Approve and authorize the City Administrator to execute the Grant of Access Easements between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, as Grantor, to provide access to the westerly most Federal Aviation Administration navigational aid; and
- C. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting the Grant of Access Easements on Real Property Known as Coromar Drive and Discovery Drive (Assessor's Parcel No. 073-450-005).

### **DISCUSSION:**

#### Background

In 1998, the Sares-Regis Group, doing business as Santa Barbara Realty Holding Company, LLC, purchased 92.3 acres of property comprised of the former Delco property located immediately west of the Airport. With the implementation of the Runway Safety Area project, a shift of the main runway 800 feet to the west and construction of a 500 foot by 1000 foot safety overrun area, certain Federal Aviation Administration (FAA) navigation aids required relocation to the Sares-Regis property.

On May 22, 2001, Council adopted an ordinance approving a binding Memorandum of Understanding (MOU) and the Easement Agreement with Santa Barbara Realty Holding Company, LLC for the purchase of certain navigation aids and runway protection zone easements in the amount of \$4,925,000, funded with FAA Airport Improvement Program grants.

The MOU provided for the existing 1972 and 1986 Avigation easement on the property to remain in place and granted restrictions on land uses in the area of the future Runway Protection Zone. It also established an 800 foot wide object free area on the extended runway centerline on the property for FAA to relocate, construct, maintain and repair the navigation aids and access road.

Additionally, the easements insured mutual compatibility between the Runway Safety Area project and Sares-Regis's proposed Cabrillo Business Park project which involved redevelopment of the property to create a modern research and development park.

The Runway Safety Area project and relocation of FAA navigation aids is complete and certain modifications to the 2001 Easement are appropriate to more accurately reflect the location and maintenance of the improvements.

#### Second Amendment of Avigation, Noise and Runway Protection Zone and Navigational Aids Easement

Certain modifications to the 2001 Easement are appropriate to more accurately reflect the improvements associated with the installation of the FAA Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights within the 2001 Easement. A Revised Exhibit 6, Location and Specifications of Navigational Aids in the RPZ area has been substituted for the 2001 Exhibit 6, with an as built layout and text keynotes to the exhibit. No other changes have been made to the 2001 Easement.

#### Grant of Access Easements

The access easements provide the City and FAA access to the westerly most navigational aid and include the following:

- Granting the City a perpetual, nonexclusive easement over Coromar Drive and Discovery Drive to gain access to the vicinity of the navigational aids;
- Granting the City a perpetual, nonexclusive easement from Coromar Drive to the westerly-most FAA light station for access and maintenance purposes;
- Providing for maintenance and repair of these access easements;
- Creating an updated site plan for the 2001 Runway Protection Zone Easement which depicts the revised locations for the navigational aids, the runway protection zone, and the Sares-Regis project improvements on the property; and
- Providing updated descriptions of the navigational aids that are permitted on the property.

These easements do not contain any monetary requirements.

**PREPARED BY:** Hazel Johns, Assistant Airport Director

**SUBMITTED BY:** Karen Ramsdell, Airport Director

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

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ACCEPTING THE GRANT OF ACCESS EASEMENTS ON REAL PROPERTY KNOWN AS COROMAR DRIVE AND DISCOVERY DRIVE (ASSESSOR'S PARCEL NO. 073-450-005)

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

SECTION 1. The City of Santa Barbara hereby accepts that certain interest in real property conveyed in an easement titled "Grant of Access Easements" and pertaining to perpetual, nonexclusive access easements under, upon, over, across and through portions of Coromar Drive and Discovery Drive as legally described therein and referred to as Santa Barbara County Assessor's APN 073-450-005. Said easements granted by Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, as Grantor, to the City of Santa Barbara, a municipal corporation, as Grantee, provide access to the vicinity of the Federal Aviation Administration's navigational aids.

SECTION 2. The City of Santa Barbara hereby consents to the recordation by the City Clerk in the Official Records of said Grant of Access Easements.



