

**CITY OF SANTA BARBARA  
CITY COUNCIL**

**Marty Blum**

*Mayor*

**Dale Francisco**

*Mayor Pro Tempore*

**Das Williams**

*Ordinance Committee Chair*

**Roger L. Horton**

*Finance Committee Chair*

**Iya G. Falcone**

**Grant House**

**Helene Schneider**



**James L. Armstrong**  
*City Administrator*

**Stephen P. Wiley**  
*City Attorney*

**City Hall**

*735 Anacapa Street*

*<http://www.SantaBarbaraCA.gov>*

**AUGUST 11, 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 meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

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

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

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

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

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

## **ORDER OF BUSINESS**

2:00 p.m. - City Council Meeting

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

#### **CALL TO ORDER**

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL**

#### **CHANGES TO THE AGENDA**

#### **PUBLIC COMMENT**

#### **CONSENT CALENDAR**

**1. Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the special meeting of July 23, 2009, and the regular meeting of July 28, 2009.

**2. Subject: Adoption Of Ordinance For Amendments To The 2007 Fire Code Regarding Fire Sprinklers (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.

## CONSENT CALENDAR (CONT'D)

### 3. **Subject: Airport Public Art Program (610.04)**

Recommendation: That Council authorize the Airport Director to execute an agreement between the City and the Santa Barbara County Arts Commission, subject to approval by the City Attorney, for the long-term loan of a mural by the artist Channing Peake.

### 4. **Subject: Avigation And Noise Easement For 5441 Hollister Avenue, Goleta (560.14)**

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute and record a grant deed of avigation and noise easement and agreement imposing conditions on real property by and between St. Athanasius Orthodox Church and the City of Santa Barbara; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Avigation and Noise Easement Imposing Conditions on Real Property Known as Assessor's Parcel Number 071-140-072.

### 5. **Subject: Approval Of Single Source Vendor Purchase Of A \$34,123 Total Organic Carbon Analyzer For The Water Resources Laboratory (330.05)**

Recommendation: That Council:

- A. Find it in the City's best interest to issue a purchase order to Shimadzu Scientific Instruments (SSI) for the purchase of a Total Organic Carbon (TOC) analyzer, without bids, as authorized by Municipal Code Section 4.54.080 (k); and
- B. Authorize the General Services Manager to award purchase order contracts to SSI for services needed to maintain and repair the TOC analyzer for the next five-year period.

### 6. **Subject: Community Promotion Contract For The Santa Barbara Region Chamber Of Commerce To Support Operation Of The Visitor Information Center (230.02)**

Recommendation: That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Region Chamber of Commerce in an amount of \$54,495 to support year-round expenses of the Visitor Information Center.

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

**7. Subject: Response To 2008-2009 Civil Grand Jury Report: Trapped In The Granada Garage Elevator - Not An Uplifting Experience (150.04)**

Recommendation: That Council authorize the Public Works Director to submit the City's response to the report of the 2008-2009 Santa Barbara County Civil Grand Jury (Grand Jury): Trapped in the Granada Garage Elevator - Not an Uplifting Experience.

## **NOTICES**

8. The City Clerk has on Thursday, August 6, 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. Cancellation of the regular Redevelopment Agency meeting of August 11, 2009, due to a lack of business.
10. The public hearing scheduled for August 11, 2009, at 2:00 p.m. to hear an appeal of the Fire and Police Commission's decision for 409 State Street has been cancelled due to withdrawal of the appeal.

**This concludes the Consent Calendar.**

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

### **FINANCE DEPARTMENT**

**11. Subject: Conversion Technology Project - Residual Solid Waste Resolution (630.01)**

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Regarding its Intention to Commit its Community's Residual Solid Waste to the Conversion Technology (CT) Facility to be Located at the Tajiguas Landfill.

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

## **ADJOURNMENT**



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

**SPECIAL MEETING**  
**July 23, 2009**  
**CITY HALL, ROOM 15, 735 ANACAPA STREET**

---

---

## **CALL TO ORDER**

Mayor Marty Blum called the meeting to order at 11:05 a.m.

## **ROLL CALL**

Councilmembers present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley.

## **PUBLIC COMMENT**

No one wished to speak.

## **NOTICES**

The City Clerk has on Monday, July 20, 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.

## **CLOSED SESSIONS**

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

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the General, Treatment and Patrol, Hourly, Supervisors, Police, Police Management, and Fire bargaining units, and with unrepresented managers and confidential employees.

Scheduling: Duration, 60 minutes

Report: None anticipated

(Cont'd)

**Subject: Conference With Labor Negotiator (Cont'd)**

Documents:

July 23, 2009, report from the Assistant City Administrator.

Time:

11:05 a.m. – 12:10 p.m.

No report made.

**ADJOURNMENT**

Mayor Blum adjourned the meeting at 12:10 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
MARTY BLUM  
MAYOR

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



# CITY OF SANTA BARBARA CITY COUNCIL MINUTES

## REGULAR MEETING July 28, 2009 COUNCIL CHAMBER, 735 ANACAPA STREET

---

---

### CALL TO ORDER

Mayor Marty Blum called the joint meeting of the Council and Financing Authority to order at 2:02 p.m. (The Ordinance Committee met at 12:30 p.m. The Finance Committee met at 1:00 p.m.)

### PLEDGE OF ALLEGIANCE

Fiesta Flower Girls.

### ROLL CALL

Councilmembers present: Iya G. Falcone, Dale Francisco, Roger L. Horton, Grant House, Helene Schneider, Das Williams, Mayor Blum.

Councilmembers absent: None.

Staff present: Acting City Administrator Joan M. Kent, Acting City Attorney N. Scott Vincent, City Clerk Services Manager Cynthia M. Rodriguez.

