

**CITY OF SANTA BARBARA
CITY COUNCIL**

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City Attorney

City Hall

735 Anacapa Street

<http://www.SantaBarbaraCA.gov>

AUGUST 18, 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 for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

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

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

Subject: Joint Participation Agreement For Cachuma Operation And Maintenance Board Bond Issuance

Recommendation: That the Finance Committee recommend that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Execution and Delivery of a Joint Participation Agreement with the Cachuma Operation and Maintenance Board and Authorizing Actions to Finance Improvements to the South Coast Conduit.

ORDINANCE COMMITTEE MEETING - 12:30 P.M. IN THE COUNCIL CHAMBER (120.03)

Subject: Amendments To Municipal Code Title 17 Regarding Waterfront Policies

Recommendation: That the Ordinance Committee recommend that City Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 17 Sections 17.20.005, 17.20.220, and 17.20.265 Pertaining to Operations at the Waterfront.

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: Contract For Construction Of The Santa Barbara Airport Water System Upgrade Project (560.04)**

Recommendation: That Council:

- A. Award and authorize the Public Works Director to execute a contract with V. Lopez Jr. & Sons, Inc. (Lopez), in their low bid amount of \$310,488, for construction of the Santa Barbara Airport Water System Upgrade Project (Project), Bid No. 3581, and authorize the Public Works Director to approve expenditures up to \$31,500 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;
- B. Authorize the Public Works Director to execute a contract with Larry C. Falberg, Civil Engineer (Falberg), in the amount of \$24,000 for construction inspection, and authorize the Public Works Director to approve expenditures of up to \$2,400 for extra services of Falberg that may result from necessary changes in the scope of work; and
- C. Authorize the General Services Manager to issue a Purchase Order to Penfield & Smith (P&S), in the amount of \$16,090, for construction support services, including setting survey line and grade, answering Requests for Information, and reviewing product submittals, and authorize the General Services Manager to approve expenditures of up to \$2,000 for extra services of P&S that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

2. Subject: Contract For Construction Of The Marilla Avenue Sidewalk Infill Project (530.04)

Recommendation: That Council award and authorize the Public Works Director to execute a contract with Aguilera Brothers Construction, Inc. (Aguilera) in their low bid amount of \$105,045, for construction of the Marilla Avenue Sidewalk Infill Project (Project), Bid No. 3572, and authorize the Public Works Director to approve expenditures up to \$10,500 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 to file all Notices of Completion with the County Clerk-Recorder's Office.

3. Subject: Rejection of Loma Alta Hill Sidewalk Project Bids (530.04)

Recommendation: That Council reject all bids for construction of the Loma Alta Hill Sidewalk Project (Project), and direct staff to re-bid the Project.

NOTICES

4. The City Clerk has on Thursday, August 13, 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.
5. Cancellation of the regular Redevelopment Agency meeting of August 18, 2009, due to a lack of business.
6. Received a letter of resignation from Creeks Committee Member George Weber; the vacancy will be part of the next advisory group recruitment.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ATTORNEY

7. Subject: Regulation of Aggressive Panhandling (520.04)

Recommendation: That the City Council introduce and subsequently adopt, reading by title only, An Ordinance of the Council of the City of Santa Barbara Amending Title Nine of the Santa Barbara Municipal Code to Enact a Revised Ordinance Prohibiting Abusive Panhandling by Amending and Revising Santa Barbara Municipal Code Chapter 9.50.

PUBLIC WORKS DEPARTMENT

8. Subject: Capital Improvement Projects: Annual Report For Fiscal Year 2009 (230.01)

Recommendation: That Council receive the Capital Improvement Projects (CIP) Annual Report for Fiscal Year 2009.

ADMINISTRATIVE SERVICES DEPARTMENT

9. Subject: Child Care And Work/Life Assessment Report (150.04)

Recommendation: That Council receive a presentation from First 5 regarding the results of the "Child Care and Work/Life Needs Assessment Report."

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

10. 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, 15 minutes; anytime

Report: None anticipated

CLOSED SESSIONS (CONT'D)

11. 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 *James Ryden, et al., v. City of Santa Barbara, et al.*, USDC Case Number: CV 09-1578 SVW (SSx).

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

12. 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 *City of Banning/Armenta v. James Jones Co.*, LASC BC321513.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

ADJOURNMENT

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: August 18, 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: Joint Participation Agreement For Cachuma Operation And Maintenance Board Bond Issuance

Recommendation: That the Finance Committee recommend that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Execution and Delivery of a Joint Participation Agreement with the Cachuma Operation and Maintenance Board and Authorizing Actions to Finance Improvements to the South Coast Conduit.



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: August 18, 2009

TO: Finance Committee

FROM: Water Resources Division, Public Works Department

SUBJECT: Joint Participation Agreement For Cachuma Operation And Maintenance Board Bond Issuance

RECOMMENDATION:

That the Finance Committee recommend that Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Execution and Delivery of a Joint Participation Agreement with the Cachuma Operation and Maintenance Board and Authorizing Actions to Finance Improvements to the South Coast Conduit.

DISCUSSION:

The Cachuma Operation and Maintenance Board (COMB) is a joint powers authority that operates infrastructure that supplies water from Cachuma Lake to the South Coast. The City is a member of COMB, with Council Member Das Williams as the current board member representing the City. The other member agencies are the Goleta Water District, the Montecito Water District, the Carpinteria Valley Water District, and the Santa Ynez River Water Conservation District Improvement - District No.1.

The assets maintained and operated by COMB are owned by the U.S. Bureau of Reclamation (USBR). The City and other COMB members make payments to COMB, both for the repayment to USBR for the cost of constructing the facilities, and for the cost of operating and maintaining the facilities. At this time, a number of significant capital projects are needed to rehabilitate or augment existing USBR facilities. COMB staff has proposed to seek financing for a group of projects shown on the attached list.

The most significant project is the construction of a parallel pipeline to convey water from the South Portal of the Tecolote Tunnel to the point where the Corona Del Mar treatment plant draws water for the Goleta Water District. This parallel line will restore the original design capacity of the South Coast Conduit, which was reduced when improvements were made at the Corona Del Mar treatment plant. It will also provide system redundancy, allowing one pipe to be out of service for maintenance or repair.

This parallel pipeline project has been accepted for \$3.2 million in Proposition 50 grant funding.

BUDGET/FINANCIAL INFORMATION:

Over the past several years, COMB has had an annual capital program that averages about \$1.1 million per year. To fund the proposed significant capital projects, COMB is seeking an amount of debt with debt service equivalent to the recent average capital budget. This translates to approximately \$18 million in debt proceeds. This approach will allow the member agencies to see relatively flat COMB budgets. In five years, repayment to the USBR for the construction of Bradbury Dam and the Tecolote Tunnel will be complete, so annual costs to member agencies will decrease. COMB anticipates that the capital program may increase at that time to address additional work not included in the financing. The debt will be reflected on the City's financial sheets as parity debt.

ATTACHMENTS: 1. 2008 – 2010 Operations and Maintenance Reliability Program
2. Proposed Resolution

PREPARED BY: Rebecca Bjork, Water Resources Manager/RB/mh

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 1 SCC Second Barrel Pipeline, Upper Reach

Project Description

The Cachuma Project provides approximately 80% of the potable water delivered by Goleta Water District, City of Santa Barbara, Montecito, Summerland, and Carpinteria. No redundant supply or pipeline exists to convey Cachuma Project water or SWP water to the South Coast if the Goleta Reach of the South Coast Conduit is out of service, due to scheduled and/or unexpected repairs.

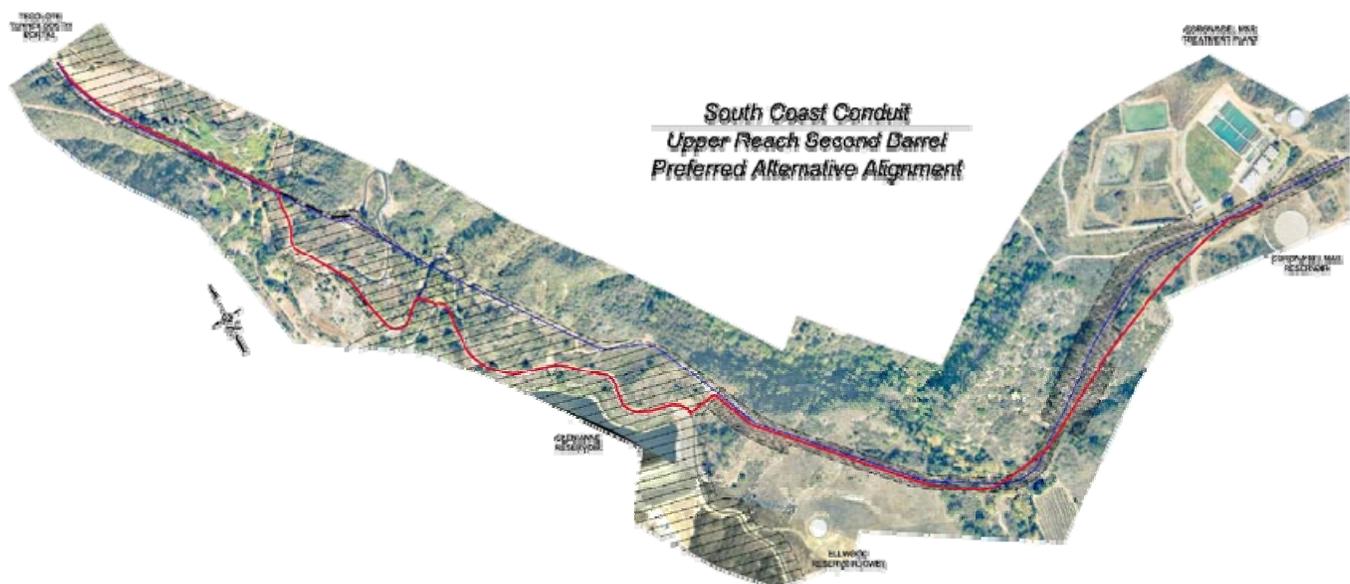
The purpose of the project is to increase the operational flexibility, reliability, and capacity of the South Coast Conduit (SCC) between the South Portal of the Tecolote Tunnel (SPTT) and the Corona Del Mar Water Treatment Plan (CDMWTP). The increase in operational flexibility, reliability, and capacity are intended to accommodate peak demand levels and to allow maintenance of the pipeline. The limitations and age of the original equipment, significant system modifications, and increased demands constrain the ability of the SCC to function at the system's original design capacity. Because of these limitations, COMB is forced to rely on water stored in Lauro, Ortega, and Carpinteria reservoirs to meet regional water needs. Because the Upper Reach of the SCC has the largest demand deficit and is located upstream from the sources of demand, the proposed improvements will allow more water flow farther along the pipeline to improve the level of service and reliability.