Agenda Item No. \_\_\_\_\_

File Code No. 640.07

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Set A Date For Public Hearing Regarding Appeals Of Architectural Board Of Review Preliminary Approval For 1298 Coast Village Road

### RECOMMENDATION:

That Council set the date for hearing the appeals filed by 1) Save Coast Village Road and 2) Anthony Fischer, Attorney, representing Protect Our Village, of the Architectural Board of Review Preliminary Approval of an application for property owned by Olive Oil & Gas, LP, and located at 1298 Coast Village Road.

(Continued from April 14, 2009, Item No. 13)

### DISCUSSION:

At the April 7, and April 14, 2009, Council meetings, the City Council directed staff to work with the applicant and appellants to find a mutually agreeable date and time to hold the hearing, but no later than June 2, 2009. As of Thursday, April 16, 2009, the parties have not agreed on a mutually acceptable date. Staff will continue to work with the interested parties to find a mutually agreeable date, and report the results to Council on April 21, 2009.

**PREPARED BY:** Cynthia M. Rodriguez, City Clerk Services Manager

**SUBMITTED BY:** Marcelo A. López, Administrative Services Director

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009  
**TO:** Mayor and Councilmembers  
**FROM:** Administration Division, Finance Department  
**SUBJECT:** Fiscal Year 2010 Recommended Operating And Capital Budget

**RECOMMENDATION:** That Council:

- A. Receive the Fiscal Year 2010 recommended Operating and Capital Budget;
- B. Hear a report from staff in connection with the filing of the Fiscal Year 2010 recommended budget; and
- C. Approve the proposed public hearing schedule and review schedule for the presentation of the recommended budget.

**DISCUSSION:**

In accordance with City Charter, the Fiscal Year 2010 Recommended Budget has been filed with the City Clerk's Office and is being submitted to Council.

The development of the recommended budget was done in the context of arguably the worst economic downturn since the Great Depression, which has led to historic declines in key General Fund revenues. While the impacts have been the greatest to the General Fund, other important operations accounted for in Special Revenue and Enterprise Funds have also been impacted by the economic downturn.

The recommended budget includes a balanced General Fund that includes only minimal use of one-time funding measures, but no use of budgetary reserves. This is achieved through a comprehensive balancing strategy used to offset a projected \$10.7 million deficit for fiscal year 2010. The largest piece of the balancing strategy includes departmental adjustments totaling \$7.4 million, which are largely achieved through spending cuts, but also include some new or enhanced revenues.

City staff has scheduled special budget work sessions over the next two months during which the details of the recommended budget will be presented and discussed. Over the course of the special meetings, each department will present their respective budget to City Council focusing on the budget adjustments required to meet their share of the total \$7.4 million in adjustments allocated to General Fund departments. Enterprise Funds will also discuss any impacts of the current economic downturn on their operations and the measures recommended in response to those impacts.

The first of these special budget work sessions will be held on Thursday, April 23, from 2:00 to 5:00 p.m. The budget work sessions are scheduled at different times of the day and evening to encourage public participation. The proposed public hearing and budget review schedule is included as an attachment to this report.

In addition to the review by Council, staff is recommending that the Finance Committee review certain elements of the recommended budget in more detail. The proposed Finance Committee review schedule will be presented to the Finance Committee on April 21, just prior to the City Council meeting for approval.

A copy of the recommended budget will be available for review in the City Clerk's Office and the Public Library's main and eastside branches. It can also be found on the City's website at [www.SantaBarbaraCa.gov](http://www.SantaBarbaraCa.gov).

