

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

Helene Schneider
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Grant House
Mayor Pro Tempore/Vice Chair
Bendy White
Ordinance Committee Chair
Das Williams
Finance Committee Chair
Dale Francisco
Frank Hotchkiss
Michael Self



James L. Armstrong
*City Administrator/
Executive Director*

Stephen P. Wiley
City Attorney/Agency Counsel

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

**OCTOBER 12, 2010
AGENDA**

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

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

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

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

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

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

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

ORDER OF BUSINESS

- 12:30 p.m. - Ordinance Committee Meeting, Council Chamber
- 2:00 p.m. - City Council Meeting
- 2:00 p.m. - Redevelopment Agency Meeting

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

Subject: Sign Committee Reconstitution And Ordinance Revisions

Recommendation: That the Ordinance Committee:

- A. Review the proposed ordinance amendments to Sign Regulations (SBMC Chapter 22.70) to reconstitute membership of the Sign Committee and improve sign enforcement;
- B. Review proposed ordinance amendments to Municipal Code Chapters 22.22, 22.68, 22.69, and 28.87 regarding time extensions and approvals for discretionary projects and Zoning Information Reports for condominiums; and
- C. Provide direction to staff and make recommendations to Council for ordinance adoption.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. Subject: 2010 Annual Charitable Giving Campaign (170.01)

Recommendation: That Council receive a report from the Chairperson on the City's 2010 Annual Charitable Giving Campaign.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

CITY COUNCIL

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of September 28, 2010.

3. Subject: Adoption Of Ordinance Regarding Spay and Neutering Of Dogs And Cats (520.05)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending the Municipal Code Concerning the City Licensing Requirements for the Keeping of Dogs and Cats Which Have Not Been Spayed or Neutered and Imposing a New Licensing Requirement for Unaltered Cats.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

4. Subject: Self Insured Workers' Compensation Program Annual Report (350.08)

Recommendation: That Council receive the Annual Self Insured Workers' Compensation Program Annual Report for the year ended June 30, 2010.

5. Subject: Sole Source Authorization To Purchase Refurbished Dell Computer Equipment (340.08)

Recommendation: That Council authorize the City's General Services Manager to purchase refurbished computer equipment directly from Dell Computers, Inc. or other Dell distributors without bidding procedures for up to five years.

6. Subject: Agreement For Surface Water And Groundwater Monitoring (540.10)

Recommendation: That Council authorize the Public Works Director to execute a joint funding agreement with the United States Geological Survey (USGS) for water resources investigations related to surface water and groundwater measurements for the period of November 1, 2010, through October 31, 2011, with a City cost share not to exceed \$110,250.

7. Subject: Records Destruction For Airport Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Airport Department in the Business and Properties Division.

8. Subject: Set A Date For Public Hearing Regarding Appeal Of Historic Landmarks Commission Preliminary Approval For 101 W. Canon Perdido Street (640.07)

Recommendation: That Council:

- A. Set the date of November 16, 2010, at 6:00 p.m. for hearing the appeal filed by Karen McFadden of the Historic Landmarks Commission Preliminary Approval of an application for property owned by Verizon California, Inc., and located at 101 W. Canon Perdido Street, Assessor's Parcel No. 037-042-023, C-2 Commercial Zone, General Plan Designation: General Commerce. The project consists of a proposal to divide a 1.73-acre lot into two lots and to convert the existing building,

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

8. (Cont'd)

currently used as a Verizon office/switching facility, into four commercial condominium units. Proposed Lot 1 would be 1.14 acres and would include the existing commercial building, and Proposed Lot 2 would be 0.59 acres. An ADA-accessible lift is proposed at the Chapala Street entry. Proposed street improvements include a bulb-out at the corner of Chapala and W. Canon Perdido Streets; and

- B. Set the date of November 15, 2010, at 1:30 p.m. for a site visit to the property located at 101 W. Canon Perdido Street.

REDEVELOPMENT AGENCY

9. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of September 14, 2010.

10. Subject: Financial Assistance To Housing Authority For Acquisition/Rehabilitation Of 2941 State Street (660.04)

Recommendation: That Council and the Redevelopment Agency Board take the following actions regarding a new affordable housing project at 2941 State Street:

- A. That the Agency Board approve an acquisition loan of \$360,000 of Redevelopment Agency Housing Setaside Funds to the Housing Authority of the City of Santa Barbara and authorize the Agency's Deputy Director to execute a loan agreement and related documents in a form approved by Agency Counsel and to make nonsubstantive changes;
- B. That the Agency Board appropriate \$360,000 in the Redevelopment Agency Housing Setaside Fund from unappropriated reserves for the acquisition loan;
- C. That Council approve a rehabilitation grant of \$90,000 in Community Development Block Grant (CDBG) funds and authorize the Community Development Director to execute a grant agreement and related documents in a form approved by the City Attorney and to make nonsubstantive changes; and
- D. That Council and the Agency Board adopt, by reading of title only, A Joint Resolution of the Council of the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds as a Loan to the Housing Authority of the City of Santa Barbara for Acquiring Affordable Housing Located Outside the Central City Redevelopment Project (CCRP) Area at 2941 State Street Will be of Benefit to the CCRP.

CONSENT CALENDAR (CONT'D)

NOTICES

11. The City Clerk has on Thursday, October 7, 2010, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
12. A City Council site visit is scheduled on Monday, October 18, 2010, at 1:30 p.m. to the property located at 903 W. Mission Street, which is the subject of an appeal hearing set for October 19, 2010, at 2:00 p.m.

This concludes the Consent Calendar.

REPORT FROM THE ORDINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

AIRPORT DEPARTMENT

13. Subject: Air Service Development (560.01)

Recommendation: That Council receive a presentation on air service development at the Airport.

PUBLIC WORKS DEPARTMENT

14. Subject: Contract For Construction Of The Jake Boyssel Multipurpose Pathway (530.04)

Recommendation: That Council:

- A. Reject the apparent low bid from TalCal Engineering, Inc. (TalCal), as non-responsive due to their failure to submit a complete bid;
- B. Award a contract with Shaw Contracting, Inc. (Shaw), in their lowest responsive bid amount of \$489,709.50 for construction of the Jake Boyssel Multipurpose Pathway (Project), Bid No. 3565;
- C. Authorize the Public Works Director to execute a contract and approve expenditures up to \$75,000 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
- D. Authorize the General Services Manager to issue a Purchase Order to Fugro West (Fugro) in the amount of \$10,000 for material testing services, and to approve expenditures of up to \$1,500 for extra services of Fugro that may result from necessary changes in the scope of work.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

15. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Police Officers Association, Police Managers Association, the Treatment and Patrol Bargaining Units, Firefighters Association, and the Hourly Bargaining Unit, and regarding discussions with unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT

To Monday, October 18, 2010, at 1:30 p.m. at the property located at 903 W. Mission Street. (See Item No. 12)

CITY OF SANTA BARBARA

ORDINANCE COMMITTEE MEETING

MEETING AGENDA

DATE: October 12, 2010
TIME: 12:30 p.m.
PLACE: Council Chambers

Bendy White, Chair
Grant House
Frank Hotchkiss

Office of the City
Administrator

Office of the City
Attorney

Lori Pedersen
Administrative Analyst

Stephen P. Wiley
City Attorney

ITEMS FOR CONSIDERATION

Subject: Sign Committee Reconstitution And Ordinance Revisions

Recommendation: That the Ordinance Committee:

- A. Review the proposed ordinance amendments to Sign Regulations (SBMC Chapter 22.70) to reconstitute membership of the Sign Committee and improve sign enforcement;
- B. Review proposed ordinance amendments to Municipal Code Chapters 22.22; 22.68, 22.69, and 28.87 regarding time extensions and approvals for discretionary projects and Zoning Information Reports for condominiums; and
- C. Provide direction to staff and make recommendations to Council for ordinance adoption.



CITY OF SANTA BARBARA

ORDINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: October 12, 2010

TO: Ordinance Committee

FROM: Community Development Department

SUBJECT: Sign Committee Reconstitution And Ordinance Revisions

RECOMMENDATION: That the Ordinance Committee:

- A. Review the proposed ordinance amendments to Sign Regulations (SBMC Chapter 22.70) to reconstitute membership of the Sign Committee and improve sign enforcement;
- B. Review proposed ordinance amendments to Municipal Code Chapters 22.22; 22.68, 22.69, and 28.87 regarding time extensions and approvals for discretionary projects and Zoning Information Reports for condominiums; and
- C. Provide direction to staff and make recommendations to Council for ordinance adoption.

DISCUSSION:

Council was advised during recent budget discussions that the elimination of Planning staff would affect workloads and change work priorities. In response to recent budget and staffing cutbacks, Community Development staff worked with an ad-hoc committee consisting of various Board and Commission members to develop a list of ideas to reduce staff's workload and manage assignments. Design review boards include the Sign Committee, the Architectural Board of Review (ABR), the Historic Landmarks Commission (HLC), and the Single Family Design Board (SFDB). Changes that would have the most cost or time savings and that could be easily implemented were selected. It was understood that some of these ideas would likely involve various ordinance amendments to reduce workload volume or simplify the City's review process.

Several suggestions and proposals were compiled for consideration with the following ideas being proposed as part of this first phase:

Changes to Sign Committee Review

- Changes in the level of staffing to the Sign Committee and shifting assignments can be temporarily absorbed by existing Design Review staff. In order to implement this change, the separate full Sign Committee meetings would be changed to coincide with the regular ABR and HLC Consent Calendar review days. The Sign Committee membership would also be reduced from 5 to 4 members. The change would allow for most sign applications to be reviewed with only two members and is expected to reduce application review times.
- Specific language for exemptions revised and new definitions for Sign Regulations to improve sign enforcement.
- Minor ordinance amendments to eliminate the requirement for Zoning Information Reports for condominiums by making it an optional practice.
- Clarify project approval time periods and extensions for ABR, HLC and SFDB approvals when projects have multiple approvals and to lessen the confusion regarding tracking multiple approval expiration dates.
- Minor change of terminology from "Preliminary Approval" to "Project Design Approval" for design review board approvals.

Sign Committee Review Changes

The level of staffing to the Sign Committee was identified as an area where shifting of assignments could be achieved and temporarily absorbed by existing Design Review staff. We believe that shifting a planning technician from staffing the Sign Committee to Zoning Enforcement would fill the void, due to the recent loss of positions in the Zoning section.

Sign Committee members worked with staff on the new approach to the sign review process and supported these changes along with the reconstitution of their membership. The Sign Committee membership would be reduced from 5 to 4 members (with 2 alternates) but would consist of existing appointed members.

The revised Sign Committee would review the majority of signs at two Consent Calendar meetings, each presided over by two members, to coincide with the regular scheduled ABR and HLC meeting dates. The Conforming Review level would remain, but would be slightly expanded to allow for more projects to qualify and for two Sign Committee members to review sign applications weekly.

We have initiated these changes in the last month, and believe that existing design review staff that currently support ABR and HLC meetings can also temporarily support Sign Committee reviews. However, when development activity increases, it will be necessary to reevaluate the process and likely return to the previous process.

Sign Enforcement Changes

In addition to changes to the Sign Regulations in Chapter 22.70 to reflect the proposed reconstitution of the Sign Committee, Planning Staff is also proposing additional ordinance amendments intended to improve sign enforcement. The Sign Committee and staff have periodically expressed concerns about the enforceability of various sections of the Sign Ordinance. As a result of those ongoing concerns, staff have been working on amendments to the Sign Ordinance primarily focused on clarifying areas of the ordinance that are vague or unclear, updating the ordinance to address new sign technology, remove exemptions that were not intended, and improve enforcement efforts.

The proposed Sign Ordinance amendments range from clarification of existing ordinance language to the inclusion of new and revised definitions and language to address current sign technology and advertising techniques. Due to new technology, signs may now include television display and audio signs, electronic message boards, digital display signs that are projected from a light source onto a building or street, mobile billboard signs, large inflatable signs and gasoline fuel pump topper signs, to name a few.

One area of sign enforcement concern is open bay areas (typically for auto service repair businesses or recessed building arcades for retail stores) used to display banner advertising signs that are placed greater than four feet back from the open bay, a signage practice which is difficult to regulate.

Some ordinance changes are proposed to address practical nuisance concerns pertaining to sign enforcement to allow small neon "open" signs of an average 12 inch height to be exempt from review. Also, other proposed changes will make it easier for enforcement staff to explain ordinance restrictions to the public such as large inflatable signs, balloons, etc. and holiday lighting or other lighting displayed around buildings all year long that are used to draw attention to a property or business.

Staff is also proposing to clarify the exemptions pertaining to real estate "for sale" and "open house" signs. Staff has had discussions with the Association of Realtors on this issue and they have agreed to work with city staff to follow the proposed ordinance limitations consistent with Public Works installation guidelines.

Finally, updates to the Sign Review Guidelines will reflect procedural changes to facilitate the administration of the Sign Committee review process and further explain how the City addresses changes to registered trademarks.

See Attachment 1, draft ordinance, for specifics on all proposed changes to the Sign Ordinance. In addition, photographs with some examples of the type of signs identified in this report are included as Attachment 2.

Zoning Information Report Changes

An additional change to reduce staff's workload includes a change to SBMC Section 28.87.220 to make Zoning Information Reports (ZIR) for condominiums optional. SBMC Section 28.87.220 requires all sellers of residential property to obtain a Zoning Information Report (ZIR) and provide a copy of the report to the buyers. Planning staff have indicated that it is rare that a zoning violation is created within a condominium development due to the existence of a Homeowner's Association and Covenants, Conditions & Restrictions on title that place strict prohibition on land use type violations. Planning staff has met with the Santa Barbara Association of Realtors and they support this change.

Project Time Approvals and Extensions

In recent times, the ability for applicants and developers to secure construction financing and move from planning entitlements to being able to complete construction drawings, obtain building permits, and complete projects has become more difficult. City staff is concerned that many of the projects which have obtained planning entitlements including Design Review, Zoning Modifications, Coastal Development Permits, etc, may also be unable to move to completion of the next stage of development without having to request multiple time extensions, reapply and go back through the Design Review or entitlement process. Time approval limits and the need to request time extensions for ABR, HLC and SFDB approvals have sometimes also resulted in reconsideration of approvals whereby different review board members want to overturn previous approval decisions. The proposed amendments are intended to simplify the project time approval and extension process.

The current code does provide for multiple time extensions which can extend project approvals if requested and granted. However, in many cases, there is confusion when applicants need to keep track of multiple approvals with different expiration dates. Recognizing these concerns, the ordinance amendments set the project approval expiration to run with the longest land use discretionary approval decision, and to encourage the completion of projects that have received planning entitlements. These changes would increase efficiencies by not requiring approved projects to obtain design review time extensions or re-approvals if the land use decisions are still valid.

Change "Preliminary Approvals" to "Project Design Approvals" for Clarity Purposes

In response to some community confusion about the magnitude of key decisions during the design review approval process, staff proposes to change the name of all ABR, HLC and SFDB "Preliminary Approvals" to "Project Design Approvals". Staff believes this will lessen confusion from the public on decisions involving this critical entitlement step. Staff believes the confusion surrounding the word "preliminary" have led to the public's belief that the filing of appeals should come at a later date.

Conclusion and Staff Recommendation

The City of Santa Barbara has long recognized that signs are an integral part of the cityscape and, as such, can detract from or enhance the City's image and character. The City has a long history of enforcing sign regulations to require design review and approval of sign permit applications. While a reduction of the Sign Committee membership is being proposed from five members to four, staff recognizes the importance of maintaining adequate oversight and the need that sign applications continue to be reviewed by a separate Sign Committee. In response to budgetary and staffing cutbacks, the City is also proposing reasonable ordinance amendments to increase efficiencies in response to the reduced staffing levels. For these reasons, staff recommends the Ordinance Committee support the reconstitution of the Sign Committee and forward all the proposed ordinance amendments to Council for introduction and adoption.

This phase of ordinance amendments is a first step in making changes to reduce staffing expenditures and create savings with increased efficiencies. Staff expects to bring forward additional ordinance amendments to implement further cost saving measures by making improvements in the City's review process.

BUDGET IMPACT:

This proposal will reduce the amount of staff time involved to support the Sign Committee, process time extensions, and prepare Zoning Information Reports. No significant expenditures are required but some initial staff work to implement these process changes is expected.

ATTACHMENTS: 1. Draft Ordinance
2. Photo examples of Various Signs

PREPARED BY: Jaime Limon, Senior Planner II

SUBMITTED BY: Paul Casey, Assistant City Administrator/Community Development

APPROVED BY: City Administrator's Office

ORDINANCE COMMITTEE DISCUSSION DRAFT 10/12/2010
SHOWING CHANGES FROM EXISTING CODE

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF
THE CITY OF SANTA BARBARA
AMENDING SECTIONS 22.22.180,
22.68.110, AND 22.69.090 OF THE SANTA
BARBARA MUNICIPAL CODE
RELATING TO THE EXPIRATION OF
DESIGN REVIEW APPROVALS AND
AMENDING CHAPTERS 22.70 AND 28.87
OF THE SANTA BARBARA MUNICIPAL
CODE RELATING TO THE PROCESSING
AND REVIEW OF SIGN PERMITS, THE
PREPARATION OF ZONING
INFORMATION REPORTS, AND THE
EXPIRATION OF PROJECT APPROVALS

WHEREAS, the Community Development Department is seeking to create administrative efficiencies in the review of sign permit applications.

