

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

Helene Schneider
Mayor/Chair
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>

**NOVEMBER 2, 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

2:00 p.m. - City Council Meeting
2:00 p.m. - Redevelopment Agency Meeting

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: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through November 30, 2010.

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 21, 2010.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

3. Subject: Adoption Of Ordinance Extending Firefighters Memorandum Of Understanding Through June 30, 2013 (440.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Extending the 2007-2010 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Firefighters' Association Through June 30, 2013.

4. Subject: Adoption Of Ordinance Extending 2008-2010 Treatment and Patrol Memorandum Of Understanding For Three Months (440.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Extending the 2008-2010 Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP Units), Adopted by Ordinance No. 5482, Through December 31, 2010.

5. Subject: Acceptance Of Land Fronting The Marriott Hotel Project At 6300 Hollister Avenue (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Narrow Strip of Land Located Within the City of Santa Barbara and Fronting the Real Property Known as 6300 Hollister Avenue, Located Within the City of Goleta, Said Strip of Land Being a Portion of Santa Barbara County Assessor's Parcel No. 073-050-020.

6. Subject: Resolution And Appropriation For Purchase Of Property At 401 Las Positas Road For A Creek Restoration And Water Quality Improvement Project (540.14)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director to Execute an Agreement for Acquisition of Real Property Located at 401 Las Positas Road, With Escrow Instructions and All Related Documents That May Be Required, All Subject to Review and Approval as to Form by the City Attorney, Relating to a Future Creek Restoration and Water Quality Improvement Project, and Accepting and Consenting to the Recordation of the Related Deed in the Official Records, County of Santa Barbara; and
- B. Increase appropriations by \$505,000 in the Creeks Restoration and Water Quality Improvement Fund, from reserves, to cover the purchase of real property located at 401 Las Positas Road.

CONSENT CALENDAR (CONT'D)

CITY COUNCIL (CONT'D)

7. Subject: Contract For Design Of Zone 6 Pavement Maintenance Projects (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Flowers and Associates (Flowers) in the amount of \$69,724 for design services for the Zone 6 Pavement Maintenance Project (Project), and authorize the Public Works Director to approve expenditures of up to \$6,972 for extra services that may result from necessary changes in the scope of work.

8. Subject: Authorization To Join The California Water And Wastewater Agency Response Network (540.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Agreeing to Become a Party to the California Water and Wastewater Agency Response Network (CalWARN) 2007 Omnibus Mutual Assistance Agreement, and Authorizing the Water Resources Manager to Execute the Agreement.

NOTICES

9. The City Clerk has on Thursday, October 28, 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.
10. Received a letter of resignation from Fire and Police Commissioner Tom Parker; the vacancy will be part of the next City Advisory Group recruitment.
11. Received a communication advising of a vacancy created on the Access Advisory Committee with the death of Member Amy Van Meter; the vacancy will be part of the next City Advisory Group recruitment.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

12. Subject: Intent To Accept Real Property At The City's Hydroelectric Plant (540.09)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intent to Accept Real Property Beneath the City's Hydroelectric Plant Granted by the United States of America Through its Bureau of Reclamation.

REDEVELOPMENT AGENCY REPORTS

13. Subject: Grant To Housing Authority For Two New Units At 233 West Ortega Street

Recommendation: That the Redevelopment Agency Board:

- A. Approve a grant of \$300,000 from Agency Housing Setaside funds to the Housing Authority of the City of Santa Barbara for the construction of two new low-income rental units at their property at 233 West Ortega Street; and
- B. Appropriate \$300,000 in the Redevelopment Agency Housing Setaside Fund from unappropriated reserves for the grant.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

14. Subject: Introduction Of 2010 State Building Codes Ordinance (640.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference the California State Building Codes and Other Related Codes, Adopting Local Revisions to Those Codes, and Repealing Ordinance Numbers 5440 and 5451.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

FIRE DEPARTMENT

15. Subject: Introduction Of Ordinance For 2010 Fire Code Adoption (520.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 8.04 to Adopt by Reference The 2009 Edition of the International Fire Code, Including Appendix Chapter 4 and Appendices B, BB, C, CC, and H of that Code, and The 2010 California Fire Code with Local Amendments to Both Codes.

PARKS AND RECREATION DEPARTMENT

16. Subject: Neighborhood Advisory Council Formation (610.04)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing the Neighborhood Advisory Council and Rescinding Resolution Nos. 04-086, 79-093, 82-046, 97-039, 97-040, and 97-041; and
- B. Authorize staff to proceed with Neighborhood Advisory Council member recruitment.

CITY ADMINISTRATOR

17. Subject: Annual Performance Management Program Report For Fiscal Year 2010 And Comparative Indicators Report (170.01)

Recommendation: That Council:

- A. Receive a status report on the City's performance management program and a summary of department performance highlights for Fiscal Year 2010; and
- B. Receive a report on how the City of Santa Barbara compares with other California communities on key indicators.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

ADJOURNMENT



Agenda Item No. _____

File Code No. 410.01

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Employee Recognition – Service Award Pins

RECOMMENDATION:

That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through November 30, 2010.

DISCUSSION:

Since 1980, the City Employees' Recognition Program has recognized length of City Service. Service award pins are presented to employees for every five years of service. Those employees achieving 25 years of service or more are eligible to receive their pins in front of the City Council.

Attached is a list of those employees who will be awarded pins for their service through November 30, 2010.

ATTACHMENT(S): November 2010 Service Awards

SUBMITTED BY: Marcelo A. López, Assistant City Administrator

APPROVED BY: City Administrator's Office

NOVEMBER 2010 SERVICE AWARDS

November 2, 2010 Council Meeting

5 YEARS

Kasi Beutel, Police Officer, Police
Heather Clark, Police Officer, Police
Brian Miller, Police Officer, Police
Matthew Tonello, Police Officer, Police
Moises Tinajera, Senior Water Distribution Operator, Public Works

10 YEARS

Camerino Sanchez, Police Chief, Police
Ignacio Valdez, Senior Grounds Maintenance Worker, Parks and Recreation
Martin Goliszewski, Waterfront Maintenance Worker I, Waterfront

15 YEARS

Debra Andaloro, Senior Planner II, Community Development

20 YEARS

Mirna Dubon, Administrative Specialist, Police

25 YEARS

John Vega, Accounting Assistant, Community Development
Sergio Reyes, Water Distribution Operator/Emergency Services, Public Works

30 YEARS

Gilbert Echevarria, Heavy Equipment Technician, Waterfront



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING September 21, 2010 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

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: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

Speakers: David Daniel Diaz, Kate Smith.

CONSENT CALENDAR (Item Nos. 1 - 8)

The title of the ordinance related to Item No. 2 was read.

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of August 31 (cancelled), and September 7, 2010 (cancelled).

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance For A 25-Year Lease With Brophy & Sons, Inc., Doing Business As Brophy Brothers' Restaurant And Clam Bar (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a 25-Year Lease with Brophy & Sons, Inc., Effective October 21, 2010.

Action: Approved the recommendation; Ordinance No. 5529; Agreement No. 23,538.

3. Subject: Professional Actuarial Services Agreement, GASB 45 - Accounting For Retiree Medical Benefits (430.06)

Recommendation: That Council authorize the Finance Director to negotiate and execute a professional services agreement with Aon Consulting for an actuarial valuation of the City's post-retirement benefits, including retiree medical insurance and sick leave conversion programs in an amount not-to-exceed \$31,000.

Action: Approved the recommendation; Agreement No. 23,539 (September 21, 2010, report from the Finance Director).

4. Subject: Approval Of Benefit Plans Effective January 1, 2011 (430.06)

Recommendation: That Council:

- A. Approve renewal of the Aetna and Kaiser Permanente medical plans; Delta Dental Plans; Vision Service Plan; Employee Assistance Program (EAP); Flexible Spending Accounts; Hartford Life and Disability Insurance Plans, and Allstate Voluntary Disability Plans for the term of January 1, 2011, to December 31, 2011; and
- B. Authorize the Assistant City Administrator to execute any necessary agreements.

Action: Approved the recommendations; Agreement No. 23,196.1 (September 21, 2010, report from the Assistant City Administrator/Administrative Services Director).

5. Subject: California Office Of Traffic Safety Grant (520.04)

Recommendation: That Council:

- A. Accept \$139,000 from the State of California, Office of Traffic Safety, and authorize the Chief of Police to execute the Grant Agreement; and
- B. Appropriate the grant allocation of \$139,000 to the Miscellaneous Grants Fund for Fiscal Year 2010-2011 for the Sobriety Checkpoint Program.

Action: Approved the recommendations; Agreement No. 23,540 (September 21, 2010, report from the Chief of Police).

6. Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board of Review Preliminary Approval For 903 W. Mission Street

Recommendation: That Council:

- A. Set the date of October 19, 2010, at 2:00 p.m. for hearing the appeal filed by Pam Brandon of the Architectural Board of Review Preliminary Approval of an application for property owned by Kenneth and Heidi Harbaugh and located at 903 W. Mission Street, Assessor's Parcel No. 043-113-009, R-2 Two-Family Residence Zone, General Plan Designation: Residential, 12 Units per Acre. The project proposes the construction of a new 525 square foot second story accessory dwelling unit above a new 623 square foot three-car garage on a 5,000 square foot lot. The proposal includes the demolition of an existing 317 square foot non-conforming garage, and a 25 square foot covered porch to existing main residence, and a 32 square foot addition to the main residence; and
- B. Set the date of October 18, 2010, at 1:30 p.m. for a site visit to the property located at 903 W. Mission Street.

Action: Approved the recommendations (September 2, 2010, letter of appeal).

NOTICES

- 7. The City Clerk has on Thursday, September 16, 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.
- 8. Cancellation of the regular Redevelopment Agency meeting of September 21, 2010, due to lack of business.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Das Williams reported that the Committee heard a report on the City's various insurance programs.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

9. Subject: Introduction Of Ordinance Establishing Prima Facie Speed Limits (530.05)

Recommendation: That Council introduce and subsequently 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 Alston Road, Carrillo Street, Loma Alta Drive, and Gutierrez Street.

Documents:

- September 21, 2010, report from the Public Works Director.
- September 21, 2010, proposed Ordinance.
- September 21, 2010, PowerPoint presentation prepared and made by Staff.

The title of the ordinance was read.

Speakers:

Staff: Supervising Transportation Engineer Drusilla van Hengel, Traffic Engineer Peter Doctors, City Attorney Stephen Wiley, City Administrator James Armstrong.

Motion:

Councilmembers House/White to introduce the ordinance with the exception of the speed limit changes to Alston Road.

Amendment Motion:

Councilmembers House/White to introduce the ordinance with the exception of the speed limit changes to Alston Road and direct staff to restudy Alston Road, with community outreach, and determine if findings can be made to justify the proposed speed limit changes to that road.

Vote on Amendment Motion:

Unanimous voice vote.

10. Subject: Sewer Lateral Incentive Program Modifications (540.13)

Recommendation: That Council approve revising the Sewer Lateral Incentive Program by waiving City permit fees for City-mandated sewer lateral improvements and direct staff to revise Resolution No. 06-095 and the related Administrative Guidelines.

(Cont'd)

10. (Cont'd)

Documents:

- September 21, 2010, report from the Public Works Director.
- September 21, 2010, PowerPoint presentation prepared and made by Staff.
- September 17, 2010, letter from Santa Barbara Association of Realtors.

Speakers:

- Staff: Water Resources Manager Rebecca Bjork, City Attorney Stephen Wiley.
- Members of the Public: Hillary Hauser, Heal the Ocean; Kira Redmond, Santa Barbara ChannelKeeper.

Motion:

Councilmembers Francisco/Hotchkiss to approve Alternative 1 as stated in the Council Agenda Report.

Substitute Motion:

Councilmembers Williams/White to reduce the permit fees for voluntary and mandatory sewer lateral improvements by 70%, up to a maximum annual City cost of 150,000.