**ATTACHMENT:** Council Budget Review Work Session and Public Hearings Schedule

**PREPARED BY:** Robert Samario, Assistant Finance Director

**SUBMITTED BY:** Robert D. Peirson, Finance Director

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

**CITY OF SANTA BARBARA**  
**Council Budget Review and Public Hearing Schedule**  
**Fiscal Year 2010 Recommended Budget**

*Schedule Subject to Change*

(All Meetings Will Be Held in City Hall Council Chambers)

Meeting Date and Time	Department
<b>Tuesday, April 21, 2009</b> 2:00 p.m. (Regular Council Meeting)	<ul style="list-style-type: none"> <li>➤ Overview of Recommended Budget</li> </ul>
<b>Thursday, April 23, 2009</b> 2:00 – 5:00 p.m. (Special Worksession)	<ul style="list-style-type: none"> <li>➤ Administrative Services</li> <li>➤ City Administrator</li> <li>➤ Mayor &amp; Council</li> <li>➤ City Attorney</li> <li>➤ Community Development Department</li> </ul>
<b>Monday, May 4, 2009</b> 6:00 – 9:00 p.m. (Special Worksession)	<ul style="list-style-type: none"> <li>➤ Library</li> <li>➤ Parks &amp; Recreation</li> </ul>
<b>Tuesday, May 5, 2009</b> 2:00 p.m. (Regular Council Meeting)	<ul style="list-style-type: none"> <li>➤ Capital Program Budget</li> </ul>
<b>Wednesday, May 6, 2009</b> 9:00 a.m. – 12:00 p.m. (Special Worksession)	<ul style="list-style-type: none"> <li>➤ Public Works</li> </ul>
<b>Tuesday, May 26, 2009</b> 6:00 – 9:00 p.m. (Special Worksession)	<ul style="list-style-type: none"> <li>➤ Fire</li> <li>➤ Police</li> </ul>
<b>Monday, June 1, 2009</b> 3:00 – 6:00 p.m. (Special Worksession)	<ul style="list-style-type: none"> <li>➤ Airport</li> <li>➤ Waterfront</li> <li>➤ Finance</li> <li>➤ Non-Departmental</li> </ul>

<b>Tuesday, June 2, 2009</b> 9:30 a.m. – 11:00 a.m. (Special Worksession)	➤ Budget Deliberations (if needed)
<b>Tuesday, June 9, 2009</b> 2:00 p.m. (Regular Council Meeting)	➤ Budget Deliberations (if needed)
<b>Tuesday, June 16, 2009</b> 2:00 p.m. (Regular Council Meeting)	➤ Budget Deliberations (if needed)
<b>Tuesday, June 23, 2009</b> 2:00 p.m. (Regular Council Meeting)	➤ Budget Adoption



# CITY OF SANTA BARBARA

## REDEVELOPMENT AGENCY AGENDA REPORT

**AGENDA DATE:** April 21, 2009

**TO:** Chairperson and Boardmembers

**FROM:** Housing and Redevelopment Division, Community Development Department

**SUBJECT:** Report On The Vacant Storefront Art Program

### **RECOMMENDATION:**

That the Redevelopment Agency Board receive a report on the Agency-funded Vacant Storefront Art Program.

### **BACKGROUND:**

In response to the current economic climate, on January 6, 2009, the Mayor held a breakfast with local business leaders to discuss issues facing the City's commercial sector and to identify potential solutions. At that breakfast, members of the Downtown Organization expressed concern over the impact of increasing numbers of empty storefronts along Downtown State Street in the Central City Redevelopment Project Area. The concern focused on the potential onset of blight conditions which could further dampen economic activity. It was suggested that using these visible locations as "galleries" for public art would enhance the attractiveness of the vacancies, draw additional foot traffic and potentially attract lessees to the vacant spaces.

As a result of that discussion, Agency staff facilitated a series of meetings with Downtown Organization staff and boardmembers, County Arts Commission staff, and Redevelopment Agency boardmembers to research the feasibility and implementation of such a program. It was found that multiple Redevelopment Agencies, including our own, have funded successful programs to stem and prevent blight conditions in Redevelopment Project Areas through the temporary installation of public art. Arts Commission staff presented a model of temporary storefront exhibitions based on the 1989/90 *Frontage Gallery* which the Agency funded during the construction of Paseo Nuevo. Agency staff presented the participants with models of temporary vacant storefront exhibitions from other cities facing similar issues including Santa Cruz and Long Beach, CA. These meetings resulted in the creation of the Vacant Storefront Art Program.