WHEREAS, members of the current Sign Committee and members of the Architectural Board of Review and the Historic Landmarks Commission have agreed to serve on a reconstituted Sign Committee.

WHEREAS, these revisions to the Sign Committee composition and procedures are temporary, but of an indeterminate length.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. Temporary Revisions to Sign Committee Composition and Procedure.

1. The City Council adopts the following revisions to the Sign Committee composition and review procedure. To the extent the provisions of this ordinance conflict with the provisions of Chapter 22.70 of the Santa Barbara Municipal Code or the adopted Sign Review Guidelines, the provisions of this ordinance shall control. To the extent the provisions of Chapter 22.70 of the Santa Barbara Municipal Code and the adopted Sign Review Guidelines are not in conflict with the provisions of this ordinance, the provisions of Chapter 22.70 and the adopted Sign Review Guidelines shall remain in full force and effect. All further code references in this Section 1 are to the Santa Barbara Municipal Code, unless otherwise specified.

2. Sign Committee Composition.

The Sign Committee is reconstituted with the following membership:

a. Louise Boucher as a member of the Historic Landmarks Commission (HLC) and Alex Pujo as an HLC alternate. The HLC member to the Sign Committee and the HLC alternate shall be appointed annually by the HLC. If the appointed member resigns or his or her term on the HLC expires, the HLC shall appoint another member of the HLC to this position.

b. Dawn Sherry as a member of the Architectural Board of Review (ABR) and Keith Rivera as an ABR alternate. The ABR member to the Sign Committee and the ABR alternate shall be appointed annually by the ABR. If the appointed member resigns or his or her term on the ABR expires, the ABR shall appoint another member of the ABR to this position.

c. Natalie Cope as a member of the public at large. Upon this member's resignation or the expiration of the member's term on the former sign committee, the City Council may appoint a replacement who is not a member of the ABR or HLC in accordance with the City Guidelines for Advisory Groups.

d. Bob Cunningham. Upon this member's resignation or the expiration of the member's term on the former sign committee, the City Council may appoint a replacement who is not a member of the ABR or HLC in accordance with the City Guidelines for Advisory Groups.

The assigned members of the reconstituted Sign Committee shall serve for the remaining term of their membership on the former Sign Committee. Members may be reappointed for additional terms of office. ABR and HLC members and ABR and HLC alternates are appointed annually and may serve only so long as they are members of the board or commission that appoints them. Each newly appointed at large member shall be appointed for a term of two (2) years.

3. Powers and Duties of the Sign Committee

a. As provided in this ordinance, the Sign Ordinance (as specified in Chapter 22.70 of the Municipal Code and not contradicted in this ordinance), and the adopted Sign Review Guidelines, to review, approve, conditionally approve, or deny sign permit applications.

b. To advise and confer with the Architectural Board of Review and the Historic Landmarks Commission concerning sign design considerations.

c. To keep a public record of all minutes, resolutions, motions, and actions.

d. To conduct periodic surveys of the City to assure compliance with this ordinance and the following:

i. Assure sign compatibility with Historic Landmarks Commission determinations for historic buildings, structures, sites, and environments in El Pueblo Viejo Landmark District.

ii. Assure sign compatibility with Architectural Board of Review policies and guidelines for designs of signs as part of new or remodeled structures.

e. To conduct surveys to determine signs of unique character.

f. To carry out such other responsibilities as may be delegated by the City Council.

4. Sign Permit Review.

a. Assignment of Level of Review. Community Development Staff will review each sign permit application and assign each complete application to one of three review categories: conforming review, consent review, or full board review. Sign permit applications will be assigned to conforming review based on the criteria found in Section 22.70.050.E. Most other sign permit applications will be assigned to consent review. Sign permit applications that involve multiple exception requests, a large number of signs, or a large volume of signage will be assigned to full board review. Prior to the hearing on Consent Review, any member of the Sign Committee, Architectural Board of Review, or the Historic Landmarks Commission may request that an application assigned for consent review be re-assigned for full board review.

b. Conforming Review and Consent Review. Conforming reviews are conducted by any one (1) member of the Sign Committee. Consent reviews are conducted by any two (2) members of the Sign Committee. Conforming review and consent review are conducted using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.

c. Full Board Review. Full board review is conducted by the ABR or, if the sign is located in El Pueblo Viejo Landmarks District or the sign is proposed on a site that is a designated historic resource or potential historic resource, the HLC. When conducting a full board review of a sign permit application, the ABR or HLC shall assume the role of the Sign Committee, as provided in Chapter 22.70 and amended by this ordinance. The ABR or HLC shall employ the current adopted Sign Review Guidelines and shall conduct its review using the review criteria provided in Section 22.70.050.G and making the findings required in Section 22.70.050.H.

4. Appeals.

Any final action of the Sign Committee or City staff on a sign permit application may be appealed to the ABR or, if the sign is located in El Pueblo Viejo Landmarks District or the sign is proposed on a site that is a designated historic resource or potential historic resource, the HLC pursuant to Section 22.70.050.I.1. Actions by the ABR or HLC on

full board review or on appeal from the Sign Committee may be appealed to the City Council in accordance with Section 22.70.050.I.2. Any member of the ABR or HLC who participated in the review of the sign application as a member of the Sign Committee shall not participate in the review of the sign application on appeal.

SECTION 2. Section 22.22.180 of Chapter 22.22 “Historic Structures” of Title 22 of the Santa Barbara Municipal Code is amended to read as follows:

22.22.180 Expiration of Approval.

A. **CONCEPT REVIEW.** Conceptual comments by the Commission are valid for one year from the date of the last conceptual review.

B. **PRELIMINARY PROJECT DESIGN APPROVAL.**

1. ~~One-Year Expiration~~ **Approval Valid for Three Years.** ~~An preliminary~~ approval from the Commission or the City Council, on appeal, shall expire by limitation and become null and void if ~~final approval is not granted by the Commission or the City Council, on appeal, within twelve (12) months~~ **a building permit is not issued within three (3) years** of the granting of the ~~preliminary project design~~ approval by the Commission or the City Council, on appeal.

2. ~~Community Development Director~~ **Two-Year Extension.** Upon a written request from the applicant submitted prior to the expiration of the ~~preliminary~~ approval, the Community Development Director may grant one (1) ~~twelve-month~~ **two-year** extension of an ~~preliminary~~ approval.

~~C. FINAL APPROVAL.~~

~~1. Two-Year Expiration.~~ ~~A final approval from the Commission or the City Council, on appeal, shall expire by limitation and become null and void if a building permit for the building or work authorized by the approval is not issued within twenty four (24) months of the granting of the final approval by the Commission or the City~~

Council, on appeal.

~~2. **Community Development Director Extension.** Upon a written request from the applicant submitted prior to the expiration of the approval, the Community Development Director may grant one (1) twelve-month extension of the final approval. Extensions of time may be granted by the Community Development Director upon findings that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.69, the Commission Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~3. **Extensions by the Commission.** In addition to the twelve-month extension by the Community Development Director, upon a written request from the applicant submitted prior to the expiration of the approval, the Commission may grant up to two (2) twelve-month extensions of the final approval. Extensions of time may be granted by the Commission upon finding that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.22, the Commission Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~4. **Projects with Multiple Approvals.** Notwithstanding the two-year expiration specified in paragraph 1 above, if a project requiring Design Review pursuant to this Chapter also requires discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the expiration date of the final approval of the Historic Landmarks Commission or City Council, on appeal, shall correspond with the expiration date of the longest discretionary approval granted for the project. If a building permit for the building or work authorized by the final approval is not issued before the expiration date of the longest discretionary approval for the project, the final approval shall expire by limitation and become null and void.~~

DC. EXCLUSIONS OF TIME. For projects that do not require discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the time periods specified in this section for preliminary approval or final approval The time period specified in this section for an approval from the Commission or the City Council, on appeal, shall not include any period of time during which either 1. a moratorium on the issuance of building permits, imposed after the preliminary or final project design approval, is in effect; or 2. a lawsuit involving the preliminary or final project design approval is or was pending in a court of competent jurisdiction.

SECTION 3. Section 22.68.110 of Chapter 22.68 “Architectural Board of Review” of Title 22 of the Santa Barbara Municipal Code is amended to read as follows:

22.68.110 Expiration of Approval.

A. **CONCEPT REVIEW.** Conceptual comments by the Architectural Board of Review are valid for one year from the date of the last conceptual review.

B. **PRELIMINARY PROJECT DESIGN APPROVAL.**

1. ~~One-Year Expiration~~ **Approval Valid for Three Years.** An ~~preliminary~~ approval from the Architectural Board of Review or the City Council, on appeal, shall expire by limitation and become null and void if ~~final approval is not granted by the Architectural Board of Review or the City Council, on appeal, within twelve (12) months~~ **a building permit is not issued within three (3) years** of the granting of the ~~preliminary project design~~ approval by the Architectural Board of Review or the City Council, on appeal.

2. ~~Community Development Director~~ **Two-Year Extension.** Upon a written request from the applicant submitted prior to the expiration of the ~~preliminary~~ approval, the Community Development Director may grant one (1) ~~twelve-month~~ **two-year** extension of an ~~preliminary~~ approval.

~~C. FINAL APPROVAL.~~

~~1. Two-Year Expiration. A final approval from the Architectural Board of Review or the City Council, on appeal, shall expire by limitation and become null and void if a building permit for the building or work authorized by the approval is not issued within twenty four (24) months of the granting of the final approval by the Architectural Board of Review or the City Council, on appeal.~~

~~_____ 2. **Community Development Director Extension.** Upon a written request from the applicant submitted prior to the expiration of the approval, the Community Development Director may grant one (1) twelve-month extension of the final approval. Extensions of time may be granted by the Community Development Director upon findings that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.68, the Architectural Board of Review Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~_____ 3. **Extensions by the Board.** In addition to the twelve-month extension by the Community Development Director, upon a written request from the applicant submitted prior to the expiration of the approval, the Architectural Board of Review may grant up to two (2) twelve-month extensions of the final approval. Extensions of time may be granted by the Architectural Board of Review upon finding that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.68, the Architectural Board of Review Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~_____ 4. **Projects with Multiple Approvals.** Notwithstanding the two-year expiration specified in paragraph 1 above, if a project requiring Design Review pursuant to this Chapter also requires discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the expiration date of the final approval of the Architectural Board of Review or City Council, on appeal, shall correspond with the expiration date of the longest discretionary application granted for the project. If a building permit for the building or work authorized by the final approval is not issued before the expiration date of the longest discretionary approval for the project, the final approval shall expire by limitation and become null and void.~~

DC. EXCLUSIONS OF TIME. ~~For projects that do not require discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the time periods specified in this section for preliminary approval or final approval~~ The time period specified in this section for an approval from the Board or the City Council, on appeal, shall not include any period of time during which either 1. a moratorium on the issuance of building permits, imposed after the preliminary or final project design approval, is in effect; or 2. a lawsuit involving the preliminary or final project design approval is or was pending in a court of competent jurisdiction.

SECTION 4. Section 22.69.090 of Chapter 22.69 “Single Family Design Board” of Title 22 of the Santa Barbara Municipal Code is amended to read as follows:

22.69.090 Expiration of Approval.

A. **CONCEPT REVIEW.** Conceptual comments by the Single Family Design Board are valid for one year from the date of the last conceptual review.

B. ~~PRELIMINARY PROJECT DESIGN APPROVAL.~~

1. ~~One-Year Expiration Approval Valid for Three Years.~~ An ~~preliminary~~ approval from the Single Family Design Board or the City Council, on appeal, shall expire by limitation and become null and void if ~~final approval is not granted by the Single Family Design Board or the City Council, on appeal, within twelve (12) months a building permit is not issued within three (3) years~~ of the granting of the ~~preliminary project design~~ approval by the Single Family Design Board or the City Council, on appeal.

2. ~~Community Development Director Two-Year Extension.~~ Upon a written request from the applicant submitted prior to the expiration of the ~~preliminary~~ approval, the Community Development Director may grant one (1) ~~twelve-month~~ two-year extension of an ~~preliminary~~ approval.

~~C. FINAL APPROVAL.~~

~~1. Two-Year Expiration. A final approval from the Single Family Design Board or the City Council, on appeal, shall expire by limitation and become null and void if a building permit for the building or work authorized by the approval is not issued within twenty four (24) months of the granting of the final approval by the Single Family Design Board or the City Council, on appeal.~~

~~2. **Community Development Director Extension.** Upon a written request from the applicant submitted prior to the expiration of the approval, the Community Development Director may grant one (1) twelve-month extension of the final approval. Extensions of time may be granted by the Community Development Director upon findings that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.69, the Single Family Design Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~3. **Extensions by the Board.** In addition to the twelve-month extension by the Community Development Director, upon a written request from the applicant submitted prior to the expiration of the approval, the Single Family Design Board may grant up to two (2) twelve-month extensions of the final approval. Extensions of time may be granted by the Single Family Design Board upon finding that the applicant has demonstrated due diligence to implement and complete the proposed development as substantiated by competent evidence in the record and that there are no changed circumstances that may affect the consistency of the development with this Chapter 22.69, the Single Family Design Guidelines, and applicable City ordinances, resolutions and other laws.~~

~~4. **Projects with Multiple Approvals.** Notwithstanding the two-year expiration specified in paragraph 1 above, if a project requiring Design Review pursuant to this Chapter also requires discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the expiration date of the final approval of the Single Family Design Board or City Council, on appeal, shall correspond with the expiration date of the longest discretionary approval granted for the project. If a building permit for the building or work authorized by the final approval is not issued before the expiration date of the longest discretionary approval for the project, the final approval shall expire by limitation and become null and void.~~

DC. **EXCLUSIONS OF TIME.** ~~For projects that do not require discretionary approvals from the Staff Hearing Officer, Planning Commission, or City Council pursuant to Title 27 or 28 of this Code, the time periods specified in this section for preliminary approval or final approval~~ The time period specified in this section for an approval from the Board or the City Council, on appeal, shall not include any period of time during which either 1. a moratorium on the issuance of building permits, imposed after the preliminary or final project design approval, is in effect; or 2. a lawsuit involving the preliminary or final project design approval is or was pending in a court of competent jurisdiction.

SECTION 5. Sections 22.70.020, 22.70.030, 22.70.040, and 22.70.050 of Chapter 22.70 “Sign Regulations” of Title 22 are amended to read as follows:

22.70.020 Definitions.

As used in this Chapter, the following terms and phrases shall have the indicated meanings:

- A. **ACCESSORY SIGN.** A separate unit displaying information related to the principal business conducted on the premises, which is not attached to or supported by any other sign, and not made a part thereof.
- B. **ARCHITECTURAL FEATURE.** Any window frame, recessed area, door, detail or other feature that is part of any building, or is a specific element of a recognized style of architecture.
- C. **AWNING SIGN.** Any sign or graphic attached to, painted on or applied to an awning or awning canopy.
- D. **BACK-LIT SIGN.** Any internally illuminated sign with opaque, reverse pan channel, halo-lit letters and elements with concealed light sources in which the light projects away from the viewer.
- E. **BANNER.** A bunting or other flexible sign characteristically supported at two or more points and hung on a building or otherwise suspended down or along its face, or across any public street of the City. The banner may or may not include copy or other graphic symbols.
- F. **BENCH SIGN.** Any sign painted on or otherwise attached to a bench or other seat placed in an exterior area.
- G. **BILLBOARD.** A freestanding sign which exceeds the size limitations of a ground or wall sign. A billboard may be on-premises or off-premises.
- H. **CIVIC EVENT SIGN.** A sign, other than a commercial sign, posted to advertise or provide direction to a civic event sponsored by a public agency, the City, a school, church, civic-fraternal organization or similar non-commercial organization.
- I. **COMMERCIAL, OFFICE OR INDUSTRIAL COMPLEX.** A group of contiguous businesses which employs a homogeneous design theme as a common perimeter treatment.
- J. **COMMERCIAL SIGN.** Any sign which is intended to attract attention to a commercial activity, business, commodity, service, entertainment or attraction sold or offered, and which is to be viewed from public streets or public parking areas.
- K. **EAVE.** That portion of the roofline extending beyond the building wall, a canopy attachment on the wall having the simulated appearance of an eave, or the lowest horizontal line on any roof.
- L. **ELECTION SIGN.** A non-commercial sign pertaining to an election for public office or to a ballot measure to be placed before the voters in a federal, state or local election.

M. ERECT. To build, construct, attach, hang, place, suspend, affix or fabricate, which shall also include painting of wall signs and window signs or other graphics, and the projection of illuminated signs.

N. FACADE. The front of a building or structure facing a street.

O. FLAG. A piece of fabric of distinctive design (customarily rectangular) that is used as a symbol of a nation, state, city, agency, corporation or person or as a signaling device and is usually displayed hanging free from a staff or halyard to which it is attached by one edge.

P. FRONTAGE. The width of any face of a building.

1. Dominant building frontage. The principal frontage of the building where its main entrance is located or which faces the street upon which its address is located.

2. Subordinate building frontage. Any frontage other than the dominant frontage.

Q. GROUND SIGN. Any sign advertising goods manufactured, produced or sold or services rendered on the premises upon which the sign is placed, or identifying in any fashion the premises or any owner or occupant, and which is supported by one (1) or more uprights or braces on the ground, the overall total height (including sign or support structure, whichever is higher) of which does not exceed (i) six (6) feet above grade measured at the edge of the public right-of-way, or (ii) six feet above the base of the sign structure when the grade at the public right-of-way is at least three and one-half feet lower than the ~~natural~~ grade at the base of the sign, whichever is higher. In no case shall an artificial grade be established for the sole purpose of placing a sign at more than six (6) feet above the grade at the edge of the public right-of-way.