The substitute motion was withdrawn.

Vote on Original Motion:

Majority voice vote (Noes: Councilmember House).

11. Subject: Agreement To Remove Cogeneration System At El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a termination agreement with Alliance Monterey, LLC (Alliance), in a form acceptable to the City Attorney, to remove fuel cell co-generation equipment from the El Estero Wastewater Treatment Plant (El Estero) and to terminate the existing Power Purchase Agreement (PPA); and
- B. Receive an update on the status of the existing fuel cell co-generation system at El Estero and plans to replace the system with an engine co-generation system.

Documents:

- September 21, 2010, report from the Public Works Director.
- September 21, 2010, PowerPoint presentation prepared and made by Staff.

(Cont'd)

11. (Cont'd)

Speakers:

Staff: Facilities and Energy Manager Jim Dewey.

Motion:

Councilmembers Williams/House to approve the recommendations.

Vote:

Unanimous voice vote.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

Mayor Schneider reported on her attendance at the League of California Cities Annual Conference.

RECESS

Mayor Schneider recessed the meeting at 4:05 p.m. in order for the Council to reconvene in closed session for Item Nos. 12 - 14, and she stated that no reportable action is anticipated.

CLOSED SESSIONS

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

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (a) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is Tanis Nelson vs. City of Santa Barbara, SBSC Case No. 1339487.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

September 21, 2010, report from the City Attorney.

Time:

4:10 p.m. - 4:20 p.m.

No report made.

14. Subject: Conference With Real Property Negotiators Regarding 319 West Haley Street (330.03)

Recommendation: That Council hold a closed session to consider instructions to its negotiators regarding the possible sale of the City-owned property, commonly known as 319 West Haley Street, pursuant to the authority of Government Code Section 54956.8. Instructions to negotiators will direct staff regarding the price and terms of a possible sale of the City-owned parcel. Negotiations are held pursuant to the authority of Section 54956.8 of the Government Code. City Negotiators: Browning Allen, Transportation Manager; Don Irelan, Senior Real Property Agent; and Stephen P. Wiley, City Attorney, on behalf of the City of Santa Barbara. Negotiating Parties: Pathpoint, Inc. Under Negotiation: Price and terms of payment of a possible sale.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

September 21, 2010, report from the Public Works Director.

Time:

4:20 p.m. - 4:43 p.m.

No report made.

13. 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 21, 2010, report from the Assistant City Administrator/
Administrative Services Director.

Time:

4:45 p.m. - 5:12 p.m.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:12 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

BRENDA ALCAZAR, CMC
DEPUTY CITY CLERK

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA EXTENDING THE 2007-2010 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA BARBARA AND THE SANTA BARBARA CITY FIREFIGHTERS' ASSOCIATION THROUGH JUNE 30, 2013

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

SECTION 1. The Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Firefighters' Association entered into as of July 1, 2007 and adopted as Ordinance No. 5443 (the "Agreement") is hereby amended as reflected in Exhibit A, attached hereto and included herein by reference.

City of Santa Barbara and Firefighters
Agreement to Extend Existing MOU

Pursuant to Section 3.12 of the Municipal Code of the City of Santa Barbara and Section 3500 et. seq. of the Government Code, the duly authorized representatives of the City Of Santa Barbara ("The City") and the Santa Barbara City Firefighters Association, Inc. (Hereinafter Referred To As "Association"), having met and conferred in good faith, agree that the existing 2007-2010 Memorandum of Understanding (MOU), adopted by Ordinance No. 5443, shall be modified and supplemented with the following agreement:

1. Term: The term of the agreement will be extended through June 30, 2013, unless terminated earlier as provided under Section 5b, below.
2. Salary and Benefit Concessions:
 - a. Delayed Salary Increase: The 3% salary increase that was scheduled for July 3, 2010 will be postponed, and will become effective instead as follows:
 - i. Effective June 18, 2011, 1.5%
 - ii. Effective January 14, 2012, 1.5%
 - b. Employee PERS contributions:
 - i. The City shall immediately begin the process necessary to implement employee contributions toward retirement through CA Govt Code § 20516 and:
 1. Effective January 15, 2011, employees will pay 4.982% of PERS-able compensation to PERS retirement,
 2. Effective June 18, 2011, employees will pay a reduced amount of 2.982% to PERS retirement,
 3. Effective June 29, 2013, employee contributions to PERS will cease unless extended by mutual agreement between the City and the Association.
 - ii. All reasonable efforts will be made by both parties to finalize procedures necessary to implement these payments prior to January 15, 2011. The parties recognize that time is of the essence in implementing the contract change. In the event deductions under Govt Code § 20516 cannot be implemented by the January 15, 2011 effective date, then employee cost-sharing will be accomplished in the interim through post tax payroll deduction in the manner contemplated by Govt Code § 20516(f). Such deductions shall not affect the existing level of PERS Employer Paid Member Contributions.
 - iii. If for any reason employee deductions cannot be accomplished under Govt Code § 20516 as planned, such

as the failure of a PERS election to approve the contract amendment, then employee cost-sharing will be accomplished through payroll deduction in the manner contemplated by Govt Code § 20516(f). Such deductions shall not affect the existing level of Employer Paid Member Contributions.

c. Reduced Holidays for Suppression:

- i. The number of holidays that suppression employees receive in Fiscal Year 2010-2011, in FY 2011-2012, and in FY 2012-2013 will be reduced by twenty-four (24) hours, to 5 ½ 24-hour shifts (132 hours).

d. Unpaid Furlough for Prevention:

- i. Each employee in the prevention bureau will be subject to a 16 hour unpaid furlough in Fiscal Year 2010-2011 and in FY 2011-2012 under the same terms and conditions applicable to City managers.

3. Salary & Benefit Increase: Employees will receive the following:

a. Across-the-board salary increases:

- i. 1.5% effective July 14, 2012
- ii. 1.5% effective January 12, 2013
- iii. Re-opener in the Event of Fiscal Emergency- If Council, no fewer than 60 days prior to the effective date of one or both of these salary increases, declares by Resolution that a state of fiscal emergency exists that necessitates reopening negotiations with the Association, the parties will re-open formal negotiations on the sole issue of salary increases. If the end result of these negotiations is a reduction in the salary increase, concessions still in effect in the third year from Section 2, above, (i.e., the employee-paid PERS and/or the reduction in holiday) will be restored in an equivalent amount.

b. Increase medical contribution cap by

- i. \$165 per month effective January 1, 2011
- ii. \$121 per month effective January 1, 2012
- iii. \$132 per month effective January 1, 2013

4. Reinstatement of Salary and Benefit Concessions: Notwithstanding **Section 2** above, the City may, at its option, voluntarily reinstate the salary and benefit concessions listed in **Section 2** to the status quo preceding this agreement at any time on a prospective basis (e.g., by providing the 1.5% increases before June 18, 2011 and January 14, 2012, by terminating the employee PERS contributions, by reinstating the holiday hours for suppression employees in any remaining fiscal years, and/or by cancelling the remaining furlough for prevention employees).

5. Minimum Staffing: Subject to the requirements of Article X, Section 1008 of the City Charter, the City agrees to reduce staffing through attrition to the following minimum staffing levels and then maintain those levels:
- a. The minimum staffing requirements of the Department shall be as follows:
 - i. For suppression, 28 sworn fire suppression personnel per shift within the City, not including sworn management, consisting of 7 engine companies, 1 AARF company, and 1 truck company. Staff on mutual aid of a duration of 12 hours or less will be included in this number, in which case back filling shall be at the discretion of the Fire Chief. Each engine company shall be comprised of one Fire Captain, one Fire Engineer and one Firefighter. The AARF Company at the Airport shall be comprised of one Fire Captain and two Fire Engineers. The truck company shall be staffed with one Fire Captain, one Fire Engineer, and two Firefighters.
 - ii. For the Prevention Bureau there shall be a minimum of 6 authorized positions on the official list of authorized positions. The City Council may direct that these positions, if vacated by the incumbent employee for reasons other than an involuntary termination, remain unfunded and unfilled without violating this section.
 - iii. There shall also remain a Training Captain position on the official list of authorized positions. The City Council may direct that this position, if vacated by the incumbent employee for reasons other than an involuntary termination, remain unfunded and unfilled without violating this section, however it is the intent of this section for the Training Captain position remain funded and filled if fiscal conditions permit.
 - b. If the City Council exercises its rights under Article X, Section 1008 of the City Charter, or otherwise discontinues the minimum staffing levels in **Section 5(a)** above without the express written consent of the Association:
 - i. The City will give the Association a minimum of 60 days written notice prior to the effective date of the change to minimum staffing (the “change date”), and
 - ii. The City will prospectively reinstate the concessions listed in **Section 2**, above (including the full 3% salary increase that was deferred from July 3, 2010 or balance thereof), that are still in effect as described in **Section 4**, above, effective on the date of the written notice, and
 - iii. In the event the Association believes that such intended action will affect the safety or workload of affected employees, it shall so advise the City, whereupon the City

and the Association shall meet and confer in good faith over the impacts of the change,

1. Such meeting and conferring, however, shall not prevent the City from implementing the staffing change on an interim basis not less than 60 days after notice to the Association, but prior to the conclusion of negotiations over the impacts of the change.
 2. Alternatively, within 30 days of the written notice of the change, the Association may notify the City of its intent to terminate the remainder of the agreement effective on the change date. The City and the Association will begin to meet and confer over a successor agreement within 30 days after the union notifies the City in writing its intent to terminate the remainder of the Agreement.
 - a. The employee will keep any salary and benefit increases in **Section 3**, above, that have already been awarded or will be awarded prior to the change date.
6. Long-Term Disability- Coordination of Leave Banks: Employees may request to coordinate their paid leave banks with benefits received through their Association-provided long-term disability (LTD) insurance benefits, consistent with that insurance policy. Employees coordinating LTD insurance benefits with City payroll benefits shall not receive, by virtue of having coordinated leave balances with LTD insurance, any increased eligibility for City leave of absence or any additional City benefit that they would not otherwise have received. Employees are responsible providing advanced notice and necessary paperwork to City Benefits Office.
7. Other Terms and Conditions: All other terms and conditions reflected in the existing Memorandum of Understanding will continue in full force and effect during the extended term of the agreement.

DATE: September 29, 2010

For the City:

For the Association:

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA EXTENDING THE 2008-2010 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA BARBARA AND THE PATROL OFFICERS' AND TREATMENT PLANTS' BARGAINING UNITS (TAP UNITS), ADOPTED BY ORDINANCE NO 5482, THROUGH DECEMBER 31, 2010.

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

SECTION 1. The term of the Memorandum of Understanding between the City of Santa Barbara and the Service Employees' International Union, Local 620, Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units, effective as of October 1, 2008, and adopted by Ordinance No 5482, is hereby extended through December 31, 2010.



Agenda Item No. _____

File Code No. 330.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Acceptance Of Land Fronting The Marriott Hotel Project At 6300 Hollister Avenue

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Narrow Strip of Land Located Within the City of Santa Barbara and Fronting the Real Property Known as 6300 Hollister Avenue Located Within the City of Goleta, Said Strip of Land Being a Portion of Santa Barbara County Assessor's Parcel APN 073-050-020.

DISCUSSION:

The property at 6300 Hollister is undergoing review by the City of Goleta for possible subdivision and development of a new hotel project (Marriott Project). The applicant for the Marriott Project is Sares-Regis Group (Sares-Regis), acting on behalf of the owner, 6300 Hollister Associates, L.P., a California limited partnership.

Due to irregularities in old descriptions that were attached to the past chain of title deeds for the affected real property, Hollister Avenue, and the City Limit Line between the Cities of Santa Barbara and Goleta, it has been determined that a narrow portion of the land fronting the Marriott Project site is located within the City of Santa Barbara.

In order to avoid overlapping jurisdictions and redundant review of the Marriott Project by each of the Cities of Santa Barbara and Goleta, the owner of the property has offered to grant and dedicate the narrow frontage portion of the land to the City of Santa Barbara. As shown on the Attachment, the proffered strip of land to be dedicated is approximately 900 feet long and approximately 16 feet wide at its widest point.