### PUBLIC COMMENT

Speakers: El Presidente Anthony Borgatello, Old Spanish Days; David Daniel Diaz; Bob Hansen; Liz Anderson.

### CONSENT CALENDAR (Item Nos. 1 - 9)

The titles of the ordinance and resolution related to the Consent Calendar were read.

Motion:

Councilmembers House/Schneider to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of June 9, 2009, the special meetings of June 24, 2009, and June 25, 2009 (cancelled), and the regular meetings of June 30, 2009, and July 7, 2009 (cancelled).

Action: Approved the recommendation.

2. Subject: June 30, 2009, Investment Report And June 30, 2009, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the June 30, 2009, Investment Report; and
- B. Accept the June 30, 2009, Fiscal Agent Report.

Action: Approved the recommendations (July 28, 2009, report from the Finance Director).

3. Subject: Adoption Of Ordinance For Seven-Year License Agreement With Web Laundry Service Company, L.L.C. (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Seven-Year License Agreement with Web Service Company, L.L.C., Effective August 29, 2009, for a 156 Square-Foot Laundry Room at 307 Shoreline Drive.

Action: Approved the recommendation; Ordinance No. 5497; Agreement No. 23,161.

4. Subject: Resolution To Dedicate Easements For Street, Bridge, And Public Utilities At 136 West Haley Street (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Dedicating Easements for Street, Bridge, and Public Utilities, and for All Related Purposes, Said Easements Being Located on Portions of the City-Owned Real Property at 136 West Haley Street, Santa Barbara County Assessor's Parcel Number 037-162-010.

Action: Approved the recommendation; Resolution No. 09-066 (July 28, 2009, report from the Public Works Director; proposed resolution).

5. Subject: Contract With Innova Aviation Consulting, LLC, For Air Service Development (560.01)

Recommendation: That Council authorize the Airport Director to execute a contract with Innova Aviation Consulting, LLC, for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$52,000.

Action: Approved the recommendation; Contract No. 23,162 (July 28, 2009, report from the Airport Director).

6. Subject: Contract For Construction Of The Marina One Replacement Project - Phase 1 (570.03)

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with AIS Construction Company (AIS) in their low bid amount of \$1,781,840, for construction of the Marina One Replacement Project (Project) - Phase 1, Bid No. 3536, and approve expenditures up to \$178,200 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment, and authorize the Public Works Director to accept the final contract amount, with approved changes, and file all Notices of Completion with the County Clerk-Recorder's Office; and
- B. Authorize the Public Works Director to execute a contract with URS Corporation (URS), in the amount of \$40,000, for construction support services, and approve expenditures of up to \$4,000 for extra services of URS that may result from necessary changes in the scope of work.

Action: Approved the recommendations; Contract Nos. 23,163 and 23,164 (July 28, 2009, joint report from the Waterfront Director and Public Works Director).

7. Subject: Amendment To The Recreational Vehicle Safe Parking Program Agreement (660.04)

Recommendation: That Council authorize the City Administrator to execute an Amendment to the Agreement with the New Beginnings Counseling Center (NBCC) increasing the number of permits issued in City-operated parking lots for the Recreational Vehicle (RV) Safe Parking Program (Program) from fourteen to twenty-five spaces, and maintain the current funding.

Action: Approved the recommendation; Agreement No. 22,547.1 (July 28, 2009, report from the Public Works Director).

8. Subject: Accept Highway Bridge Program Grant Funding For The Cabrillo Bridge Replacement Project (530.04)

Recommendation: That Council accept Highway Bridge Program grant funding in the amount of \$734,259, and increase estimated revenue and appropriations in this amount in the Fiscal Year 2010 Streets Fund Budget.

Action: Approved the recommendation (July 28, 2009, report from the Public Works Director).

9. Subject: Police Department/Downtown Organization Hourly Foot Patrol Officer (520.04)

Recommendation: That Council accept a \$20,000 contribution to the Police Department Tactical Patrol Force Program from the Downtown Organization of Santa Barbara, Inc.

Speakers:

Members of the Public: Bill Collyer, Downtown Organization; Mike Jordan.

Action: Approved the recommendation; Agreement No. 23,165 (July 28, 2009, report from the Chief of Police).

Agenda Item No. 10 appears in the Financing Authority minutes.

## NOTICES

11. The City Clerk has on Thursday, July 23, 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.
12. Cancellation of the site visit and appeal hearing scheduled for July 27, and July 8, 2009, respectively, for the property located at 3750 Meru Lane due to withdrawal of the appeal.
13. A City Council site visit is scheduled for Monday, August 3, 2009, at 1:30 p.m. to the property located at 436 Corona Del Mar, which is the subject of an appeal hearing set for August 4, 2009, at 2:00 p.m.

This concluded the Consent Calendar.

## REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Das Williams reported that the Committee met to consider proposed amendments to Chapters 15.20 and 15.24 of the Municipal Code pertaining to tree preservation and integration of the American National Standards Institute (ANSI) pruning standards in the City's tree preservation policies and enforcement procedures. The amendments will be forwarded to the Council in the near future.

## REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Roger L. Horton reported that the Committee met to review the June 30, 2009, Investment Report and Fiscal Agent Report. These items were approved by the Council as part of this agenda's Consent Calendar (Item No. 2).

## MAYOR AND COUNCIL REPORTS

14. Subject: Request From Mayor Blum And Councilmember Francisco Regarding A Discussion Of The Medical Marijuana Permit Ordinance (520.04)

Recommendation: That Council consider the request of Mayor Blum and Councilmember Francisco to refer the Medical Marijuana Permit Ordinance to the Ordinance Committee.

### Documents:

- July 28, 2009, report from the Assistant City Administrator.
- July 27, 2009, letter from President Chris Jensen, Jensen Guitar and Music Co.
- July 27, 2009, letter from Saturnino Daniel Moreno.