Project Schedule

Completion of Environmental Studies: 2008
Engineering and Construction: 2008-2010

Project Budget

Planning (partially completed):	\$100,000
Engineering:	\$700,000
Construction:	\$6,000,000
Right-of-Way:	\$350,000
Environmental Mitigation:	\$125,000
Construction Admin & Observation:	\$740,000
Contingency (15%):	\$1,150,000
Total Budget:	\$9,165,000



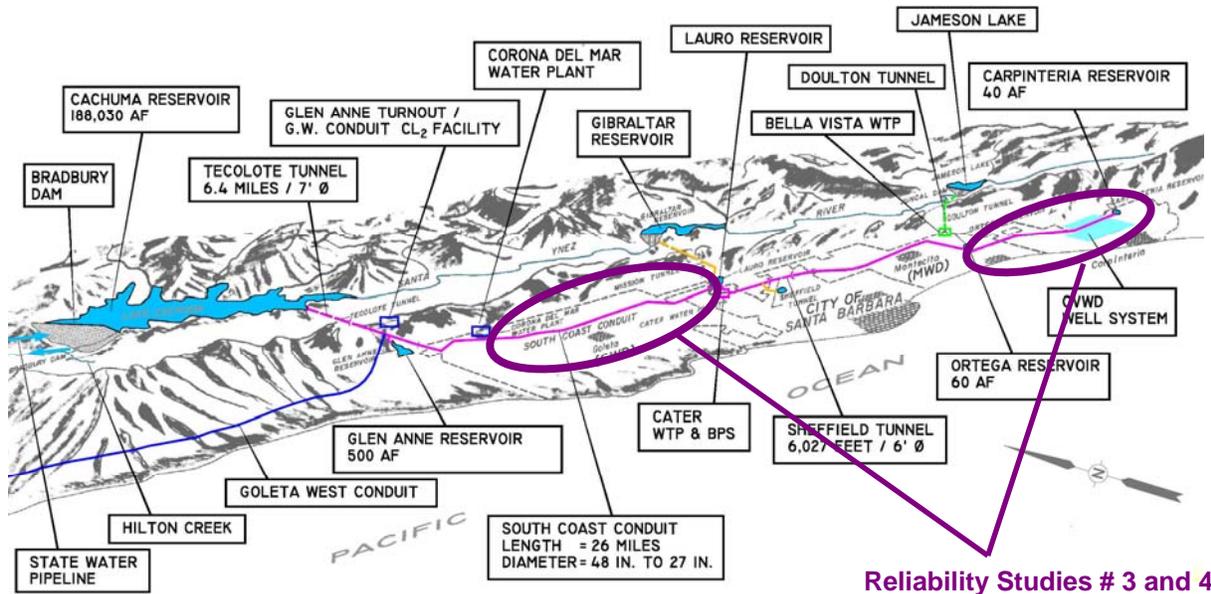
Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 2 SCC Reliability Studies Reaches 3 and 4

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. This pipeline is the primary source of water for the Goleta Water District, City of Santa Barbara, Montecito, Summerland and Carpinteria Valley areas. No redundant pipeline exists for conveyance of water supply in the SCC when a section of the pipeline needs to be isolated for emergencies or repair. In addition, dewatering this section of the SCC is a lengthy process, greatly reducing its operational flexibility and reliability. Due to the age and the material from which it is constructed, the pipe is inherently difficult to repair or modify.



Two of four SCC Reaches have been studied and a program has been defined to make the necessary modifications/additions or improvements to those reaches of the SCC. This project component is to do similar studies for the remaining two Reaches. During this project component, field investigations will be performed on the conduit and all structures to identify reliability concern areas and to determine what actions will be necessary to improve the reliability of the SCC in these reaches. Work will include input from geotechnical and specialists in concrete construction and rehabilitation. Construction timing will be defined so that flows in the SCC can be maintained while rehabilitation work is progressing. As work progress in the definition of reliability improvements environmental review will take place to outline any mitigation measures that will be necessary to effectuate the project work.

Project Schedule

Completion of Studies: 2010

Project Budget

Planning: \$150,000

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 3

Mission Creek Crossing with Fish Passage and Six Other SCC Creek Crossings

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal at Lake Cachuma to the Carpinteria Reservoir. As part of the Phase 2 Reliability Study for the SCC conducted in 2006¹, seven creek crossings, identified as areas of concern in the 2005 Reliability and Alternatives Study², were evaluated. The SCC crosses Mission Creek at approximately Station 74+00. In the 1970s, the SCC was damaged by “rock impact” during a high flow event in the Creek. The SCC underwent emergency repairs which included repairs to the exterior of the steel pipe shell (however the interior mortar lining was not accessed for repair) and a non-reinforced concrete backfill/cap. The emergency backfill/cap concrete is currently undermined on the downstream side, and the concrete acts as a grade control structure. The Mission creek crossing was identified as having continued exposure to undermining. The recommended approach was to replace the crossing (along with others) with new pipe encased in structural concrete.

In June 2007, a report³ was prepared for the Santa Barbara County Public Works department that addressed the Mission creek at Highway 192. That report concluded that the existing concrete is a barrier to migrating salmonids, and should be removed and replaced with a riffle-pool stream bed. The proposed stream improvement cannot practically be constructed without removal and relocation (at greater depth) of the SCC across Mission Creek. COMB desires to replace the SCC at Mission creek and the proposed stream channel improvements in one project.

Six additional SCC Creek crossings require investigation and probable repairs.



South Coast Conduit

Project Schedule

Completion of Environmental Studies: 2008
Engineering and Construction: 2008-2009

Project Budget

MC Planning:	\$20,000
MC Engineering:	\$500,000
MC Construction:	\$1,375,000
MC Temporary Easements:	\$50,000
MC Environmental Mitigation:	\$75,000
MC Contingency	\$300,000
Six SCC Crossings	\$1,500,000
Total Budget:	\$3,800,000

¹ Phase 2 Reliability Study for South Coast Conduit Upper Reach Tecolote Tunnel to Corona Del Mar WTP and Carpinteria Reach South Coast Conduit Booster Pump Station to Ortega Reservoir, DRAFT dated August 2006 (Cover dated September 2006), Boyle Engineering Corporation ref: VT-C32-102-05, Section 6.

² Reliability and Alternatives Study for the South Coast Conduit Carpinteria Reach Cater Booster Pump Station to the Ortega Reservoir, FINAL DRAFT dated April 2005, Boyle Engineering Corporation ref: VT-C32-102-03.

³ Highway 192 at Mission Creek Fish Passage Improvement Project, June 2007, by Questa Engineering Corporation, ref: 240100.

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 4 SCC In-Line Valve Installations

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. This pipeline is the primary source of water for the Goleta Water District, City of Santa Barbara, Montecito, Summerland and Carpinteria Valley areas. Prior to 2004 there was only one isolation valve along the SCC Carpinteria Reach (at approximately Sta. 598+44.) No redundant pipeline exists for conveyance of water supply when a section of the pipeline needs to be isolated for repair. In addition, dewatering this section of the SCC is



a lengthy process, greatly reducing its operational flexibility and reliability. Due to the age and the material from which it is constructed, the pipe is inherently difficult to repair or modify.

Two isolation valves have been installed since 2005 by the line stopping method. Line stopping is a process where a “hot tap” is performed on the pipe and a “plug” is installed through the tap to stop the flow. Two line stops are required to isolate a pipeline section. Temporary bypass piping is also required to allow flow to continue while temporarily isolating a section of the main pipeline. This

dual line stop with bypass piping is required in order to install an in-line valve while maintaining service in the SCC. It will be beneficial to install additional in-line isolation valves at four more locations currently anticipated to be located at:

384+00	Montecito Yard
495+00	Valley Club
700+00	Paredon Arroyo Valve
815+80	El Carro Park

Project Schedule

Completion of Environmental Studies: 2008
Engineering and Construction: 2008-2010

Project Budget

Planning:	\$25,000
Engineering:	\$350,000
Construction:	\$1,800,000
Environmental Mitigation:	\$50,000
Temporary Easements:	\$50,000
Contingency	\$325,000
Total Budget:	\$2,600,000

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 5 Lauro Reservoir, Barker Pass and Sheffield Tunnel Vent Improvements

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. In 2005, COMB retained Boyle Engineering Corporation (Boyle) to perform a Phase II Reliability Study for the SCC Upper Reach - Tecolote Tunnel to the Corona Del Mar Water Treatment Plant and Lower Reach - SCC Booster Pump Station to Ortega Reservoir. In that report, DRAFT dated September 2006, recommendations for the SCC between the SCC Booster Pump Station to Ortega Reservoir reach were made for design engineering tasks. Those tasks were intended to increase the flow in the SCC from 18 MGD to 24 MGD (as originally designed by the USBR).

The proposed vent structure improvements at Barker Pass (photo to the right), Sheffield Tunnel and Lauro Reservoir are intended to accommodate the refined hydraulic capacity, and surge suppression. In addition, the design modifications will address increased resistance to contamination for operation as a potable water line, and will reduce the potential for flooding damage to private property.



Project Schedule

Completion of Environmental Studies: None required (categorically exempt*)
Engineering and Construction: 2008 - 2009

Project Budget

Planning:	\$10,000
Engineering:	\$55,000
Construction:	\$375,000
Environmental Mitigation:	\$-0-
Contingency:	\$60,000
Total Budget:	\$500,000

*To be confirmed by COMB's environmental consultant

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 6 SCC Corrosion Repairs at Appurtenances

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. The pipeline was designed by the US Bureau of Reclamation in the early 1950's. Corrosion protection for the interior of the pipeline is cement mortar, except for the outlets on the Upper Reach of the SCC, which are un-lined. Recent inspections of portions of the Upper Reach have confirmed that the un-lined outlets are badly corroded. (Lateral 11 is illustrated.) Within the Upper Reach of the SCC, there are approximately 18 un-lined laterals, 30 manholes each with an un-lined 20-inch diameter manway and an unlined outlet for an air-release and vacuum-relief valve, and 33 manholes each with un-lined blowoffs (drains) and manways.



The risk of failure of these unprotected outlets is high. Repair consisting of removal of the tuberculation (rust products), welding new pipe sleeves, and then lining each outlet with cement mortar is necessary in order to maintain the reliability of the Goleta Reach of the South Coast Conduit. Supplemental steel reinforcement or replacement of the outlet may be necessary on a case-by-case basis. This work will require the SCC to be out of service periodically until each

outlet is rehabilitated.

Within the Carpinteria Reach of the SCC, there are approximately 32 manholes with air release valves, 26 manholes with blowoff assemblies and 43 turnouts. Most of the turnout valves are considered inoperable and the meters at the turnouts need maintenance.

Corrosion protection for the exterior of the SCC is cement mortar, except in the below-grade manholes and vaults, which is painted. Corrosion of the piping and equipment was evident in almost all of the below-grade manholes and vaults observed. In order to increase both the reliability and useful service life of these vital components of the South Coast Conduit, cleaning of the steel and recoating/painting is necessary. Corrective action may require piping and valve replacement in some, if not most of the locations.



<u>Project Schedule</u>	<u>Project Budget</u>	<u>Phase 1 High Priority</u>	<u>Phase 2 Lower Priority</u>
Completion of Environmental Studies: None Required (categorically exempt*)	Planning: Engineering: Construction:	\$25,000 \$150,000	\$-0- \$25,000
Engineering and Construction: 2008-2009	Upper Reach: Blowoffs: ARVs: Laterals/Meters: Lower Reach: Blowoffs: ARVs: Laterals/Meters: Environmental Mitigation: Contingency: Total Budget:	\$350,000 \$100,000 \$570,000 \$650,000 \$100,000 \$-0- \$130,000 \$2,075,000	\$-0- \$260,000 \$-0- \$-0- \$285,000 \$1,250,000 \$-0- \$120,000 \$1,940,000

*To be determined by COMB's environmental consultant.

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 7 SCC Modifications to Reduce Air-Binding

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. Air binding was identified in a letter report dated March 27, 2003 as the possible source of excessive head loss measured between the Sheffield Flow Control Station and the eastern portal of the Sheffield Tunnel. That recommendation was confirmed in a 2005 report⁴. Subsequent analysis has confirmed that the head loss is likely due to air-binding in a short down-sloping segment of pipe between the Flow Control Station and the adjacent dry creek. Near the calculated location of the air bubble is the existing blowoff with manway at Station 223+40 (photo). Addition of piping to the existing manway will include a combination air-and vacuum release valve and positive vault drainage.



Additionally, based on the hydraulic models developed for the SCC operations a surge analysis has been completed and part of the 2005¹ and 2006⁵ reports. Installation of air release and vacuum valves on the SCC in the tunnel is recommended.