City staff have reviewed the proposed dedication and worked with Sares-Regis to prepare an appropriate Grant Deed to address possible ownership concerns. City staff have also provided input to City of Goleta staff concerning the Marriott Project, including the construction of public improvements along Hollister Avenue.

A Grant Deed has been executed by 6300 Hollister Associates, L.P., and delivered to the City for proposed acceptance and recordation in the Official Records of Santa Barbara County.

The Grant Deed contains covenants to help the City proceed with any potential future widening project on Hollister Avenue and ensure landscaping and other street frontage improvements are completed along Hollister Avenue as part of the Marriott Project. These covenants are outlined as follows:

- (1) An easement to allow driveway access across the strip of land by the Grantor if Hollister Avenue is widened;
- (2) A temporary easement to allow the Grantor to improve, use and maintain the strip of land if Hollister Avenue is widened; and
- (3) An indemnification for claims resulting from release by the Grantor of hazardous materials on the strip of land.

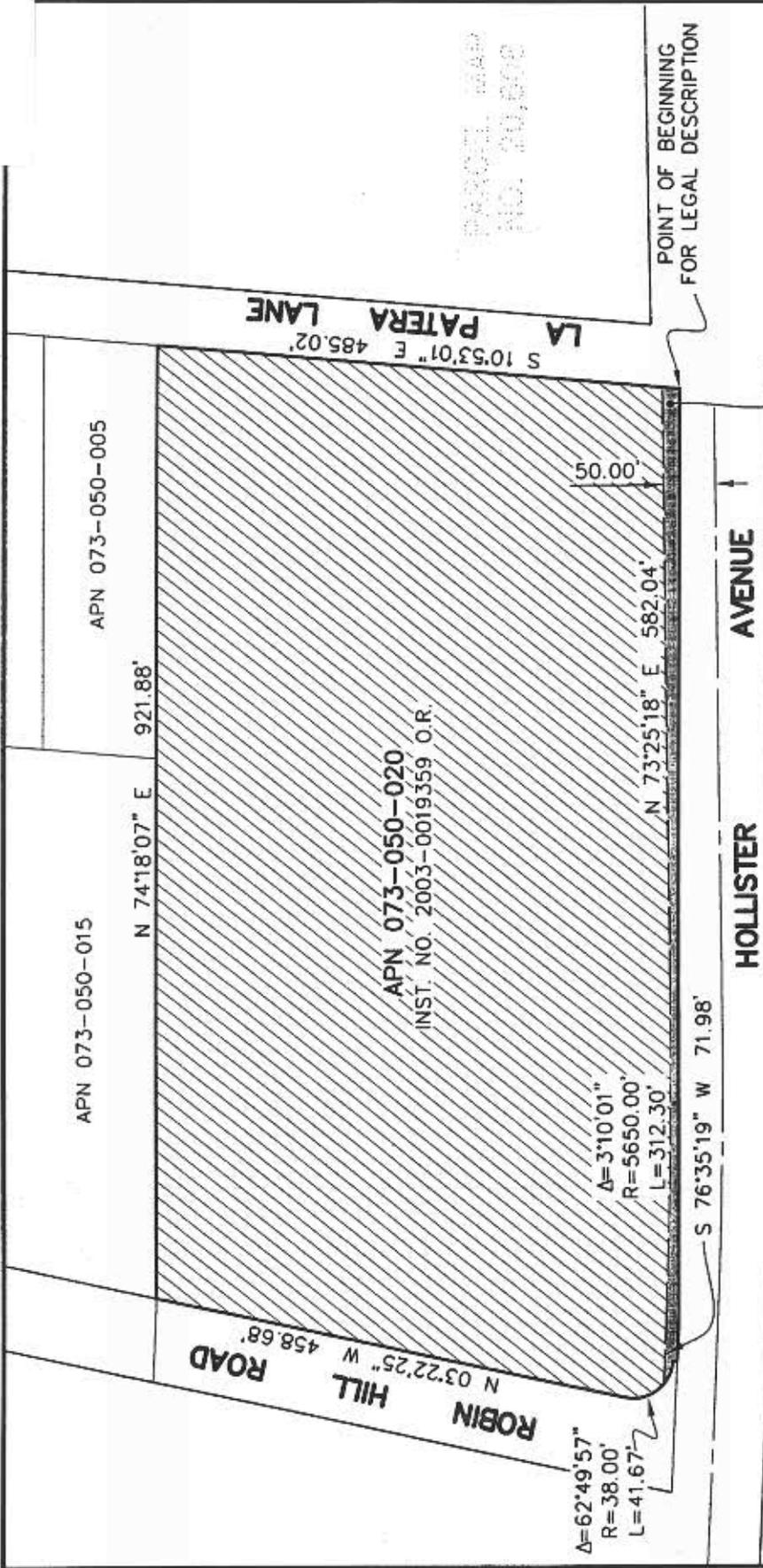
The proposed Resolution is recommended in order to accept dedication of the narrow strip of land located within the City of Santa Barbara.

ATTACHMENT(S): Right of Way Dedication Exhibit

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



Penfield & Smith
 Engineering · Surveying · Planning
 · Construction Management ·



**PORTION OF APN 073-050-020
 RIGHT OF WAY DEDICATION EXHIBIT**
 COUNTY OF SANTA BARBARA, CA

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ACCEPTING A NARROW STRIP OF LAND LOCATED WITHIN THE CITY OF SANTA BARBARA AND FRONTING THE REAL PROPERTY KNOWN AS 6300 HOLLISTER AVENUE LOCATED WITHIN THE CITY OF GOLETA, SAID STRIP OF LAND BEING A PORTION OF SANTA BARBARA COUNTY ASSESSOR'S PARCEL APN 073-050-020

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

SECTION 1. The City of Santa Barbara hereby accepts that certain narrow strip of land described in the Grant Deed, dated September 30, 2010, to the City of Santa Barbara, a municipal corporation, by SRG Hollister L.P., a California limited partnership, on behalf of 6300 Hollister Associates, L.P., a California limited partnership, the owner of the real property commonly known as 6300 Hollister Avenue, and referred to as Santa Barbara County Assessor's APN 073-050-020.

SECTION 2. The City of Santa Barbara hereby consents to the recordation of by the City Clerk of the Grant Deed in the Official Records of the County of Santa Barbara.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Mayor and Councilmembers

FROM: Creeks Division, Parks and Recreation Department

SUBJECT: Resolution And Appropriation For Purchase Of Property At 401 Las Positas Road For A Creek Restoration And Water Quality Improvement Project

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Parks and Recreation Director to Execute an Agreement for Acquisition of Real Property Located at 401 Las Positas Road With Escrow Instructions and All Related Documents That May Be Required, All Subject to Review and Approval as to Form by the City Attorney, Relating to a Future Creek Restoration and Water Quality Improvement Project, and Accepting and Consenting to the Recordation of the Related Deed in the Official Records, County of Santa Barbara; and
- B. Increase appropriations by \$505,000 in the Creeks Restoration and Water Quality Improvement Fund from reserves to cover the purchase of real property located at 401 Las Positas Road.

DISCUSSION:

The Creeks Division's six-year Capital Improvement Program for Fiscal Years (FY) 2011 through 2016 includes funding for the "Lower Arroyo Burro Restoration Program." The purpose of this program is to develop a restoration project on Lower Arroyo Burro, and specifically along the creek reach north of the Cliff Drive Bridge, that will improve wildlife habitat, water quality, and bank stabilization. Purchasing the property at 401 Las Positas Road is an important component of a successful Lower Arroyo Burro Restoration Program.

The 1.56 acre property, located at the corner of Las Positas Road and Cliff Drive, is an environmentally sensitive, constrained site with 715 feet of creek frontage on the east bank of Arroyo Burro. The property is directly upstream of the Creeks Division's Arroyo Burro Estuary and Mesa Creek Restoration project, adjacent to several acres of public property along Las Positas Road, and part of an important scenic view corridor from Las Positas Road, Cliff Drive, Elings Park, and the Douglas Family Preserve.

The property was listed for sale in May 2010. In June 2010, the City hired Schott & Company, a real estate appraisal and consulting firm, to prepare an independent appraisal report estimating the fair market value of the property. The property owner also commissioned an appraisal of the property. The appraisals took into consideration the highest and best use of the property and consideration of all factors that influence its fair market value. The proposed purchase price of \$505,000 is equal to the landowner's appraisal, and one percent higher than the City's appraisal.

BUDGET/FINANCIAL INFORMATION:

As a Creeks Division restoration and water quality improvement project, Measure B funds will be used for this real property acquisition. There are sufficient reserve funds available in the Creeks Fund to cover the City's acquisition costs. There are also sufficient funds in the Creeks Fund to pay for future planning, design, permitting, and construction of the proposed project. Staff will also work to secure grant funds for project design and implementation.

ATTACHMENT: 401 Las Positas Road Aerial Photo

PREPARED BY: Cameron Benson, Creeks Restoration/Clean Water Manager

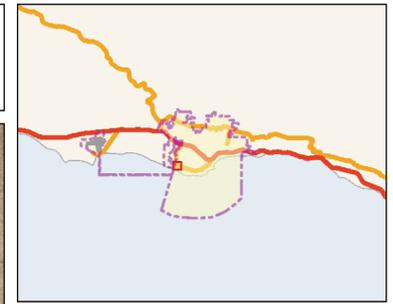
SUBMITTED BY: Nancy Rapp, Parks and Recreation Director

APPROVED BY: City Administrator's Office



City of Santa Barbara

401 Las Positas Road - Aerial Photo



Legend

- Creeks
- Streets
- Parcels
- Imagery: 2008 Images
- Imagery: 2008 Images
- Imagery: 2008 Images

1: 1,896



316.0 0 157.99 316.0 Feet

MAP DISCLAIMER

This service has been provided to allow a visual display of City information. Every effort has been made to ensure the accuracy of the map and data. The City of Santa Barbara assumes no responsibility arising from the use of this information. THE MAPS AND ASSOCIATED DATA ARE PROVIDED WITHOUT A WARRANTY OF ANY KIND

Notes

Attachment 1
401 Las Positas Road

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AUTHORIZING THE PARKS AND RECREATION DIRECTOR TO EXECUTE AN AGREEMENT FOR ACQUISITION OF REAL PROPERTY LOCATED AT 401 LAS POSITAS ROAD WITH ESCROW INSTRUCTIONS AND ALL RELATED DOCUMENTS THAT MAY BE REQUIRED, ALL SUBJECT TO REVIEW AND APPROVAL AS TO FORM BY THE CITY ATTORNEY, RELATING TO A FUTURE CREEK RESTORATION AND WATER QUALITY IMPROVEMENT PROJECT, AND ACCEPTING AND CONSENTING TO THE RECORDATION OF THE RELATED DEED IN THE OFFICIAL RECORDS, COUNTY OF SANTA BARBARA

WHEREAS, the City's six-year Capital Improvement Program for fiscal years (FY) 2011 through 2016 includes the "Lower Arroyo Burro Restoration Program" to develop a project on Lower Arroyo Burro that will improve wildlife habitat, water quality, and bank stabilization;

WHEREAS, the Lower Arroyo Burro Restoration Program requires the purchase by the City of the entire real property commonly known as 401 Las Positas Road, Santa Barbara County Assessor's Parcel APN 047-093-004, owned by The Bollag Family Trust, Benjamin Bollag, Trustee, due to its location immediately adjacent to Arroyo Burro and its location within the Project area, for consideration in the amount of \$505,000.00, plus related escrow closing costs;

WHEREAS, as authorized by the Council of the City of Santa Barbara, the real property at 401 Las Positas Road has been appraised by an independent appraiser, and in accordance with applicable laws and guidelines, subject to final approval by the Council of the City of Santa Barbara, a written offer and agreement has been delivered to the property owner;

WHEREAS, the written purchase offer has been accepted by the owner of the real property at 401 Las Positas Road, and the agreement has been signed voluntarily to allow the City to purchase the real property, subject to final approval by the Council of the City of Santa Barbara;

WHEREAS, this Resolution will provide authorization by the Council of the City of Santa Barbara for the Parks and Recreation Director to execute the agreement with the owners, subject to review and approval as to form by the City Attorney;

WHEREAS, this Resolution will also provide authorization by the Council of the City of Santa Barbara for the Parks and Recreation Director to subsequently execute any documents that may become necessary to accomplish such purchase by the City of the real property at 401 Las Positas Road, subject to review and approval as to form of such documents by the City Attorney, which may include among others, but not be limited to, sale escrow instructions; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the real property located at 401 Las Positas Road, as more particularly described in a grant deed delivered for such purpose by The Bollag Family Trust, Benjamin Bollag, Trustee, as described in such agreement, without further action or subsequent resolution to accept the real property.