### Speakers:

Members of the Public: Tony Vassallo; Saturnino Daniel Moreno; Jeffery Wood, Temple of Higher Consciousness; JoAnna La Force, The Farmacy Santa Barbara; Naomi Greene, Eastside Neighborhood; Britta Barlds, Eastside Neighborhood; Bob Hansen; William Welt; B. Nelson.

### Motion:

Mayor Blum/Councilmember Horton to refer the Medical Marijuana Permit Ordinance to the Ordinance Committee to review the following:

- Police Department statistics for areas surrounding the existing dispensaries in order to tighten up the ordinance;
- Cap on the number of dispensaries per area;
- Security requirements;
- Milpas Street recovery zone and how it interacts with the dispensaries;

(Cont'd)

14. (Cont'd)

- Siting requirements for dispensaries in proximity to schools and educational enterprises;
- Existing dispensaries to determine whether the duration of operation can be changed;
- Impacts on neighborhoods;
- Re-establishing a moratorium; and
- Input from neighboring jurisdictions.

Vote:

Unanimous voice vote.

Motion:

Mayor Blum/Councilmember Williams to direct the Finance Committee to review the cost recovery fee and return to Council if necessary.

Vote:

Unanimous voice vote.

## **ADJOURNMENT**

Mayor Blum adjourned the meeting at 3:35 p.m. to Monday, August 3, 2009, at 1:30 p.m. at 436 Corona Del Mar.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
MARTY BLUM  
MAYOR

ATTEST:

\_\_\_\_\_  
CYNTHIA M. RODRIGUEZ, CMC  
CITY CLERK SERVICES MANAGER

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 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 75% 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 75% 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 75% 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 75% 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 thirty (30) days following adoption. 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 the effective date of this ordinance; 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 or the Jesusita 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:** August 11, 2009

**TO:** Mayor and Councilmembers

**FROM:** Airport Administration, Airport Department

**SUBJECT:** Airport Public Art Program

### **RECOMMENDATION:**

That Council authorize the Airport Director to execute an agreement between the City and the Santa Barbara County Arts Commission, subject to approval by the City Attorney, for the long-term loan of a mural by the artist Channing Peake.

### **DISCUSSION:**

#### Background

The Airline Terminal Project is now under construction and will be completed in 2011.

One component of the Project is a public art program. Airport staff has been working with the City Arts Committee, Visual Arts in Public Places Committee, and the Santa Barbara County Arts Commission staff in the development of the Public Arts Program.

The Public Art Program consists of three public art components: the long-term loan of existing art to the Airport, commissioned art that will be part of the Terminal architecture, and a rotating exhibit of regional art.

#### Channing Peake Mural

The Santa Barbara County Arts Commission has approved the long-term loan to the City of a mural by renowned artist Channing Peake for display in the new Airline Terminal.

The mural, which was painted in the early 1920s, hung in the El Paseo Restaurant for many years. It consists of five panels portraying a carnival or fiesta. At its new home in the Airport Terminal, over 2,200 passengers will view the vibrantly colored mural each day.

The proposed agreement provides for the transportation, restoration, installation and maintenance of the mural by the City. The City must also insure the mural against all risk of physical loss or damage. The total cost of restoration is a not-to-exceed amount of \$8,000.

The Airport's Public Art Program will be more robust because of the generous loan of significant art by organizations such as the Santa Barbara County Arts Commission. Installation of works of historical or cultural value to the community at the Airport will greatly increase the number of people able to see and appreciate them, and help create the ambiance known as the "Santa Barbara experience" in the new terminal building.

#### BUDGET/FINANCIAL INFORMATION

Funding for the Airport Public Arts Program is included in the Airline Terminal Improvement Project with \$100,000 of the Project budget allocated for that purpose. Additionally, grant funding is also being pursued to leverage the program budget.

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** August 11, 2009

**TO:** Mayor and Councilmembers

**FROM:** Facilities Planning and Development, Airport Department

**SUBJECT:** Avigation And Noise Easement For 5441 Hollister Avenue, Goleta

**RECOMMENDATION:** That Council:

- A. Approve and authorize the City Administrator to execute and record a grant deed of avigation and noise easement and agreement imposing conditions on real property by and between St. Athanasius Orthodox Church and the City of Santa Barbara; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting an Avigation and Noise Easement Imposing Conditions on Real Property Known as Assessor's Parcel Number 071-140-072.

**DISCUSSION:**

On March 1, 2006, the Planning Commission of the County of Santa Barbara approved construction of a new 5.35 acre church complex at 5441 Hollister Avenue (APN 071-140-072), which is located near the boundary of the Santa Barbara County Airport Land Use Plan's "Safety Area 2 – Approach Zone" for Runway 25. The County of Santa Barbara imposed a condition of approval on the project requiring the property owner, St. Athanasius Orthodox Church, to grant the City of Santa Barbara an avigation and noise easement. The avigation and noise easement will provide notice to current and future property owners of the effects of airport operations and will establish provisions allowing aircraft using the Airport to have the free and unobstructed right of flight in the airspace above the parcel.