Project Schedule

Completion of Environmental Studies: None required (categorically exempt*)
Engineering and Construction: 2008 - 2009

Project Budget

Planning:	\$-0-
Engineering:	\$15,000
Construction:	\$70,000
Environmental Mitigation:	\$-0-
Contingency	\$15,000
Total Budget:	\$100,000

*To be confirmed by COMB's environmental consultant.

⁴ "Phase II Reliability Study for the SCC Upper Reach - Tecolote Tunnel to the Corona Del Mar Water Treatment Plant and Lower Reach – SCC Booster Pump Station to Ortega Reservoir", Boyle Engineering Corporation, DRAFT dated September 2006.

⁵ Phase II.....

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 8 Glen Annie Weir Modifications



Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. The Tecolote Tunnel and the South Coast Conduit (SCC) were originally designed and built by the U.S. Bureau of Reclamation (USBR) in the 1950s for conveyance of approximately 65 million gallons per day (mgd) (100 cubic feet per second [cfs]) of unfiltered surface water. Due to a combination of issues (varying from the original design assumptions, limitations and age of original equipment, significant system modifications, and increased demands), the USBR design flow rates cannot be achieved⁶.

One of the limitations is the weir placed in the Glen Anne turnout to maintain adequate hydraulic head for the Goleta West Conduit. The Glen Annie Turnout structure was an original facility on the SCC. The weir in the structure was added in 1962 to serve the Goleta West Conduit. The water for the delivery

points downstream of the turnout flows over a fixed concrete weir that produces considerable turbulence. That turbulence reduces the amount of water during periods of peak demand that can continue to flow downstream. Reconstruction and reconfiguration of the weir to increase its length will improve reliability, reduce undesirable head loss, and facilitate maintenance of the turnout.

Project Schedule

Completion of Environmental Studies: None required (categorically exempt*)
Engineering and Construction: 2008

Project Budget

Planning:	\$-0-
Engineering:	\$20,000
Construction:	\$110,000
Environmental Mitigation:	\$-0-
Contingency:	\$20,000
Total Budget:	\$150,000

*To be confirmed by COMB's environmental consultant.

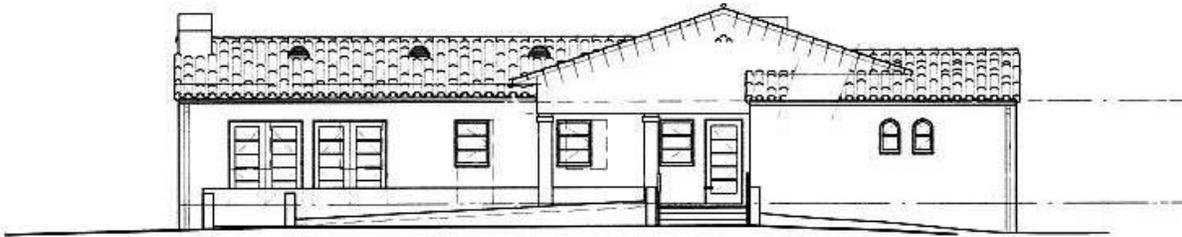
⁶ *Investigation and Engineering Study for South Coast Conduit Goleta and Carpinteria Sections*, Boyle Engineering Corporation, October 1999.

Cachuma Operation and Maintenance Board 2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 9 COMB Office Building Replacement

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. COMB Operations headquarters are located on Laurel Canyon Road in Santa Barbara. The office and board meeting room building was originally designed by and built for the U.S. Bureau of Reclamation (USBR) in the 1950s.



The structure was built on expansive soils and has experienced distress to the extent that foundation repairs were necessary in 1995. Plans were prepared in 2001 for the extension of the building to allow retirement of the temporary trailers now utilized for O&M and administrative staff. Recent damage probably accelerated by earthquakes and construction costs have rendered the proposed addition (as pictured) impractical. Replacement of the building is probably more cost effective at this time.

Project Schedule

Completion of Environmental Studies: 2008
Engineering and Construction: 2008 - 2010

Project Budget

Planning:	\$50,000
Engineering:	\$500,000
Construction:	\$2,500,000
Environmental Mitigation:	\$100,000
Contingency (15%):	\$475,000
Total Budget:	\$3,625,000

*To be confirmed by COMB's environmental consultant.

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 10 Reconfiguration Control Station Piping to Reduce HL

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. Installation of system modifications including the Glen Anne and Corona Del Mar turnouts have resulted in significantly different operation of the pipeline from original design assumptions. Engineering analyses^{7 8 9} of the hydraulic repercussions of these modifications indicate that the system reliability can be increased, and flow downstream can be increased with modifications to the piping at Ortega, Sheffield, and Lauro flow control facilities. These modifications will include removal of redundant valves and piping, as well as installation of hydraulically efficient meters and automated control valves.



Project Schedule

Completion of Environmental Studies: None required (categorically exempt*)
Engineering and Construction: 2008 - 2009

Project Budget

Planning:	\$10,000
Engineering:	\$90,000
Construction:	\$450,000
Environmental Mitigation:	\$-0-
Contingency 15%:	\$80,000
Total Budget:	\$630,000

*To be confirmed by COMB's environmental consultant.

⁷ *Investigation and Engineering Study for South Coast Conduit, Goleta and Carpinteria Sections*, Boyle Engineering Corporation, October 1999.

⁸ *Reliability and Alternatives Study for the South Coast Conduit Carpinteria Reach Cater Booster Pump Station to the Ortega Reservoir*, Boyle Engineering Corporation, FINAL DRAFT, April, 2005.

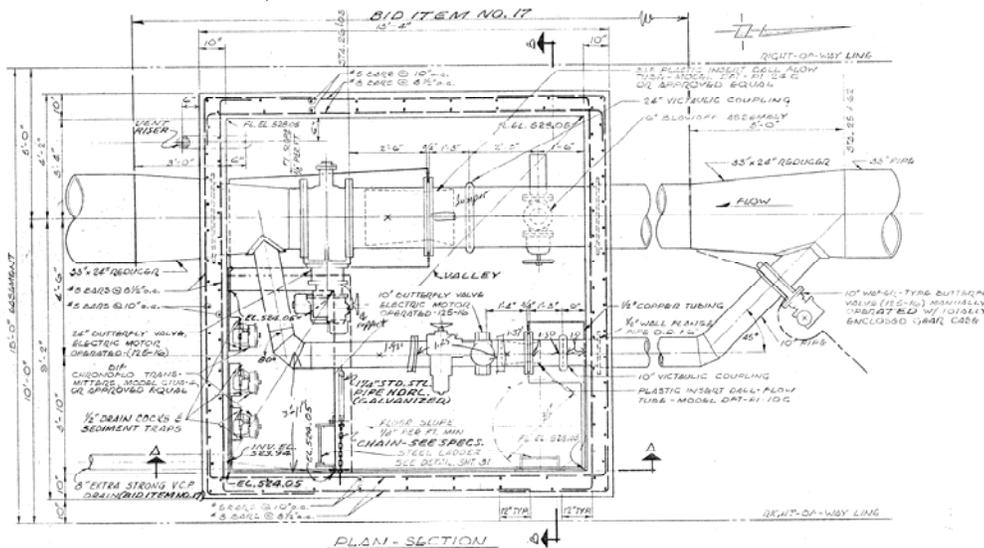
⁹ *Phase 2 Reliability Study for South Coast Conduit Upper Reach Tecolote Tunnel to Corona Del Mar WTP and Carpinteria Reach South Coast Conduit Booster Pump Station to Ortega Reservoir*, Boyle Engineering Corporation, DRAFT dated September, 2006.

Cachuma Operation and Maintenance Board 2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 11 Goleta West Meter Modifications

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the Lake Cachuma north portal to the Carpinteria Reservoir. The Glen Annie Turnout structure was constructed concurrent with the SCC. In 1962 a weir was constructed in the structure to serve the Goleta West Conduit. Deliveries to the Goleta West Conduit are metered utilizing a high-flow venturi meter and a low-flow venturi meter, as illustrated below.



Currently, the high-flow venturi meter is utilized to measure the flow in order to keep head loss low, but it barely reads the 3MGD average rate. A better approach is needed that also minimizes the head loss. Replacement of the two venturi meters with a single sonic-type meter will increase the system reliability, increase the accuracy of flow measurement, and reduce head loss.

Project Schedule

Completion of Environmental Studies: None required (categorically exempt*)
Engineering and Construction: 2008-2009

Project Budget

Planning:	\$-0-
Engineering:	\$25,000
Construction:	\$150,000
Environmental Mitigation:	\$-0-
Contingency:	\$25,000
Total Budget:	\$200,000

*To be confirmed by COMB's environmental consultant.

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 12 SCC Right-of-Way Definition Program



Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the Lake Cachuma north portal to the Carpinteria Reservoir. In previous studies^{10 11} it was noted that encroachment into the SCC pipeline easement is widespread. This program will implement the recommendations of those reports, with the intent to make the buried facility “open and notorious.”

Action required in order to maintain the reliability of the SCC are (1) Identify, locate, and label the pipeline. Survey and format for GIS. One of the few remaining post-style markers is shown on the right. Up to 400 pipeline markers may need to be placed at property lines and alignment changes along the pipeline. (2) Place encroaching landowners on notice to the effect that COMB has the right to maintain the government’s pipeline and that it may require the removal of the encroachment. There are approximately 150 properties

affected. (3) Clear the alignment where the pipeline is within US Government fee property. (4) Notify landowners to include COMB in the planning process for site improvements. (5) Develop and implement a Building Department coordination process to avoid additional encroachments. (6) Develop a policy to protect the SCC from adjacent utilities within the public right-of-way.

Project Schedule

Completion of Environmental Studies: None required (categorically exempt*)
Engineering and Construction: 2008-2010

Project Budget

Planning:	\$-0-
Engineering:	\$250,000
Surveys:	\$400,000
Construction:	\$150,000
Environmental Mitigation:	\$75,000
Contingency:	\$125,000
Total Budget:	\$1,000,000

*To be confirmed by COMB’s environmental consultant.



¹⁰ *Reliability and Alternatives Study for the South Coast Conduit Carpinteria Reach Cater Booster Pump Station to the Ortega Reservoir*, Boyle Engineering Corporation, FINAL DRAFT, April, 2005.

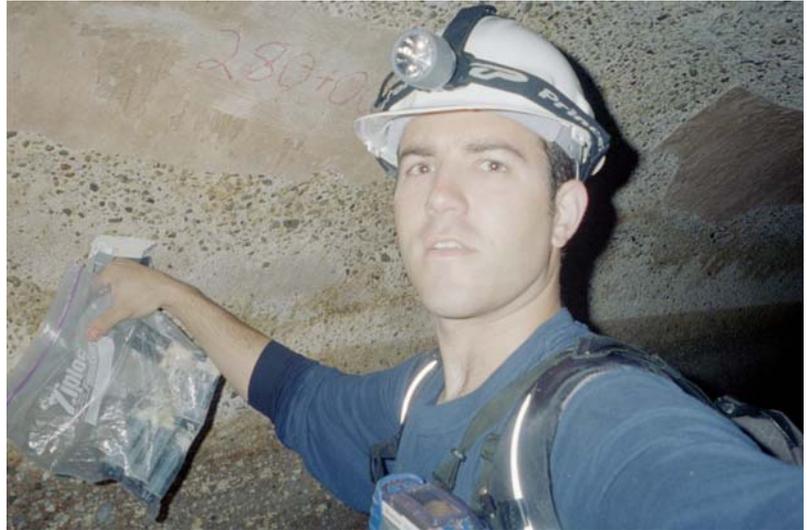
¹¹ *Phase 2 Reliability Study for South Coast Conduit Upper Reach Tecolote Tunnel to Corona Del Mar WTP and Carpinteria Reach South Coast Conduit Booster Pump Station to Ortega Reservoir*, Boyle Engineering Corporation, DRAFT dated September, 2006.