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

SECTION 1. The Parks and Recreation Director is hereby authorized by the Council of the City of Santa Barbara, subject to review and approval by the City Attorney as to form, to execute all required agreements with The Bollag Family Trust, Benjamin Bollag, Trustee, to accomplish the purchase by the City of the entire real property commonly known as 401 Las Positas Road, Santa Barbara County Assessor's Parcel APN 047-093-004, for consideration in the amount of \$505,000.00, plus related escrow closing costs.

SECTION 2. The City Council of the City of Santa Barbara hereby consents to the acquisition of 401 Las Positas Road and authorizes the Parks and Recreation Director, upon the successful completion of the approved escrow, to accept and record the grant deed by The Bollag Family Trust, Benjamin Bollag, Trustee, in the Official Records, County of Santa Barbara.

SECTION 3. This Resolution shall become effective immediately upon its adoption.



Agenda Item No. _____

File Code No. 530.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Design Of Zone 6 Pavement Maintenance Projects

RECOMMENDATION:

That Council authorize the Public Works Director to execute a City Professional Services contract with Flowers and Associates (Flowers) in the amount of \$69,724 for design services for the Zone 6 Pavement Maintenance Project (Project), and authorize the Public Works Director to approve expenditures of up to \$6,972 for extra services that may result from necessary changes in the scope of work.

DISCUSSION:

The Engineering Division hires design and construction consultants for delivery of its annual Pavement Maintenance Project. In the fall of 2009, staff sought proposals from local engineering firms to provide three years of pavement maintenance design and contract administrative services. This approach has been successfully implemented by neighboring agencies as it makes more efficient use of staff time and increases the ratio of funds expended in construction. On November 10, 2009, Council approved staff's recommended approach with the services, as proposed by Flowers.

BACKGROUND

The City of Santa Barbara has had an active pavement management system for almost 30 years. Currently, the network of roads is broken into seven zones, five are residential and two are arterial. On average, pavement maintenance is performed every seven years in residential and five years in arterial zones. This frequency is derived from the volume of traffic each road receives. Due to limited funding, not every street in each zone is maintained. As part of the City's pavement management system, the City updates the City's Pavement Management System Report every two years, detailing the general condition of the roadway, recommended work program implementation, and budgetary requirements to maintain the road network in a good condition. Along with this reporting, the next two zones scheduled for maintenance are inspected to generate updated conditions and suggested work required.

The 2010 Pavement Management System Report (Report) was completed in July, 2010. It includes pavement maintenance strategies and documents the current pavement condition ratings for City streets. The Report indicates a continued downward trend in pavement condition rating. This trend can be correlated to an increase in deferred citywide pavement maintenance due to limited available funds for pavement maintenance and competing priorities, including the need for alternative transportation. Since 2002, the City's overall Pavement Condition Index (PCI) rating (0 = minimum to 100 = maximum) has decreased from a PCI of 75 in 2002 to 68 in 2010. The Report recommends a pavement maintenance funding level of \$4.7 million per year to achieve an average City PCI rating of 70; however, for the past 5 years, due to competing Streets Capital priorities, the City has budgeted approximately \$2.3 million per year for annual pavement maintenance.

PROJECT DESCRIPTION

The annual pavement work is typically broken into two contracts for public bidding. The first stage consists of localized spot repairs, which predominately focus on restoration of localized pavement distress (potholes, large surface bumps/depressions, etc). In the second phase, the road is surface sealed with a top pavement coating to reduce wear on the structural section of the roadway and reduce water infiltration. It is typically advantageous to break the work into two contracts to reduce the overhead from one prime contractor and the typical mark-up associated with a specialized subcontractor doing the sealing portion of the Project.

DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Flowers in the amount of \$76,696 for professional design services. Flowers is one of the participants in the City's Pre-qualified Engineering Services Program and is experienced in this type of work.

PUBLIC OUTREACH

It is anticipated that there will be a variety of methods utilized for public outreach during the design and construction process. Typically, during the design phase, mailers are sent out by design staff two to three months ahead of construction. Mailers serve to alert residents and homeowners of the pending work in hopes of expediting any necessary private work within the roadway. Prior to road restoration, it is imperative to complete work within the roadway to maximize its useful life. As the Project goes into construction, newspaper ads are assembled, press releases are issued, information is updated in City newsletters, Channel 18 scrolls are utilized, and door hangers are placed for those directly impacted by the work.

FUNDING

Funding for the Project comes from a variety of sources. The Public Works Department solicits other City departments and divisions who may require pavement restoration. In the past, Downtown Parking, Facilities, Water, and the Airport and Waterfront Departments have come forward with work to fund their individual needs. The work within the roadway is sponsored by the Streets Capital fund, which includes funding sources derived from Measure A, Utility Users Tax, and Proposition 42 funds.

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

Design (by Contract)	\$76,696
Other Design Costs - City staff (if contract), Environmental (Assessments, etc.)	\$40,000
Subtotal	\$116,696
Estimated Construction Contract w/Change Order Allowance	\$2,000,000
Estimated Construction Management/Inspection (by Contract or City)	\$230,000
Estimated Other Construction Costs (testing, etc.)	\$50,000
Subtotal	\$2,280,000
TOTAL PROJECT COST	\$2,396,696

There are appropriated sufficient funds in the Streets Capital Fund to cover these costs. The total Project cost estimate is within the amount budgeted in the Streets Capital Fund.

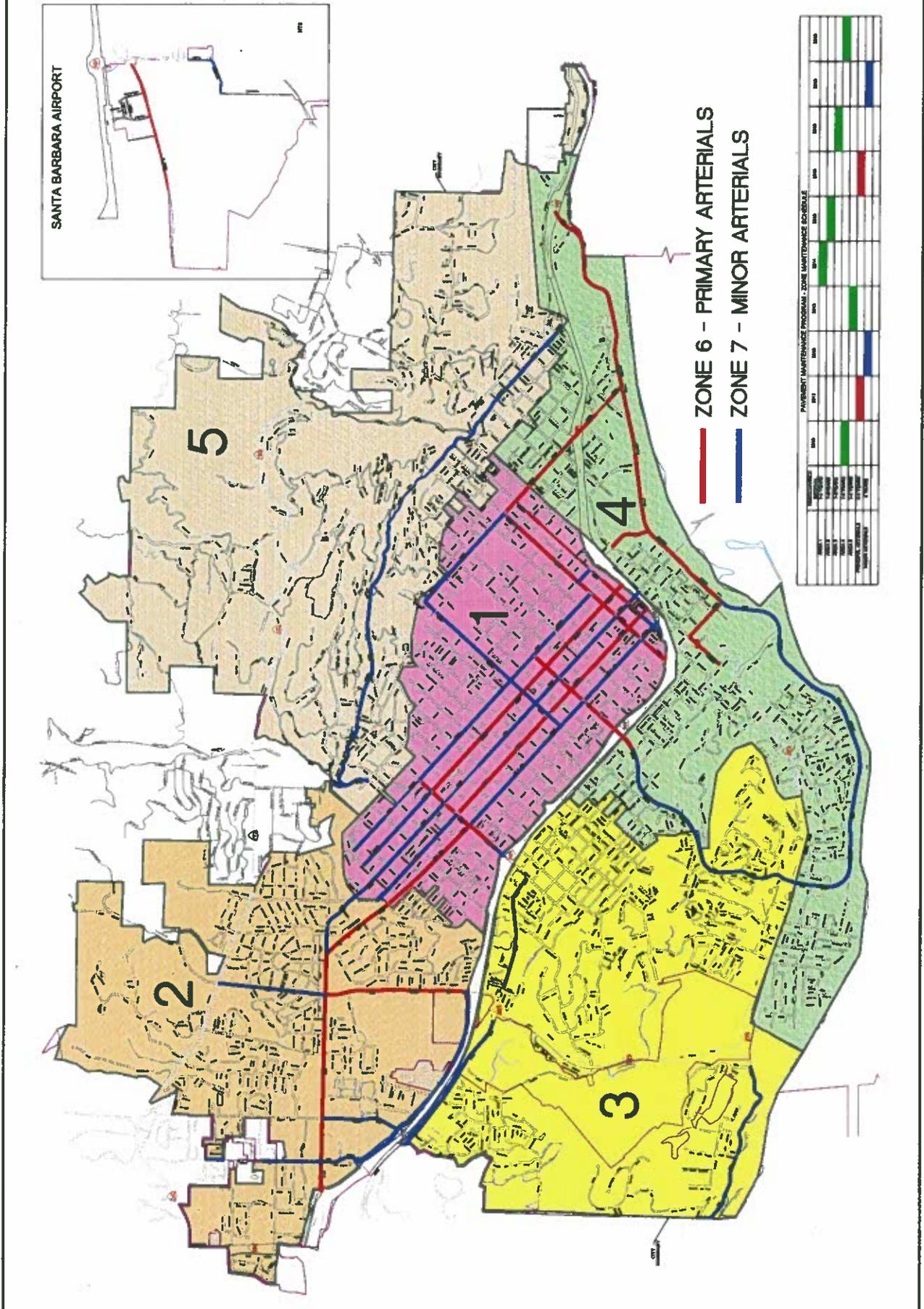
ATTACHMENT(S): Zone Map

PREPARED BY: John Ewasiuk, Principal Civil Engineer/TC/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

Attachment





Agenda Item No. _____

File Code No. 540.01

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Mayor and Councilmembers

FROM: Water Resources, Public Works Department

SUBJECT: Authorization To Join The California Water And Wastewater Agency Response Network

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving and Agreeing to Become a Party to the California Water and Wastewater Agency Response Network (CalWARN) 2007 Omnibus Mutual Assistance Agreement, and Authorizing the Water Resources Manager to Execute the Agreement.

DISCUSSION:

CalWARN was developed to support and promote statewide emergency preparedness, disaster response, and mutual assistance matters for public and private water and wastewater utilities.

CalWARN provides member utilities with a standard mutual assistance agreement and process for sharing emergency resources among members; a mutual assistance program consistent with other statewide mutual aid programs, the Standard Emergency Management System (SEMS), and the National Incident Management System (NIMS); and resources to respond and recover more quickly from a disaster.

BUDGET/FINANCIAL INFORMATION:

There is no cost to join CalWARN.