R. HANGING SIGN. A sign attached to and located below any eave, roof, canopy, awning or wall bracket.

S. ILLUMINATED SIGN. A sign where the face is illuminated in some manner or consists of the projection of a light source on another surface.

T. INFLATABLE SIGNS. Inflated signs, balloons, and figures.

SU. KIOSK. A small, freestanding structure permanently affixed to the ground, requiring a building permit, which may have one or more surfaces used to display temporary advertising signs.

FV. LETTER HEIGHT. The height of a letter from its bottom to its top, including any shadow line.

UW. LIGHTING STANDARD. A device for providing artificial light on the sign surface.

VX. LOGO SIGN WITH COURTESY PANELS. Prefabricated signs bearing a brand name, registered trademark or logo with space for the name of a local business or occupant or other items of information to be applied thereto or erected thereon.

WY. MARQUEE. A permanent roof structure attached to and entirely supported by a wall of a building, having no connection or relationship with the roof of the building to which it is attached.

XZ. MARQUEE SIGN. Any sign attached to a marquee.

YAA. MOBILE SIGN. A sign on a boat or on a vehicle, other than on a public transit vehicle designed to carry at least 19 passengers, advertising a good, service, or entity other than that for which the vehicle is principally used.

ZBB. MURAL. A painting or picture applied to and made part of a wall or window which may be pictorial or abstract, and is characteristically visually set off or separated from the background color or architectural environment.

AACC. NON-COMMERCIAL SIGN. Any sign which is intended to convey a non-commercial message of social, political, educational, religious or charitable commentary.

BBDD. OFF-PREMISES SIGN. A commercial sign not located on the premises of the business or entity indicated or advertised by said sign, or a commercial sign advertising a commodity, service or entertainment offered at a location other than the location of the sign.

EE. OPEN BAY SIGN. A sign erected in such a manner that it is visible through an open bay (i.e., auto repair bay).

CCFF. PARAPET. A low wall used to protect the edge of a roof from view, also called a parapet wall.

DDGG. PARAPET OR PERGOLA SIGN. Any sign or other graphic attached to a parapet, ramada, pergola, or other similar structure.

EEHH. PENNANT. A small triangular or rectangular flag or multiples thereof, individually supported or attached to each other by means of a string, rope, or other material and meant to be stretched across or fastened to buildings, or between poles and/or structures.

FFII. PERGOLA. A structure usually consisting of parallel colonnades supporting an open roof of girders and cross-rafters, also known as an arbor, trellis or ramada.

GGJJ. POLE SIGN. Any sign, other than a ground sign, supported by one (1) or more uprights or braces on the ground, the height of which is greater than a ground sign, and which is not part of any building or structure other than a structure erected solely for the purpose of supporting a sign.

HHKK. PORTABLE SIGN. Any sign, other than a mobile sign, designated or

constructed in such a manner that it can be moved or relocated without involving any structural or support changes.

HLL. PROJECTING SIGN. Any sign which projects from and is supported by a wall of a building with the display surface of the sign perpendicular to the building wall.

HMM. ROOF. The cover of any building, including the eaves and similar projections. False roofs on store fronts, coverings on or over oriels, bay windows, canopies and horizontally projecting surfaces other than marquees shall be considered roofs.

KKN. ROOF SIGN. Any sign any part of which is on or over any portion of any roof or eave of a building or structure and any sign which extends above a parapet of a building or structure.

LLO. SIGN. Any ~~physical~~ form of visual communication including any physical object, projection of light, video display, or open flame with or without lettering, a symbol, logo or banner, other than a mural. A sign may include a commercial or noncommercial sign. A sign includes all parts, portions, units and materials used in constructing the sign, together with the illumination, frame, background, structure, support and anchorage thereof.

MMPP. TEMPORARY. A period of time not exceeding thirty (30) consecutive days, unless otherwise specified.

NNQQ. VENDING MACHINE. A machine or other mechanical device or container that dispenses a product or service through a self-service method of payment, but not including an automatic bank teller machine incorporated within a wall or a façade of a building, a news rack, a machine vending compressed air or water at an automobile service station, or a public telephone.

OOR. WALL SIGN. Any sign affixed directly to or painted on or otherwise inscribed on an exterior wall or solid fence, the principal face of which is parallel to said wall or fence and which projects from that surface no more than twelve (12) inches at all points.

PPSS. WINDOW SIGN. Any sign printed, attached, glued or otherwise affixed to or behind a window, within the window display area or within four (4) feet, whichever is greater, and designed to be viewed from adjoining streets, walkways, malls or parking lots available for public use.

22.70.030 Sign Regulations.

A. PERMIT REQUIRED. It is unlawful for any person to erect, repair, alter, relocate or maintain any sign within the City, or to direct or authorize another person to do so, except pursuant to a sign permit obtained as provided in this Chapter unless the

sign is specifically exempted from permit requirements. No permit shall be required for repainting, cleaning, or other normal maintenance and repair of a sign unless the structure, design, color or character is altered.

B. EXEMPT SIGNS. The following signs shall be allowed without a sign permit and shall not be included in the determination of type, number or area of signs allowed on a building or parcel:

1. Any official federal, state or local government sign and notice issued by any court, person or officer in performance of a public duty, or any sign erected or placed on park or beach property owned or controlled by the City and which (i) pertains to an event not exceeding five (5) days in duration and (ii) has been approved by the agency with authority over such property.

2. Any temporary sign warning of construction, excavation or similar hazards so long as the hazard exists.

3. One temporary construction sign, provided the sign (i) does not exceed six (6) square feet in one- and two-family residence zones and does not exceed twenty-four (24) square feet in all other zones, (ii) is used only to indicate the name of the construction project and the names and locations (city or community and state name only) of the contractors, architects, engineers, landscape designers, project or leasing agent, and financing company, (iii) is displayed during construction only, (iv) does not exceed the height limitations of a ground sign, and (v) meets all other applicable restrictions of this Chapter.

4. Any temporary sign relating to Christmas, Fiesta, Solstice or any other holiday observed by the City ~~sign~~-except banners, blinking lights, ~~and/or~~ those signs and any related lighting requiring a building, electrical or other permit. Any such decorations or displays and any related lighting must be removed within ten (10) days following the event for which they were erected.

5. A non-commercial sign not exceeding six (6) square feet total for each lot in residential zones and twenty-four (24) square feet total for each lot in non-residential zones. Such a sign shall be erected only with the permission of property owner or tenant. An election sign shall not be displayed for more than ninety (90) days prior to the election or for more than ten (10) days following the election for which it is erected.

6. A temporary sign which indicates that the property is for sale, rent or lease. Only one such sign is allowed on each street frontage of the property. Such a sign may

be single- or double-faced and is limited to ~~three (3)~~four (4) square feet or less on property in residential zones and twelve (12) square feet or less on property in non-residential zones and shall not exceed the height limitations of a ground sign (six feet (6')).

7. Any temporary sign located on a kiosk.

8. Any "No Trespassing" sign, prohibiting or restricting access to property, provided it is (i) not more than one (1) square foot in size, (ii) placed at each corner and each entrance to the property and (iii) at intervals of not less than fifty (50) feet or in compliance with the requirements of law.

9. One identification sign of no more than one (1) square foot for a residence.

10. Any parking lot and other private traffic directional sign not to exceed two (2) square feet in area having black letters on a white or building color background, and limited to guidance of pedestrian or vehicular traffic within the premises. There shall be erected no more than three (3) such signs in each parking lot or more than one (1) per entrance.

11. Any informational commercial signs provided the sign (i) is in a non-residential zone, (ii) has an aggregate area (when combined with all other similar signs on the parcel) of not more than one-and-one-half (1½) square feet at each public entrance nor more than five (5) square feet total, (iii) indicates address, hours and days of operation, whether a business is open or closed, credit information and emergency address and telephone numbers. Lettering shall not exceed two (2) inches in height except for street numbers.

a. Neon or light-emitting diode (LED) signs with the text "open" may be erected under this exemption subject the following conditions: (i) no more than one (1) sign may be erected on a parcel, (ii) the letter height of any such sign shall not exceed 12 inches and the overall height of the sign shall not exceed 14 inches, and (iii) such signs are not allowed in El Pueblo Viejo, unless the sign is located at least 10 feet back from the window display area.

12. Any street name and address stamped or painted on a sidewalk or curb.

13. Any civic event sign except a banner. Such a sign shall be removed within twenty-four (24) hours after the time of the event, shall not exceed twenty-four (24) square feet in size and may be erected for a period not to exceed five (5) days out of any thirty (30) day period. Only one (1) such sign shall be erected per lot.

14. Any temporary "open house" sign. Only one (1) sign is allowed on each street frontage of the property. Such a sign may be single- or double-faced and is limited to three (3) square feet or less. The sign's supporting structure shall not exceed four (4) feet in height. Signs erected pursuant to this exemption shall not be illuminated. A maximum of three (3) off-site signs shall be allowed and shall contain only the address of the property where the open house is being held and the name of the real estate agent and/or real estate agency or party holding the open house. Such a sign shall be erected and removed on the day the open house is held and shall not be fastened or attached in any way to a building facade or architectural element. Off-site open house signs shall be erected on private property only with the permission of the property owner. Off-site open house signs erected within public right of way shall be placed in compliance with the guidelines adopted by the Community Development Department and the Public Works Department.

15. Any sign on a ~~gasoline pump~~, telephone booth, ~~and or~~ news rack, provided the sign (i) identifies only the product contained therein, or displays operating instructions, and (ii) the lettering does not exceed two inches in height.

16. Flags flown on a temporary basis for purposes of honoring national or civic holidays which do not exceed eight (8) feet long in largest dimension. No more than two (2) flags may be flown pursuant to this exemption on a single parcel.

17. The official flag of a government, governmental agency, public institution,

religion, corporation or other similar entity. Only one (1) flag pole with a maximum height of twenty-five (25) feet and ~~with a maximum dimension on the flag of eight (8) feet and~~ which is not attached to the building shall be exempt. No more than two (2) flags may be flown pursuant to this exemption on a single parcel.

18. Signs, except banners, announcing the opening of a new business which, in the aggregate, do not exceed ten (10) square feet in size or twenty-five percent (25%) of the window area, whichever is greater. Such signs shall be erected no more than thirty (30) days prior to the scheduled opening of the business and shall be removed no later than thirty (30) days after the opening of the business, but in no case shall such a sign be erected for more than forty-five (45) days within this period. The business owner or manager shall provide proof of opening date upon request.

19. Temporary window signs, except banners not exceeding four (4) square feet or fifteen percent (15%) of the window area of each facade, whichever is greater. For windows which are more than twenty-five (25) feet from the public right-of-way, such signs shall not exceed twenty-five percent (25%) of such window area. No temporary window signs on a building or parcel shall be displayed for more than thirty (30) consecutive days nor more than a total of sixty (60) days per calendar year. Any lighting intended to illuminate a temporary window sign must be reviewed and approved by the Sign Committee before installation unless otherwise exempt pursuant to this Chapter.

20. Signs specifically required by federal, state or City law, of the minimum size required.

21. Signs on the air operation side of the Santa Barbara Municipal Airport which are designed and oriented to provide information to aircraft.

22. A sign, such as a menu, which (i) shows prices of goods or services not on window display to the public, (ii) does not exceed twenty-four (24) inches by eighteen (18) inches, (iii) has letters and numbers not exceeding three-quarters (3/4) of an inch in height, and (iv) is located on a wall or in a window.

23. Signs on public transit vehicles designed to transport at least 19 passengers. No more than one sign may be displayed on each side of these vehicles, except as approved by the Sign Committee.

24. Temporary "Garage Sale" or other similar signs located only on the premises upon which the sale is occurring.

C. PROHIBITED SIGNS. In addition to any sign not conforming to the provisions of this Chapter, the following signs are prohibited:

1. Any sign which, by color, shape, working, or location, resembles or conflicts with any traffic control sign or device.

2. Signs attached or placed adjacent to any utility pole, traffic sign post, traffic signal, historical marker or any other official traffic control device.

3. Any sign, except as may be required by other code or ordinance, placed or maintained so as to interfere with free ingress or egress from any door, window or fire escape.

4. Signs erected on public or private property without the permission of the property owner.

5. Signs visible from the public street or parking lot attached to or placed on merchandise or materials stored or displayed outdoors except for parking lot sales of less than four (4) days in duration.

6. Signs that rotate, move, glare, flash, change, reflect, blink or appear to do any of the foregoing, except time and temperature devices.

7. Off-premises signs, including billboards, except open house signs erected in compliance with guidelines adopted by the Community Development Department and Public Works Department.

8. Any sign displaying obscene, indecent or immoral matter as defined under California Penal Code.

9. Signs on awnings or canopies except on the valance.

10. Signs that create a hazard by obstructing clear views of pedestrian and vehicular traffic.

11. Portable signs.

12. Mobile signs.

13. Any sign (generally known as a "snipe sign,") tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences or the exterior of building or other structures, where the information appearing thereon is not applicable to the present use of the premises upon which such sign is located. Whenever a sign is found so placed, the same shall constitute prima facie evidence that the person benefited by the sign placed or authorized the placement of the sign.

14. Bench signs.

15. Banners, including any banner that is an open bay sign.

16. Roof signs and any other graphics which extend, wholly or in part, above the eave line of the structure to which it is attached.

17. Any parapet or pergola sign placed above or partially above the parapet or

pergola.

18. Logo signs with courtesy panels.
19. Pennants.
20. Signs which cover or interrupt architectural features.
21. Signs containing changeable copy, except theater marquee signs, business directories, church and museum signs, gas price signs and restaurant interior menu boards.
22. Historical markers placed on the structure, tree or other historical monument itself, except as approved by the Historic Landmarks Commission.
23. Pole signs.
24. Exposed cabinet/raceways behind channel letters.

25. Inflatable signs.

D. GENERAL REQUIREMENTS.

1. No sign, other than a sign installed by a public agency, shall be allowed to be erected, installed, placed or maintained in or on any public property, including sidewalks and parkways, except off-site “open house” signs erected in compliance with guidelines adopted by the Community Development Department and the Public Works Department.

2. Churches, schools, and other public or semi-public facilities may have one (1) on-site sign not exceeding eighteen (18) square feet in any area, provided that, except for the name of the premises, the lettering shall not exceed three (3) inches in height, and such signs in residential zones shall not be internally illuminated.

3. Any sign which is supported by more than one means and therefore cannot be clearly defined as a ground, marquee, wall, roof, projecting or other sign shall be administratively assigned to the sign category most logically applicable and be subject to the corresponding standards.

4. Accessory signs will be considered only if they are designed in conjunction with or made an integral part of the signing existing on the subject building or project. Said signs shall not exceed twenty-five (25%) percent of the building's total signage.

5. A temporary window sign in excess of four (4) square feet, or fifteen percent (15%) of the window area of each facade, whichever is greater, requires a permit, unless the sign is otherwise exempt from the permit requirements of this chapter. For a window which is more than twenty-five (25) feet from the public right-of-way, such a sign shall not exceed twenty-five percent (25%) of the window area. Such signs shall not be displayed for more than thirty (30) consecutive days nor for more than a total of sixty (60) days per calendar year.

6. Only one (1) face of a double-faced sign with parallel opposing faces, and bearing identical copy or language translation, shall be used in computing the area of a sign. Signing and illumination shall be on two opposing faces only.

7. In order to calculate the size of a sign, the following provisions apply:

a. If the sign is enclosed by a box or outline, the area of the sign includes that portion of the sign comprised of said box or outline.

b. If the sign consists of individual letters attached directly to the building or wall, the size is calculated by drawing a rectangle around each line of copy.

c. If the sign is a ground sign, the base or support structure shall be included in calculating the height of the sign.

8. If a building consists of two (2) or more above-ground stories, no sign shall be allowed more than five feet six inches (5'6") above the second floor line or in conformance with Subsection D.11 below, where applicable.

9. Prior to issuance of a sign permit, a ground sign shall be approved by the traffic engineer to ensure that placement of the sign would not adversely affect traffic or pedestrian safety.

10. A non-temporary window sign shall be not larger than twenty-five percent (25%) of the window area of the facade on which it is displayed.

11. A wall sign may be attached flat against or pinned away from the wall. A wall sign placed in the space between windows on the same story shall not exceed more than two-thirds (2/3) of the height of the window, or major architectural details related thereto. A wall sign placed between windows on adjacent stories shall not exceed two-thirds (2/3) the height of the space between said windows.

12. A projecting or hanging sign must clear the nearest sidewalk by a minimum of seven (7) feet and may project no more than four (4) feet into the public right-of-way. Such a sign for a business in the second story of a building is allowed only if the business has a separate street or public parking lot entrance and may be placed at the entrance only.

13. A device displaying time or temperature is permitted in all zones except residential zones and designated historic districts, subject to the provisions herein regulating various types of signs. Such devices are limited to one (1) per block. Only a logo is allowed to appear on the same structure as such a device.

14. A kiosk is permitted in all non-residential zones, subject to approval by the Sign Committee and (i) the Historic Landmarks Commission if within El Pueblo Viejo Landmark District or another landmark district, or (ii) the Architectural Board of Review in other parts of the City.

15. A relocated sign shall be considered to be a new sign, unless the relocation is required by a public agency as a result of a public improvement, in which case approval shall be obtained only for the new location and base of the sign.