Cachuma Operation and Maintenance Board 2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 13 Investigation of Probable Repairs to the Tecolote Tunnel Lining

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. The Tecolote Tunnel connects the Lake Cachuma north portal to the South Coast Conduit. The tunnel was dewatered and inspected in 1978, 1981, 1987, 1993, 1999, and 2005. Most of the interior is in good condition, however, observed deterioration of the lining in limited areas has progressed to such an extent that repairs may be necessary to maintain the reliability of the South Coast Conduit.



The repair or rehabilitation will require engineering analyses and conceptual design in order to determine the program-level schedule and budget, as well as the extent of any environmental mitigation that may be required.

Project Schedule

Completion of Environmental Studies: To be determined (TBD) after study phase
Study Phase: 2008-2009

Study Phase Budget**

Planning Inspection:	\$25,000
Concept Engineering:	\$50,000
Contingency:	\$10,000
Total Study Phase Budget:	\$85,000

**Construction budget will be estimated as part of the study.

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 14 Investigation of Probable Rehabilitation of Lake Cachuma Intake Tower (Lower Gate Operability)



TECOLOTE TUNNEL

View from old Highway 150 looking west showing nearly completed intake structure. Installing of fish screens, cleanup and minor finishing remains to complete the structure. Carl M. Halvorson, Inc., and H. Halvorson, Inc., Specifications No. 2851.

SB-3271-R2

May 25, 1953

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. The Lake Cachuma north portal of the Tecolote tunnel is supplied from the intake tower in Lake Cachuma. The intake tower was constructed in 1953 with multiple gates (illustrated in the construction photo to the right.) Minimal maintenance activities have been allocated to this structure. The operation of the lower gates has become difficult. Because of submergence, the exact nature of the gate operability has not yet been ascertained, but could be the result of trapped debris or corrosion.

The decision to repair, rehabilitate or replace the gates will require engineering analyses and conceptual design in order to determine the program-level schedule and budget, as well as the extent of any environmental mitigation that may be required.

Project Schedule

Completion of Environmental Studies: To be determined (TBD) after the study phase
Study Phase: 2008-2009

Study Phase Project Budget**

Planning & Inspection:	\$25,000
Concept Engineering:	\$50,000
Contingency:	\$10,000
Total Study Phase Budget:	\$85,000

**Construction budget will be estimated as part of the study.

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 15 Investigation of Probable Rehabilitation of Elevator Shaft

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. The Lake Cachuma north portal of the Tecolote tunnel is supplied from the intake tower in Lake Cachuma. About 850 ft. from the intake tower, in the tunnel, is a jet flow valve which regulates the flow in the tunnel. Access to the valve chamber is via an elevator which descends from the control house. (The adjacent photo is actually taken from atop the lake intake.)

Water infiltration into the elevator shaft has become problematic. Action required in order to maintain the reliability of the SCC is to determine cause of that water infiltration, and determine the most appropriate means of remediating the infiltration.

The means to repair or rehabilitate the elevator will require field investigations, engineering analyses and conceptual design in order to determine the program-level schedule and budget, as well as the extent of any environmental mitigation that may be required.



Project Schedule

Completion of Environmental Studies: To be determined after the study phase.
Study Phase: 2008-2009

Study Phase Project Budget**

Planning:	\$5,000
Concept Engineering:	\$40,000
Contingency:	\$5,000
Total Budget:	\$50,000

**Construction budget will be estimated as part of the study.

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 16 Investigation of Probable Seismic Upgrade of Lake Cachuma Intake Tower

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. The Lake Cachuma north portal of the Tecolote tunnel is supplied from the intake tower in Lake Cachuma. The tower was designed by the US Bureau of Reclamation in the early 1950's. (The photo illustrates the tower in 1991.) Based upon the state of knowledge gained in the 57 years since it was first designed, the tower may be at-risk during a major seismic event.

Action required in order to maintain the reliability of the SCC is to structurally inspect and analyze the tower using modern codes and computer analyses. That will allow assessment of the level of risk attendant to the existing tower, and preparation of a conceptual design (if necessary.) That will then allow determination of the program-level schedule and budget, as well as the extent of any environmental mitigation that may be required to seismically upgrade that critical facility.

Project Schedule

Completion of Environmental Studies: To be determined after the study phase

Study Phase: 2008-2009

Study Phase Project Budget**

Planning & Investigation:	\$10,000
Concept Engineering:	\$75,000
Contingency:	\$15,000
Total Budget:	\$100,000



**Construction budget will be estimated as part of the study.

Cachuma Operation and Maintenance Board

2008 – 2010 Operations and Maintenance Reliability Program

Project Component No. 17 Investigation of Potential Sheffield Tunnel Pipe Replacement

Project Description

The Cachuma Operation and Maintenance Board (COMB) operates the South Coast Conduit (SCC) from the north portal of Lake Cachuma to the Carpinteria Reservoir. Previous studies identified flow limitations in the SCC system¹², some of which were due to the pressure class of pipe in the Sheffield tunnel¹³. Analyses of that pipe determined that most of the tunnel pipeline is not designed for any overstress due to increased flows or unanticipated surge events in the pipeline.

Another report¹⁴ included comparisons of different sizes of pipeline installed parallel to the existing and within the Sheffield tunnel. It is more appropriate to determine the feasibility of replacement of the pipe in order to enhance the reliability of that part of the SCC.

The replacement of the pipe within the Sheffield tunnel will require engineering analyses and conceptual design in order to determine the program-level schedule and budget, as well as the extent of any environmental mitigation that may be required.



Project Schedule

Completion of Environmental Studies: TBD after study phase
Study Phase: 2008-2009

Study Phase Project Budget**

Planning:	\$5,000
Concept Engineering:	\$40,000
Contingency:	\$5,000
Total Budget:	\$50,000

**Construction budget will be estimated as part of the study.

¹² *Investigation and Engineering Study for South Coast Conduit, Goleta and Carpinteria Sections*, Boyle Engineering Corporation, October 1999.

¹³ *Reliability and Alternatives Study for the South Coast Conduit Carpinteria Reach Cater Booster Pump Station to the Ortega Reservoir*, Boyle Engineering Corporation, FINAL DRAFT, April, 2005.

¹⁴ *Phase 2 Reliability Study for South Coast Conduit Upper Reach Tecolote Tunnel to Corona Del Mar WTP and Carpinteria Reach South Coast Conduit Booster Pump Station to Ortega Reservoir*, Boyle Engineering Corporation, DRAFT dated September, 2006.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT PARTICIPATION AGREEMENT WITH THE CACHUMA OPERATION AND MAINTENANCE BOARD AND AUTHORIZING ACTIONS TO FINANCE IMPROVEMENTS TO THE SOUTH COAST CONDUIT

WHEREAS, the City of Santa Barbara (the "City") is a charter city duly organized and existing under the Constitution and laws of the State of California;

WHEREAS, pursuant to the Ralph M. Brown Act constituting Chapter 9 of Part 1 of Division 2 of Title 5 (commencing with Section 54950) of the California Government Code this meeting was duly noticed;

WHEREAS, the City is a member of the Cachuma Operation and Maintenance Board ("COMB"); and

WHEREAS, the City has determined to enter into a Joint Participation Agreement to permit COMB to finance the acquisition and construction of certain improvements to the Cachuma Project (the "Project") which provides supplemental water to the City.

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

SECTION 1. Declaration of City Council. This City Council hereby specifically finds and declares that the actions authorized hereby constitute and are with respect to public affairs of the City, and that the statements, findings and determinations of the City set forth in the preambles above and of the documents approved herein are true and correct.

SECTION 2. Joint Participation Agreement. The form of Joint Participation Agreement, dated as of May 1, 2009, by and between the Authority and the City, presented to this meeting and on file with the City Clerk is hereby approved. The Mayor or Vice Mayor and the City Clerk are each hereby authorized and directed to execute, acknowledge and deliver said Joint Participation Agreement in substantially said form, with such changes therein as the City Attorney may require or approve, such approval to be conclusively evidenced by the execution and delivery thereof.

SECTION 3. City Information. The preparation and distribution of Appendix E to the Preliminary Official Statement, which contains information with respect to the City ("Appendix E"), presented to this meeting and on file with the City Clerk is hereby approved. The City Administrator of the City is hereby authorized to sign a certificate pursuant to Rule 15c2-12 promulgated under the Securities Exchange Act of 1934 (the

“Act”) relating to the Preliminary Official Statement. The Mayor or Vice Mayor or City Administrator of the City is hereby authorized and directed to execute and deliver a certificate required under Section 10(b)5 of the Act with respect to Appendix E contained in the final Official Statement.

SECTION 4. Further Actions. The Mayor, Vice Mayor and City Administrator are hereby authorized to do any and all things, including preparation and certification of information concerning the City for inclusion in Appendix E, and to execute and deliver any and all documents, which they may deem necessary or advisable in order to give effect to and comply with the terms and intent of this resolution or the Joint Participation Agreement.

SECTION 5. Effective Date. This resolution shall take effect immediately upon its passage.

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE

MEETING AGENDA

DATE: August 18, 2009
TIME: 12:30 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

ITEMS FOR CONSIDERATION

Subject: Amendments To Municipal Code Title 17 Regarding Waterfront Policies

Recommendation: That the Ordinance Committee recommend that City Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 17 Sections 17.20.005, 17.20.220, and 17.20.265 Pertaining to Operations at the Waterfront.



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: August 18, 2009

TO: Ordinance Committee

FROM: Operations Division, Waterfront Department

SUBJECT: Amendments To Municipal Code Title 17 Regarding Waterfront Policies

RECOMMENDATION:

That the Ordinance Committee recommend that City Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 17 Sections 17.20.005, 17.20.220, and 17.20.265 Pertaining to Operations at the Waterfront.

EXECUTIVE SUMMARY:

Department staff annually reviews Title 17 of the Santa Barbara Municipal Code to ensure that it accurately and adequately describes policies and procedures utilized to administer Waterfront affairs and provides the legal framework for doing so. Staff works with the City Attorney's Office to identify Title 17 Sections it believes should be added, deleted or amended. This report identifies three substantive amendments proposed for Title 17. Proposed revisions also clarify minor items. Harbor Commission reviewed the proposed Title 17 changes on May 21, 2009, voting unanimously to forward them for your review and City Council adoption.

DISCUSSION:

- 1. Vessel Partnerships.** The Department has long required that slip permits be issued to individuals. Vessels assigned to slips may, however, be owned by many different types of entities. In recent years, an increasing number of vessels are owned by complex partnership, trust and corporate structures. Municipal Code Section 17.20.005 (B) 2 (b) was previously revised to require that if an entity, and not an individual, owned a vessel, the entity was obligated to demonstrate that the named slip permittee also had the authority to legally bind the vessel's ownership entity.

The vessel's ownership entity was not required to notify the Department when a change in the make-up of the ownership entity occurred. To correct this situation so that the Department is notified when a change in the ownership structure occurs, language has been added to Section 17.20.005 (D) 1 requiring that vessel owners

notify the Department when a sale or transfer of an interest in a vessel occurs. With this notification, the Department will be able to ensure that the proper legal connection between vessel owners and slip permittees exists and, for administrative purposes, to accurately match vessel owners to slip permittees.

Formerly, vessel owners were only required to notify the Department about an ownership change when the change precipitated a slip transfer. The new language will require notification to the Department whether a slip transfer is triggered by the change or not.