**ATTACHMENT:** Grant Deed of Avigation and Noise Easement

**PREPARED BY:** Andrew Bermond, Associate Planner

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

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

RECORDING AT REQUEST OF  
AND TO BE RETURNED TO:  
CITY OF SANTA BARBARA  
AIRPORT DEPARTMENT  
601 Firestone Road  
Goleta, CA 93117

**GRANT DEED OF AVIGATION AND NOISE EASEMENT AND  
AGREEMENT IMPOSING CONDITIONS ON REAL PROPERTY**

5441 Hollister Avenue  
Goleta, California 93117  
071-140-072

RECITALS

WHEREAS, St. Athanasius Orthodox Church, a California non-profit corporation (herein the “Grantor”) is the owner in fee simple of that certain parcel of land situated in the County of Santa Barbara commonly known as 5441 Hollister Avenue, Santa Barbara, California and more particularly described in Exhibit A and attached hereto and made a part hereof (herein the “Servient Parcel”); and,

WHEREAS, City of Santa Barbara, a municipal corporation (herein the “Grantee”) is the owner of certain properties within the County of Santa Barbara which are described in a Deed from the United States of America to Grantee dated February 24, 1949, which was recorded in Book 861 at Page 33 of the official records of the County of Santa Barbara, State of California (herein the “Dominant Parcel”); and,

WHEREAS, the Santa Barbara Municipal Airport, (herein the “Airport”) is operated on the Dominant Parcel which is in close proximity to the Servient Parcel; and,

WHEREAS, on March 1, 2006, Grantor received approval from the County of Santa Barbara for construction of a 5.35 acre church complex adjacent to the Santa Barbara County Airport Land Use Plan’s Safety Area 2-Approach Zone with said approvals being conditioned upon Grantor giving Grantee an avigation easement; and,

WHEREAS, Grantor and Grantee wish to establish provisions so that aircraft using Airport shall have the right of flight and the right to cause noise, light, and other effects associated with the operation of aircraft in the airspace over and above the Servient Parcel.

NOW, THEREFORE, Grantor, for consideration, the receipt and sufficiency of which are hereby acknowledged, hereby grants and conveys to Grantee a perpetual public-use avigation and noise easement in, through, across and over the airspace of the Servient Parcel subject to termination as expressly provided herein and right-of-way for the free and unobstructed flight of

aircraft, of any and all kinds now known or hereafter invented, used or designed for navigation or flight in the air, of the class, size and category permitted by law to operate at Airport.

1. Grantor, understands and acknowledges that the rights herein granted shall include, but not limited to, the right in such airspace to allow, make and emit such noise, light vibrations, fumes, exhaust, smoke, air currents, dust fuel particles, radio, television, and other electromagnetic interferences, and all other effects as may be inherent to the operation of aircraft for navigation flight in the air.

2. Grantor hereby full waives, remises and releases any right or cause of action that it may now have or that it may have in the future against Grantee, its successors, and assigns, and covenants not to sue due to such noise, light, vibrations fumes, exhaust, smoke, air currents, dust fuel particles, radio, television, and other electromagnetic interferences, and all other similar or related effects that may be caused or may have been caused by the operation of aircraft landing at, taking off from, or operating at Airport as permitted under this easement (collectively the "effects"). Said release and covenant shall include, but not limited to, claims, known or unknown, for damages for physical or emotional injuries, discomfort, inconvenience, property damage, death, interference with use and enjoyment of property, diminution of property values, nuisance, or inverse condemnation or injunctive or other extraordinary or equitable relief arising out of the effects.

3. It is further agreed that Grantee as owner and operator of Airport shall have no duty to avoid or mitigate such damages by, without limitation, setting aside or condemning buffer lands, rerouting air traffic, erecting sound or other barriers, or establishing curfews, noise or other regulations, except to the extent if any, that such actions are validly required by government authority, Grantor reserves such use, rights and privileges in the Servient Parcel as may be exercised and enjoyed without interference with or abridgment of the rights hereby granted.

4. This grant of an aviation and noise easement shall not operate to deprive Grantor, its successors or assigns, of any rights that it may from time to time have against any other individual aircraft operator for the negligent or unlawful operation of an aircraft.

5. For and on behalf of itself, its successors and assigns, Grantor hereby covenants with Grantee for the direct benefit of the real property constituting Airport that neither Grantor nor its successors in interest or assigns shall hereafter construct or permit the construction or growth of any structure, tree or other object that penetrates an approved approach, transitional, horizontal, or control surface, or that constitutes an obstruction to air navigation or that obstructs or interferes with the use of the flight easements and rights of way herein granted or that creates electrical interference with radio communication between any installation upon Airport and aircraft, or as to make it difficult for pilots to distinguish between airport lights and other lights, or as to impair visibility in the vicinity of Airport, or as otherwise to endanger the landing, take-off or maneuvering of aircraft. Grantee reserves the right, upon reasonable notice to Grantor, to mark and light as obstructions to air navigation any such building, structure, tree or other object now upon, or that in the future may be upon Grantor's property, together with the right of ingress to, egress from, and passage over Grantor's property for the above purpose, which shall be accomplished at Grantee's expense.

The foregoing notwithstanding, Grantor and Grantee acknowledge, accept and agree that the Servient Parcel may be improved pursuant to the approvals described in the Recitals and that such improvements shall not be deemed in violation or breach of the terms and conditions set forth in this Grant.

6. All promises, covenants, conditions and reservations contained in this easement are made and entered into for the benefit of Grantee. These promises covenants, conditions, and reservations, shall run with the Servient Parcel, described and identified on Exhibit B attached, and bind Grantor's heirs, administrators, executor, successors and assigns to the maximum extent now or hereafter permitted by statute or case law and are intended by the parties to comply with California Civil Code Section 1468. "Successors and assigns" as used in this paragraph includes, without limitation, invitees, licensees, permittees, tenants, and lessees.

7. The avigation and noise easement, covenants, and agreements described herein shall continue in effect until Airport shall be abandoned and shall cease to be used for public airport purposes.