16. Except as otherwise stated in this Chapter, letter height shall be limited to a maximum of twelve (12) inches, except where it can be found that said letter size is inconsistent with building size, architecture and setback from the public right-of-way.

17. A ground sign which exceeds six (6) square feet in area shall not be located within seventy-five (75) feet of any other ground sign.

18. All signs on parcels immediately adjacent to El Pueblo Viejo Landmark District are subject to El Pueblo Viejo regulations.

22.70.040 Sign Standards.

A. GENERAL REQUIREMENT. All signs shall conform to the following

standards.

1. Residential Uses. The following sign standards shall apply to any residential use in any zone in the City:

a. An apartment or condominium project identification sign identifying an apartment or condominium complex by name or address. One (1) such sign shall be allowed for each complex, shall not exceed ten (10) square feet in size if less than twenty-five (25) units, nor twenty-five (25) square feet if larger than twenty-five (25) units, and shall not be internally illuminated.

b. The Sign Committee may authorize one (1) ground sign or wall sign, not to exceed an area of twenty-four (24) square feet, to identify a neighborhood or subdivision other than an apartment or condominium project at the entrance to such subdivision or neighborhood. Such sign shall not be internally illuminated.

c. Any existing legal non-conforming use in a residential zone may have one-half (1/2) the number and size of signs as are allowed in commercial zones.

2. Office Uses. The following sign standards shall apply to office uses in any zone:

a. The aggregate area for all signs identifying a building or complex shall not exceed one-half (1/2) square foot of sign area per linear foot of building frontage or twenty (20) square feet, whichever is less.

b. Establishments within an office building or complex may collectively place a directory sign at each public entrance to said building listing establishments within.

c. An office complex which maintains a group identity shall submit to the Sign Committee a sign program for all signs proposed within the complex. Upon approval, the sign program shall apply to all tenants. This sign program shall be included as a provision in the lease for each individual tenant. Proof of said inclusion in the standard lease for the office complex shall be submitted to the Planning Division by the lessor.

3. Commercial and Industrial Uses. The following sign standards shall apply to commercial and industrial uses including hotels and motels in any zone:

a. The total area for all signs identifying a business shall not exceed the following:

(1) For a dominant building frontage up to one hundred (100) linear feet, one (1) square foot of sign area per linear foot of building frontage, or sixty-five (65) square feet, whichever is less.

(2) For a dominant building frontage with more than one hundred (100) linear feet, three-quarters (3/4) square foot of sign area per linear foot of dominant building frontage or ninety (90) square feet, whichever is less.

(3) For a building occupied by more than one tenant, the dominant building frontage for each business is that portion of the building elevation adjacent to the business. For a business which is not on the ground floor, one-half (1/2) square foot of sign area per linear foot of dominant building frontage is permitted.

b. For a commercial or industrial complex containing four (4) or more occupants, the following sign standards apply:

(1) One (1) sign per frontage to identify the commercial or industrial complex, allowing one (1) square foot of sign area per linear foot of complex frontage or

seventy-five (75) square feet, whichever is less, on the dominant facade.

(2) For each individual business with frontage on a public street or parking lot, one-half (1/2) square foot of sign area per linear foot or twenty-five (25) square feet, whichever is less.

(3) One (1) directory sign not exceeding ten (10) square feet in size may be allowed at each public entrance.

(4) A commercial or industrial complex which maintains a group identity shall submit to the Sign Committee a sign program for all signs proposed within the complex. Upon approval, the sign program shall apply to all tenants. This sign program shall be included in the lease for each individual tenant. Proof of said inclusion shall be submitted to the Planning Division by the lessor.

B. EL PUEBLO VIEJO LANDMARK DISTRICT. Signs in El Pueblo Viejo Landmark District (EPV) shall contribute to the retention or restoration of the historical character of the area. In addition to the other standards and restrictions in this Chapter, signs in EPV shall comply with the following:

1. Colors shall be consistent with the Hispanic styles specified in Chapter 22.22.
2. The typeface used on all signs in EPV shall be consistent with the Hispanic styles specified in Chapter 22.22, except that where the business logo or trademark uses a particular typeface, it may be used.

3. Letter height shall be limited to a maximum height of ten (10) inches, except where it can be found that said letter size is inconsistent with building size, architecture, and setback from the public right-of-way.

4. No internally illuminated signs except back-lit signs are allowed. Traditional materials and methods are to be used as defined in Section 22.22.104 and described in Subsection 5 below. Internally illuminated projecting cabinet signs are prohibited.

5. The choice of materials is left to the discretion of the applicant, subject to the approval of the Sign Committee; however, the following materials and/or methods are acceptable and desirable:

a. Sign face, supports and standards made of resawn or rough sawn wood and/or wrought iron with painted or stained backgrounds and lettering.

b. Sign face, supports and standards made of smooth wood trimmed with moldings of historically based design and lettering.

c. Signs painted directly on the face of the building.

d. Projecting signs.

e. Use of wood cutouts, wrought iron or other metal silhouettes further identifying the business.

f. Glass.

g. Lighting standards and style typical of the building's architecture and period.

h. Flush or inset mounted signs of tile or stone.

6. The following materials and details are not acceptable:

a. Contemporary finish materials such as plastics, aluminum and stainless steel.

b. Imitation wood or imitation marble.

c. Fluorescent paint.

d. Exposed spot lights, exposed neon tubings on the exterior of a building or located within 10 feet of an interior window display area (except no vacancy signs as provided in subparagraph 7 below), and exposed lights or electrical conduits.

7. For hotels and motels in the El Pueblo Viejo Landmark District (EPV) a single neon "No Vacancy" sign shall be allowed if the following conditions are met:
 - a. Only one (1) double-faced neon "No Vacancy" sign per property/business.
 - b. Letter size to be three (3) inches maximum height.
 - c. Tube size to be twelve (12) mm. maximum diameter.
 - d. Neon color to be clear red.
8. Landscaping:
 - a. Landscaping in EPV shall conform to the El Pueblo Viejo Guidelines list of preferred plants.
 - b. Low shrubs or dense ground cover is required to conceal non-decorative lighting fixtures.
 - c. Irrigation plans shall be included where applicable.

22.70.050 Sign Permits.

A. APPLICATION. Any person desiring to construct, maintain or display a sign for which a permit is required shall submit an application to the Planning Division of the Community Development Department. The application shall be made upon forms provided by the Community Development Department and shall be accompanied by the following materials:

1. Two copies of a plan showing:
 - a. The position of each sign and its relation to adjacent buildings or structures.
 - b. The proposed design, size, colors, and location on the premises of each sign including the type and intensity of any proposed lighting.
2. A statement showing the sizes and dimensions of all signs existing on the premises at the time of making such application.
3. Such other information as the Director of the Community Development Department may require to show full compliance with this and all other ordinances of the City of Santa Barbara.
4. A written authorization to submit the sign permit application signed by the property owner or lessee.

B. FEES. The sign permit application shall be accompanied by the appropriate fee established by the City Council by resolution. If installation of a sign is commenced before an application for a permit is made or before the plans are approved by the Sign Committee, the applicant shall be charged an additional field inspection fee equal to the permit fee.

C. PROCESSING APPLICATIONS.

1. Community Development Department staff shall review the application and accept it as complete or reject it as incomplete within three (3) working days from the

date of filing.

2. No sign permit application will be accepted if:

a. The applicant has installed a sign in violation of the provisions of this Chapter and, at the time of the submission of the application, each illegal sign has not been legalized, removed or included in the application; or

b. Any sign under the control of the applicant on the premises of the proposed sign was installed in violation of this Chapter and at the time of submission of the application, each illegal sign has not been legalized, removed or included in the application; or

c. The sign permit application is substantially the same as an application previously denied by staff or the Sign Committee or, on appeal, by the Historic Landmarks Commission, the Architectural Board of Review, or the City Council, unless:

(1) Twelve (12) months have elapsed from the date of the final decision on the application; or

(2) New evidence or proof of changed conditions is furnished in the new application.

D. BUILDING AND ELECTRICAL PERMITS. After a sign has been approved by the Sign Committee the applicant shall obtain all required building and electrical permits from the Building and Safety Division ~~of Land Use Controls~~ of the Community Development Department.

E. CONFORMING SIGN REVIEW. Applications for signs conforming to the Sign Ordinance and Sign Review Guidelines may be eligible for review and approval by the Chair or Vice-Chair of the Sign Committee or their designated alternate. Conforming signs which meet the following criteria shall be referred by Staff for Conforming Sign Review:

1. Signs where the size, shape, color, and placement of the sign and any lighting illuminating the sign would be compatible to and harmonious with the building which the sign identifies and the area in which the sign will be located.

2. Signs located within El Pueblo Viejo Landmark District that comply with the requirements of Section 22.70.040.B and would be compatible with the required architectural style described in Section 22.22.104.

3. Minor wording, name, color and/or face changes which do not affect the character or location of a sign;

24. Signs for a commercial or industrial complex where a previously approved sign program is in effect and the proposed sign conforms to the program;

35. Thirty (30) day extension of temporary signage;

46. Conceptually approved signs, if all Committee conditions are met; and

~~5.—Ongoing flag changes if there is no change to the Sign Committee approved flag programs; and~~

67. Awning signs.

Sign applications which do not meet these specific criteria may be referred by Staff or the Chair, Vice-Chair or their designated alternate for Conforming Sign Review, if deemed appropriate. In addition, the full Sign Committee may also direct some projects or portions of projects to the Conforming Sign Review for approval.

F. PERMITS REVIEWED BY THE SIGN COMMITTEE. The Sign Committee shall take action to approve, conditionally approve or deny an application within twenty-one (21) days from the date of acceptance thereof. If no action is taken by the Sign Committee within said period or within any extension approved by the applicant, the application shall be deemed approved as submitted, provided the proposed sign otherwise complies with the provisions of this Chapter.

G. SIGN REVIEW CRITERIA.

1. In reviewing a sign permit application, staff and the Sign Committee shall apply the following criteria as the basis for action:

a. The sign shall be in proportion with and visually consistent with the architectural character of the building.

b. The sign shall not constitute needless repetition, redundancy or proliferation of signing.

c. The location of the proposed sign and the design of its visual elements (lettering, colors, decorative motif, spacing and proportion) shall result in a sign which is legible under normal viewing conditions existing at the sign's proposed location.

d. The sign shall not obscure from view or unduly detract from existing signing.

e. If the proposed sign will be adjacent to, in or near a residential area, it shall be harmonious and compatible with the residential character of the area.

f. The size, shape, color and placement of the sign and any lighting shall be compatible to and harmonious with the building which it identifies and with the area in which it will be located.

g. If the sign is to be located in El Pueblo Viejo Landmark District, the sign shall comply with the requirements of Section 22.70.040.E and shall be compatible with the required architectural style described in Section 22.22.104.

2. If a sign permit application satisfies the above criteria and complies with the other provisions of this Chapter, it shall be approved.

H. FINDINGS. If a sign permit application is denied, specific and detailed findings setting forth the reasons why the proposed sign violates the criteria set forth above or other provisions of this Chapter shall be prepared in writing and mailed to the applicant or his agent and sign contractor within seven (7) days.

I. APPEALS. The applicant or any interested person may appeal decisions concerning sign permit applications as follows:

1. Appeals to the Architectural Board of Review or the Historic Landmarks Commission. Any action of the Sign Committee or of the Division staff may be appealed by the applicant or any interested party to the Architectural Board of Review or, if the sign is in El Pueblo Viejo Landmark District, to the Historic Landmarks Commission. Said appeal shall be in writing, shall state reasons for the appeal and shall be filed with the staff of the Architectural Board of Review or the Historic Landmarks Commission within ten (10) days of the meeting at which the decision being appealed was rendered. A hearing shall be held by the Architectural Board of Review or the Historic Landmarks Commission, as appropriate, at the first available meeting of the Architectural Board of Review or the Historic Landmarks Commission following the filing of the appeal. Notice of the time and place of the hearing shall be sent to the applicant and appellant no later than five (5) days prior to said hearing. The Board or Commission may affirm, reverse or modify the decision of the Sign Committee or staff concerning the sign permit application. Said action shall take place within twenty-eight (28) days from the date of the filing of the appeal. Failure to act within said period will result in the sign permit application being deemed approved to the extent that it complies with the provisions of this Chapter. Upon such an automatic approval, the Division of Land Use Controls shall issue the permit. No member of the Board or Commission who is also a member of the Sign Committee and who participated in the decision of the Sign Committee shall act on the appeal.

2. Appeal to the City Council. An appeal to the City Council from the decision of the Architectural Board of Review or the Historic Landmarks Commission shall be made pursuant to the provisions of Section 1.30.050 of this Code.

J. EXPIRATION OF PENDING APPLICATION. Signs must be installed within six months of the date of approval or the approval is void, unless the applicant has requested and received an extension not exceeding six (6) months from the Community Development Director.

SECTION 6. Sections 28.87.220, 28.87.360, and 28.87.370 of Chapter 28.87 of Title 28 of the Santa Barbara Municipal Code are amended to read as follows:

28.87.220 Zoning Information Report.

1A. STATEMENT OF LEGISLATIVE INTENT.

These regulations are intended to require a Zoning Information Report for purchasers of residential property, setting forth matters of City record pertaining to the authorized use, occupancy, zoning and the results of a physical inspection of the property. Primary purpose of the report is to provide information to the potential buyer of residential property concerning the zoning and permitted use of the property.

2B. DEFINITIONS.

a1. "Owner" shall mean any person, co-partnership, association, corporation or fiduciary having legal or equitable title or any interest in any real property.

b2. "Residential property" shall mean any improved real property, designed or permitted to be used for any residential purpose, situated in the City and shall include the building or structures located on said improved real property.

e3. "Agreement of sale" shall mean any agreement or written instrument which provides that title to any property shall thereafter be transferred for consideration from one (1) owner to another owner.

3C. REPORT REQUIRED.

a1. Application. No later than five (5) days after entering into an "agreement of sale" of any residential property (except condominium units), the owner or owner's authorized representative shall make application to the City for a Zoning Information Report to the Community Development Director on a form provided, and pay a fee as established by resolution of the City Council. Owners of condominium units may, but

are not required to, obtain a Zoning Information Report as specified in this Section

28.87.220.

Under normal circumstances the report will be available no later than fifteen (15) working days after the application is received by the Community Development Director.

b2. Copy to Buyer. Said owner or owner's authorized representative shall provide a copy of the report to the buyer or buyer's authorized representative no later than three (3) days prior to consummation of the transfer of title. The buyer or buyer's authorized representative may waive in writing the requirement for delivery three (3) days prior to

consummation of the transfer of title but in any event the report shall be provided to the buyer or buyer's authorized representative prior to the consummation of the transfer of title.

e3. Proof of Receipt. Proof of receipt of a copy of the report shall be obtained by the owner or owner's authorized representative prior to consummation of the transfer of title. Said proof shall consist of a statement signed by the buyer or buyer's authorized representative stating that the report has been received, the date of the report and the date it was received. City shall provide a receipt form with each zoning information report. The original of the signed proof of receipt shall be mailed or delivered to the Community Development Director of the City no later than the consummation of the transfer of title.

4D. CONTENTS OF ZONING INFORMATION REPORT.

The Community Development Director shall review the applicable City records and provide the applicant the following information on the Zoning Information Report:

- a1.** Street address and parcel number of the property.
- b2.** The zone classification and permitted uses as set forth in the Zoning Ordinance of the City of Santa Barbara.
- e3.** Occupancy and use permitted as indicated and established by records.
- d4.** Variance, special use permits, conditional use permits, modifications and other administrative acts of record.
- e5.** Any special restrictions in use or development which are recorded in City records and may apply to the property.
- f6.** Any known nonconformities or violations of any ordinances or law.
- g7.** The results of a physical inspection for compliance with the Zoning Ordinance and for compliance with Chapter 14.46 of this Code.

h8. A statement of whether the real property has had a Building Sewer Lateral Report prepared for the real property pursuant to the requirements of Santa Barbara Municipal Code Chapter 14.46 within the five (5) year period prior to the preparation of the Zoning Information Report and, if so, that a copy of the Building Sewer Lateral Report is available from the City for the buyer's inspection. All Zoning Information Reports shall also contain an advisory statement (in bold not less than 10 point typeface) prepared by the Public Works Director which advises a purchaser of residential real property regarding the potential problems and concerns caused by an inadequate, failing, or poorly-maintained Building Sewer Lateral. In addition, the standard required advisory statement shall indicate the advisability of a purchaser obtaining a recently-prepared Building Sewer Lateral Inspection Report.

5E. VIOLATION OF LAW NOT PERMITTED.

Any report issued pursuant to this section shall not constitute authorization to violate any ordinance or law, regardless of whether the report issued pursuant to this section purports to authorize such violation or not.

6F. EXPIRATION OF REPORT.

Each report shall be valid for a period of twelve (12) months after date of issue or until a transfer of title occurs, whichever is sooner.

7G. EXEMPTION.

The provisions of this section shall not apply to the following sales:

1. The first sale of a residential building located in a subdivision whose final map has been approved and recorded in accordance with the Subdivision Map Act not more than two (2) years prior to the first sale.

2. Any sale of a condominium unit.

8H. EFFECT OF NONCOMPLIANCE.

It shall be unlawful for any owner or buyer to execute an agreement for sale for any residential property if a Zoning Information Report prepared in compliance with this Section 28.87.220 has not been provided to the buyer in accordance with the provisions of Section 28.87.220.C.2. The failure to comply with the provisions of this Section shall not invalidate the transfer or conveyance of real property to a bona fide purchaser or encumbrancer for value.