2. **Impound and Relocation of Vessels.** MC 17.20.220 (A) allows the Waterfront Director to impound and relocate an illegally moored, docked or berthed vessel to any location in the Harbor District (City Waters). Finding suitable locations to store impounded vessels, especially those vessels removed from the water, has proven difficult as the storage can impede normal harbor operations by taking up space at vital facilities like the Waterfront Maintenance Yard. In addition, staff has encountered persistent problems with owners of impounded vessels illegally accessing vessels stored in the Harbor District. Proposed language would allow the Waterfront Director the discretion to store an impounded vessel at a location of his/her choosing. This would alleviate operational impediments and illegal access problems described above until all legal and financial issues related to the impound and storage of the vessel are resolved and the vessel is returned to its owner. The draft Ordinance also includes language affording the owner of an impounded vessel the opportunity to request and receive a hearing to determine the validity of the storage.
3. **Anchoring Vessels Within Waters of Harbor District Not Designated as Seasonal or Year-Round Anchorage.** MC 17.20.265 A (2) prohibits anchoring in Harbor District waters that lie outside the boundaries of the Seasonal and Year-Round anchorages between sunset and sunrise. The purpose of this prohibition is safety and environmental concerns from vessels anchoring or drifting outside designated anchorage areas. Because this provision does not specifically address the 300' strip of water between the western boundary of the Seasonal Anchorage and Stearns Wharf during daylight hours (posing threats to the Wharf and Mission Creek), a new provision has been added to prohibit anchoring in this area during any time of day or night, without prior permission of the Waterfront Director.

CONCLUSION

Adoption of the proposed Title 17 amendments will help clarify the Code in ways consistent with its intent and with the fair and comprehensive administration of Waterfront affairs. Pending a favorable recommendation from the Ordinance Committee, staff will present the proposed Ordinance to the City Council for introduction and adoption.

Council Agenda Report
Amendments to Municipal Code Title 17 Regarding Waterfront Policies
August 18, 2009
Page 3

ATTACHMENT: Draft Ordinance

PREPARED BY: Mick Kronman, Harbor Operations Manager

SUBMITTED BY: John N. Bridley, Waterfront Director

APPROVED BY: City Administrator's Office

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING TITLE 17 SECTIONS 17.20.005, 17.20.220 AND 17.20.265 PERTAINING TO OPERATIONS AT THE WATERFRONT.

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

SECTION 1. Section 17.20.005 D, Section 17.20.005 E, Section 17.20.220 and Section 17.20.265 of Title 17 of the Santa Barbara Municipal Code are amended to read as follows:

17.20.005 Slip Assignment Policy.

D. TRANSFER OF SLIP PERMITS.

1. Procedure. The permittee of a Slip may transfer the Slip Permit to ~~the~~ a new or changed vessel owner upon the sale or transfer of an equity ownership interest in ~~of~~ a vessel if all the following conditions are met:

a. A written application for the transfer of a Slip Permit is filed within fifteen (15) days after the sale or transfer of the equity ownership interest in ~~of~~ the vessel.

b. The slip permittee shall notify the Waterfront Department in writing within fifteen days of the sale or transfer of an equity ownership interest, whether in whole or in part, of a vessel to an individual, entity, non-profit or governmental agency and specify if the Slip Permit is to be transferred or retained by the permittee.

c. Every permittee must supply proof of ownership of a permitted vessel pursuant to the requirements of Section

17.20.005.B.2 within fifteen (15) days of any change, in whole or in part, in the equity ownership of the vessel.

d. The Transfer Fee or waiting list Transfer Fee and all other fees and deposits are paid in full within fifteen (15) days after the sale or transfer of interest, in whole or in part, of the vessel.

ee. The owner must bring an Operable vessel to the Administration Dock for verification of length. If the vessel is not operable, the Waterfront Director may waive these requirements for not more than ninety (90) days for the purpose of repair.

~~d. The slip permittee shall notify the Waterfront Department in writing within fifteen days upon the sale of his/her vessel and specify if the Slip Permit is to be transferred or retained by the permittee.~~

~~e. Every permittee must supply proof of ownership of a permitted vessel pursuant to the requirements of Section 17.20.005.B.2.~~

f. A slip permittee must be in good standing with the Waterfront Department at the time that the Slip Permit transfer application is submitted to the Waterfront Department. A slip permittee is in good standing with the Waterfront Department if, at the time of submittal of the Slip Permit transfer application, both of the following are true and correct: (i) all fees or charges owed to the Waterfront Department by the slip permittee have been paid in full and, (ii) the Waterfront Department has not issued a written notice to terminate the Slip Permit, whether

such notice of termination has been received by the slip permittee or not.

2. Death of Slip Permittee.

a. Death of Sole Slip Permittee.

(1) **No Transfer of Slip Permit After Death.** No Slip Permit may be transferred after the death of a sole slip permittee.

(2) **Notification of Death.** Not later than thirty (30) days after the date established on the death certificate as the date of death of the slip permittee, the administrator or executor of the estate of the slip permittee shall notify the Waterfront Department in writing of the death. If such notification is not received by the Waterfront Department within thirty (30) days of the date shown on the death certificate as the date of death, the Slip Permit shall be deemed to be terminated sixty (60) days after such date. Upon termination of the Slip Permit, permission to berth shall be denied by the Waterfront Director, and the administrator or executor of the estate of the deceased slip permittee shall remove the vessel from the Harbor District immediately. Failure to immediately remove the vessel from the Harbor may, at the option of the Waterfront Director, result in the assessment of visitor fees at the visitor fee rate then in effect.

(3) **Removal of Vessel.** If notification of death as required in Section 17.20.005.D.2 herein is received by the Waterfront Department, the estate of the deceased slip permittee may have a period of time not exceeding one hundred and twenty

(120) days after the date established on the death certificate as the date of death of the slip permittee to remove the vessel from the Slip. All regular Slip Fees are due and payable by the estate during this period.

b. Death of Slip Permittee with Spouse or Registered Domestic Partner at Time of Death.

(1) **Assignment of Slip Permit After Death.** Subject to compliance with the requirements below, a Slip Permit may be assigned to the surviving spouse or domestic partner (registered with the City Clerk in accordance with Chapter 9.135 of the Santa Barbara Municipal Code) of a slip permittee after the death of the slip permittee.

(2) **Notification of Death.** Not later than thirty (30) days after the date established on the death certificate as the date of death of the slip permittee, the administrator or executor of the estate of the slip permittee or the slip permittee's surviving spouse or registered domestic partner shall notify the Waterfront Department in writing of the death of the slip permittee. The notification to the Waterfront Department shall also state whether the spouse or legally registered domestic partner seeks assignment of the Slip Permit.

Assignment of the Slip Permit to the surviving spouse or registered domestic partner will be approved by the Waterfront Director only if (i) the surviving spouse or registered domestic partner can satisfactorily demonstrate an equity ownership interest in the vessel as provided in Section 17.20.005.B herein, and (ii) either proof of marriage to the slip permittee at the

time of the slip permittee's death is provided to the Waterfront Department or proof of registration on the domestic partnership list as the slip permittee's domestic partner at the time of the slip permittee's death is provided to the Waterfront Department. If notification is not received by the Waterfront Department within thirty (30) days after the date established on the death certificate as the date of death of the slip permittee, or the surviving spouse or legally registered domestic partner does not qualify for assignment of the Slip Permit, the Slip Permit shall be deemed to be terminated sixty (60) days after the date established on the death certificate as the date of death of the slip permittee. Upon termination of the Slip Permit, permission to berth shall be denied by the Waterfront Director and the surviving spouse, registered domestic partner or estate of the deceased slip permittee shall remove the vessel from the Harbor District immediately. Failure to immediately remove the vessel from the Harbor may, at the option of the Waterfront Director, result in the assessment of visitor fees at the visitor fee rate then in effect.

(3) Removal of Vessel. If notification of death as required in Section 17.20.005.D.2 herein is received by the Waterfront Department and the slip permittee's surviving spouse or registered domestic partner does not seek assignment of the Slip Permit, or does not qualify for assignment as provided herein, the estate of the deceased slip permittee, surviving spouse or registered domestic partner shall have a period of time not exceeding one hundred and twenty (120) days after the date

established on the death certificate as the date of death of the slip permittee to remove the vessel from the Slip. All regular Slip Fees are due and payable by the surviving spouse, registered domestic partner or estate of the deceased slip permittee during this period.

c. Death of Slip Permittee with Multiple Slip Permit Partners.

(1) **Slip Permit Remains Valid.** Upon the death of one of the slip permittee partners, subject to compliance with the requirements herein, a Slip Permit held by multiple Slip Permit partners remains valid in the names of the remaining Slip Permit partners.

(2) **Notification of Death.** Not later than thirty (30) days after the date established on the death certificate as the date of death of the slip permittee, either the administrator or executor of the estate of the deceased slip permittee or the deceased slip permittee's surviving spouse or registered domestic partner or one of the remaining Slip Permit partners shall notify the Waterfront Department in writing of the death of the slip permittee. Such notification shall also state whether the spouse or registered domestic partner seeks assignment of the Slip Permit in the deceased slip permittee's partnership position or not. To become a Slip Permit partner, the surviving spouse or registered domestic partner must satisfy the requirements set forth in Section 17.20.005.D.2 b(2).

~~E. PARTNERSHIPS.~~

~~1. Notification. The Waterfront Department need not be~~

~~notified of partnership agreements in vessels unless the original permittee requests to include the partner(s) on the slip permit.~~

~~In the event of addition of a name to a slip permit, a slip transfer fee or waiting list transfer fee will be assessed.~~

~~2. Proof. Proof of vessel partnership in the form of a State vessel registration, Federal documentation or a notarized bill of sale will be required before a slip permit is issued. If proof of vessel ownership is a notarized bill of sale, final registration documents must be provided to the Waterfront Department within ninety (90) days of the submittal of the application to transfer the slip permit.~~

17.20.220 Impound and Relocation of Vessels.

A. IMPOUND AND RELOCATION OF VESSELS BERTHED, DOCKED, MOORED OR ANCHORED IN THE HARBOR DISTRICT IN VIOLATION OF THE SANTA BARBARA MUNICIPAL CODE ~~WITHOUT WATERFRONT DIRECTOR PERMISSION~~. A vessel

berthed, docked, moored or anchored in the Harbor District ~~without Waterfront Director permission~~ in violation of the Santa Barbara Municipal Code may be impounded in its location, including a dock, pier, slip, wharf or open ocean of the Harbor District, or may be impounded, relocated and ~~impounded~~ stored in another location ~~area in the Harbor District~~ designated by the Waterfront Director.

B. IMPOUND AND RELOCATION OF VESSELS FOR DELINQUENT FEES. A vessel whose owner is delinquent on the payment of Slip or other fees to the Waterfront Department may be impounded in its

location, including a dock, pier, slip, wharf or open ocean of the Harbor District, or may be impounded, relocated and stored ~~impounded~~ in another location designated by the Waterfront Director.

C. PAYMENT OF IMPOUND FEE. The owner of any vessel impounded under either section A or B of this section, whether relocated and stored or not, shall pay an impound fee established by Resolution of the City Council, in addition to any storage or delinquent fees, to the Waterfront Director prior to release of the vessel.

D. NOTICE OF STORAGE AND HEARING. Whenever the Waterfront Department impounds and stores a vessel as permitted by this Section, the Waterfront Department shall provide the vessel's registered owner(s) of record, with the opportunity for a poststorage hearing to determine the validity of the storage.

1. Notice of Storage. Notice of the storage shall be mailed or personally delivered to the registered owner(s) within 48 hours, excluding weekends and holidays, and shall include the following information:

a. The name, address, and telephone number of the Waterfront Department.

b. The location of the place of storage and description of the vessel.

c. The authority and purpose for the impound and storage of the vessel.

d. A statement that, in order to receive the poststorage hearing, the owner(s) shall request the hearing in person or in

writing within ten (10) days of the date appearing on the notice.

2. Poststorage Hearing. The poststorage hearing shall be conducted within 48 hours of the receipt of the request for the hearing by the Waterfront Department, excluding weekends and holidays. The City may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who directed the storage of the vessel.

3. Failure to Request or Attend Hearing. The failure of the registered owner(s) to request or to attend a scheduled hearing shall satisfy the poststorage hearing requirement.