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY
OF SANTA BARBARA APPROVING AND
AGREEING TO BECOME A PARTY TO THE
CALIFORNIA WATER AND WASTEWATER
AGENCY RESPONSE NETWORK (CALWARN) 2007
OMNIBUS MUTUAL ASSISTANCE AGREEMENT,
AND AUTHORIZING THE WATER RESOURCES
MANAGER TO EXECUTE THE AGREEMENT

WHEREAS, the California Office of Emergency Services (OES), the Department of Water Resources (DWR), the Department of Public Health (DPH) and the California Utilities Emergency Association (CUEA) have expressed a mutual interest in the establishment of a plan to facilitate and encourage water agency mutual assistance agreements between water agencies;

WHEREAS, the California Water Agency Response Network (CalWARN) was originally created to provide a forum for the development of mutual assistance agreements between water agencies in the OES Coastal Region of California and later expanded to all water and wastewater agencies in the State of California;

WHEREAS, the CalWARN 2007 OMNIBUS MUTUAL ASSISTANCE AGREEMENT is a continuation of the WARN 1996 OMNIBUS MUTUAL AID and 2001 OMNIBUS MUTUAL AID AGREEMENT for mutual assistance to one another in times of emergency;

WHEREAS, State OES regulates the SEMS program, and this agreement is consistent with SEMS, and that it is necessary to have a mutual assistance agreement in place to support requests to FEMA for costs of using assistance during an emergency;

WHEREAS, the water or wastewater agency hereto has determined that it would be in its best interests to enter into an agreement that implements that plan and sets forth procedures and the assistance provided from one agency to the other;

WHEREAS, no water or wastewater agency should be in a position of unreasonably using its own resources, facilities, or services providing such mutual assistance;

WHEREAS, it is the intent of WARN to revise this agreement as necessary and to annually publish a list of all water and wastewater agencies participating in this agreement, as posted on www.calwarn.org; and

WHEREAS, such an agreement is in accord with the California Emergency Services Act set forth in Title 2, Division 1, Chapter 7 (Section 8550 et seq.) of the Government Code and specifically with Articles 14 and 17 (Section 8630 et seq.) of the Act.

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

SECTION 1. The City of Santa Barbara approves and agrees to become a party to the CalWARN 2007 Omnibus Mutual Assistance Agreement.

SECTION 2. The Water Resources Manager is hereby authorized to execute said agreement as approved herein.



Agenda Item No. _____

File Code No. 540.09

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Intent To Accept Real Property At The City's Hydroelectric Plant

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intent to Accept Real Property Beneath the City's Hydroelectric Plant Granted by the United States of America Through its Bureau of Reclamation.

DISCUSSION:

The City owns a hydroelectric plant located on United States Bureau of Reclamation (Reclamation) land within the fenced enclosure around Lauro Reservoir (Attachment 1). The hydroelectric plant receives water from the City's Gibraltar Dam and Reservoir that is delivered to Santa Barbara via the City's Mission Tunnel. In 1981, the Federal Energy Regulatory Commission (FERC) issued a license to the City "to construct, operate, and maintain the Gibraltar Hydroelectric Project". In 1982, Reclamation signed a license and agreement with the City which provided for "construction, operation, and maintenance of Gibraltar Hydroelectric Project Powerplant" (Attachment 2).

Gibraltar Reservoir has been operated primarily to provide water to the City and to supplement peak demands of the Montecito and Carpinteria Water Districts by delivering water into Lauro Reservoir. Power generation was a secondary consideration to meeting the water needs of South Coast customers.

The City officially surrendered the FERC license in 2002 because costs for plant operation and maintenance, licensing, and other expenses exceeded the income from power sales. Also, FERC requirements could interfere with water delivery from Gibraltar Reservoir. However, today a national effort is underway to develop clean, renewable sources of energy, and the City can contribute by generating hydroelectric power at its decommissioned plant. City ownership of the underlying land will allow FERC to issue a conduit exemption; thus, removing regulatory barriers for restarting the plant.

Reclamation has no objection to the City's request to obtain ownership to the approximately one acre of land beneath the hydroelectric plant and has provided a process for the City to follow. The Cachuma Operation and Maintenance Board (COMB) operation and activities in and around Lauro Reservoir would not be affected by the land conveyance to the City. All senior access across the parcel will remain in place for both COMB and Reclamation personnel. On August 23, 2010, the COMB Board approved (5/0) to send a letter in support of the City's request to Reclamation.

The Resolution recommended for adoption herein is proposed to demonstrate the City's desire to resume operations at the hydroelectric plant, and to demonstrate intent by Council to accept ownership of the underlying land, if conveyed to the City by Reclamation.

SUSTAINABILITY IMPACT:

Recommissioning the City's hydroelectric plant will result in the production of clean and renewable hydroelectric power. It has been estimated by Brown & Caldwell Engineers, Inc., that, initially, the hydroelectric plant can produce 1600 megawatt hours (MWh) of power annually. Because of siltation at Gibraltar Dam, the amount of power generation will decline over time, and eventually will reach a steady annual production of 975 MWh, which is enough to meet the electrical demand of approximately 200 single family homes. The power produced by the hydroelectric plant will be sold to Southern California Edison at the "California Renewable Energy Small Tariff" rate.

ATTACHMENT(S): 1. Vicinity Map
2. Site Map

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

ATTACHMENT 1

City of Santa Barbara
Decommissioned
Hydroelectric Plant

U.S.B.R. Parcels

William B. Cater
Treatment Plant

Lauro Reservoir



Legend

- Hydroelectric Plant
- W. Cater Treatment Plant
- Parcel Lines

The City of Santa Barbara Hydroelectric Plant Vicinity Map

Features shown hereon were compiled from the records of various public and private entities and are for informational purposes only. The City of Santa Barbara does not accept any responsibility for the positional or completeness of this information.

City Hydroelectric Plant - Vicinity Map.mxd



City of Santa Barbara
Decommissioned
Hydroelectric Plant



Not to scale

Legend

-  Hydroelectric Plant
-  Plant Site Boundary
-  Parcel Lines

The City of Santa Barbara Hydroelectric Plant Site Map

Features shown hereon were compiled from the records of various public and private entities and are for informational purposes only. The City of Santa Barbara does not accept any responsibility for the positional or completeness of this information.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY
OF SANTA BARBARA DECLARING ITS INTENT TO
ACCEPT REAL PROPERTY BENEATH THE CITY'S
HYDROELECTRIC PLANT GRANTED BY THE
UNITED STATES OF AMERICA THROUGH ITS
BUREAU OF RECLAMATION

WHEREAS, the City received United States Bureau of Reclamation License and Agreement No. 20-07-20-L2148 (City Agreement No. 11,539) dated July 15, 1982 which permitted the construction, operation, and maintenance of the City's Hydroelectric Plant on United States land adjacent to Lauro Reservoir;

WHEREAS, the City's hydroelectric plant produced clean, renewable power from 1985 through 1998;

WHEREAS, the City decommissioned the hydroelectric plant in 1998 when it was determined that project operation, maintenance, permit, and regulatory costs exceeded project revenues;

WHEREAS, a technical analysis by Brown and Caldwell Engineers, Inc., in 2010 determined that the key to recommissioning the hydroelectric plant is for the City to acquire the land beneath it which would most likely enable the City to avoid significant regulatory costs and burdens associated with starting and operating the plant; and

WHEREAS, on August 23, 2010 the Cachuma Operation and Maintenance Board voted (5/0) to send a "letter to the Bureau of Reclamation in support of the City of Santa Barbara's request to convey ownership of a parcel of land to the City for the purpose of recommissioning its Hydroelectric Plant at Lauro Reservoir."

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

SECTION 1. It authorizes its staff to negotiate a grant deed for conveyance of land beneath the City's hydroelectric plant from the United States of America to the City of Santa Barbara.

SECTION 2. It hereby declares its intent to accept the real property whose approximate boundaries are shown on the attached "Site Map".



CITY OF SANTA BARBARA

REDEVELOPMENT AGENCY AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Chair and Boardmembers

FROM: Housing and Redevelopment Division, Community Development Department

SUBJECT: Grant To Housing Authority For Two New Units At 233 West Ortega Street

RECOMMENDATION: That the Agency Board:

- A. Approve a grant of \$300,000 from Agency Housing Setaside funds to the Housing Authority of the City of Santa Barbara for the construction of two new low-income rental units at their property at 233 West Ortega Street; and
- B. Appropriate \$300,000 in the Redevelopment Agency Housing Setaside Fund from unappropriated reserves for the grant.

DISCUSSION:

The City's Housing Authority owns the property at 233 West Ortega Street that is currently improved with four three-bedroom units. The 13,200 square foot site is located at the corner of Bath and Ortega. The site has a large open space that is minimally used by the residents, and the Housing Authority wishes to construct two new affordable one-bedroom units on the site in order to maximize the property's potential for affordable housing. The project has received all required development approvals from the City. The Housing Authority has requested a grant of \$300,000 (\$150,000 per unit) from the City's Redevelopment Agency to help finance the construction of these two units.

Tenancy and Affordability

The Housing Authority purchased the property in 1973 and developed the existing four units under the Conventional Public Housing Program of the U.S. Department of Housing and Urban Development (HUD). HUD requires that any additional units constructed on the property must also be affordable under HUD's Public Housing regulations. Thus, the existing units and new units must be rented to very-low income and low income households at rents that don't exceed 30% of their monthly income, including utilities. These income and rent limits are consistent with the City's affordable housing policies and state redevelopment law. Redevelopment law requires that the City record an affordability covenant, but in this case, the covenant will simply reference the requirement to continue to rent the units under the HUD affordability regulations for at least sixty years. The property is in the Central City Redevelopment Project Area, so

there is no need for a City Council resolution finding that the project will be of benefit to the CCRP.

Agency Grant

Although the City and Agency generally provide affordable housing funds to developers in the form of a loan, there are some situations when a grant is more appropriate. In this case, since the site was purchased and developed under HUD's Conventional Public Housing Program, it is subject to HUD regulations that prohibit the Housing Authority from encumbering the property with any debt or affordability restrictions beyond those required under HUD's Public Housing Program. Thus, this City subsidy needs to be structured as a grant.

Project Costs and Budget

The construction cost of the two new units is expected to not exceed a total of \$620,000. HUD will fund \$320,000 of the cost with a grant, with the remaining \$300,000 to be funded through this Agency grant. This is a per-unit subsidy of \$150,000 per unit. This is higher than some projects recently funded by the City and Agency, but the per unit subsidy amount has been going up with recent projects. The City loan amount for Casas las Grenadas was \$137,000 per unit for 12 units, and the latest Habitat for Humanity project at 618 San Pasqual was \$165,000 per unit for 4 units. In this case, the construction costs are higher because they have to raise the units above the flood plain, and there are only 2 units so the building cost per unit is higher than it would be for a larger project (\$310,000). The amount of subsidy from HUD is \$160,000 per unit, so the Agency's \$150,000 per unit is what is needed to fill the gap.

Sustainability Impact

The two new units will be built using energy efficient appliances, lighting and plumbing fixtures. The water heaters will be on-demand units and the forced-air heating system will be high-efficiency. Bio-swales will be used to recharge ground water with rain water.

CONCLUSION:

Council's Finance Committee has been asked to recommend approval of the requested grant to the Agency Board at their meeting of October 26th, and will report their decision to Council on that day. The proposed two new units would be an addition to the Housing Authority's stock of affordable housing, and will remain so for the long-term. The subsidy from the Agency of \$300,000 (\$150,000 per unit) will enable the Housing Authority to leverage an additional \$320,000 in grant funds from HUD. The Agency and City have sufficient Housing Setaside funds appropriated to provide the requested financial assistance to the Housing Authority.

ATTACHMENT: Letter from the Housing Authority dated September 29, 2010

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

SUBMITTED BY: Paul Casey, Assistant City Administrator

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

September 29, 2010

HAND DELIVERED

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

RE: REQUEST FOR GRANT OF CITY RDA FUNDS FOR CONSTRUCTION OF A
DUPLEX ON HOUSING AUTHORITY OWNED EXCESS PUBLIC HOUSING
LAND LOCATED AT 233 WEST ORTEGA STREET

Dear Steven:

As you know, the Housing Authority continues to look at various opportunities to add to the City's existing affordable housing portfolio either through acquisition of existing units or through new construction. Recently we have reviewed the Authority's underutilized open space at our various properties throughout the City and have determined that great benefit exists for the addition of new units on currently owned Housing Authority land.