IN WITNESS WHEREOF, Grantor and Grantee have caused this grant of easement to be executed on \_\_\_\_\_, 2007

GRANTEE:  
CITY OF SANTA BARBARA  
Municipal Corporation

GRANTOR:  
ST. ATHANASIOUS ORTHODOX  
CHURCH

\_\_\_\_\_  
City Administrator

\_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
City Clerk

APPROVED AS TO CONTENT:

By: \_\_\_\_\_  
Airport Director

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Assistant City Attorney

RESOLUTION NO. 09-\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ACCEPTING AN AVIGATION AND NOISE EASEMENT IMPOSING CONDITIONS ON REAL PROPERTY KNOWN AS ASSESSOR'S PARCEL NUMBER 071-140-072

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

SECTION 1. The City of Santa Barbara hereby accepts the interest in real property known as Assessor's Parcel Number 071-140-072 conveyed by the Grant Deed of Avigation and Noise Easement and Agreement Imposing Conditions on Real Property from St. Athanasius Orthodox Church to the City of Santa Barbara, a municipal corporation.

SECTION 2. The City of Santa Barbara hereby consents to the recordation by the City Clerk of said deed, easement or grant.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** August 11, 2009

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Approval of Single Source Vendor Purchase Of A \$34,123 Total Organic Carbon Analyzer For The Water Resources Laboratory

**RECOMMENDATION:** That Council:

- A. Find it in the City's best interest to issue a purchase order to Shimadzu Scientific Instruments (SSI) for the purchase of a Total Organic Carbon (TOC) analyzer, without bids, as authorized by Municipal Code Section 4.54.080 (k) ; and
- B. Authorize the General Services Manager to award purchase order contracts to SSI for services needed to maintain and repair the TOC analyzer for the next five-year period.

### DISCUSSION:

The City's Water Resources Laboratory (Lab) analyzes water, wastewater, and soils to provide analytical data used for regulatory compliance and process operations at the City's Water Resources facilities.

TOC is one of the most frequently performed analyses. It reacts with chlorine to form disinfection by-products that are regulated in drinking water by the U.S. Environmental Protection Agency (EPA). The Lab is presently using an antiquated SSI TOC analyzer, which is at the end of its useful life.

In order to continue to produce data in compliance with federal standards, staff is requesting to replace the existing analyzer. To identify the most effective tool for the determination of TOC, laboratory staff evaluated several analyzers. The SSI analyzer was identified as best meeting City needs and is compatible with existing lab equipment and software which will allow for the easy integration of data. Staff is also requesting authorization to contract with SSI for maintenance and repair of the analyzer.

The total cost of replacement of the TOC analyzer and associated equipment is \$34,123. There are sufficient funds in the Water Fund budget to cover this cost. Cost for annual maintenance and repair of the TOC analyzer will be determined by the age of the machine and the amount of work required to keep it in good operating condition.

Council Agenda Report  
Approval of Single Source Vendor Purchase Of A \$34,123 Total Organic Carbon Analyzer  
For The Water Resources Laboratory  
August 11, 2009  
Page 2

Staff estimates annual costs will range from \$1,500 to \$3,500. Money will be included in future Water Fund operating budgets to cover this cost.

**PREPARED BY:** Rebecca Bjork, Water Resources Manager/LC /mh

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

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** August 11, 2009

**TO:** Mayor and Councilmembers

**FROM:** Administration Division, Finance Department

**SUBJECT:** Community Promotion Contract For The Santa Barbara Region Chamber Of Commerce To Support Operation Of The Visitor Information Center

### RECOMMENDATION:

That Council authorize the Finance Director to execute a Community Promotion contract with the Santa Barbara Region Chamber of Commerce in an amount of \$54,495 to support year-round expenses of the Visitor Information Center.

### DISCUSSION:

The Fiscal Year 2010 Budget includes \$54,495 in the General Fund Community Promotion Program for the Santa Barbara Region Chamber of Commerce to operate a Visitor Information Center. This contract will help support year-round salary and benefit expenses, telephone services and office supplies. The term of the contract commences on August 1, 2009 and terminates on July 31, 2010.

**PREPARED BY:** Jennifer Hopwood, Executive Assistant

**SUBMITTED BY:** Robert D. Peirson, Finance Director

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** August 11, 2009

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Response To 2008-2009 Civil Grand Jury Report: *Trapped In The Granada Garage Elevator – Not An Uplifting Experience*

### RECOMMENDATION:

That Council authorize the Public Works Director to submit the City's response to the report of the 2008-2009 Santa Barbara County Civil Grand Jury (Grand Jury): *Trapped in the Granada Garage Elevator – Not an Uplifting Experience*.

### DISCUSSION:

State Penal Code Section 933(c) requires that the governing body of each public agency that is the subject of a report from the Grand Jury comment on the findings and recommendations contained in the report to the extent the findings and recommendations are relevant to the particular public agency.

Attached is the City's proposed response to the Grand Jury report: "*Trapped in the Granada Garage Elevator – Not an Uplifting Experience*." The recommended Council action will authorize the Public Works Director to submit the attached cover letter and response to the Grand Jury report.

**ATTACHMENTS:** Letter and response to the Report of the 2008-2009 Grand Jury: *Trapped in the Granada Garage Elevator – Not an Uplifting Experience*.

**PREPARED BY:** Browning Allen, Transportation Manager/VG/kts

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

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

Date

The Honorable J. William McLafferty  
Presiding Judge, Superior Court  
County of Santa Barbara  
1100 Anacapa Street, 2<sup>nd</sup> Floor  
Santa Barbara, California 93101

Santa Barbara County Civil Grand Jury,  
Attention: Foreman Ted Sten  
1100 Anacapa Street  
Santa Barbara, California 93101

SUBJECT: Grand Jury Report: *Trapped in the Granada Garage Elevator – Not an Uplifting Experience*

Dear Judge McLafferty and Foreman Sten:

Thank you for sending the Grand Jury's letter to Mayor Marty Blum dated June 3, 2009, requesting a response to its 2008-2009 report: *Trapped in the Granada Garage Elevator – Not an Uplifting Experience*. The City appreciates the service the Civil Grand Jury provides to our community and has attached a detailed response addressing the year's Grand Jury concerns about the Granada Garage Elevator and related items.