## **DISCUSSION:**

The Vacant Storefront Art Program is a pilot program of temporary art exhibitions in vacant storefronts in the downtown core. The program with an estimated cost of \$18,000 will be funded from the Agency Appropriated Reserve Account and will run from May through October 2009. The pilot program would consist of “low-capital” art installations placed temporarily in vacant storefront windows along State Street. The installation will consist of a series of two-dimensional exhibits, with a unifying design theme that identifies the program.

The general form and content of the installations are being developed jointly by the Arts Commission, Downtown Organization, and Agency staff. The actual works are being selected by an Arts Commission-appointed curator and reviewed for approval by the City Arts Advisory Committee. The length of any single display will be approximately three months, but this period may vary according to storefront availability. The program will build upon and enhance the existing cultural events scheduled in the area. The program is set to begin May 7<sup>th</sup> as part of 1<sup>st</sup> Thursday programming.

### **Roles and Responsibilities:**

The Arts Commission will administer the program, including coordinating and contracting with artists, and oversee the project in partnership with the Downtown Organization and RDA.

The Arts Commission will oversee curatorial selection and the review process with City Arts Advisory, as well as install and take down exhibitions.

The Downtown Organization will maintain a dynamic inventory of potential exhibit spaces and, with the support of the Arts Commission, will work to secure agreements with property managers, leaseholders, and owners.

Participation in the program will be voluntary, and signed lease opportunities will take priority over installation terms. Management groups and owners will be credited for their participation in the program.

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

Staff estimates a cost \$18,000 to produce two series of twelve installations, with each series lasting approximately three months. Funding for this program comes from the Agency’s Appropriated Reserve account, which has a balance of \$44,688. This amount is within the Agency Executive Director’s purchase order authority.

**SUSTAINABILITY IMPACT:**

Agency sponsored capital projects incorporate environmentally responsible design and construction techniques including, but not limited to, the specification of recycled content building materials, construction debris recycling processes, and the use of drought-tolerant landscaping. These techniques further the City's Sustainability Goals in a variety of ways specific to the individual project and include reducing waste, recycling, and reducing resource consumption. Where appropriate, these measures will be incorporated into the installation of work as part of the Program.

**ATTACHMENT:** March 12, 2009, letter from the Santa Barbara County  
Arts Commission

**PREPARED BY:** Brian J. Bosse, Housing and Redevelopment Manager  
Jeannette Candau, Redevelopment Specialist

**SUBMITTED BY:** Paul Casey, Agency Deputy Director

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

March 12, 2009

TO: Brian Bosse, City Redevelopment Agency, Manager  
 FROM: Ginny Brush, County Arts Commission, Executive Director  
 RE: Proposal for State Street Storefront Temporary Exhibition Pilot Program

**Background:**

In response to concern over the impact of increasing numbers of empty storefronts along State Street in the Historic Cultural Arts District, meetings were held with members of City Council, the Downtown Organization, and the City Redevelopment Agency to address the issue.

At a March 3<sup>rd</sup> meeting City RDA staff presented a current block-by-block inventory of empty storefronts along with models of temporary storefront exhibitions from other cities (Santa Cruz and Long Beach). Some management companies and property owners of vacancies were also identified.

Arts Commission staff presented a model and identified a variety of organizations and institutions (see following list) that have expressed interest and enthusiasm for the concept of temporary storefront exhibitions based on the 1989/90 Frontage Gallery model. [During the construction of Paseo Nuevo empty storefronts were used as temporary art exhibition spaces that were organized, and selected by a curatorial team linked to Arts Commission].