28.87.360 Abandonment and Revocation of Staff Hearing Officer or Planning Commission Approvals.

A. Abandonment or Non-Use of Approval. The validity of a Staff Hearing Officer or Planning Commission action approving a modification, conditional use permit, variance, or Performance Standard Permit shall terminate if (i) a building permit for the use authorized by the approval is not issued within twenty-four (24) months of granting the approval, unless an extension is granted by the Community Development Director, and the construction authorized by the permit diligently pursued to completion and issuance of a Certificate of Occupancy, or (ii) the use authorized by the approval is discontinued, abandoned or unused for a period of six (6) months following the earlier of (a) issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.

B. SUSPENSION OF TIME DURING MORATORIUM. The period of time specified in Subsection A shall not include any period of time during which a moratorium, imposed after the approval of the modification, conditional use permit, variance, or Performance Standard Permit, is in existence, provided however, that the length of the moratorium does not exceed five (5) years. For purposes of this Subsection,

a development moratorium shall include (i) a water or sewer moratorium, (ii) a water and sewer moratorium, and (iii) a building or grading permit moratorium, as well as other actions of public agencies which regulate land use, development, or the provision of services to the land other than the City, which thereafter prevents, prohibits, or delays the completion of the development. Once a moratorium is terminated, the approval shall be valid for the same period of time as was left to run on the approval at the time that the moratorium was imposed. However, if the remaining time is less than 120 days, the approval shall be valid for 120 days following the termination of the moratorium.

C. SUSPENSION OF TIME DURING LITIGATION. The period of time specified in Subsection A shall not include the period of time during which a lawsuit involving the approval of the modification, conditional use permit, variance, or Performance Standard Permit or related approvals is or was pending in a court of competent jurisdiction, if the stay of time period is approved by the Planning Commission or City Council pursuant to this Section. After service of the initial petition or complaint in the lawsuit upon the City, the developer may apply to the City for a stay pursuant to the City's adopted procedures. Within forty (40) days after receiving the application, the City shall either stay the time period for up to five years or deny the requested stay. The City Council may, by resolution, establish procedures for reviewing a request for a stay, including, but not limited to, notice and hearing requirements, appeal procedures and other administrative requirements.

BD. Violation of Conditions of Approval. If the conditions of approval of any variance, modification, conditional use permit or performance standard permit have not been met within any time limits established in such conditions, or have been violated as determined by the Community Development Director, the Staff Hearing Officer or Planning Commission may revoke these permits or approvals. A decision to revoke shall be made following a hearing, using the same noticing requirements that were applicable

to the original permit or application.

CE. Appeals.

1. A decision of the Staff Hearing Officer to revoke a permit or other approval under this Section may be suspended or appealed pursuant to Section 28.05.020.

2. A decision of the Planning Commission to revoke a permit or other approval under this Section may be appealed to the City Council pursuant to Chapter 1.30. In addition to the procedures specified in Chapter 1.30, notice of the public hearing before the City Council on an appeal from a decision of the Planning Commission regarding a decision of the Staff Hearing Officer shall be provided in the same manner as notice was provided for the hearing before the Planning Commission. At the time of filing an appeal, the appellant shall pay a fee in the amount established by resolution of the City Council.

28.87.370 Timelines for ~~Staff Hearing Officer and Planning Commission~~ Projects with Multiple Approvals.

A. PROJECTS WITH MULTIPLE APPROVALS. ~~If the Staff Hearing Officer, Planning Commission, or City Council on appeal, approves a project requires~~ multiple discretionary applications pursuant to Titles 22, 27 or 28 of this Code ~~for the same project~~, the expiration date of all discretionary approvals (design review and land use approvals) shall correspond with the longest expiration date specified by any of the land use discretionary applications (applications under Titles 27 or 28) including any extensions that are granted for that approval and any applicable exclusions or suspensions granted pursuant to this Section, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the longest discretionary land use approval related to the application, unless otherwise specified by state or federal law.

B. EXCLUSIONS OF TIME. The periods of time specified in this Section 28.87.370 shall not include any period of time during which either: 1. a moratorium on the issuance of building permits, imposed after the project received project design approval, is or was in effect; or 2. a lawsuit involving the project design approval or the

land use approval for the project is or was pending in a court of competent jurisdiction.
The maximum length of any exclusion of time under this subsection shall be five (5)
years. If the project requires the approval of a tentative subdivision map pursuant to Title
27 of this Code, the length of any exclusion of time pursuant to this subsection shall be
equal to the length of the exclusion approved by the local agency upon a request of the
subdivider pursuant to Government Code Section 66452.6(c).

C. APPROVALS RUN CONCURRENTLY. When any discretionary
approval is extended by operation of this Section 28.87.370, such approval shall run
concurrently with, not consecutively to, the term of the longest discretionary land use
approval for the project. If a building permit for the project has not been issued prior to
the expiration of the longest discretionary land use approval for the project (including any
extensions granted for that approval), all discretionary approvals for the project shall
expire and become null and void upon the expiration of the longest discretionary land use
approval. A design review approval shall not operate to extend a land use approval
beyond the initial approval timeline and any extensions that are otherwise available and
granted.

D. COMMENCEMENT OF TIMING FOR APPROVALS
CONTINGENT UPON ACTION OF OTHER GOVERNMENTAL BODIES. When
a discretionary approval by the City made pursuant to Titles 27, or 28 is contingent upon
an action by another governmental body (i.e., approval of an annexation by the Local
Agency Formation Commission or certification of an amendment to the Local Coastal
Plan by the California Coastal Commission), the timeline for all discretionary approvals
related to the project shall not commence until all contingencies are satisfied. The

suspension of project timelines allowed in this subsection shall not exceed two (2) years from the date of the final City action on the discretionary approval that is contingent upon the action of another governmental body. This suspension shall not run consecutively to a moratorium or litigation exclusion unless the moratorium or litigation legally prevented the applicant from processing the application before the other governmental body.

Examples of Signs





Agenda Item No. _____

File Code No. 170.01

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 12, 2010

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: 2010 Annual Charitable Giving Campaign

RECOMMENDATION:

That Council receive a report from the Chairperson on the City's 2010 Annual Charitable Giving Campaign.

DISCUSSION:

The City of Santa Barbara is beginning its 2010 Annual Charitable Giving Campaign. As part of the campaign, the Santa Barbara United Way Agency sponsored its 19th Annual Day of Caring, which was held this year on Saturday, September 25, 2010. In total, over 1700 people volunteered for the event. Individuals from local businesses, community parishes and non-profit organizations, as well as families, volunteered as "teams." In many cases, the current economic environment affected the level of volunteers from various organizations; however, the overall number of volunteers exceeded last year's number in large part due to a higher number of families participating.

City employees have historically supported this event in both spirit and with their "helping hands," and continued the tradition this year with 27 employees volunteering to work in teams at various volunteer locations. This year's total was below last year's numbers, but those who did volunteer were very enthusiastic and did a great job. This year the locations included: Art from Scrap, Domestic Violence Solutions, Santa Barbara County Front Country Trails and Santa Barbara Botanical Gardens. Employees assisted with painting, brush removal, remodeling projects, carpentry, cleaning, planting seedlings, and general yard work.

A great deal of work was also done by volunteers at two City parks: La Mesa and Alice Keck. Sixty volunteers from Cottage Hospital helped plant 150 new plants, spread 20 yards of mulch, weed and clean the main pathways, and clean the playground at La Mesa Park. Forty volunteers primarily from Santa Barbara Community Church helped rake and clean the pathways, sweep the sidewalks and weed the tree wells around Alice Keck Park. In this economic environment when financial resources available to non-profit

organizations are much scarcer, the efforts of these volunteers were more important and appreciated than ever.

The 2010 Charitable Giving Campaign will be held from Monday, October 11 through Thursday, November 11, 2010, and will involve presentations in all City departments. The goal of the City's Charitable Giving campaign will be to ensure that each City employee is afforded the opportunity to contribute to one of more charitable organizations of their choosing.

PREPARED BY: Robert Samario, Finance Director

SUBMITTED BY: Marcelo A. Lopez, Assistant City Administrator

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING September 28, 2010 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:00 p.m. (The Finance and Ordinance Committees met at 12:30 p.m.)

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Michael Self, Bendy White, Das Williams, Mayor Schneider.

Councilmembers absent: None.

Staff present: Assistant City Administrator Paul Casey, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring October 1, 2010, As California Arts Day And October 2010 As National Arts And Humanities Month (120.04)

Action: Proclamation presented to Ginny Brush, Executive Director, Santa Barbara County Arts Commission.

PUBLIC COMMENT

Speakers: Kenneth Loch, Kate Longstory.

CONSENT CALENDAR (Item Nos. 2 – 13)

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

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of September 14, 2010.

Action: Approved the recommendation.

3. Subject: Adoption Of Ordinance Establishing Prima Facie Speed Limits (530.05)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Amending Chapter 10.60 of the Municipal Code by Revising Section 10.60.015 Establishing Prima Facie Speed Limits on Certain Portions of Carrillo Street, Loma Alta Drive, and Gutierrez Street.

Action: Approved the recommendation; Ordinance No. 5530.

4. Subject: August 2010 Investment Report (260.02)

Recommendation: That Council accept the August 2010 Investment Report.

Action: Approved the recommendation (September 28, 2010, report from the Finance Director).

5. Subject: TEFRA Hearing For Santa Barbara Cottage Hospital (240.03)

Recommendation: That Council hold a public hearing and adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Approving a Tax-Exempt Bond Financing to be Issued by the California Statewide Communities Development Authority to Benefit Santa Barbara Cottage Hospital and Affiliates.

Action: Approved the recommendation; Resolution No. 10-079 (September 28, 2010, report from the Finance Director; proposed Resolution; Affidavit of Publication).

6. Subject: Approval Of Final Map And Execution Of Agreements For 115 Residential Condominium Units At 601 E. Micheltorena Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,793 and standard agreements relating to the approved subdivision of Lot 5 of the previously approved Map Number 20,779, and authorize the City Engineer to subsequently record a removal document for the Land Development Agreement when the public improvements are complete.

Action: Approved the recommendation; Agreement Nos. 23,542 - 23,544 (September 28, 2010, report from the Public Works Director).

7. Subject: Increase In Construction Change Order Authority For Streetlight Improvements Project In Underground Utility District No. 10, Cliff Drive (530.07)

Recommendation: That Council authorize an increase in the Change Order Authority amount with Tidwell Excavation Acquisition Co, Inc. (Tidwell), for construction of the Streetlight Improvements Project (Project) in Underground Utility District No. 10, Cliff Drive, Contract No. 23,184, in the amount of \$25,000, for a total expenditure authority of \$649,397.51.

Action: Approved the recommendation (September 28, 2010, report from the Public Works Director).

8. Subject: Contract With InterVISTAS Consulting, LLC, For Air Service Development (560.01)

Recommendation: That Council authorize the Airport Director to execute, subject to approval as to form by the City Attorney, a contract with InterVISTAS Consulting, LLC, for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$79,923.

Action: Approved the recommendation; Contract No. 23,545 (September 28, 2010, report from the Airport Director).

9. Subject: Storm Water Sampling And Reporting Contract (530.04)

Recommendation: That Council approve and authorize the Airport Director to execute a contract with URS Corporation to conduct stormwater monitoring and reporting for the 2010-11 rainy season in an amount not to exceed \$49,132, and authorize the Airport Director to approve expenditures up to \$4,467 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,546 (September 28, 2010, report from the Airport Director).

10. Subject: Fiscal Year 2011 Agreement For A Countywide Free Library System (570.04)

Recommendation: That Council approve and authorize the City Administrator to execute an agreement between the County of Santa Barbara and the Cities of Santa Barbara, Santa Maria and Lompoc for the operation of a Countywide Free Library System for Fiscal Year 2011.

Action: Approved the recommendation; Agreement No. 23,547 (September 28, 2010, report from the Library Director).

11. Subject: Approval Of Parcel Map And Execution Of Agreements For 1006 And 1008 Chino Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Parcel Map (Map) Number 20,790, finding the Map in conformance with the State Subdivision Map Act, the City's Subdivision Ordinance, and the Tentative Subdivision Map, and other standard agreements relating to the approved subdivision and authorize the City Engineer to record a removal document for the Land Development Agreement when the public improvements are complete.

Action: Approved the recommendation; Agreement Nos. 23,548 - 23,550 (September 28, 2010, report from the Public Works Director).

NOTICES

12. The City Clerk has on Thursday, September 23, 2010, 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.
13. City Advisory Groups Recruitment
 - A. The City Clerk's Office will accept applications through Monday, October 25, 2010, at 5:30 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Friday, October 8, 2010;
 - B. The City Council will conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, November 9, 2010, at 4:00 p.m. (Estimated Time), Tuesday, November 16, 2010, at 6:00 p.m., and Tuesday, November 23, 2010, at 4:00 p.m.; and
 - C. The City Council will make appointments to fill vacancies on various City Advisory Groups on Tuesday, December 7, 2010.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Das Williams reported that the Committee met to discuss financial assistance to the Housing Authority for acquisition of rental property at 2941 State Street. He stated that the Committee will be recommending that the Council and Redevelopment Agency Board provide \$360,000 in an acquisition loan and \$90,000 in a rehabilitation grant, both of which will be coming before the Council and Board in the near future.

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Bendy White reported that the Committee met to review a draft ordinance to amend the Municipal Code to require a veterinarian consultation certificate prior to the City licensing of a non-spayed or non-neutered dog, and to establish similar licensing requirements for unaltered cats. Chair White also reported that the Committee unanimously recommended to bring the ordinance to the Council next week.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

14. Subject: Formation Of The Santa Barbara South Coast Tourism Business Improvement District (290.00)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the City Council of the City of Santa Barbara Declaring Results of Majority Protest Proceedings and Establishing the Santa Barbara South Coast Tourism Business Improvement District;
- B. Adopt the Santa Barbara South Coast Tourism Business Improvement District Management District Plan;
- C. Authorize the City Administrator to negotiate a contract with the Santa Barbara Conference and Visitors' Bureau and Film Commission for the provision of duties, responsibilities and objectives as specified in the Santa Barbara South Coast Tourism Business Improvement District Management District Plan, in a form acceptable to the City Attorney; and
- D. Authorize the City Administrator to negotiate a contract with the City of Carpinteria to allow the City of Santa Barbara to collect the Santa Barbara South Coast Tourism Business Improvement District assessment fee from hotels located in the City of Carpinteria, in a form acceptable to the City Attorney.

(Cont'd)

14. (Cont'd)

Documents:

- September 28, 2010, report from the Finance Director.
- Proposed Resolution.
- September 24, 2010, email communication from Glyn Davies, Simpson House Inn.

The title of the resolution was read.

Speakers:

- Staff: Treasury Manager Jill Taura.
- Santa Barbara Conference & Visitors Bureau: President and Chief Executive Officer Kathy Janega-Dykes.
- Members of the Public: Matthew LaVine, Fess Parker Doubletree; Tom Patton, Ramada Limited; Jeanette Webber, Santa Barbara Hotel Group; Scott Perry, Lemon Tree Inn; Bryan Rosen.

Motion:

Councilmembers House/Hotchkiss to approve the recommendations; Resolution No. 10-080; Contract Nos. 23,551 and 23,552.

Vote:

Unanimous roll call vote.

COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Update On California Green Building Code (CAL Green) And South Coast Energy Reach Code Proposal From Southern California Edison (380.01)

Recommendation: That Council:

- A. Receive an update regarding the California Green Building Code (CAL Green Code) and a presentation from Southern California Edison proposing a South Coast Energy Reach Code; and
- B. Direct staff to conduct public outreach and prepare ordinance amendments for a South Coast Energy Reach Code for consideration by the City's Ordinance Committee.

Documents:

- September 28, 2010, report from the Assistant City Administrator/Community Development Director.
- September 28, 2010, PowerPoint presentation prepared and made by staff.
- September 24, 2010, email communication from Dave Davis, Community Environmental Council.

(Cont'd)

15. (Cont'd)

Speakers:

- Staff: Chief Building Official George Estrella, Assistant City Administrator/Community Development Director Paul Casey.
- Southern California Edison: Codes and Standards Team Member Javier Mariscal.
- Southern California Gas Company: Program Manager Ron Gorman.
- Dennis Thompson Architects: Architect Dennis Thompson.
- Members of the Public: Lindsey Taggart, Community Environmental Council; Dr. Lee Heller; Dan George, Santa Barbara Contractors Association; Karin Perissinotto, Santa Barbara Contractors Association and Built Green; Karen Feeney, Allen Associates & The Sustainability Project; Mickey Flacks; Mike Gabel, Gabel Associates.

Motion:

Councilmembers House/Francisco to approve recommendation B.

Vote:

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

RECESS

4:13 p.m. - 4:23 p.m. Councilmembers House, Self and White were absent when the meeting reconvened. Councilmember Self entered the meeting at 4:24 p.m., and Councilmembers House and White entered the meeting at 4:26 p.m.

16. Subject: City Arts Advisory Committee And Community Events & Festivals Committee Funding Recommendations And Contract With The Santa Barbara County Arts Commission For Fiscal Year 2011 (610.03)

Recommendation: That Council:

- A. Review and approve the City of Santa Barbara Arts Advisory Committee and Community Events and Festivals Committee funding recommendations for Fiscal Year 2011; and
- B. Authorize the Community Development Director to execute an agreement with the Santa Barbara County Arts Commission for \$427,260 as approved in the Fiscal Year 2011 budget.