This response was prepared by the Public Works Department as the operators of the City parking structures and lots and has been reviewed and approved by the Mayor and City Council. We believe the Grand Jury's report provided an opportunity to review and enhance the City's management of its elevators. We hope the Grand Jury is satisfied with our results and actions.

Please feel free to contact Browning Allen, Transportation Manager, at 805-897-2690, or Stephen Wiley, City Attorney, at 805-564-5326, should you have any questions concerning the City's response or need any further information.

Sincerely,

Christine F. Andersen  
Public Works Director

VEG/kts

Attachment

c: Marty Blum, Mayor  
James L. Armstrong, City Administrator  
Stephen P. Wiley, City Attorney  
Cyndi Rodriguez, City Clerk Services Manager  
Browning Allen, Transportation Manager

**Granada Garage Elevators  
Grand Jury Report Reponse  
DATE**

1) **Finding 1:** The City of Santa Barbara lacks a coherent management plan for its elevator systems.

a) **Response:** The City of Santa Barbara (City) has a plan in place to monitor the maintenance of the City's elevators. The City has a contract with a qualified and certified elevator maintenance company, consistent with the City's purchasing rules. The contract clearly outlines the expectations and responsibilities of the contractor. However, based on input from the Grand Jury, the City has improved the elevator management plan by transferring the administration and oversight of the maintenance contract for elevators in our parking facilities to the Downtown Parking staff. We believe this plan adjustment will improve accountability when repairs are needed.

2) **Recommendation 1a:** That the City of Santa Barbara establish a coherent plan for its elevator systems.

a) **Response:** The City has an elevator maintenance contract with a certified elevator maintenance company. The contract clearly outlines the expectations and responsibilities of the contractor for maintenance of City elevators. (see response to Finding 1)

**Recommendation 1b:** That the City of Santa Barbara establish a single point of accountability for all elevator operations.

a) **Response:** At the time of the incident(s), the City's Facilities Maintenance Division was responsible for the operation and maintenance of all elevators in City facilities, including the elevators in the City's parking structures. As noted in response to Finding 1, this responsibility has now been transferred to the Downtown Parking staff in direct response to the Grand Jury Report.

3) **Finding 2:** The City of Santa Barbara does not maintain records of repair work performed by the contractor on the elevators in the City parking structures.

a) **Response:** Both the City and the maintenance contractor maintain records of all inspections, repairs, and maintenance work done by the contractor performing work on the elevators in all City facilities. Attached to this report is a copy of a typical maintenance report prepared by the elevator maintenance contractor (Exhibit A). Based on the input received from the Grand Jury, City staff adjusted the report to specifically include a line item for inspecting the phone. This was previously included in the report under the line item "Car Stop Switch (es)"; however, the elevator

emergency phone is now specified as a separate item to ensure that it is inspected.

- 4) **Recommendation 2:** That the City of Santa Barbara maintain records of repair work performed by contractors on elevators in the City parking structures.
  - a) **Response:** The City and the maintenance contractor maintain records of all repair and maintenance work done by the contractor performing work on the elevators in the all City facilities. As indicated above in response to Finding 2, the City has required the contractor to make a special note to test all City elevators' emergency phones so that the Downtown Parking staff can ensure that they are operational.
- 5) **Finding 3:** The audible alarm system in the Granada Garage elevators has limited range.
  - b) **Response:** The alarm system in every City elevator is installed per the industry safety standard. They are checked each month by the City's contractor, and annually by the State Inspector.
- 6) **Recommendation 3:** That the alarm system be modified to directly alert a responsible agency.
  - a) **Response:** The alarm system in every City elevator is installed per the industry standard. Modifying the alarm is not a solution for notifying emergency personnel of a problem in an elevator. The emergency telephone in each elevator connects the elevator passenger with a dispatcher who is available 24 hours per day and is trained to handle emergency situations. The dispatcher is directed to follow City elevator emergency protocols. As noted above, the City has adjusted the management plan and maintenance protocol to better ensure that the elevator emergency phones are working properly.
- 7) **Finding 4:** The emergency phone is not inspected regularly.
  - a) **Response:** The emergency phones are checked each month by the City's elevator maintenance contractor and annually by the State Inspector.
- 8) **Recommendation 4:** That the City of Santa Barbara perform and document weekly inspections and verify that the phones in all elevators are operational.
  - a) **Response:** The City contracts with a State-certified elevator maintenance contractor who performs monthly inspections of all City elevators, including all safety-related features such as the emergency phones. The contractor has a maintenance checklist (Exhibit A, page 2) that the field technician fills out when the inspection/emergency is performed. As noted above, Downtown Parking staff has directed the elevator maintenance

contractor to add specific documentation on their reports to show that the phones are being tested.

9) **Finding 5:** The City of Santa Barbara has no established written protocol for responding to elevator malfunctions.

a) **Response:** The City has established protocols for responding to emergencies. The December 5, 2008, incident provided the City an opportunity to review those protocols and institute revisions that will improve specific procedures and response times. The revised protocols have been reviewed by the City's Public Works Facilities Division and Fire Department. The City now contracts with an independent answering service to answer the elevator telephones. The answering service follows the City's protocols in responding to elevator emergencies.

10) **Recommendation 5:** That the City of Santa Barbara establish a written protocol for any elevator malfunctions.

a) **Response:** The City of Santa Barbara has established protocols for responding to emergencies (See response to Finding 5 above).