Potential organizations, groups and institutions interested in the concept are:

- Santa Barbara City Poet Laureate and the poetry community
- Art Studio Department UCSB
  - Graduate and Undergraduate students exhibitions
  - Projects linked to public art classes [Callister/Yasuda/Mulfinger/Beckman]
- University Art Museum (Satellite exhibitions linked to UCSB exhibits)
  - Katherine Kanjo, Director
  - Elyse Gonzales, Curator
- Contemporary Arts Forum Visiting Artists/Model like their Bloom Project
  - Miki Garcia, Director
- SBMA Education/Outreach “Teens for Teens” Program
  - Patsy Hicks, Director
- Santa Barbara Visual Arts Alliance (SBVA)
- Art From Scrap
- Rumble Art Group
  - Catherine Gee    Contacts to interested artists

The concept of a pilot program of temporary storefront exhibitions was presented to the Downtown Organization’s Cultural Committee and was enthusiastically supported and was well received by the Board of Directors at its March meeting.

SANTA BARBARA COUNTY  
**Arts Commission**



OFFICE LOCATION:

1100 Anacapa Street  
 3rd Floor, Rotunda Tower  
 ☎ 805/ 568-3990  
 fax 805/568-3991

MAIL:

Post Office Box 2369  
 Santa Barbara, CA  
 93120

**Recommendations:**

RDA provide funding to support a pilot program of temporary art exhibitions in vacant storefronts in the Historic Cultural Arts and Old Town Districts from May through October 2009 and have program in place for summer tourist season, Solstice Parade, and Old Spanish Days.

**Purpose:**

In the Redevelopment Project Area, stem blight conditions encouraged by vacant store fronts through the display of temporary public art.

**Benefits:**

- Attractively feature and call attention to “for lease” store fronts
- Draw additional foot traffic to downtown
- Synergistically enhance *1<sup>st</sup> Thursday* programming already in place
- Identify and brand the historic cultural arts district
- Provide increased exhibition opportunities for area artists
- Link otherwise unaffiliated groups and cultural institutions to the Downtown

**Scope:**

The pilot program would consist of low-capital art installations being placed temporarily in vacant store front windows along downtown State Street. It has been suggested that original poetry formatted on poster-sized displays be placed in the Cultural Arts District above De la Guerra Street and similarly formatted historical photographs of the downtown be placed in the Old Town area of lower State Street. The specific form and content of the program will be determined jointly by the Arts Commission and Downtown Organization and is still to be determined.

The length of any single display would be approximately 3 months, but this period may vary according to storefront availability. Local artists and work would be identified for display through a curatorial process and reviewed by City Arts Advisory and the Downtown Organization’s Cultural Committee for approval. Artists would assume all liability for the displayed work (or would be insured through the Arts Commission). No utility use (such as lighting) would be required of the installation space.

The program would seek to build upon and enhance the existing cultural events scheduled in the area. Kick off for the program is set for May 7<sup>th</sup> as part of *1<sup>st</sup> Thursday*, following up on April as National Poetry Month celebration and the recent installation of the City’s new Poet Laureate.

**Roles and Responsibilities:**

The Arts Commission would administer the program and oversee the project in partnership with the Downtown Organization and City RDA.

The Arts Commission would provide staff for installation and deinstallation of exhibitions and oversee curatorial selection and review process with City Arts Advisory and the Downtown Organization's Cultural Committee.

The Arts Commission and Downtown Organization would agree upon general form and format of the installations, and create a name/brand for the project linked to Downtown Cultural Arts District.

The Downtown Organization would maintain a dynamic inventory of potential installation spaces and, with the support of the Arts Commission, would work to secure agreements with property managers, leaseholders, and owners.

Participation in the program would be voluntary and signed lease opportunities would take priority over installation terms. Management groups and owners would be credited for their participation in the program.