Documents:

September 28, 2010, report from the Assistant City Administrator/Community Development Director.

(Cont'd)

16. (Cont'd)

Speakers:

- Staff: Administrative Services Manager Sue Gray.
- Santa Barbara County Arts Commission: Executive Director Ginny Brush.
- Members of the Public: Kenneth Loch.

Motion:

Councilmembers Hotchkiss/Williams to approve the recommendations; Agreement No. 23,556.

Vote:

Unanimous voice vote.

Councilmember Williams stated that he would recuse himself from voting on the following item due to a conflict of interest related to his residence proximate to the district.

PUBLIC WORKS DEPARTMENT

17. Subject: Chapala Street Underground Utility Assessment District Engineer's Report And Recommended Project Conclusion (530.07)

Recommendation: That Council:

- A. Receive the Assessment Engineer's Report for the Chapala Street Underground Utility Assessment District (UUAD); and
- B. Take no further action regarding the formation of the proposed Chapala Street UUAD.

Documents:

- September 28, 2010, report from the Public Works Director.
- September 28, 2010, PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Principal Engineer John Ewasiuk, Public Works Director Christine Andersen.
- Harris & Associates: Consultant Joan Cox.
- Members of the Public: Patricia Levee.

Motion:

Councilmembers Francisco/White to approve the recommendations.

Vote:

Unanimous voice vote.

RECESS

Mayor Schneider recessed the meeting at 5:20 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 18 and 19, and stated that no reportable action is anticipated.

CLOSED SESSIONS

18. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Police Officers Association, Police Managers Association, the Treatment and Patrol Bargaining Units, Firefighters Association, and the Hourly Bargaining Unit, and regarding discussions with unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Documents:

September 28, 2010, report from the Assistant City Administrator.

Time:

5:25 p.m. - 5:30 p.m.

No report made.

19. Subject: Conference With Legal Counsel - Potential Litigation (160.03)

Recommendation: That Council hold a closed session to consider potential litigation pursuant to subsection (c) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 10 minutes; anytime

Report: None anticipated

Documents:

September 28, 2010, report from the City Attorney.

Time:

5:30 p.m. - 6:20 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:20 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF SANTA BARBARA
AMENDING THE MUNICIPAL CODE
CONCERNING THE CITY LICENSING
REQUIREMENTS FOR THE KEEPING OF
DOGS AND CATS WHICH HAVE NOT BEEN
SPAYED OR NEUTERED AND IMPOSING A
NEW LICENSING REQUIREMENT FOR
UNALTERED CATS.

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

SECTION ONE. Chapter 6.12 of Title Six of the Santa Barbara
Municipal Code is amended to revise Section 6.12.050, Section
6.12.060 and Section 6.12.120 to read as follows:

Section 6.12.050 Dog License Requirement.

A. Mandatory License Requirement - Altered Dogs. Any person
owning or having custody or control of one or more dogs in the
City shall obtain a license and pay the license fee for custody
or control of each such dog over the age of four (4) months.
The license fees authorized by this Chapter shall be established
by resolution of the City Council and such fees shall be set a
lesser amount for dogs which have been spayed or neutered. In
the event the animal to be licensed has been spayed or neutered
prior to the issuance by the City of the first license to that
dog, a written statement from a licensed veterinarian certifying
the dog to have been spayed or neutered must be presented at the
time the license is obtained in order to qualify for a reduced
dog license fee.

B. Mandatory License Requirement - Unaltered Dogs. For those
dogs which are to be licensed as non-spayed or non-neutered
dogs, prior to the issuance by the City of the first license to
a dog, and each time a City dog license is issued after the
renewal of a rabies vaccination certificate for that dog, the
owner of an unaltered dog shall present to the City a copy of
the veterinary certificate (as such certificate is shown in the
form attached to this Chapter as an exhibit) certifying that the
owner has discussed the potential concerns which may arise in
owning and keeping an unaltered dog with a duly-licensed
veterinarian and that the owner has been counseled by the
veterinarian on the owner's responsibilities in keeping an
unaltered dog. The unaltered dog certification required by this
subparagraph may, at the discretion of the veterinarian, be
incorporated into the wording of the rabies vaccination

certificate issued by that veterinarian.

C. License - Period of Validity. The license period shall not extend beyond the remaining period of validity for the current rabies vaccination. A license shall only be issued if the rabies vaccine is current through the entire licensing period. A license shall be purchased for either a six (6) month period, twelve (12) month period, 24 month period or a 36 month period. The license fee shall not apply to any dog kept or maintained exclusively in any dog kennel in the City. No dog license required by this Section shall be transferable.

D. Transfer of Ownership of Dogs. Within thirty (30) days of the transfer of ownership of any licensed dog, the person receiving ownership shall obtain a license as set forth in Subsection A of this Section.

E. Possible Penalties for Failure to Comply. Failure to comply with the provisions of Subsections A and B of this Section may result in the impoundment of the dog or a fine or both. At the discretion of the City Animal Control Supervisor, a dog determined to be vicious under Santa Barbara Municipal Code Sections 6.08.404 or 6.12.040 may not issued an unaltered dog license.

Section 6.12.060 Dog or Cat License Information.

Each dog or unaltered cat license shall state the name, address, and telephone number of the person to whom such license is issued, the amount paid, the date when issued, the date on which such license shall expire, and in the case of an individual dog or cat license, a description of the dog or cat for which such license is issued, and the number of the metallic tag accompanying the license. In the case of a kennel license, such license shall show, in addition to the above information, the maximum number of dogs or cats which may be kept in such kennel under authority of such license.

Section 6.12.120 Official Tag - Issuance.

Upon exhibition of the proper certificate of vaccination (when applicable) and payment of the license fee, there shall be delivered to the person making such payment a metal pet license tag, with the serial number, the year and "Santa Barbara City" stamped or cut thereon, and, when applicable, the word "vaccinated" stamped thereon. Such dog or cat tag shall be securely affixed to a collar or harness, which shall at all times be worn by such dog or cat. The tag while attached to the dog's or cat's collar or harness shall be prima facie evidence that the dog or cat for which the same was issued has been vaccinated (when applicable) and licensed during the licensing period for which the tag was issued

SECTION TWO: Chapter 6.12 of Title Six of the Santa Barbara Municipal Code is hereby amended to add a new section, Section 6.12.055 ("Unaltered Cat License Requirement") and a new section, Section 6.12.058 ("Unaltered License Surcharge - Special Fund for Educational Services"), both which read as follows:

Section 6.12.055 Unaltered Cat License Requirement.

A. Mandatory License Requirement - Unaltered Cats. Any person owning, keeping, or having custody or control of one or more unaltered cats in the City shall obtain a cat license from the City and pay the required license fee for having custody or control of each unaltered cat over the age of four (4) months. The license fee authorized by this Chapter for unaltered cats shall be established by resolution of the City Council.

B. Unaltered Cats - Veterinarian Certificate. For those cats licensed as required by subsection (A) above, prior to the issuance by the City of the first license to such a cat, and upon the issuance of each City license thereafter, the owner of an unaltered cat shall present to the City a copy of a veterinary certificate (as such certificate is shown in the form attached to this Chapter as an exhibit) certifying that the owner has discussed the potential concerns which may arise in owning or keeping an unaltered cat with a duly-licensed veterinarian and that the owner has been counseled by the veterinarian on the owner's responsibilities in keeping an unaltered cat.

C. License - Period of Validity. A license for an unaltered cat may be purchased for either a six (6) month, a twelve (12) month period, a 24 month period, or a 36 month period. No unaltered cat license required by this Section shall be transferable.

D. Transfer of Ownership of Cats. Within thirty (30) days of the transfer of ownership of any licensed unaltered cat, the person receiving ownership of or now keeping a cat shall obtain a cat license as set forth in Subsection A of this Section.

E. Possible Penalties for Failure to Comply. Failure to comply with the provisions of Subsections A and B of this Section may result in the impoundment of the cat or a fine or both.

Section 6.12.058 Special Fund - Unaltered License Surcharge.

Notwithstanding Santa Barbara Municipal Code section 6.04.020, in establishing the amount of City pet license fees for the keeping of an unaltered pet pursuant to section 6.12.050 or section 6.12.055 hereof, the City Council may also establish a license surcharge amount which surcharge is to be earmarked into a special City fund for use, at the discretion of the Chief of Police, in funding City educational outreach activities regarding the possible concerns with owning an unaltered pet and to foster methods to encourage City pet owners to be responsible in the ownership and maintenance of an unaltered pet.

**EXHIBIT A
EXHIBIT TO SBMC SECTION 6.12.050
AND SECTION 6.12.055**

**VETERINARIAN CERTIFICATE OF COUNSELING
FOR NON-SPAYED OR NON-NEUTERED
DOGS OR CATS**

This Certificate is to certify that -----,
D.V.M has discussed the potential concerns which may arise in
keeping and properly maintaining a dog or cat which has not been
altered and the responsibilities which come with owning an
unaltered dog or cat with (insert owners name) _____
, the owner of the dog or cat.

I have been advised by the owner that this pet will be kept at
the following address within the City of Santa Barbara which
will be the licensing address:

(insert address for license and where pet will be kept)

I also certify that I provided this owner with the informational
materials and literature on how to responsibly and properly keep
and maintain a non-spayed or non-neutered pet and I have
discussed this information with him or her and advised them of
their ownership responsibilities.

DATED

_____, DVM

ADDRESS



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 12, 2010

TO: Mayor and Councilmembers

FROM: Risk Management Division, Finance Department

SUBJECT: Self Insured Workers' Compensation Program Annual Report

RECOMMENDATION:

That Council receive the Annual Self Insured Workers' Compensation Program Annual Report for the year ended June 30, 2010.

DISCUSSION:

California Labor Code Section 3702.6 (b) requires staff to advise Council annually about two items relating to the City's self-insured workers' compensation program: (1) the value of the total accrued claim liabilities reported by the City on the State's Self Insurers Annual Report; and (2) whether current accounting and financial reporting of those liabilities is in compliance with the requirements of Government Accounting Standards Board (GASB) Statement 10.

The California Department of Industrial Relations requires all self-insured public agencies to submit an annual report before October 1st that identifies the workers' compensation liabilities as of the prior fiscal year-end. Risk Management staff submitted the Fiscal Year 2010 annual report on September 15, 2010. The City's report listed 158 open indemnity claims with total liabilities of \$3,865,739, consisting of \$1,182,823 for indemnity (disability payments) and \$2,682,916 for medical payments.

The City accounts for its risk management operations in a separate Internal Service Fund. Every two years, the City contracts with a risk management actuarial firm to prepare an actuarial valuation of the accrued liabilities in the City's self-insured workers' compensation program. The City uses the results of this actuarial valuation as well as claims information from our third party administrator (claims adjuster) to report the workers' compensation accrued liabilities in both the City's annual audit report (the "Comprehensive Annual Financial Report" or "CAFR") and the State's required annual report. The City is fully funded for all of its actuarially determined workers' compensation claim liabilities.

GASB Statement 10 established accounting and financial reporting standards for all City claims, including workers' compensation claims. GASB Statement 10 requires governments to recognize a claim as an expense and liability if both of the following conditions are met:

1. Information available indicates that it is probable that a liability has been incurred; and,
2. The amount of the loss can be reasonably estimated.

In addition, it requires certain disclosures in the footnotes to the financial statements. All of the City's workers' compensation claims have been accounted for and reported in accordance with GASB Statement 10.

In summary, the City has met its obligation to file the State's annually required report for public agencies that self-insure for workers' compensation. With this report, the City has also met the State law requirement to report the program liabilities to the City Council. A more complete description of the City's self-insured workers' compensation program can be found in the City's CAFR for the fiscal year ended June 30, 2010.

PREPARED BY: Mark W. Howard, Interim Risk Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 12, 2010

TO: Mayor and Councilmembers

FROM: Information Systems Division, Administrative Services Department

SUBJECT: Sole Source Authorization To Purchase Refurbished Dell Computer Equipment

RECOMMENDATION:

That Council authorize the City's General Services Manager to purchase refurbished computer equipment directly from Dell Computers, Inc. or other Dell distributors without bidding procedures for up to five years.

DISCUSSION:

The City of Santa Barbara has been purchasing Dell computer equipment for both servers and staff workstations since 2003. Dell equipment standardization was justified due to lower cost, performance that exceeded expectations, and excellent reliability and service. Past equipment acquisition was bid to Dell equipment providers with the lowest cost bidder receiving the Purchase Order.

Economic conditions now provide a lower cost option for equipment acquisition, Dell Factory Certified Refurbished Equipment, which is directly purchased from Dell Computers Inc. and other Dell distributors. These refurbished items are new technology, often not previously used and in the original packing, and carry a full Dell multi-year factory warranty.

Dell refurbished equipment has a cost savings of 35% or higher over acquisition of new equipment via the bid process. This has resulted in unit cost savings of up to \$385 per workstation. Additionally, this acquisition supports the "Green Purchasing Policy" because it is acquisition of already manufactured equipment and the re-use of existing equipment. Staff has reviewed other sources of equipment and has not found any source or supplier that can offer new technology equipment with full warranty at this cost.

The ability to purchase Dell Refurbished Equipment directly from Dell Computers Inc. is restricted because supply is variable, not always available, is subject to purchase by other agencies, and is on a first come, first served basis. The equipment must be

purchased within 36 hours of quoted availability, hence the need for quick action when equipment is available and matches the need. Equipment is often offered in multiple small batches which require multiple Purchase Orders.

Information Systems acquired and tested these refurbished units which have proven to meet expectations. Up to 250 units are expected to be purchased this year to replace equipment up to seven years old which requires replacement due to increased failure rates, inadequate memory to support existing applications, and the inability to run the current operating system. We expect to purchase up to 200 units annually in future years. This purchase amount requires City Council approval.

Staff recommends that Council approve the sole source acquisition of refurbished Dell computer equipment from Dell Computers, Inc. or other Dell distributors for up to five years. All acquisitions will be subject to adopted budget limits.

BUDGET/FINANCIAL INFORMATION:

Funding was included in the adopted Fiscal Year 2011 Information Systems budget as part of equipment replacement expenditures. Future budgets will also include funds for equipment and infrastructure replacement.

PREPARED BY: Tom Doolittle, Information Systems Manager

SUBMITTED BY: Marcelo López, Assistant City Administrator

APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. 540.10

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 12, 2010

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Agreement For Surface Water And Groundwater Monitoring

RECOMMENDATION:

That Council authorize the Public Works Director to execute a joint funding agreement with the United States Geological Survey (USGS) for water resources investigations related to surface water and groundwater measurements for the period of November 1, 2010 through October 31, 2011, with a City cost share not to exceed \$110,250.

DISCUSSION:

The City and USGS have worked cooperatively on water resources monitoring and investigations for over 25 years, including an annual program of measuring surface water flows and monitoring groundwater levels and water quality. As in the past, the proposed Fiscal Year 2011 program has two elements:

- **Surface Water Gauging Stations:** USGS will continue to operate, maintain, and publish stream flow records for four gauging and data collection stations on the Santa Ynez River, and one on Mission Creek. These stations provide real-time data and daily averages. The information is used to implement the Upper Santa Ynez River Operations Agreement, as well as for general documentation and monitoring of operations at Gibraltar Reservoir, and for tracking recharge releases into Mission Creek.
- **Groundwater Monitoring:** City staff will continue to take monthly water level measurements at 71 monitoring well locations. USGS will maintain the database of water level data and continue a program of collecting and maintaining data on groundwater quality. The water level and water quality information is used in computer modeling of the City's groundwater supplies and the potential impact from seawater intrusion into the downtown groundwater basin.

The data that are collected and maintained are an important part of managing the City's water supply.

BUDGET/FINANCIAL INFORMATION:

The overall program cost is \$173,250, to be shared by the City (\$110,250) and USGS (\$63,000). Funds for this program are appropriated in the Fiscal Year 2011 Water Fund Operating Budget.

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 12, 2010

TO: Mayor and Councilmembers

FROM: Airport Administration, Airport Department

SUBJECT: Records Destruction For Airport Department

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Airport Department in the Business and Properties Division.

DISCUSSION:

The City Council adopted Resolution No. 09-098 on December 15, 2009, approving the City of Santa Barbara Records Management Policies and Procedures Manual. The Manual contains the records retention and disposition schedules for all City departments. The schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice.

Pursuant to the Manual, the Airport Director submitted a request for records destruction to the City Clerk Services Manager to obtain written consent from the City Attorney. The City Clerk Services Manager agreed that the list of records proposed for destruction conformed to the retention and disposition schedules. The City Attorney has consented in writing to the destruction of the proposed records.

The Airport Director requests the City Council to approve the destruction of the Airport Department records in the Business and Properties Division listed on Exhibit A of the resolution without retaining a copy.

SUSTAINABILITY IMPACT:

Under the City's Sustainable Santa Barbara Program, one of the City's goals is to increase recycling efforts and divert waste from landfills. The Citywide Records Management Program outlines that records approved for destruction be recycled, reducing paper waste.