11) **Finding 6:** The City of Santa Barbara has no incident reporting system to address elevator malfunctions.

a) **Response:** The Downtown Parking Program has had an incident reporting system for over 10 years that is completed by the on-duty Parking Coordinator or Lead Maintenance Worker for incidents at any Downtown parking lots (Exhibit B). The report is reviewed by the Maintenance Supervisor or Parking Operations Supervisor and, if warranted, appropriate corrective action is taken.

12) **Recommendation 6:** That the City of Santa Barbara implement an incident reporting system.

a) **Response:** The Downtown Parking Program has had an incident reporting system for over 10 years that is completed by the on-duty Parking Coordinator or Lead Maintenance Worker for incidents at any Downtown parking lots (See response to Finding 6 above).

13) **Finding 7:** State of California Inspection Certificates in the elevators were out of date.

a) **Response:** The State of California performs the annual inspections of all City elevators. The certificate renewals from the State are posted as soon as they are received from the State.

The State is solely responsible for scheduling the inspections and issuing the annual elevator certificate. Any required repair work is coordinated between the elevator contractor and the State's inspector, and the permits

are then issued once all work has been completed to the satisfaction of the State.

14) **Recommendation 7:** That current State of California Inspection Certificates be displayed in elevators upon receipt.

a) **Response:** City staff is committed to installing the inspection certificates as soon as possible. The City posts the State-issued elevator certificates as soon as they are received from the State.

15) **Finding 8:** The physical address of the elevator is not posted in all elevator cars.

a) **Response:** The physical address is shown on the State certificate in each elevator car.

16) **Recommendation 8:** That the City of Santa Barbara post elevator locations inside all elevator cars.

a) **Response:** The physical address is shown on the State-issued certificate in each elevator car. Additionally, the dispatcher who answers an emergency call from an elevator telephone has the ability to identify the elevator in question.

# TEAM *Service*

## Hydraulic Elevator Maintenance Tasks & Records

### JOBSITE INFORMATION 2009

Job Name: PARKING LOT #6  
 Job Address: 1115 PARKWAY ST  
 Route/Contract #: 300-278207 Elevator # 2 of 2  
 Contract Type: Platinum Premier  Platinum  Gold  Bronze   
 Building Manager/Supt.: \_\_\_\_\_ Location: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_  
 Building Engineer: \_\_\_\_\_ Location: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ Ext.: \_\_\_\_\_

### EQUIPMENT DATA

Elevator # 2, State Installation # 51045, Unit Serial # \_\_\_\_\_  
 Original Manufacturer: OW Controller Mfg.: \_\_\_\_\_  
 Controller Name & Model: \_\_\_\_\_  
 Controller Type: Simplex  Duplex  Group  Other \_\_\_\_\_  
 Landings/Opening: 44 Valve Mfg. Model: \_\_\_\_\_  
 Door Equipment Mfg.: \_\_\_\_\_ Model: \_\_\_\_\_  
 Pump Motor Mfg. & Model: \_\_\_\_\_ HP \_\_\_\_\_ Voltage: \_\_\_\_\_  
 Supply Voltage: \_\_\_\_\_ Pump Mfg. & Model: \_\_\_\_\_ Belted \_\_\_\_\_  
 Submersible:  Main Piston Mfg.: \_\_\_\_\_ Packing Type & Sizes \_\_\_\_\_

The frequency of periodic inspections and tests are established by ASME A17.1-2007 (8.11.1.3 Periodic Inspection and Test Frequency) and may be superceded by your local authority having jurisdiction.



# HYDRAULIC MAINTENANCE TASKS

Printed Name \_\_\_\_\_  
 For the Year 2009 and  
 Month Starting 1/09

LTP/LTB LTA/LTB LTB/LTB

As required, inspect, adjust, and lubricate	Clean and Inspect Machine Room				F	F
	Stopping Accuracy + or - [0.5 in]				-	-
	Door Close Force [Torque] <30 lbf. #					
	Car Door Reopening Devices				-	-
	Car Door, Gate Equipment, and Operator				-	-
	Car Stop Switch(es), Emer. Communications, Signals/Buttons, Alarm (Optional Switch/ Buttons), Emer. Light and Ventilation				-	-
	Clean and Inspect Car Top and Devices				F	F
	Top of Car Operating [Insp.] Device, Incl. Stop Switch, and Light				-	-
	Car Top Guide Shoes/Roller Guides				-	-
	Leveling Devices/Hardware				-	-
	Hoistway Doors, Tracks, and Door Locks				-	-
	Pit Lighting, Stop Switch, Clean and Inspect Pit				F	F
	Jack/Packing and Oil Recovery Device				M	M
	Car Bottom Guide Shoes/Roller Guides				-	-
	Power Unit Oil Level/Condition, Oil Leaks, and Belt Tension				-	-
Motor Starter Contacts/Connections				M		
As required, inspect, adjust, and lubricate	Traveling Cable[s]				-	-
	Car Safety Device					
	Overhead, Car Top, and Hoisting Sheaves					
	Directional/Final Limits				-	-
	Clean and Inspect Hoistway					
	Oil Lines, Supports, and Spring Buffers				-	-
	Power Supplies				-	-
	Motor Lubrication [Dry Unit]					
	Valve Strainers					
	Door Close Kinetic Energy					
Additional Items	<u>PHON</u>		✓	✓	-	-



# City of Santa Barbara Downtown Parking Incident Report

(805) 564-5656



Date of Incident: \_\_\_\_\_ Time: \_\_\_\_\_ am / pm

Weather: \_\_\_\_\_

Location: \_\_\_\_\_

Description of events: (Who, What, When, Where)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mr./Ms./Mrs.: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: (home): \_\_\_\_\_ (work): \_\_\_\_\_ (cell): \_\_\_\_\_

Vehicle Description: \_\_\_\_\_

Witnesses: \_\_\_\_\_

Operator on duty: \_\_\_\_\_

Report Taken By: \_\_\_\_\_ Date: \_\_\_\_\_

Police Notified? \_\_\_\_\_ Report/Case #: \_\_\_\_\_

Photos Taken: \_\_\_\_\_

Supervisor Notified: \_\_\_\_\_ Date/Time of Notification: \_\_\_\_\_

Action Taken (investigation/corrective action/letters sent): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reviewed by: \_\_\_\_\_

Dion Tait, Parking Supervisor



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** August 11, 2009  
**TO:** Mayor and Councilmembers  
**FROM:** Environmental Services Division, Finance Department  
**SUBJECT:** Conversion Technology Project - Residual Solid Waste Resolution

### **RECOMMENDATION:**

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Regarding its Intention to Commit its Community's Residual Solid Waste to the Conversion Technology (CT) Facility to be Located at the Tajiguas Landfill.