One such location is 233 West Ortega/630 Bath Street. This property currently consists of 4 three-bedroom townhouses in 2 duplexes developed in 1973 under HUD's Conventional Public Housing program. The site has a minimally landscaped open space of approximately 5,000 square feet that has been underutilized by the residents. The Housing Authority recently obtained approval from the City of Santa Barbara to add a new duplex consisting of 2 one-bedroom, fully handicapped accessible units as an infill addition to this existing development on the aforementioned underutilized area.

The cost of the project, as bid, is \$620,000. This amount includes a premium of approximately \$50 per square foot to satisfy requirements to elevate the existing grade as the site is located within 100 year flood zone. The overall project costs are in alignment with current Santa Barbara construction costs for similar small projects. Because the Housing Authority already owns the land, we are able to realize a substantial savings in adding the new units to the existing development since land cost is not a factor. To assist the Housing Authority with the construction of the new units, we are requesting a grant of \$300,000 from the Redevelopment Agency of the City of Santa Barbara. The remainder of the cost will be funded through our HUD Public Housing Capital Fund program.

We are making the request for a grant rather than a loan as this site was purchased and developed under HUD's Conventional Public Housing program. As such, the property cannot be encumbered with additional debt or affordability requirements beyond those required by HUD's Public Housing program. Since this property is encumbered with a

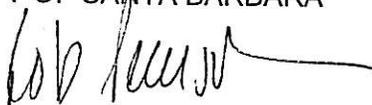
Mr. Steven Faulstich
233 West Ortega Funding Request
September 29, 2010
Page 2

HUD Declaration of Trust (DOT), all of the units, including the proposed two new units, must be operated in accordance with the rules and requirements that govern the HUD Public Housing program. This means that all of the units must be rented to lower income households at no more than 30% of household income. Because of HUD's existing (and strict) affordability controls, we must ask that any City required affordability covenant simply reference the fact that the two new units, partially financed by the RDA, are to be operated by the Housing Authority's in accordance with HUD's Conventional Public Housing program.

If City/RDA staff deem this request to be reasonable and appropriate, we would ask that it be placed before the City Council/RDA for consideration in the next 30 days as we would like to begin construction of these units as soon as possible. Thank you.

Sincerely,

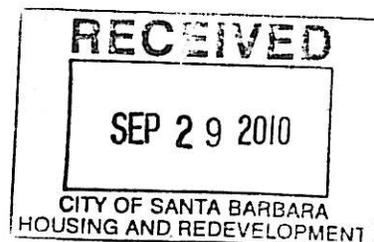
HOUSING AUTHORITY OF THE
CITY OF SANTA BARBARA



ROBERT G. PEARSON
Executive Director/CEO

Encls.

cc: Housing Authority Commission





Agenda Item No. _____

File Code No. 640.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010
TO: Mayor and Councilmembers
FROM: Building and Safety Division, Community Development Department
SUBJECT: Introduction Of 2010 State Building Codes Ordinance

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 22.04, Adopting by Reference the California State Building Codes and Other Related Codes, Adopting Local Revisions to Those Codes, and Repealing Ordinance Numbers 5440 and 5451.

DISCUSSION:

The purpose of building codes are to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings.

The State of California, along with the rest of the country, adopted model building codes, which are published throughout the country on a tri-annual cycle by the International Code Council, in April of 2010, to become effective on January 1, 2011. State law gives local jurisdictions six months to review these codes and make necessary local amendments. Amendments, if made, can only be more stringent than what the state has approved, and must be based on one of three findings; topography, geology or climate. If local jurisdictions do not make amendments prior to the effective date, then these codes are deemed effective "as-is."

While the ordinance before you appears to be quite large, most of the amendments are merely continuations of previous amendments.

Another factor influencing the number of amendments proposed, is that this year we have three codes that we have not had before: the California Residential Code (CRC), the California Green Building Code (CGBC) and the International Property Maintenance Code (IPMC).

The staff of the Building and Safety Division has been proactive in training for these changes, providing training seminars for our own internal training sessions as well as for our local AIA and Contractor's Associations. Since almost all of these amendments are already in place with the current codes, nothing should come up as "new" to any of our constituents.

Residential & Building Code Amendments

In previous years, regulations for single-family and duplex construction were found in the California Building Code (CBC) along with the regulations for all other types of occupancies. This year, those residential regulations have been mostly removed from the CBC and put in the CRC. Being a code that is new to this state, the amendments to the Residential Code contains several sections that the state "forgot" to include, such as pedestrian protection, work in the public right-of-way, etc, but have in the California Building Code.

One of the code sections that has received the most amendments in both the Residential and Building Codes, are the sections that regulate construction in High Fire Hazard Areas. Prior to the adoption of the 2007 edition of the codes (which have been in effect since Jan of 2008) there were no state-wide regulations in this regard. Jurisdictions promulgated their own "High Fire Hazard" ordinances and differed substantially from jurisdiction to jurisdiction. The amendments we are proposing for these sections brings forward some of the regulations we have had in our previous ordinance, while keeping in line and in conformance with the rest of the state.

The largest addition is the section on grading (Appendix J). The California "version" is only 6 pages, while our ordinance is over 25. Due to our topography and geology, we need to have a grading ordinance which provides greater safeguards, gives more direction to our design constituents, and includes erosion/sedimentation control regulations.

We are also proposing amendments that reconcile the Residential and Building Codes with our local sprinkler ordinance and the California Fire Code. These have been worked out with City Fire staff.

Overall, the proposed code revisions would adopt all amendments from the State Electrical, Plumbing, Mechanical Codes, Energy Code, International Property Maintenance Code, Historic Building Code, California Building Code, and Green Building Code. Many state code amendments reflect items previously included in the City's Building Code.

This is the first year of the Green Building Code and the ramifications of its regulations are not known at this time and it would be difficult to make more stringent amendments without

having some experience in how this code will affect the industry. We also believe that the state will be making changes at the next code cycle.

It must be noted that several of the requirements in the Green Building Code are already required in our city: Storm Water Management Program, Erosion/Sedimentation Control, Construction Waste Recycling (State requires 50%, City requires 75%), bicycle parking, water efficient landscaping & sprinkler controllers, light pollution reduction and more.

Beyond the adoption of the California Building Codes, no additional revisions are proposed for the local building code with few exceptions. A more efficient energy code ("Reach Code") is being pursued at the Ordinance Committee under a separate track. Another minor amendment proposed is related to the International Property Maintenance Code that would not require the creation of a separate department to enforce the code.

Ordinance Committee Recommendation

On October 19, 2010, the Draft State Building Code Adoption Ordinance and Amendments were presented to the City's Ordinance Committee. The Ordinance Committee discussed Section R327.6.2.2 Exception, of the 2010 Residential Code, which permits vents located under the roof covering, along the ridge of roofs, with exposed surface of the vent covered by noncombustible wire mesh, to be made of noncombustible materials. The concern expressed was the permitted use of a combustible material in a High Fire Hazard Area based on the City's experience of dealing with recent fires.

In discussion with the City's Fire Marshal, it was agreed to amend the 2010 Residential Code and delete this code section and the use of combustible eave vent materials.

The City's Ordinance Committee unanimously approved and recommended that the State Building Code Ordinance and Amendment be forwarded to City Council for introduction and subsequent adoption.

PREPARED BY: George A. Estrella, Chief Building Official

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office

COUNCIL INTRODUCTION DRAFT 11/2/10
SHOWING CHANGES FROM STATE BUILDING CODES

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SANTA BARBARA MUNICIPAL CODE CHAPTER 22.04, ADOPTING BY REFERENCE THE CALIFORNIA STATE BUILDING CODES AND OTHER RELATED CODES; ADOPTING LOCAL REVISIONS TO THOSE CODES; AND REPEALING ORDINANCE NUMBERS 5440 AND 5451.

WHEREAS, uniform construction codes are developed and published every three years by the professional organization of building official experts; and

WHEREAS, these codes are adopted by the State of California and by local communities with amendments pertinent to local conditions; and

WHEREAS, the City of Santa Barbara relies on local ground and surface water for its local water supplies; and

WHEREAS, drought conditions are common occurrences within Santa Barbara and the surrounding areas; and

WHEREAS, local topography and climate present unique fire hazard and fire abatement conditions; and

WHEREAS, local geological conditions present unique geophysical hazards; and

WHEREAS, the City Council of the City of Santa Barbara finds that such local geological, topographic and climatic conditions warrant certain amendments to the model uniform codes related to construction;

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

SECTION 1. Section 22.04.010 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.010 Adoption of California Codes by Reference.

Subject to the amendments specified in Sections 22.04.020 through 22.04.070, the following Codes, certain appendix chapters, and the standards and secondary codes referenced therein are adopted and shall be known as the City of Santa Barbara Building Code.

A. The "California Administrative Code" (2010 Edition), as published by the International Code Council (also known as Part 1 of Title 24 of the California Code of Regulations).

B. The "California Building Code" (2010 Edition), as published by the International Code Council (also known as Part 2 of Title 24 of the California Code of Regulations), including Appendix Chapters B, G, I & J.

C. The “California Residential Code” (2010 Edition), as published by the International Code Council (also known as Part 2.5 of Title 24 of the California Code of Regulations) excluding all appendices.

D. The “California Electrical Code” (2010 Edition), as based on the 2008 National Electrical Code (also known as Part 3 of Title 24 of the California Code of Regulations).

E. The “California Mechanical Code” (2010 Edition), as based on the 2009 Uniform Mechanical Code, as published by the International Association of Plumbing and Mechanical Officials (also known as Part 4 of Title 24 of the California Code of Regulations).

F. The “California Plumbing Code” (2010 Edition), as based on the 2009 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials (also known as Part 5 of Title 24 of the California Code of Regulations), including the Installation Standards and Appendix Chapters G & K.

G. The “California Energy Code” (2010 Edition), as published by the International Code Council (also known as Part 6 of Title 24 of the California Code of Regulations).

H. The “California Historical Building Code” (2010 Edition), as published by the International Code Council (also known as Part 8 of Title 24 of the California Code of Regulations).

I. The “California Existing Building Code” (2010 Edition), as published by the International Code Council (also known as Part 10 of Title 24 of the California Code of Regulations).

J. The “California Green Building Code” (2010 Edition), as published by the International Code Council (also known as Part 11 of Title 24 of the California Code of Regulations).

K. The “International Property Maintenance Code” (2009 Edition), as published by the International Code Council.

L. The “Uniform Code for the Abatement of Dangerous Buildings” (1997 Edition), as published by the International Code Council.

SECTION 2. Section 22.04.020 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.020 Amendments to the California Building Code.

The California Building Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.020.

A. Section 105.1 of the California Building Code is amended by adding Sections 105.1.3 and 105.1.4 to read as follows:

105.1.3 Paving and Striping. Building permits shall be required for all paving, re-paving (including slurry coating), striping, re-striping, signage, and re-signage of parking spaces in parking lots and structures. Accessible parking spaces, access aisles, and signage shall be provided that meets currently adopted codes.

105.1.4 Demolition Permits. Permits shall be required to demolish any building, portion of a building, or structure within the City of Santa Barbara and shall be subject to the following conditions:

1. The applicant shall have all gas, electric, and water meters removed by the appropriate utility company, except such services that are approved for required use in connection with the work of demolition. The applicant shall also have a Project Clearance form

signed by the utility company representatives and the Santa Barbara County Air Pollution Control District prior to the permit being issued. Exception: Portions of buildings which will not be demolished where the electrical, gas, and water services and meters are not affected.

2. All resulting building debris, trash, junk, vegetation, dead organic matter, rodent harborage, or combustible material that constitutes a threat to life, health, or property, or is detrimental to the public welfare or which may reduce adjacent property value shall be removed from the site within thirty (30) days after the demolition of the structure.

B. Section 105.2 of the California Building Code is amended to read as follows:

Section 105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached residential accessory structures used as tool and storage sheds, playhouses, portable and fixed playground equipment, bicycle or skateboard ramps and similar uses, provided the floor area does not exceed 120 square feet (11 m²) and the height does not exceed ten (10) feet at the highest point; and further provided the structure does not encroach into required setbacks or required open yards, does not obstruct required parking, and is not served by any utilities. The combined square footage of exempt accessory structures may not exceed 200 square feet on any single parcel.