Council Agenda Report
Records Destruction For Airport Department
October 12, 2010
Page 2

SUBMITTED BY: Karen Ramsdell, Airport Director

APPROVED BY: City Administrator's Office

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA RELATING TO THE DESTRUCTION OF
RECORDS HELD BY THE AIRPORT DEPARTMENT IN
BUSINESS AND PROPERTIES DIVISION

WHEREAS, the City Council adopted Resolution No. 09-098 on December 15, 2009, approving the City of Santa Barbara Records Management Policies and Procedures Manual;

WHEREAS, the City of Santa Barbara Records Management Policies and Procedures Manual contains the records retention and disposition schedules for all City departments. The records retention and disposition schedules are a comprehensive listing of records created or maintained by the City, the length of time each record should be retained, and the legal retention authority. If no legal retention authority is cited, the retention period is based on standard records management practice;

WHEREAS, Government Code section 34090 provides that, with the approval of the City Council and the written consent of the City Attorney, the head of a City department may destroy certain city records, documents, instruments, books or papers under the Department Head's charge, without making a copy, if the records are no longer needed;

WHEREAS, the Airport Director submitted a request for the destruction of records held by the Airport Department to the City Clerk Services Manager to obtain written consent from the City Attorney. A list of the records, documents, instruments, books or papers proposed for destruction is attached hereto as Exhibit A and shall hereafter be referred to collectively as the "Records";

WHEREAS, the Records do not include any records affecting title to real property or liens upon real property, court records, records required to be kept by statute, records less than two years old, video or audio recordings that are evidence in any claim or pending litigation, or the minutes, ordinances or resolutions of the City Council or any City board or commission;

WHEREAS, the City Clerk Services Manager agrees that the proposed destruction conforms to the City's retention and disposition schedules;

WHEREAS, the City Attorney consents to the destruction of the Records; and

WHEREAS, the City Council of the City of Santa Barbara finds and determines that the Records are no longer required and may be destroyed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA that the Airport Director, or her designated representative, is authorized and directed to destroy the Records without retaining a copy.

AIRPORT DEPARTMENT – BUSINESS AND PROPERTIES DIVISON

Records Series

Date(s)

Administration Financial Files

2007 and earlier

CITY OF SANTA BARBARA
REDEVELOPMENT AGENCY MINUTES

Regular Meeting
September 14, 2010
Council Chamber, 735 Anacapa Street

CALL TO ORDER

Chair Helene Schneider called the joint meeting of the Agency and the City Council to order at 2:01 p.m.

ROLL CALL

Agency members present: Dale Francisco, Frank Hotchkiss, Grant House, Michael Self, Bendy White, Das Williams, Chair Schneider.

Agency members absent: None.

Staff present: Executive Director/Secretary James L. Armstrong, Agency Counsel Stephen P. Wiley, Deputy Director Paul Casey, Deputy City Clerk Susan Tschech.

PUBLIC COMMENT

No one wished to speak.

CONSENT CALENDAR (Item Nos. 1 – 3)

Motion:

Agency members House/Williams to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

1. Subject: Minutes (18)

Recommendation: That the Redevelopment Agency Board waive the reading and approve the minutes of the special meetings of August 10, and August 24, 2010.

Action: Approved the recommendation.

2. Subject: Redevelopment Agency Fiscal Year 2010 Interim Financial Statements For The Twelve Months Ended June 30, 2010 (19)

Recommendation: That the Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2010 Interim Financial Statements for the Twelve Months Ended June 30, 2010.

Action: Approved the recommendation (September 14, 2010, report from the Fiscal Officer).

3. Subject: Redevelopment Agency Fiscal Year 2011 Interim Financial Statements For The One Month Ended July 31, 2010 (20)

Recommendation: That the Redevelopment Agency Board accept the Redevelopment Agency Fiscal Year 2011 Interim Financial Statements For The One Month Ended July 31, 2010.

Action: Approved the recommendation (September 14, 2010, report from the Fiscal Officer).

ADJOURNMENT

Chair Schneider adjourned the meeting at 6:10 p.m. in memory of former City of Santa Barbara Police Chief Gerald Lowry.

SANTA BARBARA
REDEVELOPMENT AGENCY

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
CHAIR

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK



CITY OF SANTA BARBARA

JOINT COUNCIL AND REDEVELOPMENT AGENCY AGENDA REPORT

AGENDA DATE: October 12, 2010

TO: Mayor and Councilmembers
Chair and Boardmembers

FROM: Housing and Redevelopment Division, Community Development
Department

SUBJECT: Financial Assistance To Housing Authority For
Acquisition/Rehabilitation Of 2941 State Street

RECOMMENDATION: That Council and Redevelopment Agency Board take the following actions regarding a new affordable housing project at 2941 State Street:

- A. That the Agency Board approve an acquisition loan of \$360,000 of Redevelopment Agency Housing Setaside Funds to the Housing Authority of the City of Santa Barbara and authorize the Agency's Deputy Director to execute a loan agreement and related documents in a form approved by Agency Counsel and to make nonsubstantive changes;
- B. That the Agency Board appropriate \$360,000 in the Redevelopment Agency Housing Setaside Fund from unappropriated reserves for the acquisition loan;
- C. That Council approve a rehabilitation grant of \$90,000 in Community Development Block Grant (CDBG) funds and authorize the Community Development Director to execute a grant agreement and related documents in a form approved by the City Attorney and to make nonsubstantive changes; and
- D. That Council and Agency Board adopt, by reading of title only, A Joint Resolution of the Council of the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds as a Loan to the Housing Authority of the City of Santa Barbara for Acquiring Affordable Housing Located Outside the Central City Redevelopment Project (CCRP) Area at 2941 State Street Will be of Benefit to the CCRP.

DISCUSSION:

The City's Housing Authority plans to acquire the property located at 2941 State Street and rehabilitate and operate it as part of its stock of affordable rental housing. The Housing Authority has requested a total of \$450,000 (\$75,000 per unit) in financial assistance from the City and Redevelopment Agency.

Property Description

The property consists of an 8,276 square foot lot located on Upper State Street between Alamar and Calle Crespis and is improved with a 60-year-old 2-story residential structure comprising six 1-bedroom units. The seller, David Dahan, has participated with the Housing Authority for several years in accepting tenants with federal Section 8 rental subsidies. In fact, all five of the current tenants are Section 8 tenants that were referred to the owner by the Housing Authority (with one unit being currently vacant).

Acquisition Financing

The property was recently appraised at \$900,000, and the Housing Authority has successfully negotiated a sale price of \$860,000. The \$40,000 differential represents a tax deductible gift donated by the owner to the Housing Authority. In first position on title would be a seller carry-back loan in the amount of \$500,000 that the seller has required, for which the Housing Authority plans to issue a tax-exempt mortgage revenue note. Interest on the note would be at a fixed rate of five percent. The note would have a term of 15 years and would be fully amortized.

The requested Agency Loan in the amount of \$360,000 would cover the balance of the purchase price. The Housing Authority would cover the closing costs for the transaction which are estimated to be around \$6,000.

Agency Loan

The proposed \$360,000 Agency acquisition loan would have terms typical of other loans the City and Agency provide for affordable housing projects. The loan would have a 55-year term and an interest rate of three percent. Loan repayment would be on a residual receipts basis, with payments due to the extent the project has a positive cash flow (after payments on the seller carry-back note and other necessary expenses). A balloon payment would be due at the end of the loan's 55-year term.

Security

The requested Agency loan would be secured by a deed of trust recorded against the property in second position, behind the seller carry-back note. Given the appraised value of \$900,000 for the property, the Agency loan would be completely secured.

Planned Rehabilitation

The Housing Authority requests \$90,000 in Community Development Block Grant (CDBG) funds to address immediate rehabilitation needs, such as new windows and doors and other necessary repairs to be made while tenants remain in occupancy. The City's Loan Committee has reviewed and approved the requested \$90,000 CDBG grant that will cover these initial repairs and upgrades. As vacancies arise, units will be thoroughly rehabilitated. The Housing Authority estimates it will cost another \$150,000 to complete rehabilitation of all of the units and might return to the City/Agency for additional financial assistance.

Tenancy and Affordability

Existing tenants are all currently low income households and will be allowed to remain as long as desired, without any need for relocation. Rents will be maintained at their current levels which range from \$1,182 to \$1,250 per month. The households will

continue to pay no more than 30 percent of their income for rent, with a Section 8 rental subsidy covering the difference.

As with all City-funded affordable housing projects, an affordability control covenant must be executed and recorded to ensure that the property will be used to provide affordable housing to low income households. The Housing Authority requests and staff supports the 60-year term that the City typically applies to Housing Authority projects. The California Redevelopment Law requires that affordability controls for rental housing remain on title for fifty-five years. Also to be recorded is a Notice of Affordability Restrictions On Transfer of Property.

While the City's Affordable Housing Policies and Procedures call for 90-year affordability covenants, staff is comfortable recommending 60 years at this juncture for Housing Authority projects, given that the Housing Authority is a public agency constituted solely to develop, acquire, and operate affordable housing. The Housing Authority's track record is exemplary, and the City Council influences Housing Authority policies in that it has the power to appoint and remove members of the Housing Authority Board of Directors. Allowing the Housing Authority to exercise some flexibility with rents and incomes within the general category of low income housing after 60 years is appropriate given the relationship between the City and the Housing Authority.

Benefit to the Central City Redevelopment Project Area (CCRP)

While the site is located outside the CCRP, the project will benefit the CCRP in providing needed rental housing nearby that is affordable to low income persons. California Redevelopment Law requires that in order for Agency Housing Setaside funds to be spent outside the CCRP, the City Council and the Redevelopment Agency must adopt a resolution with certain findings and the determination that the project is of benefit to the CCRP.

Sustainability Impact

The Housing Authority's planned rehabilitation and sound management practices will significantly extend the project's useful life. The Housing Authority will replace existing appliances with energy efficient models and will install new energy efficient lighting and plumbing fixtures.

BUDGET/FINANCIAL INFORMATION AND CONCLUSION:

The proposed project would be an important addition to the Housing Authority's stock of affordable housing. At a total estimated cost of \$1,100,000 (\$183,333 per unit) including the total subsidy from the City/Agency at \$450,000 (\$75,000 per unit), the project makes sound financial sense. The Agency and City have sufficient Housing Setaside funds and CDBG funds to provide the requested financial assistance to the Housing Authority. The City Council's Finance Committee recommended approval of the proposed acquisition loan and rehabilitation grant at its meeting of September 28, 2010.

Council Agenda Report
Financial Assistance To Housing Authority For Acquisition/Rehabilitation Of 2941 State
Street
October 12, 2010
Page 4

ATTACHMENT: Letter from the Housing Authority

PREPARED BY: Brian Bosse, Housing and Redevelopment Manager / SK

SUBMITTED BY: Paul Casey, Assistant City Administrator / Community
Development

APPROVED BY: City Administrator's Office



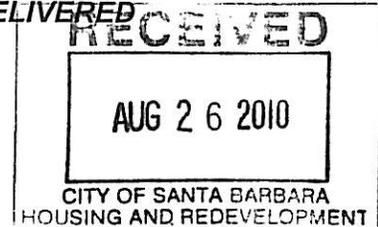
HOUSING

AUTHORITY OF THE
CITY OF SANTA BARBARA808 Laguna Street / Santa Barbara
California / 93101Tel (805) 965-1071
Fax (805) 564-7041

August 24, 2010

Mr. Steven Faulstich, Housing Programs Supervisor
Housing & Redevelopment Division
City of Santa Barbara
630 Garden St.
Santa Barbara, CA 93101

HAND DELIVERED



RE: REQUEST FOR CITY RDA FUNDS FOR THE ACQUISITION OF REAL
PROPERTY LOCATED AT 2941 STATE STREET

Dear Steven:

The Housing Authority has continued to look for opportunities to acquire existing apartment buildings to add to its affordable housing inventory. Current market conditions are such that purchasing existing units and rehabilitating them can be less costly than new construction.

A property we are presently pursuing is a 6 unit complex located on upper State Street – 2941 State St. Although it suffers from some deferred maintenance, the building's structural elements are sound. It is comprised of 6 one-bedroom/one-bath apartments and has one on-site parking space for each unit. Five of the six units are currently occupied by low-income residents participating in the Section 8 Housing Choice Voucher program. The remaining unit is currently vacant, although was previously occupied by a Section 8 Voucher holder. Purchasing this property would ensure the existing low-income residents retain their units at affordable rents and would also service, upon turnover, the Authority's high demand for one-bedroom units. This demand is represented on our various waiting lists as one and two-person households comprised largely of low income workers, seniors and disabled persons.

The property was recently appraised for \$900,000 (see enclosed appraisal report by David Jasso & Associates). Looking at comparables, we consider this value to be on the low end of the market, and have been able to negotiate a favorable, below market purchase price with the owner at \$860,000 (\$143,333 / unit).

Please be advised that the Housing Authority Commission is aware and has approved the property as a possible addition to the Authority's Non HUD program, and to that end adopted Resolution No. 2411 on August 4, 2010 (copy enclosed). As noted, the Resolution authorized me to begin negotiations with the owner for the property's purchase.

As you know, securing affordable rental housing for low income persons in our market continues to require local subsidy. Pursuant to our initial discussions with your office, we feel the most appropriate and straight-forward approach to this acquisition would be a residual receipts loan from the Redevelopment Agency of the City of Santa Barbara in the amount of \$450,000 (or \$75,000 per unit). Of this, \$360,000 would be down payment monies and \$90,000 would be for immediate rehab needs.

Mr. Steven Faulstich
2941 State Street Funding Request
August 24, 2010
Page 2

As the enclosed proforma shows, the balance of the purchase price would met by a conventional loan or seller carry-back note in the amount of \$500,000 at 5%. The owner has indicated a desire to carry-back financing of \$500,000 via the Authority's issuance of a tax exempt note for that amount.

While we estimate total rehabilitation costs for the property to be \$240,000 in order to bring the property up to the Authority's high standards, we see immediate rehabilitation needs (to be completed directly after closing) to be \$90,000. We are seeking City/RDA funding as part of this \$450,000 request to address those needs.

If this request meets with City/RDA staff approval as reasonable and appropriate, we would ask that it be placed before the City Council/RDA in the next 30 days for consideration. With our request moving forward at the City/RDA level, we would feel confident about structuring and securing financing for the balance of the purchase price in order to close by the end of October as requested by the seller.

As always, the Housing Authority Commission and staff are hopeful that you will agree with us on the wisdom of this acquisition as well as the structure of our proposed financing.

Sincerely,

HOUSING AUTHORITY OF THE
CITY OF SANTA BARBARA



ROBERT G. PEARSON
Executive Director/CEO

Encls.

cc: Housing Authority Commission

RESOLUTION NO. _____

A JOINT RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AND THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA BARBARA FINDING THAT THE USE OF REDEVELOPMENT AGENCY HOUSING SETASIDE FUNDS AS A LOAN TO THE HOUSING AUTHORITY OF THE CITY OF SANTA BARBARA FOR ACQUIRING AFFORDABLE HOUSING LOCATED OUTSIDE THE CENTRAL CITY REDEVELOPMENT PROJECT (CCRP) AREA AT 2941 STATE STREET WILL BE OF BENEFIT TO THE CCRP

WHEREAS, pursuant to the authority of Health and Safety Code Section 33334.2(g), the Redevelopment Agency of the City of Santa Barbara (Agency) has authorized the expenditure of Agency Housing Setaside Funds outside the Central City Redevelopment Project (CCRP) Area for the development of low and moderate income housing by Resolution No. 695 dated July 17, 1984;

WHEREAS, the Agency desires to promote low and moderate income housing that will benefit the CCRP Area by approving a loan to the City of Santa Barbara Housing Authority to assist with the acquisition of property located at 2941 State Street in the City of Santa Barbara but outside the boundaries of the Central City Redevelopment Project Area; and

WHEREAS, as a condition of permanent Agency financing, the City and the Housing Authority of the City of Santa Barbara will be executing a covenant assuring the long-term affordability of the development.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Barbara and by the Redevelopment Agency of the City of Santa Barbara as follows:

1. That this City Council and Redevelopment Agency find and determine that, although the subject property to be developed is located outside the CCRP Area, the use of Agency Housing Setaside Funds for acquiring affordable housing will be of benefit to the CCRP in that:

(a) The fundamental purpose of redevelopment is to expand the supply of low and moderate income housing;

(b) There is a shortage of safe, decent, and sanitary housing for persons and families of low and moderate income within the CCRP Area, and there are insufficient suitable sites for development of such housing within the CCRP Area; and

(c) Insufficient suitable housing units are available in the community for low and moderate income persons and families who may be displaced by activities in the CCRP Area.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 12, 2010
TO: Mayor and Councilmembers
FROM: Airport Administration, Airport Department
SUBJECT: Air Service Development

RECOMMENDATION:

That Council receive a presentation on air service development at the Airport.

DISCUSSION:

Since 1978 the Airport Department has actively pursued air service development through the services of specialized air service development professionals and department staff. The objective of the air service development program is to maintain and enhance airline service and pursue new air service opportunities.

During the last decade the airlines have taken major steps to reduce costs by shifting types of aircraft, cutting back on capacity, and, through mergers, consolidating route structures.

The airline industry growth corresponds to the state of the economy and world events but, over the long term, passenger use continues to increase. Recently, due to a weak economy and changes within the airline industry, the Airport has seen the addition as well as the loss of air service.

The staff presentation will address the status of the airline industry, impacts to Santa Barbara's service, and actions being taken to maintain and enhance service.