4. Finality of Hearing and Return of Fees. The Waterfront Department shall return to the registered owner(s) of the vessel all impound and storage fees paid by the owner if it is determined by the hearing officer that reasonable grounds for the storage of the vessel are not established. The decision of the hearing officer after the poststorage hearing shall be final.

17.20.265 Anchoring Vessels Within Waters of Harbor District Not Designated as Seasonal or Year-Round Anchorage.

A. UNLAWFUL ANCHORING.

1. Consent of Waterfront Director Required to Anchor Vessels in Harbor. It shall be unlawful to Anchor a vessel in the waters of the Harbor at any time without the consent of the Waterfront Director.

2. No Anchoring in Harbor District Except as Provided Herein. It shall be unlawful to Anchor a vessel in waters of the Harbor District between the sunset and the sunrise, ~~other than~~ except the Seasonal and Year-Round Anchorages as ~~those~~ delineated

on the reference map attached as Exhibit "A" to Chapter 17.20 ~~as the Seasonal or Year Round Anchorages, between sunset and sunrise~~, without ~~express~~ prior permission of the Waterfront Director.

3. No Anchoring in Harbor District at Any Time. It shall be unlawful to Anchor a vessel in the waters of the Harbor District at any time of the day or night in the area located between the eastern edge of Stearns Wharf and a line connecting Boundary A and Boundary B on the western edge of the Seasonal Anchorage as depicted on the reference map attached as Exhibit "A" to Chapter 17.20 without the prior permission of the Waterfront Director.

B. ANCHORED VESSELS MUST BE OPERABLE. Vessels Anchoring in any area of the Harbor District must be continuously maintained as Operable vessels. It shall be unlawful to Anchor a vessel in any area of the Harbor District that is not Operable.

C. UNLAWFUL MOORING AND ANCHORING. It shall be unlawful to Moor a vessel at any time or to leave Anchoring Equipment unattended without an attached vessel in the waters of the Harbor District not designated as Seasonal, Year-round or the Santa Barbara Mooring Area.

D. CITY REMOVAL OF MOORING OR ANCHORING EQUIPMENT. Any unlawfully placed Mooring or abandoned Anchoring Equipment may be removed by the city and sold or otherwise disposed of by the City as abandoned property. In addition to any fees incurred pursuant to Section 17.20.265 C, the City may recover the costs of

removal, storage, or disposal of the Mooring or Anchoring
Equipment from the vessel's owner



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 18, 2009

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction Of The Santa Barbara Airport Water System Upgrade Project

RECOMMENDATION: That Council:

- A. Award and authorize the Public Works Director to execute a contract with V. Lopez Jr. & Sons, Inc. (Lopez), in their low bid amount of \$310,488, for construction of the Santa Barbara Airport Water System Upgrade Project (Project), Bid No. 3581, and authorize the Public Works Director to approve expenditures up to \$31,500 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;
- B. Authorize the Public Works Director to execute a contract with Larry C. Falberg, Civil Engineer (Falberg), in the amount of \$24,000 for construction inspection, and authorize the Public Works Director to approve expenditures of up to \$2,400 for extra services of Falberg that may result from necessary changes in the scope of work; and
- C. Authorize the General Services Manager to issue a Purchase Order to Penfield & Smith (P&S), in the amount of \$16,090, for construction support services, including setting survey line and grade, answering Requests for Information, and reviewing product submittals, and authorize the General Services Manager to approve expenditures of up to \$2,000 for extra services of P&S that may result from necessary changes in the scope of work.

DISCUSSION:

PROJECT DESCRIPTION

Water distribution systems typically involve a series of pipelines that are networked together to provide a "looped" system. This type of network system allows for any

particular point within the network to be fed from multiple locations. This is advantageous as fire hydrant flows are improved and service reliability is increased.

The southern area of the Airport's water distribution system is served by a single 7,000 foot long waterline. The single feed configuration limits service reliability and does not optimize fire hydrant flows. This Project would install a secondary waterline feed to the southern area of the Airport's water distribution system; thus improving fire flows in the area and system reliability.

CONTRACT BIDS

A total of nineteen bids were received for the subject work.

	BIDDER	BID AMOUNT
1.	V. Lopez Jr. & Sons, Inc. Santa Maria	\$310,488
2.	Aleco Corporation, Bakersfield	\$317,644
3.	John Madonna Construction, San Luis Obispo	\$319,908
4.	Tierra Contracting, Santa Barbara	\$331,156
5.	Hanley General Engineering, Santa Ynez	\$333,458
6.	Brough Construction, Arroyo Grande	\$337,347
7.	D-Kal Engineering, San Luis Obispo	\$348,685
8.	Lash Construction, Santa Barbara	\$369,667
9.	Specialty Construction, San Luis Obispo	\$375,123
10.	Whitaker, Paso Robles	\$392,768
11.	Spiess Construction, Santa Maria	\$394,480
12.	B.V. Construction, Palmdale	\$419,042
13.	Newton Construction, San Luis Obispo	\$490,716
14.	Majich Bros., Inc., Altadena	\$496,380
15.	R. Burke Corp, San Luis Obispo	\$499,846
16.	Toro Enterprises, Oxnard	\$506,210
17.	Blois Construction, Oxnard	\$568,842
18.	Aguilera Bros. Construction, Santa Paula	\$608,996
19.	Cedro Construction, Santa Paula	\$691,978

The low bid of \$310,488, submitted by Lopez, is an acceptable bid that is responsive to and meets the requirements of the bid specifications. The change order funding recommendation of \$31,500, or 10%, is typical for this type of work and size of project.

CONSTRUCTION PHASE CONTRACT SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Falberg in the amount of \$24,000 for construction inspection services, and P&S in the amount of \$16,090 for construction staking, submittal review, responding to contractor requests for information, and preparation of record drawings.

FUNDING

This Project is funded by the Airport 2009 Bond Issue. There are sufficient funds budgeted to cover the cost of this Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Lopez	\$310,488	\$31,500	\$341,988
Falberg	\$24,000	2,400	\$26,400
P&S	\$16,090	\$2,000	\$18,090
TOTAL RECOMMENDED AUTHORIZATION			\$386,478

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

ESTIMATED TOTAL PROJECT COST

Design by P&S	\$33,480
Other Design Costs - City staff	\$15,624
Subtotal	\$49,104
Construction Contract	\$310,488
Construction Change Order Allowance	\$31,500
Construction Inspection	\$26,400
Construction Survey	\$18,090
Subtotal	\$386,478
TOTAL PROJECT COST	\$435,582

PREPARED BY: Owen Thomas, Principal Engineer/LR/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. 530.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 18, 2009

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction Of The Marilla Avenue Sidewalk Infill Project

RECOMMENDATION:

That Council award and authorize the Public Works Director to execute a contract with Aguilera Brothers Construction, Inc. (Aguilera), in their low bid amount of \$105,045 for construction of the Marilla Avenue Sidewalk Infill Project (Project), Bid No. 3572, and authorize the Public Works Director to approve expenditures up to \$10,500 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 to file all Notices of Completion with the County Clerk-Recorder's Office.

DISCUSSION:

PROJECT DESCRIPTION

This Project consists of constructing new sidewalk, access ramps, curbs and gutters, and landscaping on the northeasterly side of Marilla Avenue between West Canon Perdido Street and West De La Guerra Street. The Project also includes installation of three new access ramps at the adjacent intersection of West Canon Perdido Street and San Andres Street. Once constructed, this Project will provide a continuous link to the upcoming Loma Alta Hill Sidewalk Project and the neighborhoods in the vicinity of Marilla Avenue.

CONTRACT BIDS

A total of 15 bids were received for the subject work, ranging as follows:

	BIDDER	BID AMOUNT
1.	Aguilera Brothers Construction, Inc. Santa Paula, CA	\$105,045.00
2.	Brough Construction Arroyo Grande, CA	\$109,344.00
3.	G. Sosa Construction, Inc. Santa Maria, CA	\$112,700.00
4.	John Madonna Construction, Inc. San Luis Obispo, CA	\$113,319.00*
5.	Santa Barbara Plumbing Co., Inc. Carpinteria, CA	\$113,400.00
6.	R. W. Scott Construction Co., Inc. Orcutt, CA	\$113,701.40
7.	Berry General Engineering Ventura, CA	\$119,465.00
8.	United Shotcrete, Inc. Castaic, CA	\$119,862.00
9.	Bob Trautz Land Development, Inc. Santa Barbara, CA	\$123,385.50*
10.	Mendez Concrete, Inc. Santa Paula, CA	\$125,309.10
11.	Granite Construction, Inc. Watsonville, CA	\$126,135.00
12.	Shaw Contracting, Inc. Carpinteria, CA	\$126,625.00
13.	Tierra Contracting Goleta, CA	\$136,950.00
14.	Lash Construction, Inc. Santa Barbara, CA	\$142,685.00
15.	R. Burke Corporation San Luis Obispo, CA	\$160,080.00

* *corrected bid total*

The low bid of \$105,045, submitted by Aguilera, is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$10,500, or 10%, is typical for this type of work and size of project.

FUNDING

This Project is funded by Measure D and Transportation Development Act revenue. There are sufficient funds in the Streets Capital Fund to cover the cost of this Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Construction Cost	\$105,045	\$10,500	\$115,545
TOTAL RECOMMENDED AUTHORIZATION			\$115,545

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

ESTIMATED TOTAL PROJECT COST

Design by City staff	\$40,203
Construction Contract	\$105,045
Construction Change Order Allowance	\$10,500
Subtotal	\$115,545
Other Construction Costs (testing, etc.)	\$2,500
Construction Management/Inspection (by City Staff)	\$25,500
Subtotal	\$28,000
TOTAL PROJECT COST	\$183,748

PREPARED BY: Joshua Haggmark, Principal Civil Engineer/MK/mj

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 18, 2009
TO: Mayor and Councilmembers
FROM: Engineering Division, Public Works Department
SUBJECT: Rejection Of Loma Alta Hill Sidewalk Project Bids

RECOMMENDATION:

That Council reject all bids for construction of the Loma Alta Hill Sidewalk Project (Project), and direct staff to re-bid the Project.

DISCUSSION:

PROJECT DESCRIPTION

The Project is located along the northeast side of Loma Alta Drive between Coronel Street and Canon Perdido Street. The work consists of construction of sidewalk and lighting, linking two portions of the City where no pedestrian facilities currently exist. Sidewalk will provide pedestrian passage from the west side to the Mesa, beaches, City College, and residential areas to the east.

CONTRACT BIDS

A total of 14 bids were received on July 2, 2009, for the subject work, ranging as follows:

	BIDDER	BID AMOUNT
1.	V. Lopez Jr. and Sons, Inc. Santa Maria, CA	\$453,223.30
2.	Lash Construction, Inc. Santa Barbara, CA	\$493,566.00
3.	John Madonna Construction, Inc. San Luis Obispo, CA	\$494,520.00

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Rejection of Loma Alta Hill Sidewalk Project Bids
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4.	Granite Construction Company, Inc. Watsonville, CA	\$504,948.00
5.	Pave West, Inc. La Habra, CA	\$512,095.00
6.	Elevation General Engineering, Inc. Santa Maria, CA	\$516,744.00
7.	Brough Construction, Inc. Arroyo Grande, CA	\$543,038.00
8.	Toro General Engineering, Inc. Oxnard, CA	\$553,962.00
9.	C.A. Rasmussen, Inc. Valencia, CA	\$572,028.00
10.	R. Burke Corporation San Luis Obispo, CA	\$574,078.00
11.	C. S. Legacy Construction, Inc. Chino, CA	\$651,203.00
12.	Mendez Concrete, Inc. Santa Paula, CA	\$671,044.46
13.	Whitaker Construction, Inc. Paso Robles, CA	\$747,925.00
14.	Kat Construction, Inc Sacramento, CA	\$798,707.00

Staff reviewed the bids and determined that the apparent low bidder, V. Lopez Jr. and Sons, Inc. had failed to include a Federal form concerning "Disadvantaged Businesses" ("DBES") required to consider the bid responsive. This requirement is part of a new Federal Program for the Underutilized Disadvantaged Business Entrepreneur policy. After further evaluation, 8 of the 14 bids also did not comply with this requirement. Although staff clearly identified these forms on Page 1 in the Notice to Contractors, staff feels it prudent and fair to all parties to simply re-bid the Project and to return to Council for an award of the contract in a few weeks.