**Proposed Schedule:**

- March 17: Review Program Proposal by planning group  
Agree upon form and format of work
- Week of 4/6: Identify insurance requirements (waivers, etc)  
Draft name/brand for program (Arts Commission & DO)  
Gallery Agreement and Artist Waiver drafted (Arts Commission)
- Week of 4/13: RDA Purchase Order finalized (RDA)  
Gallery Agreement and Artist Waiver finalized (Arts Commission & DO)  
Appoint Curator (Arts Commission)
- April 16: Present Program Proposal to Arts Advisory Committee for approval (Arts Commission)
- Week of 4/20: Select works (Arts Commission)  
Secure store fronts and agreements signed (DO)  
Get waivers signed (Arts Commission)
- May 4: Works are formatted and ready for installation
- May 7: Roll out new exhibitions in conjunction with 1<sup>st</sup> Thursday programming and promotion.
- July: Second exhibition selection and promotion
- July 31: First exhibition ends
- Aug 6: Second exhibition kick-off at 1<sup>st</sup> Thursday
- Aug – Oct: Run second exhibition
- Oct 31: Pilot program ends





# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009  
**TO:** Mayor and Councilmembers  
**FROM:** Airport Administration, Airport Department  
**SUBJECT:** Conference With Real Property Negotiator

### **RECOMMENDATION:**

That Council hold a closed session pursuant to the authority of section 54956.8 of the Government Code to consider instructions to City staff and the City Attorney regarding potential lease negotiations with Cushman & Wakefield and Hayes Commercial Group for a four acre parcel of real property located at 6100 Hollister Avenue at the Airport, bounded by Hollister Avenue, Frederic Lopez Road, Francis Botello Road and David Love Place, owned by the City of Santa Barbara (Parcel 22 of the Airport Specific Plan Map [City Parcel Map No. 20,608]). City Negotiators are: Karen Ramsdell, Airport Director; Paul Casey, Community Development Director; Sarah Knecht, Assistant City Attorney.

### **SCHEDULE:**

Duration, 20 Minutes; anytime

### **REPORT:**

None anticipated

**PREPARED BY:** Hazel Johns, Assistant Airport Director  
**SUBMITTED BY:** Karen Ramsdell, Airport Director  
**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009  
**TO:** Mayor and Councilmembers  
**FROM:** City Attorney's Office  
**SUBJECT:** Conference With Legal Counsel – Pending Litigation

**RECOMMENDATION:**

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

The pending litigation is *Landslide Repair Foundation v. City of Santa Barbara*, SBSC Number 1304297.

**SCHEDULING:**

Duration: 20 minutes; anytime

**REPORT:**

None anticipated

**SUBMITTED BY:** Stephen P. Wiley, City Attorney

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009

**TO:** Mayor and Councilmembers

**FROM:** Risk Management Division, Finance Department

**SUBJECT:** Conference With Legal Counsel – Pending Litigation

**RECOMMENDATION:**

That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: *Robert Markmann v. City of Santa Barbara*, WCAB, Case Number ADJ 1863783.

**SCHEDULING:**

Duration, 10 minutes; anytime

**REPORT:**

None anticipated

**PREPARED BY:** Mark W. Howard, Risk Analyst

**SUBMITTED BY:** Robert Peirson, Finance Director

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



Agenda Item No. \_\_\_\_\_

File Code No. 160.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 21, 2009

**TO:** Mayor and Councilmembers

**FROM:** Risk Management Division, Finance Department

**SUBJECT:** Conference With Legal Counsel – Pending Litigation

**RECOMMENDATION:**

That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. Pending litigation considered is: *Rudolph Moreno v. City of Santa Barbara*, WCAB, Case Numbers ADJ 3706676 and ADJ4345221.

**SCHEDULING:**

Duration, 10 minutes; anytime

**REPORT:**

None anticipated

**PREPARED BY:** Mark W. Howard, Risk Analyst

**SUBMITTED BY:** Robert Peirson, Finance Director

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