PREPARED BY: Hazel Johns, Assistant Airport Director
SUBMITTED BY: Karen Ramsdell, Airport Director
APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. 530.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 12, 2010

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction Of The Jake Boysel Multipurpose Pathway

RECOMMENDATION: That Council:

- A. Reject the apparent low bid from TalCal Engineering, Inc. (TalCal), as non-responsive, due to their failure to submit a complete bid;
- B. Award a contract with Shaw Contracting, Inc. (Shaw), in their lowest responsive bid amount of \$489,709.50 for construction of the Jake Boysel Multipurpose Pathway (Project), Bid No. 3565;
- C. Authorize the Public Works Director to execute a contract and approve expenditures up to \$75,000 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
- D. Authorize the General Services Manager to issue a Purchase Order to Fugro West (Fugro) in the amount of \$10,000 for material testing services, and to approve expenditures of up to \$1,500 for extra services of Fugro that may result from necessary changes in the scope of work.

EXECUTIVE SUMMARY:

The Project consists of a 925-foot long off-street, multipurpose pathway beginning on Calle Real, just east of the St. Vincent's Bridge. The pathway continues to the east, and connects to an existing path near the intersection of Calle Real and Highway 154. The Project is a federally funded Safe Routes to School Project (SRTS), and is named in memory of Jake Boysel, who was hit by a car while bicycling to school. The purpose of this Council Report is to award the construction contract.

DISCUSSION:

PROJECT DESCRIPTION

The Project, located near La Colina Junior High School, Vieja Valley Elementary School, and Hope Elementary School (see Attachment 1 – Site Vicinity Map), is named in memory of 12-year-old Jake Boysel, who was hit by a motorist in 2006 while biking to school on Calle Real.

This Project consists of an off-street pathway for use by bicyclists and pedestrians. The pathway begins on Calle Real, just east of the St. Vincent's Bridge, and continues 925 feet east (see Attachment 2 – Site Location Map). The new pathway has a minimum width of 10 feet, and will be aligned parallel to existing sidewalk along Calle Real. The pathway will connect to an existing path near the intersection of Calle Real and Highway 154. The existing path continues north to Verano Drive at La Colina Road.

CONTRACT BIDS

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

BIDDER	BID AMOUNT
1. Shaw Contracting Goleta	\$489,709.50
2. Lash Construction Santa Barbara	\$514,208.00
3. G. Sosa Construction Santa Maria	\$522,264.00
4. Granite Construction Santa Barbara	\$522,270.00
5. Berry General Engineering Ventura	\$547,987.50
6. General Pavement Management Santa Paula	\$567,266.77*
7. Yakar San Dimas	\$581,929.00*
8. Nye & Nelson Ventura	\$626,605.75

**corrected bid total*

The low bid of \$489,709.50, submitted by Shaw is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$75,000, or 15%, is within the range for this type of work and size of project.

BID REJECTION

As a federally funded project administered through Caltrans, this project must meet Disadvantaged Business Enterprise (DBE) program requirements. See Attachment 3 for a summary of DBE program requirements. Bidders must comply with these requirements, including demonstrating adequate good faith efforts have been made to meet Underutilized DBE (UDBE) participation goals.

The initial apparent low bid of \$452,575 from TalCal (Canoga Park, CA) for construction of this Project was deemed non-responsive based on the failure of TalCal to submit all required forms and supporting documentation regarding DBE program participation.

The UDBE participation claimed by TalCal is 3.3%. This percentage could not be verified as TalCal did not provide the UDBE subcontractor quote as required to serve as written confirmation that the UDBE is participating in the contract. Allowing full credit for this claim still results in a UDBE participation below the project goal of 8%. Therefore, TalCal was required to submit adequate documentation of having made a good faith effort to advise UDBEs of their bid on this contract and to seek their involvement as a potential subcontractor or supplier.

TalCal's bid did not include *Exhibit 15-H UDBE Information – Good Faith Efforts* or any of the required good faith effort submittal documentation listed in Attachment 3. The submittal was limited to copies of facsimiles sent to three contractors requesting proposals for concrete and paving line items on the bidding sheet. The TalCal submittal indicates that the contractors solicited were UDBEs. However, further investigation by the City revealed that these firms were not actually certified UDBEs. It is the responsibility of the bidder/contractor to verify that the UDBE firm is certified at the date of bid opening.

Based on this information, staff recommends that Council reject the bid of TalCal as non-responsive to the DBE requirements. Staff will give a more detailed presentation regarding its recommendation to reject the bid as non-responsive and the reasoning for recommending the award of the contract to Shaw, who did clearly provide adequate good faith effort documentation, as the lowest responsive bidder.

TalCal was sent a letter dated September 30, 2010 informing them of City staff's recommendation to reject their bid as non-responsive (Attachment 4). At this time, TalCal has not filed a bid protest and they have not indicated whether they will be present to discuss a bid protest.

CONSTRUCTION PHASE CONTRACT SERVICES

Staff recommends that Council authorize the Public Works Director to execute a Professional Services Purchase Order with Fugro in the amount of \$10,000 for material testing.

PUBLIC OUTREACH

During the Project's design phase, the Project's stakeholders (Boysel family, St. Vincent's/Mercy Housing, Santa Barbara School District, La Colina Junior High School, Hope Elementary School District, Bishop Garcia Diego High School, Coalition for Sustainable Transportation and Santa Barbara Bicycle Coalition) were notified in person, via phone, and/or email of upcoming Transportation Circulation Committee and Architectural Review Board meetings. The Coalition for Sustainable Transportation and the Santa Barbara Bicycle Coalition also posted upcoming hearing dates.

When the Project went out to bid, a Pre-Construction Notification was mailed and/or emailed to local residents and Project stakeholders. A Construction Notification will be sent out to local residents and Project stakeholders once the construction contract has been awarded and the tentative construction timeline is known. The contractor will be responsible for the final notice (door hanger) 72 hours prior to construction.

FUNDING

The City has been awarded a SRTS grant for the Project in the amount of \$901,700. This grant is anticipated to provide all the required funds to complete the Project.

Of the total grant amount, \$163,000 was for design, \$8,270 was for right of way, and the remainder is available for construction.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Shaw Contracting	\$489,709.50	\$75,000.00	\$564,709.50
Fugro	\$10,000.00	\$1,500.00	\$11,500.00
TOTAL RECOMMENDED AUTHORIZATION			\$576,209.50

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

ESTIMATED TOTAL PROJECT COST

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

Design (by City Staff)	\$163,000
Right of Way (by City Staff)	\$8,270
Subtotal	\$171,270
Construction Contract	\$489,710
Construction Change Order Allowance	\$75,000
Subtotal	\$564,710
Other Construction Costs (testing, etc.)	\$11,500
Construction Management/Inspection (by City Staff)	\$100,000
Subtotal	\$111,500
TOTAL PROJECT COST	\$847,480

BUDGETARY/FINANCIAL INFORMATION:

The entire cost of this Project is funded through the Federal SRTS Grant. The cost for the construction phase was appropriated through the Fiscal Year 2011 budget. Therefore, there are sufficient funds in the Streets Fund to cover the cost for this Project.

SUSTAINABILITY IMPACT:

The Multipurpose Pathway will facilitate alternative and environmentally friendly modes of transportation. The Project will directly support increased safety and convenience for the elementary and middle school children who walk and/or bike to La Colina Junior High School and other neighboring schools, as well as the general public.

ATTACHMENT(S):

- 1) Multipurpose Pathway And Surrounding Schools
- 2) Site Location Map
- 3) DBE Program Requirements
- 4) Rejection of Bid Notification Letter to TalCal

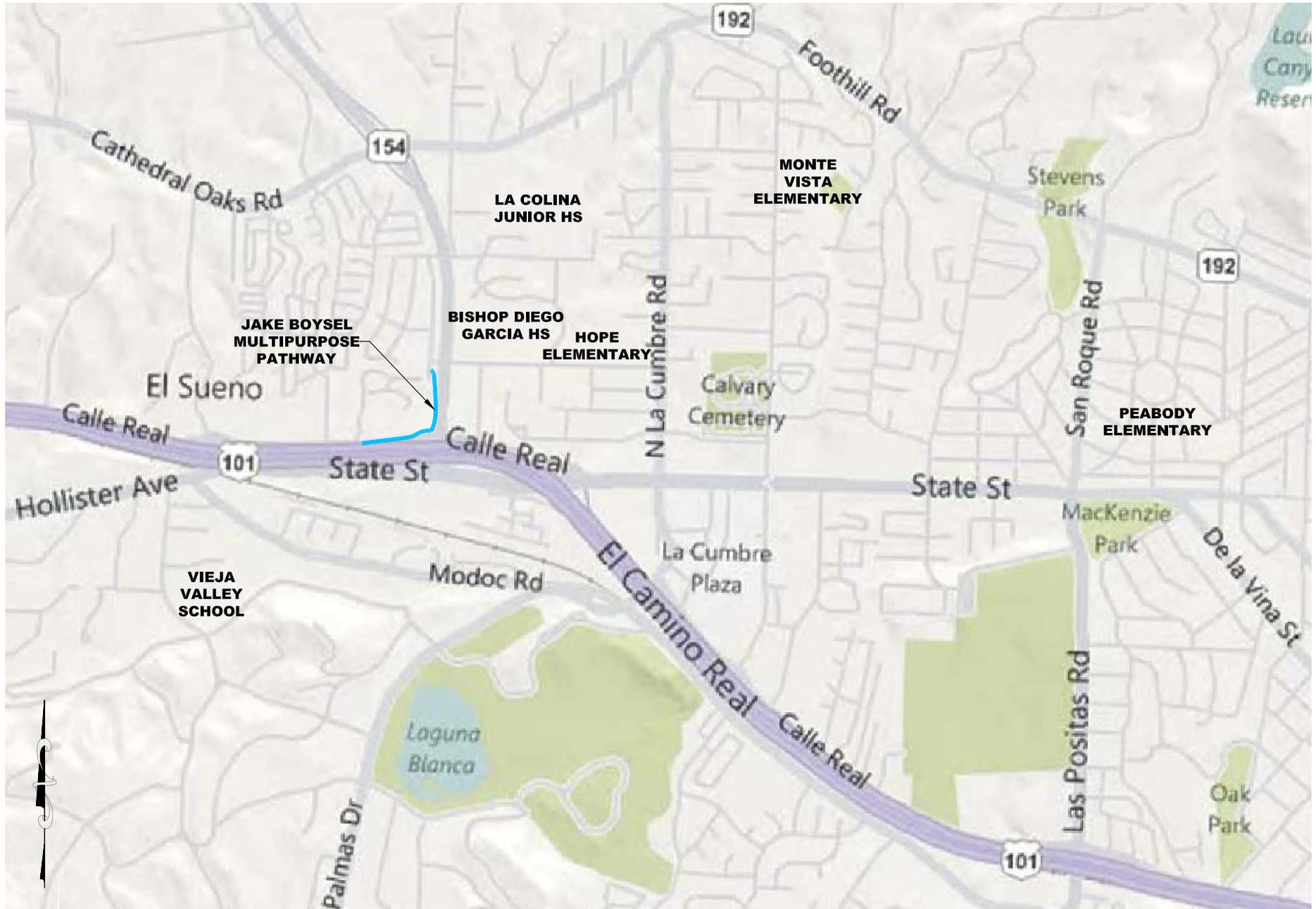
PREPARED BY: Josh Haggmark, Principal Civil Engineer/JG/BD/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

JAKE BOYSEL MULTIPURPOSE PATHWAY AND SURROUNDING SCHOOLS

ATTACHMENT 1



JAKE BOYSEL MULTIPURPOSE PATHWAY
SITE LOCATION MAP



DBE PROGRAM SUMMARY

The DBE program is a legislatively mandated United States Department of Transportation (USDOT) program that applies to Federal-aid highway dollars expended on federally-assisted contracts issued by USDOT recipients such as State Transportation Agencies. Congress established the DBE program in 1982 to:

Ensure nondiscrimination in the award and administration of USDOT-assisted contracts;

Help remove barriers to the participation of DBEs in DOT-assisted contracts; and

Assist the development of firms that can compete successfully in the marketplace outside of the DBE program (DBE Supportive Services).

The DBE program ensures that federally assisted contracts for highway, transit, and aviation projects are made available for small business concerns owned and controlled by socially and economically disadvantaged individuals. In the State of California, Caltrans is the transportation agency responsible for establishing program requirements. Caltrans implemented new DBE program requirements which went into effect for all project awarded after June 1, 2009.

The DBE program requires local agencies to establish an Underutilized Disadvantaged Business Enterprise (UDBE) goal for each project. UDBEs are a subset of all DBEs that were determined through a Caltrans Disparity Study to be underutilized. The UDBE groups are:

Asian-Pacific American
Black American
Native American
Women

Projects must meet DBE program requirements including a UDBE participation goal. Bidders must meet this goal or demonstrate adequate good faith efforts have been made to meet this goal.

GOOD FAITH EFFORT DOCUMENTATION

Good faith efforts documentation must include the following information and supporting documents:

1. Items of work you have made available to UDBE firms. Identify those items of work you might otherwise perform with its own forces and those items that have been broken down into economically feasible units to facilitate UDBE

participation. For each item listed, show the dollar value and percentage of the total contract. It is your responsibility to demonstrate that sufficient work to meet the goal was made available to UDBE firms.

2. Names of certified UDBEs and dates on which they were solicited to bid on the project. Include the items of work offered. Describe the methods used for following up initial solicitations to determine with certainty if the UDBEs were interested, and the dates of the follow-up. Attach supporting documents such as copies of letters, memos, facsimiles sent, telephone logs, telephone billing statements, and other evidence of solicitation. You are reminded to solicit certified UDBEs through all reasonable and available means and provide sufficient time to allow UDBEs to respond.
3. Name of selected firm and its status as a UDBE for each item of work made available. Include name, address, and telephone number of each UDBE that provided a quote and their price quote. If the firm selected for the item is not a UDBE, provide the reasons for the selection.
4. Name and date of each publication in which you requested UDBE participation for the project. Attach copies of the published advertisements.
5. Names of agencies and dates on which they were contacted to provide assistance in contacting, recruiting, and using UDBE firms. If the agencies were contacted in writing, provide copies of supporting documents.
6. List of efforts made to provide interested UDBEs with adequate information about the plans, specifications, and requirements of the contract to assist them in responding to a solicitation. If you have provided information, identify the name of the UDBE assisted, the nature of the information provided, and date of contact. Provide copies of supporting documents, as appropriate.
7. List of efforts made to assist interested UDBEs in obtaining bonding, lines of credit, insurance, necessary equipment, supplies, and materials, excluding supplies and equipment that the UDBE subcontractor purchases or leases from the prime contractor or its affiliate. If such assistance is provided by you, identify the name of the UDBE assisted, nature of the assistance offered, and date. Provide copies of supporting documents, as appropriate.
8. Any additional data to support demonstration of good faith efforts.



City of Santa Barbara
Public Works Department

September 30, 2010

Main Office
630 Garden Street
P.O. Box 1990
Santa Barbara, CA
93102-1990

Marion D. Jehens, P.E.
TALCAL Engineering
22641 Valerio Street
West Hills, CA 91307

Administration
Tel: 805.564.5377
Fax: 805.897.2613

SUBJECT: Rejection of Bid for Jake Boysel Multipurpose Pathway

Engineering
Tel: 805.564.5363
Fax: 805.564.5467

Dear Mr. Jehens:

Facilities
Tel: 805.564.5415
Fax: 805.897.2577

Thank you for submitting your bid on September 14, 2010, for the subject project. This letter is to formally advise you that City staff has carefully reviewed TalCal Engineering's bid submittal and has determined it to be non-responsive. Consequently, staff will be advising the Santa Barbara City Council to reject this bid at a Public Hearing to be held on October 12, 2010, at the Santa Barbara City Council.

Street Maintenance
Tel: 805.564.5413
Fax: 805.897.1991

The non-responsive bid determination was reached based on the failure of TALCAL Engineering to submit all proposal documents and the supporting documentation listed on Page 11 of the Proposal and Contract, including:

Transportation
Tel: 805.564.5385
Fax: 805.564.5467

Item k – Local Agency UDBE Commitment

Water Resources
Tel: 805.564.5387
Fax: 805.897.2613

Page 135 of the Proposal and Contract requires *“written confirmation from each UDBE stating that it is participating in the contract. Include confirmation with the UDBE Commitment form. A copy of the UDBE’s quote will serve as written confirmation that the UDBE is participating in the contract.”*

This information was not provided with the Local Agency UDBE Commitment form.

Item m – UDBE Information – Good Faith Efforts (Federal Form 15-H)

This form and required supporting documentation (see Page 135 of the Proposal and Contract) were not submitted.

Based on this information, City staff can only conclude that TALCAL Engineering has not made a good faith effort to accomplish UDBE participation in this contract, and therefore, will be recommending that the

Rejection of Bid for Jake Boysel Multipurpose Pathway
September 30, 2010
Page 2 of 2

Santa Barbara City Council reject this bid as non-responsive. See Page 10 of the Proposal and Contract for your rights as a bidder.

Please contact Brian D'Amour at (805) 897-2661 with any questions.

Sincerely,


for Pat Kelly

Assistant Public Works Director/City Engineer

BD/sk

cc: Christine F. Andersen, Public Works Director
Stephen Wiley, City Attorney
Joshua Haggmark, Principal Engineer
John Ewasiuk, Principal Engineer



Agenda Item No. _____

File Code No. 440.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 12, 2010

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Conference With Labor Negotiator

RECOMMENDATION:

That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with the Police Officers Association, Police Managers Association, the Treatment and Patrol Bargaining Units, Firefighters Association, and the Hourly Bargaining Unit, and regarding discussions with unrepresented management about salaries and fringe benefits.

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

PREPARED BY: Kristy Schmidt, Employee Relations Manager

SUBMITTED BY: Marcelo López, Assistant City Administrator

APPROVED BY: City Administrator's Office