2. Residential fences and walls not over 6-3 ½ feet high, as measured from the lowest adjacent grade within 5 feet of the fence or wall, that do not adversely affect drainage or cause erosion.

~~3. Oil derricks.~~

3. Freestanding or movable cases, counters, and interior partitions not over 5 feet 9 inches in height, and not containing or requiring connections to electrical power or plumbing systems. A layout plan may be required as part of a tenant improvement project to ensure that the locations of these units does not interfere with the required exit and/or accessible paths of travel.

4. Residential retaining walls which are not over 4 feet in height as measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or IIIA flammable liquids, is installed on a slope 20% or greater, or the wall will tend to adversely affect drainage or cause increased erosion.

5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.

6. Sidewalks and driveways Uncovered residential platforms, decks, porches, walks, and similar structures not more than 30 18 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.

7. Interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

8. Temporary motion picture, television, and theater stage sets and scenery.

9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground.

~~_____ 10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.~~

~~_____ 11. Swings and other playground equipment accessory to detached one- and two- family dwellings.~~

~~_____ 12. Window awnings supported by an exterior wall that do not project more than 54 inches from the exterior wall and do not require additional support of Group R-3 and U occupancies.~~

~~_____ 13. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in height.~~

9. Ground mounted radio, television and other masts or antenna or dish shaped communication reception or transmitting structures less than 3 feet in diameter, which do not extend more than 15 feet above grade and are not served by electrical circuits regulated under the National Electrical Code (NEC). Light- weight roof-mounted radio, television, and other masts or antenna or dish shaped communication reception or transmitting structures less than 2 feet in diameter, which do not extend more than 15 feet above the roof, are not served by electrical circuits regulated under the NEC, and which are not subject to design review by the Architectural Board of Review, Historic Landmarks Commission, or Single Family Design Board.

10. Permit applications shall be submitted for other miscellaneous and minor work; however, work which does not exceed \$300 in valuation may be exempted by the Chief Building Official from permits and inspections.

Electrical:

Repairs and maintenance. Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Radio and television transmitting stations. The provisions of this code shall not apply to electrical equipment used for radio and televisions transmissions, but do apply to equipment and wiring for power supply and installations of towers and antennas.

Temporary testing systems. A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with the new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

C. Section 105.4 of the California Building Code is amended by adding Section 105.4.1 to read as follows:

105.4.1 Issuance. All work authorized by building permit for other than R-3, U-1 or U-2 occupancies shall be issued to an appropriate contractor licensed in accordance with the provisions of California State Law.

D. Section 113 of the California Building Code is amended by deleting Section 113 in its entirety and readopting Section 113 to read as follows:

~~**113.1 General.** In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.~~

~~**113.2 Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.~~

~~**113.3 Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.~~

113. Board of Appeals. In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official or Building Official relative to the application and interpretations of the technical codes, there shall be and is hereby created a Building and Fire Code Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The Fire Code Official or the Building Official shall be ex officio members and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Building and Fire Code Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. The Board shall abide by the rules and procedures in Appendix B of this code and shall render all decisions and findings in writing to

the appellant with a duplicate copy to the Fire Code Official or Building Official. This Board shall serve as the appeals boards defined in Section 1.8.8 and 1.9.1.5.

E. Section 701A.1 of the California Building Code is amended to read as follows:

701A.1 Scope. This chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings, remodels or additions to existing buildings located within a Wildland-Urban Interface Fire Area as defined in Section 702A and 701A.3.1 Item #3.

F. Section 701A.3 of the California Building Code is amended to read as follows:

701A.3 Application. New buildings, remodeled buildings or additions to existing buildings in any Fire Hazard Severity Zone or Wildland-Urban Interface Area designated by the enforcing agency constructed after the application date shall comply with this chapter.

Exceptions: Accessory and/or Group U occupancy buildings may be exempted from all or portions of this chapter upon approval of the Fire Marshall and/or Chief Building Official.

- ~~1. Buildings of an accessory character and classified as a Group U occupancy and not exceeding 120 sq. ft. in floor area, when located at least 30 feet from an applicable building.~~
- ~~2. Buildings of an accessory character classified as Group U occupancy of any size located at least 50 feet from an applicable building.~~
- ~~3. Buildings classified as Group U Agricultural building, as defined in Section 202 of this code, when located at least 50 feet from an applicable building.~~
- ~~4. Additions to and remodels of buildings originally constructed prior to the applicable application date.~~

G. Section 705A.2 of the California Building Code is deleted in its entirety and readopted to read as follows:

705A.2 Roof Coverings. ~~Where the roof profile allows a space between the roof covering and roof decking, the spaces shall be constructed to prevent the intrusion of flames and embers, be firestopped with approved materials or have one layer of minimum 72 pound mineral surfaced nonperforated cap sheet complying with ASTM D 3909 installed over the combustible decking.~~ Roof coverings on new buildings shall be class A noncombustible in accordance with adopted UBC Standards or otherwise as may be approved by the Chief Building Official. Roof coverings shall be class A or noncombustible fire retardant materials on existing buildings and additions or repairs to existing buildings. Treated or untreated wood shakes or shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20% of the existing roof is being replaced within a two 2) year period, provided such replacement roofing is fire retardant treated wood shakes or shingles.

H. Section 705A.4 of the California Building Code is amended to read as follows:

705A.4 Roof Gutters. Roof gutters shall be provided with the means to prevent the accumulation of leaves and debris in the gutter. All roof gutters and downspouts shall be constructed of non-combustible materials.

I. Section 705A of the California Building Code is amended by adding Section 705A.5 “Drip Edge Flashing” to read as follows:

705A.5 Drip Edge Flashing. When drip edge flashing is used at the free edges of roofing materials, it shall be non-combustible.

J. Section 706A.2 “Requirements” of the California Building Code is amended to read as follows:

706A.2 Requirements. Ventilation openings for enclosed attics, enclosed eave soffit spaces, enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters, and underfloor ventilation openings shall be fully covered with metal wire mesh, vents, other materials, or other devices that meet the following requirements:

1. The dimensions of the openings therein shall be a minimum of 1/16th inch (1.6 mm) and shall not exceed 1/8th inch (3.2mm).

2. The materials used shall be noncombustible.

Exception to item #2: Vents located under the roof covering, along the ridge of roofs, with the exposed surface of the vent covered by noncombustible wire mesh, may be of combustible materials.

3. The materials used shall be corrosion resistant.

4. Turbine attic vents shall be equipped to allow one-way direction rotation only and shall not free spin in both directions.

5. Ventilation openings protected with vent openings that resist the intrusion of flame and embers, and which are listed by the State Fire Marshal, are exempt from complying with this sub-section.

K. Section 707A.3 of the California Building Code is amended to read as follows:

707A.3 Exterior Walls. The exterior wall covering or wall assembly shall comply with one of the following requirements;

1. Noncombustible material

2. Ignition-resistant material

3. Heavy-timber exterior wall assembly

4. Log wall construction assembly

5. Wall assemblies that meet the performance criteria in accordance with the test procedures for a 10-minute direct flame contact exposure test set forth in SFM Standard 12-7A-1.

~~**Exceptions:** Any of the following shall be deemed to meet the assembly performance criteria and intent of this section:~~

- ~~1. One layer of 5/8 inch Type X gypsum sheathing applied behind the exterior covering or cladding on the exterior side of the framing.~~
- ~~2. The exterior portion of a 1-hour fire resistive exterior wall assembly designed for exterior fire exposure including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.~~

L. Section 708A.2 “Exterior Glazing” of the California Building Code is amended to read as follows:

708A.2 Exterior glazing. The following exterior glazing materials and/or assemblies shall comply with this section:

1. Exterior windows and/or skylights.
2. Exterior glazed doors.
3. Glazed openings within exterior doors.
4. Glazed openings within exterior garage doors.
5. Exterior structural glass veneer.
6. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to the most current edition of ANSI/AAMA/NWDA 101/I.S.2 structural requirements.

M. Section 903.2 “Where required” of the California Building Code is amended to add Section 903.2.19 to read as follows:

903.2.19 Local Requirements. Approved automatic sprinkler systems shall be installed throughout buildings and structures as specified elsewhere in this Section 903.2 or as specified in this Section 903.2.18, whichever is more protective:

903.2.19 .1 New Buildings, Generally. The construction of a new building containing any of the following occupancies: A, B, E, F, H, I, L, M, R, S or U.

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

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

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

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

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

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

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

903.2.19.7 Existing use. Any existing building not classified as Group R, Division 3, in existence at the time of the effective date of this code may have their use continued if such use was legal at the time. Additions to existing buildings shall require an automatic fire sprinkler system installed throughout, including areas not previously protected.

N. Section 907 of the California Building Code is amended to add Section 907.2.29 to read as follows:

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

O. Section 1208.4 of the California Building Code is amended to read as follows:

1208.4 Efficiency Dwelling Units. Unless modified by local ordinance pursuant to Health and Safety Code Section 17958.1, efficiency dwelling units shall comply with the following:

1. The unit shall have a living room of not less than 220 square feet (20.4 m²) of floor area. An additional 100 square feet (9.3 m²) of floor area shall be provided for each occupant of such unit in excess of two.

2. The unit shall be provided with a separate closet.

3. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.

4. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

5. Notwithstanding the provisions of subsection 1 above, for projects constructed or operated by a nonprofit or governmental agency offering housing at an Affordable Housing

Cost to Lower Income Households (as those terms are defined in sections 50052.5 and 50079.5 of the California Health and Safety Code), the City may permit efficiency dwelling units for occupancy by no more than two persons who qualify as either very low or low income households where the units have a minimum useable floor area, (excluding floor area in the kitchen, bathroom and closet), of not less than 150 square feet. In all other respects, such efficiency dwelling units shall conform to the minimum standards specified in this code.

P. Table 1505.1 of the California Building Code is amended to read as follows:

**TABLE 1505.1
MINIMUM ROOF COVERING CLASSIFICATION
FOR TYPES OF CONSTRUCTION**

IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
B	B	B	<u>CB</u>	B	<u>CB</u>	B	B	<u>CB</u>

Q. Section 1505.1.3 of the California Building Code is deleted in its entirety and readopted to read as follows:

1505.1.3 Roof coverings in all other areas. ~~The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire retardant roof covering that is at least Class C.~~ The roof covering or roofing assembly of any new building or the re-roofing of any existing building, regardless of type or occupancy classification, shall be no less than Class B, except that Group H, Division 1 and Group I occupancies shall be Class A. Treated or untreated wood shakes or shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20 % of the existing roof is being replaced within a two 2 year period, provided such replacement roofing is fire retardant treated wood shakes or shingles.

Exception: In the High Fire Hazard District, roof coverings shall be in accordance with Chapter 7A as amended.

R. Section 1704.1 of the California Building Code is amended to read as follows:

1704.1 General. Where application is made for construction as described in this section, the owner or the registered design professional in responsible charge acting as the owner’s agent shall employ one or more ~~approved agencies~~ special inspectors to provide inspections during construction on the types of work listed under Section 1704. These inspections are in addition to the inspections specified in Section 110.

The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the building official, for inspection of the particular type of construction or operation requiring special inspection. The registered design professional in responsible charge and engineers of record involved in the design of the project are permitted to act as the approved agency and their personnel are permitted to act as the special inspector for the work

designed by them, provided those personnel meet the qualification requirements of this section to the satisfaction of the building official. The special inspector shall provide written documentation to the building official demonstrating his or her competence and relevant experience or training. Experience or training shall be considered relevant when the documented experience or training is related in complexity to the same type of special inspection activities for projects of similar complexity and material qualities. These qualifications are in addition to qualifications specified in other sections of this code.