FUNDING

This Project is funded by Federal Transportation Improvement Program with a minor portion of City matching funds. There are sufficient funds in the Streets Capital Fund to cover the cost of this Project.

PREPARED BY: Joshua Haggmark, Principal Civil Engineer/TC

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 18, 2009

TO: Mayor and Councilmembers

FROM: City Attorney's Office

SUBJECT: Regulation Of Aggressive Panhandling

RECOMMENDATION:

That the City Council introduce and subsequently adopt, reading by title only, An Ordinance of the Council of the City of Santa Barbara Amending Title Nine of the Santa Barbara Municipal Code to Enact a Revised Ordinance Prohibiting Abusive Panhandling by Amending and Revising Santa Barbara Municipal Code Chapter 9.50.

DISCUSSION:

During its public hearings and deliberations in the Fall of 2008, the Council's "Subcommittee on Homelessness and Community Relations" identified a possible need for the City to revise the Santa Barbara Municipal Code restrictions on "Aggressive Solicitations" currently codified as SBMC Chapter 9.50 and originally enacted in 1992.

According to the public testimony received by the Council Subcommittee during its hearings, there is public concern over an apparent change in the ways that certain individuals are panhandling in Santa Barbara, particularly along State Street and in the Waterfront. This experience is also consistent with that of other similarly situated California communities, especially beach cities with a strong retail and tourism industry. The concerns expressed indicate that the City's existing "aggressive solicitations" ordinance (SBMC Chapter 9.50) is proving to be of limited usefulness in addressing the aggressive panhandling actions, which are now common, particularly in dealing with the increased number of panhandlers along State Street.

For the most part, as currently written, SBMC Chapter 9.50 only prohibits "solicitations" or panhandling under those circumstances where the panhandler appears to be virtually threatening the person being solicited with potential physical contact. Yet, in recent months, a more common occurrence seems to be the use of verbal hectoring or offensive language by some panhandling individuals. At times, this hectoring is done in combination with other actions where the panhandler is also violating what most people would consider their "personal space" or blocking a person's ability to use the sidewalk for its intended purpose. Further, some of our more popular retail and visitor areas of the State Street, such as those blocks where sidewalk dining is popular, seem to be

experiencing a distinct increase in efforts to panhandle from individuals who are in a “captive” situation, i.e., from persons eating at an outdoor restaurant table or from people waiting to enter a movie theater. Finally, the City also seems to be seeing more instances of panhandlers monopolizing the use of public street furniture such as benches, planters, and fountains for long periods of time and, while doing so, verbally and aggressively panhandling from virtually every person who walks by.

As a result, with the Subcommittee’s recommendation to the Council, the City Council asked the City Attorney’s office to work with the Council Ordinance Committee to prepare a revised “abusive panhandling” ordinance along the lines recently enacted by some other California cities experiencing similar problems, such as the city of Santa Monica and the city of Santa Cruz. Attached is a proposed new version of SBMC Chapter 9.50 intended to adopt revised and broader City regulations restricting the sort of conduct which has come to be called “abusive panhandling,” particularly when the conduct occurs within certain popular and, at times, crowded areas of State Street, lower Milpas Street, or Cabrillo Boulevard. These proposed new regulations would be very similar to the approach taken by Santa Monica in enacting amendments to their Municipal Code in the fall of 2008 applicable to Santa Monica’s Third Street Mall area.

The previous versions of this proposed ordinance was considered at length by the Ordinance Committee on May 5, 2009 and on June 23, 2009. In particular, there was an extended Committee discussion of some of the First Amendment constitutional concerns raised by this proposed ordinance. As you may know, “soliciting” for charity or alms is generally deemed a manner of “speech” protected by the First Amendment. The same is true for what is commonly known as “panhandling.” In some forms, this “speech” is absolutely protected and, in others (such as when it is joined with certain types of conduct or actions), it is protected only within the context of permissible reasonable time, place, and manner restrictions, particularly for restrictions relating only to the “conduct” but not impacting the content of the “speech,” especially when the restrictions appear to leave open ample alternative opportunities for this type of First Amendment expression.

During the May 5th Committee hearing, the Council Ordinance Committee expressed a consensus that the draft ordinance should be revised to better define the concepts of “passive” and “active” panhandling and to expressly delineate those two concepts from what is defined as “abusive panhandling” – something which is prohibited by the proposed ordinance under all circumstances and which is declared a misdemeanor. Based on the Committee’s review of June 23rd, the attached draft contains the sort of clearer definition the Committee was hoping for while still appropriately protecting constitutional concerns. Further, as before, the attached draft ordinance attempts to be clear that the definition of the term “panhandling” does not include restrictions on a person who only seeks donations non-verbally and without addressing his or her solicitation to any specific person. Thus, this ordinance would provide that any person who is begging or panhandling without making verbal requests or without direct demands (such as by only holding a sign or by playing music and without a statement directed at a particular person) would not be violating any City laws. This ordinance

also does not restrict someone who merely sits on a public bench and only holds a sign asking for alms or donations.

On February 23, 2009, the City Council approved all 12 of the Council Subcommittee's recommended strategies – of which this proposed ordinance is but one – with the understanding that these strategies would proceed through the necessary public review process and, thereafter, be implemented to the extent possible on a generally concurrent schedule. In particular, however, the Subcommittee recommended initially and, in February of this year, the Council as a whole expressed a desire to link the implementation of a new City aggressive panhandling ordinance with a possible “alternative giving” campaign intended to allow the general public to give money directly to a City co-sponsored effort to assist the homeless through the use of public donation boxes, possibly along State Street sidewalks or within merchant and restaurant customer service areas. City staff is currently working with several local organizations to determine the feasibility of such a charitable giving campaign and how it could be effectively and promptly implemented.

However, in view of the pending implementation of this campaign and in light of the Council decision to directly link the City's adoption of a new panhandling ordinance with the start of this campaign, at the June 23rd consideration of this ordinance, the Ordinance Committee recommended that this ordinance be introduced and adopted immediately, but that it contain a provision delaying its effective date until a City co-sponsored alternative giving campaign has been established. Section Two of the attached draft ordinance provides for this contingent effective date.

ATTACHMENT: Draft Ordinance Dated as of August 18, 2009

SUBMITTED BY: Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office

CITY COUNCIL INTRODUCTION DRAFT
All New Language
August 18, 2009

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING TITLE NINE OF THE SANTA BARBARA MUNICIPAL CODE TO ENACT A REVISED ORDINANCE PROHIBITING ABUSIVE PANHANDLING BY AMENDING AND REVISING SANTA BARBARA MUNICIPAL CODE CHAPTER 9.50

The Council of the City of Santa Barbara does ordain as follows:

SECTION ONE: Chapter 9.50 of Title Nine of the Santa Barbara Municipal Code is hereby amended in its entirety to read as follows:

9.50.010 Purpose.

In order to protect and promote the rights of the general public to be free from inappropriate conduct and from the potential physical confrontations sometimes associated with panhandling, the City Council finds that there is a need to adopt a City ordinance which imposes reasonable and specific time, place, and manner limitations on those forms of inappropriate and unlawful conduct which may be associated with aggressive panhandling. At the same time, the Council seeks to properly and duly recognize, as well as fully protect to the full extent possible, the First Amendment free speech rights of all concerned.

The Council also finds that balancing the need for public safety with the need to duly protect constitutional rights is especially critical in certain popular retail and visitor-serving areas of the City, such as Cabrillo Boulevard, lower Milpas Street, and certain blocks of State Street (those within the City Central Business District) since these areas are popular public gathering spaces and are often crowded with members of the public and visitors to the Santa Barbara area and since these areas provide only limited public amenities, such as public seating and outdoor dining areas. The Council further finds that, because these areas of Santa Barbara often have thousands of visitors each day and because there is limited public seating and gathering areas available within these blocks

of these streets, it is necessary and appropriate to provide panhandling regulations which prevent some persons from monopolizing the use of a public bench or a public seating area for actively panhandling. There is therefore a necessity for the City Council to adopt City regulations which provide for the shared and reasonable use of these public facilities by all members of the public, especially the elderly and persons with special access needs.

Finally, the City Council believes that these City panhandling regulations will not prevent those persons who wish to properly solicit alms or charitable donations from appropriately using public benches and public seating facilities within these areas of the City for temporary respite purposes nor will these panhandling regulations impact the content of any protected forms of expressive statements made by a panhandler or otherwise improperly restrict anyone's First Amendment rights.

9.50.020 Definitions.

The following words or phrases as used in this Chapter shall have the following meanings:

A. Panhandling.

1. Forms of Panhandling. Panhandling may occur in two forms as follows:

a. Active Panhandling. Any verbal request made by one person to another person seeking a direct response of an immediate donation of money or other item of value.

b. Passive Panhandling. The act of only passively displaying a sign or using any other non-verbal indication that a person is seeking donations without addressing a verbal request or solicitation to any specific person, other than in response to an inquiry from that person.

B. Donation. A gift of money or other item of value and including the purchase of an item for an amount far exceeding its value under circumstances where a reasonable person would understand that the purchase is in substance a gift.

C. Abusive Panhandling. To do one or more of the following acts while engaging in panhandling or immediately thereafter:

1. Blocking or impeding the passage or the free movement of the person panhandled;
2. Following the person panhandled by proceeding behind, ahead or alongside of him or her after the person panhandled declines to make a donation;
3. Threatening, either by word or gesture, the person panhandled with physical harm or an assault;
4. Abusing the person being panhandled with words which are offensive and inherently likely to provoke an immediate violent reaction;
5. Touching the person being panhandled without that person's consent; or
6. Engaging in Active Panhandling in any of the prohibited places or under any of circumstances specified in subparagraph B of section 9.50.030 hereof.

9.50.030 Abusive Panhandling Prohibited; Specific Locations of Where Active Panhandling is Restricted.

A. Abusive Panhandling Prohibited. Abusive Panhandling is unlawful and prohibited entirely within the city of Santa Barbara.

B. Active Panhandling Restricted. Active Panhandling is prohibited when the person being panhandled is in any of the following locations:

1. Waiting at a bus stop;
2. In a vehicle on a public street or alleyway;
3. In a City parking lot or parking structure without regard to whether the person is in a vehicle or not;
4. Within an outdoor dining area of a restaurant or other dining establishment serving food for immediate consumption;
5. Within twenty five-feet of an automated bank teller machine; or

6. In a queue of persons waiting to gain admission to a place of business or to a vehicle, or waiting to purchase an item or admission ticket.

9.50.040 Use of Public Benches and Facilities on Certain Streets for Active Panhandling.

Active Panhandling is prohibited while seated on or otherwise using a public bench or seating area (including any landscape planter or other public street furniture which can be sat upon) within the following areas of the City:

1. **State Street.** On either side of State Street from the 400 block to the 1200 block; or
2. **Milpas Street.** Either side of Milpas Street from the 00 South block to the 200 block North; or
3. **Cabrillo Boulevard.** Cabrillo Boulevard between Castillo Street and Milpas Street.

9.50.050 Penalty for Abusive Panhandling.

Any person who engages in abusive panhandling as defined herein shall be guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed one thousand dollars (\$1000) or be imprisoned for a period not to exceed six months, or both. Other violations of this chapter shall be prosecuted in accordance with the requirements of Santa Barbara Municipal Code Section 1.28.010.