### **DISCUSSION:**

About two years ago, the City and County of Santa Barbara directed their respective solid waste staff to work jointly on a project to evaluate the feasibility of siting a conversion technology (CT) facility that would convert both jurisdictions' residual solid waste into energy and/or a usable fuel. This would have the primary benefit of diverting a majority of solid waste from disposal at the County owned and operated Tajiguas Landfill, thereby extending its useful life.

With the approval of the City Council and County Board of Supervisors, City and County staff hired a consultant, Alternative Resources, Incorporated (ARI) to assist in the completion of a CT Feasibility Study (Study), developing a list of qualified vendors, and preparing a Request for Proposals (RFP). The results of the Study prepared by ARI were presented to the City Council and County Board of Supervisors in May 2008. The Study identified eight vendors deemed capable of meeting minimum project requirements developed by the City and County. Staff is currently working with ARI to complete the RFP which is anticipated for release in late September.

To demonstrate top-level commitment to this project, we have drafted a Resolution recommended for adoption by the City Council. Staff proposes to include the resolution in the package sent to the prospective bidders that receive the RFP. Potential partners have been encouraged to have their City Councils adopt similar resolutions.

The Resolution in no way binds the City to this project. If at any time it is determined that the project fails to meet any of the approved project goals and objectives (e.g., impacts rate payers beyond the level targeted), the City can choose not to participate.

Once adopted, the Resolution will be sent to the MJSWTG, indicating the City's support for the project and its underlying goals, and the City's intent to commit its residual MSW if all of the project goals are fulfilled, including the estimated impact to ratepayers.

**BUDGET/FINANCIAL INFORMATION:**

According to ARI, the cost to construct a CT facility can vary widely, from \$50 million to \$200 million. Any CT facility that is built at the Tajiguas Landfill will be privately owned, operated and funded through fees paid by participating jurisdictions' ratepayers.

**SUSTAINABILITY IMPACTS:**

At this point, the project is limited to efforts associated with the preparation of an RFP. However, if the project moves forward, the end result will not only include a significant reduction in the volume of MSW going to the Tajiguas Landfill, but it may also result in the production of alternative energy created from processing the City's residual solid waste material through a CT facility.

**PREPARED BY:** Stephen MacIntosh, Environmental Services Supervisor

**SUBMITTED BY:** Robert D. Peirson, Finance Director

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

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA REGARDING ITS INTENTION TO COMMIT ITS COMMUNITY'S RESIDUAL SOLID WASTE TO THE CONVERSION TECHNOLOGY (CT) FACILITY TO BE LOCATED AT THE TAJIGUAS LANDFILL

WHEREAS, the City of Santa Barbara is a member of the Multi-Jurisdictional Solid Waste Task Group (MJSWTG) which was established in June, 2001 by the County Board of Supervisors and the Santa Barbara City Council;

WHEREAS, the MJSWTG provides its Members and their respective citizens with a forum to discuss and plan long-term solid waste management strategies and facilities;

WHEREAS, the MJSWTG established the Conversion Technology Subgroup (CT Subgroup) to "evaluate the feasibility of conversion technologies as an alternative to landfilling post-recycled municipal solid waste (MSW) at the Tajiguas Landfill";

WHEREAS, the CT Subgroup is developing a "Request for Proposals" for a conversion technology (CT) Facility to be established at the Tajiguas Landfill;

WHEREAS, the Request for Proposals would be strengthened by a commitment on the part of participating agencies; and

WHEREAS, the stated goals of the CT facility are to:

1. **Increase Diversion of Post-Recycled MSW for Affected Jurisdictions.** Any considered CT must increase the diversion of post-recycled MSW intended for landfill disposal through pre-processing (or post-processing) and/or conversion of post-recycled MSW into beneficial products such as energy, fuels, or other marketable products (e.g., compost, aggregate, metals).
2. **Reduce Environmental Impacts of Landfilling MSW.** Any considered CT must limit and/or mitigate environmental impacts of landfilling MSW, including but not limited to water quality and greenhouse gas emissions.
3. **Provide Financial Feasibility and Sustainability.** Any considered CT must have capital and operating costs that result in a feasible, cost-competitive tipping fee, with long-term financial stability that would limit financial impacts to affected ratepayers.
4. **Produce Green Energy and Other Marketable Products.** Any considered CT must include a component of green energy and/or fuel production, along with

other marketable products, as applicable, such as recovered metals and compost.

5. **Provide a Humane Work Environment.** The project will maintain humane working conditions, and will not consider any CT that is deemed to have an unjust or unsafe impact on workers.
6. **Result in a Long-Term Waste Disposal Plan.** Any considered CT must result in a long-term waste disposal alternative for participating jurisdictions within Southern Santa Barbara County (with a 20 year minimum lifespan required).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT if the above-listed goals are met by the CT Facility, it is the intention of the City of Santa Barbara to commit its community's residual solid waste to the Conversion Technology Facility to be established at the Tajiguas Landfill.