SECTION TWO: This ordinance shall not take effect unless and until the City Clerk of the City of Santa Barbara certifies the adoption of a resolution of the Council which resolution establishes an effective date for this ordinance and which acknowledges the establishment of a Santa Barbara "Alternative Giving" Campaign (as such a campaign is described in more detail in the City Council action of February 4, 2009) all in a manner acceptable to the City Council.



Agenda Item No. _____

File Code No. 230.01

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 18, 2009

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Capital Improvement Projects: Annual Report For Fiscal Year 2009

RECOMMENDATION:

That Council receive the Capital Improvement Projects (CIP) Annual Report for Fiscal Year 2009.

EXECUTIVE SUMMARY:

A presentation is being made to Council summarizing the CIP progress for the past Fiscal Year that includes \$18 million in completed construction projects.

DISCUSSION:

CONSTRUCTION HIGHLIGHTS:

There were 14 projects completed in Fiscal Year 2009, with total project costs exceeding \$18 million (Attachment 1). The following are some construction highlights:

- There were multiple projects completed in Fiscal Year 2009 that included enhancing sidewalks, adding lights to a pedestrian bridge, and constructing pathways and access ramps.
- Bohnett Park and Plaza Vera Cruz Park were improved during the First Quarter of Fiscal Year 2009, with completed construction costs totaling over \$1 million.

Five projects were completed in the Fourth Quarter of Fiscal Year 2009. The total project costs were close to \$10 million. Attachment 2 is a list of the work completed in the fourth quarter. In addition, there is a significant amount of construction in progress (see Attachment 3).

The following are some highlights of construction projects in progress:

CONSTRUCTION IN PROGRESS:

Airport:

- Santa Barbara Airport Temporary Facilities and Site Preparation (\$3,475,850) - The loop road has been reconfigured and the new building has been fenced off from the active Terminal area. Deep soil mixing to stabilize foundation areas began on July 20, 2009, with completion during the First Quarter of Fiscal Year 2010. The construction of the new terminal building and permanent facilities (\$32,858,000) is under a separate contract, which will immediately follow the completion of the Site Preparation contract.

Creeks:

- Las Positas Creek Stormwater Management Project (\$1,322,323.10) - This project will improve water quality in Las Positas Creek, decrease flooding onsite and downstream, and restore riparian habitat.

Public Works Water:

- San Roque Park Well, Phase 2 (\$466,941) - Phase 2 of this project provided the necessary improvements to incorporate the well into the City's water system during peak and emergency times. The improvements included piping, chemical and electrical equipment, washout pits, landscaping, and fencing. The Notice of Completion is scheduled for the First Quarter of Fiscal Year 2010.

Public Works Streets:

- Pavement Maintenance Zone 3 Slurry Seal (\$2,204,366.64) - Each year the City contracts to maintain and repair the streets in a designated area. The Pavement Maintenance Program includes pavement preparation, crack seal, and slurry seal to allow the streets to continue to be in a safe and usable condition. This year, Granite Construction will proceed with the pavement preparation, which includes grinding the damaged pavement and placing new asphalt. Valley Slurry Seal will fill or seal the cracks, and place slurry to renew the driving surfaces and protect the integrity of the road surfaces.

Redevelopment Agency:

- West Cabrillo Pedestrian Improvements (\$1,895,142) - The project improves the pedestrian linkage between Stearns Wharf and the Harbor area. Work includes replacing the sidewalk along the West Cabrillo Boulevard promenade between Stearns Wharf and Castillo Street. New plazas at Chapala Street, Ambassador Park, Bath Street, and Los Baños Pool will create areas of interest, as well as Americans with Disabilities Act access to the multi-modal beach path.

DESIGN HIGHLIGHTS:

There are currently 44 projects under design, with an estimated total project cost of \$153,961,184, and categorized as follows:

PROJECT CATEGORY	PROJECT DESIGN IN PROGRESS	
	No. of Projects	Total Value of Projects
Airport	3	\$8,620,000
Creeks	1	\$1,400,000
Parks & Recreation	2	\$408,000
Public Works: Bridges	5	\$39,464,000
Public Works: Facilities	1	\$5,236,099
Public Works: Lower Mission Creek	2	\$6,270,000
Public Works: Street/Transportation/Parking	12	\$11,056,579
Public Works: Utility Undergrounding	1	\$4,500,000
Public Works: Water/Wastewater	12	\$57,900,382
Redevelopment Agency	4	\$16,675,974
Waterfront	1	\$2,430,150
TOTALS	44	\$153,961,184

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

The following are some design project highlights:

Airport:

- Airport Water System Update (\$1,300,000) - The southern area of the Airport's water distribution system is served by a single 7,000 foot long, eight-inch diameter pipeline. This project involves construction of a new pipeline that will provide a second feed and "loop" the water distribution system in the Terminal area. Construction is scheduled to start this summer.

Public Works - Streets:

- American Recovery and Reinvestment Act (ARRA) Road Overlay and Maintenance Project (\$1,434,052) - On June 29, 2009, Council approved the

consultant's design contract. The project kick-off meeting was held on July 1, 2009. On July 22, 2009, staff met to review the initial field work completed by the consultant. Construction is scheduled to start this fall.

- Carrillo/Anacapa Intersection Traffic Safety Improvements (\$608,400) - The project, currently in design, proposes to provide new signal poles with mast arms over Carrillo Street to improve signal visibility, curb extensions with directional ramps at two corners, and new pedestrian signal indicators with countdown heads and landscaping embellishments. Construction is anticipated to start next year.
- Las Positas/Cliff Drive Intersection Design (\$925,000) - Engineering staff is in the process of updating the Project Study Report, which evaluates several alternatives aimed at reducing the congestion currently experienced at this intersection during the morning and evening peak hours. This is a grant funded project, several years away from the start of construction.

Public Works - Utility Undergrounding:

- Underground Utility District No. 10 Cliff Drive (\$4,500,000) - The design is complete and Southern California Edison has recently received bids for the project. Award of a construction contract for the City's portion of work is tentatively scheduled for Council in August 2009, and will include new street lighting along Cliff Drive and conversion of two high voltage electrical circuits. The project is scheduled to start construction in the fall.

Public Works - Wastewater:

- Escondido and Bothin Pump Station Upgrades (\$607,482) - The primary goals of the project are to increase the size of the pumps at the Escondido Pump Station to accommodate future water demands, and to replace the existing fixed speed pumps and motors at both pump stations with variable frequency drive pumps and motors to achieve greater pumping efficiencies and energy savings/incentives. The design phase is scheduled for completion in November 2009.

Redevelopment Agency:

- Carrillo Recreation Center (\$6,700,000) - The project will address the seismic and Americans with Disabilities Act requirements, and upgrade the HVAC and electrical systems. It will also provide an improved office configuration and an additional dance studio. Proposed exterior finishes will reflect the 1920's era historical period, and will allow the facility to return to a version similar to its heyday. Construction is scheduled to start this fall.

SUMMARY:

Fiscal Year 2009 had approximately \$18 million in completed construction. Fiscal Year 2008 was a record year with \$58 million in completed construction. It is projected that Fiscal Year 2010 will have approximately \$47.7 million in completed construction work.

ATTACHMENT(S):

1. Completed Capital Projects Fiscal Year 2009
2. Completed Capital Projects Fourth Quarter Fiscal Year 2009
3. Capital Projects with Construction in Progress

PREPARED BY: Pat Kelly, Assistant Public Works Director/City Engineer/TA

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

Completed Capital Projects Fiscal Year 2009

First Quarter Fiscal Year 2009	Total Project Costs
Alisos Street Access Ramps	\$89,997.84
Carrillo Hill Sidewalk	\$957,019.79
Junipero Pedestrian Bridge Lighting	\$139,588.49
Watermain Replacement	\$1,924,354.42
Total	\$3,110,960.54

Second Quarter Fiscal Year 2009	Total Project Costs
SB Airport South Apron Rehabilitation	\$2,198,624.23
Total	\$2,198,624.23

Third Quarter Fiscal Year 2009	Total Project Costs
Bohnett Park Expansion	\$576,473.52
Plaza Vera Cruz Park Improvements	\$551,841.26
Pavement Preparation Zone 2	\$424,796.45
Slurry Seal Zone 2	\$1,770,125.83
Total	\$3,323,237.06

Fourth Quarter Fiscal Year 2009	Total Project Costs
SB Airport Taxiway B Realignment & Terminal Apron	\$4,575,085.60
Small Diameter Sewer Rehabilitation	\$2,126,159.47
Reservoir #1 Structural Repair	\$1,304,209.32
East Cabrillo Sidewalk	\$1,317,136.56
Pershing Park Multipurpose Path	\$368,484.42
Total	\$9,691,075.37

Grand Total \$18,323,897.20

Completed Capital Projects Fourth Quarter Fiscal Year 2009

Project Name	Taxiway B Realignment & Terminal Apron	East Cabrillo Sidewalk Replacement	Reservoir No. 1 Structural Repair	Small Diameter Sewer Main Rehabilitation	Pershing Park Multipurpose Path	TOTALS
Design Costs	\$345,100.00	\$125,384.85	\$201,775.49	\$65,596.79	\$75,289.43	\$813,146.56
Construction Contract	\$3,380,214.00	\$1,051,325.37	\$787,000	\$1,692,434.00	\$248,754.00	\$7,159,727.37
Construction Change Order Costs	\$246,742.60	\$62,492.34	\$142,592.83	\$244,930.10	\$4,456.33	\$701,214.20
Construction Management Costs	\$603,029.00	\$77,934.00	\$172,841.00	\$123,198.58	\$39,984.66	\$1,016,987.24
Total Project Costs	\$4,575,085.60	\$1,317,136.56	\$1,304,209.32	\$2,126,159.47	\$368,484.42	\$9,691,075.37

Capital Projects with Construction in Progress

PROJECT CATEGORY	CONSTRUCTION IN PROGRESS	
	No. of Projects	Construction Contract Costs
Airport	3	\$43,293,055.00
Creeks	1	\$1,322,323.10
Parks & Recreation	1	\$449,201.40
Public Works: State Transportation Improvement Program	1	\$2,260,979.07
Public Works: Streets/Transportation/Parking	4	\$3,323,266.64
Public Works: Water Resources	2	\$2,135,915.00
Redevelopment Agency	3	\$6,891,969.63
TOTAL	15	\$59,676,709.84



Agenda Item No. _____

File Code No. 150.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 18, 2009

TO: Mayor and Councilmembers

FROM: Human Resources, Administrative Services Department

SUBJECT: Child Care And Work/Life Assessment Report

RECOMMENDATION:

That Council receive a presentation from First 5 regarding the results of the "Child Care and Work/Life Needs Assessment Report."

DISCUSSION:

In May 2008, First 5 of Santa Barbara County, Early Care Education Division worked with 23 local employers to conduct a survey related to local child care needs. 2,015 employees who work in the downtown area, including 469 City employees, responded to this survey.

On May 28, 2009, Ms. Holly Goldberg, First 5 Project Manager, made a presentation to the City Council Committee on Youth and Children regarding the survey's results. This Committee recommended that a similar presentation be made to the City Council. Ms. Holly Goldberg will present the survey results to the City Council. The survey is available at <http://www.first5santabarbaracounty.org/> and may also be viewed in the City Clerk's Office.

PREPARED BY: Marcelo Lopez, Administrative Services Director

SUBMITTED BY: Marcelo Lopez, Administrative Services Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 18, 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: 15 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: August 18, 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 *James Ryden, et al., v. City of Santa Barbara, et al., USDC Case Number: CV 09-1578 SVW (SSx)*.

SCHEDULING:

Duration: 15 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: August 18, 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 *City of Banning/Armenta v. James Jones Co.*, LASC BC321513.

SCHEDULING:

Duration: 15 minutes; anytime

REPORT:

None anticipated

SUBMITTED BY: Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office