Exceptions:

1. Special inspections are not required for work of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official.

~~2. Special inspections are not required for building components unless the design involves the practice of professional engineering or architecture as defined by applicable state statutes and regulations governing the professional registration and certification of engineers or architects.~~

~~3. Unless otherwise required by the building official, special inspections are not required for Group U occupancies that are accessory to a residential occupancy including, but not limited to, Section 312.1.~~

4.2. The provisions of Health and Safety Code Division 13, Part 6 and the California Code of Regulations, Title 25, Division 1, Chapter 3, commencing with Section 3000, shall apply to the construction and inspection of factory-built housing as defined in Health and Safety Code Section 19971.

S. Section 1707.3 of the California Building Code is amended to read as follows:

1707.3 Structural wood. Continuous special inspection is required during field gluing operations of elements of the seismic-force-resisting system. Periodic special inspection is required for nailing, bolting, anchoring and other fastening of components within the seismic-force-resisting system, including wood shear walls, wood diaphragms, drag struts, braces, shear panels and hold-downs.

Exceptions:

1. Special Inspection is not required for wood shear walls, shear panels and diaphragms, including nailing, bolting, anchoring and other fastening to other components of the seismic-force-resisting system, where the fastener spacing of the sheathing is more than 4 inches (102 mm) on center (o.c.).

2. Special Inspection is not required if the building is designed in accordance with Tables 2306.2.1(1), 2306.2.1(2) and 2306.3 assuming that the allowable shear values reflected in Tables 2306.2.1(1), 2306.2.1(2) and 2306.3 are reduced by 25%.

T. Section 3109 of the California Building Code is amended by deleting Sections 3109.1 through 3109.4.3 in their entirety, amending Sections 3109.4.4.2 and 3109.4.4.3 to read as follows, and adding Section 3109.4.4.9 to read as follows:

Sections 3109.1 through 3109.4.3 are deleted in their entirety.

Section 3109.4.4.2 Construction permit; safety features required. Commencing January 1, 2007, except as provided in Section 3109.4.4.5, whenever a building permit is issued for construction of a new pool or spa, or any building permit is issued for the remodeling of an existing pool or spa, at a private single family, duplex or townhouse building, in addition to an enclosure that meets the requirements of Section 3109.4.4.3, it shall also be equipped with at least one of the following ~~seven~~six drowning prevention safety features:

~~1. The pool shall be isolated from access to a home by an enclosure that meets the requirements of Section 3109.4.4.3.~~

1. The pool shall incorporate removable mesh pool fencing that meets American Society for Testing and Materials (ASTM) specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.

2. The pool shall be equipped with an approved safety cover that meets all the requirements of ASTM Specification F 1346.

3. The residence shall be equipped with exit alarms on those doors providing direct access to the pool or spa.

4. All doors providing access to the pool shall be equipped with a self-closing, self-latching device with a release mechanism placed no higher than 54 inches above the floor.

5. Swimming pool alarms that, when placed in pools, will sound upon detection of accidental or unauthorized entrance into the water. These pool alarms shall meet and be independently certified to the ASTM Standard F 2208 "Standards Specifications for Pool Alarms" which includes surface motion, pressure, sonar, laser and infrared type alarms. For purposes of this article, "swimming pool alarms" shall not include swimming protection alarm devices designed for individual use, such as an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water.

6. Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the devices set forth in items 1-4, and have been independently verified by an approved testing laboratory as meeting standards for those devices established by the ASTM or the American Society of Testing Mechanical Engineers.

Section 3109.4.4.3 Enclosure; required characteristics. An enclosure shall have all of the following characteristics:

1. Any access gates through the enclosure open away from the swimming pool and are self-closing with a self-latching device placed no lower than 60 inches above the ground.

2. A minimum height of 60 inches.

3. A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches.

4. Gaps or voids, if any, do not allow the passage of a sphere equal to or greater than 4 inches in diameter.

5. An outside free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of 5 years to climb.

6. Maximum mesh size for chain link fences shall be a 2 ¼ inch square unless the fence is provided with slats fastened at the top or bottom which reduce the openings to no more than 1 ¾ inch.

Section 3109.4.4.9 Fence Permits. Where new fencing is required because of pool installation, the permit for that fencing shall be obtained prior to, or concurrently with, the pool permit. No water shall be placed in any swimming pool prior to the installation of all safeguards required by this Chapter and the approval of all associated electrical and mechanical work.

U. Appendix B of the California Building Code is deleted in its entirety and readopted to read as follows: ***[Editorial Note: Due to the scope of this section, the individual changes from the California Building Code are not shown. However, the grading provisions proposed for adoption here are identical to the provisions currently found in the Municipal Code.]***

B101.1 Application. The application for appeal shall be filed on a form obtained from the building official within 20 days after the notice was served.

B101.2 Membership of the Board. The City Council shall appoint individuals to an eligibility list. Appeals shall be scheduled before five members selected from the eligibility list by the Community Development Director or the Fire Chief as may be appropriate based on the subject matter.

B101.2.1 Quorum. It shall take a quorum of three members to hear an appeal and a majority vote of the Board convened to sustain an appeal.

B101.2.2 Chairperson. The chairperson shall be selected by the convened Board. The chairperson shall maintain order and conduct the meeting in accordance with Section B102 and B102.1.

B102 Rules and Procedures. The Chief Building Official or Fire Chief may use the procedure for "Conduct of Hearing Appeals" in accordance with Chapter 6 of the Uniform Code for the Abatement of Dangerous Buildings for appeals. The Board may elect alternate procedures by a unanimous vote of the convened Board as they may deem appropriate.

B102.1 Procedures. Appeal hearings shall be conducted substantially in accordance with the following format:

1. The Chairperson shall call the meeting to order.
2. The Chairperson shall note the Board members present for the minutes.
3. The Chairperson shall recognize the Chief Building Official or Fire Chief for presentation of the appeal. The Chief Building Official or the Fire Chief shall read his/her

recommendation to the Board. This recommendation shall be the standing motion before the Board.

4. The Chairperson shall recognize the Appellant for presentation of rebuttals.

5. All witnesses must be called by either the Appellant or the Chief Building Official or the Fire Chief and may be questioned.

6. After a motion to amend, accept, or deny the standing motion has been made and seconded, the Board may entertain comments from the public.

7. The Board shall vote on the standing or amended motion.

8. The Chairperson shall adjourn the meeting at the end of business.

9. The Secretary shall prepare minutes for the record and shall serve as custodian of case records and said minutes.

B102.2 Meetings. The Board shall meet when needed to hear an appeal or when needed to transact business of the Board. Either the Chief Building Official or the Fire Chief or their designee shall act as Secretary of the Board.

B103 Alternatives. The Board may consider any alternate provided that it finds that the proposed design, material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in accessibility, suitability, strength, effectiveness, fire resistance, durability, safety, and sanitation.

B104 Board Decisions. The decision of the Building and Fire Code Board of Appeals shall be final on all matters of appeals and shall become an order to the Appellant, Building Official or Fire Chief as may be appropriate.

V. Appendix J of the California Building Code is deleted in its entirety and readopted to read as follows: ***[Editorial Note: Due to the scope of this section, the individual changes from the California Building Code are not shown. However, the grading provisions proposed for adoption here are identical to the provisions currently found in the Municipal Code.]***

J101. GRADING GENERAL

J101.1 Scope. The provisions of this chapter apply to grading, excavation and earthwork construction, including fills and embankments, and the control of grading site runoff, including erosion sediments and construction-related pollutants. The purpose of this appendix is to safeguard life, limb, property and the public welfare by regulating grading on private property.

J101.2 General Hazards. Whenever the Building Official determines that any existing excavation or embankment or fill on private property has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, the owner of the property upon which the excavation or fill is located, or other person

or agent in control of said property, upon receipt of notice in writing from the Building Official, shall within the period specified therein repair or eliminate such excavation or embankment to eliminate the hazard and to be in conformance with the requirements of this code.

J101.3 Safety Precautions. If at any stage of the work the Building Official determines by inspection that further grading as authorized is likely to endanger any public or private property or result in the deposition of debris on any public way or interfere with any existing drainage course, the Building Official may order the work stopped by notice in writing served on any persons engaged in doing or causing such work to be done, and any such person shall forthwith stop such work. The Building Official may authorize the work to proceed if the Building Official finds adequate safety precautions can be taken or corrective measures incorporated in the work to avoid likelihood of such danger, deposition or interference.

If the grading work as done has created or resulted in a hazardous condition, the Building Official shall give written notice requiring correction thereof as specified in Section 109.6 of Appendix Chapter 1.

J101.4 Protection of Utilities. The owner of any property on which grading has been performed, and which requires a grading permit under Section J103, shall be responsible for the prevention of damage to any public utilities or services.

J101.5 Protection of Adjacent Property. The owner of any property on which grading, has been performed and which requires a grading permit under Section J103 is responsible for the prevention of damage to adjacent property and no person shall excavate on land sufficiently close to the property line to endanger any adjoining public street, sidewalk, alley, or other public or private property without supporting and protecting such property from settling, cracking or other damage which might result. Special precautions approved by the Building Official shall be made to prevent imported or exported materials from being deposited on the adjacent public way and/or drainage courses.

J101.6 Storm Water Control Measures. The owner of any property on which grading, has been performed and which requires a grading permit under Section J103 shall put into effect and maintain all precautionary measures necessary to protect adjacent water courses and public or private property from damage by erosion, flooding, and deposition of mud, debris, and construction-related pollutants originating from the site during grading and related construction activities as required in the City of Santa Barbara, Building & Safety Division's Erosion/Sedimentation Control Policy and/or any special conditions imposed on a project as a result of the issuance of a discretionary permit by the City.

J101.7 Maintenance of Protective Devices. The owner of any property on which grading has been performed pursuant to a permit issued under the provisions of this code, or any other person or agent in control of such property, shall maintain in good condition and repair all drainage structures and other protective devices when they are shown on the grading plans filed with the application for grading permit and approved as a condition precedent to the issuance of such permit.

J101.8 Conditions of Approval. In granting any permit under this code, the Building Official may include such conditions as may be reasonably necessary to prevent creation of a nuisance or hazard to public or private property. Such conditions may include, but shall not be limited to:

1. Improvement of any existing grading to comply with the standards of this code.
2. Requirements for fencing of excavations or fills which may otherwise be hazardous.
3. Storm water control measures beyond those required by Section J101.6 of this Appendix J.

SECTION J102 DEFINITIONS

J102.1 Definitions. For the purposes of this appendix chapter, the terms, phrases and words listed in this section and their derivatives shall have the indicated meanings.

APPROVAL. shall mean that the proposed work or completed work conforms to this chapter to the satisfaction of the Building Official.

AS-GRADED. is the extent of surface conditions on completion of the approved grading project.

BEDROCK. is in-place solid rock. is the relatively solid, undisturbed rock in place either at the ground surface or beneath superficial deposits of alluvium, colluvium and/or soil.

BENCH. A relatively level step excavated into earth material on which fill is to be placed.

BEST MANAGEMENT PRACTICE (BMP). is a stormwater pollution mitigation measure which is required to be employed in order to comply with the requirements of the NPDES permit issued to the City of Santa Barbara by the California Regional Water Quality Control Board.

BORROW is earth material acquired from an off-site location for use in grading on a site.

CIVIL ENGINEER is a professional engineer registered in the state to practice in the field of civil works.

CIVIL ENGINEERING is the application of the knowledge of the forces of nature, principles of mechanics and the properties of materials to the evaluation, design and construction of civil works.

COMPACTION. The densification of a fill by mechanical means.

CUT. See Excavation.

DESILTING BASINS are physical structures, constructed to allow the removal of sediments from surface water runoff.

DESIGN ENGINEER. Shall mean the civil engineer responsible for the preparation of the grading plans for the site grading work.

DOWN DRAIN. a device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility

EARTH MATERIAL. is any rock, natural soil or fill or any combination thereof.

ENGINEERING GEOLOGIST. is a geologist experienced and knowledgeable in engineering geology. Shall mean a person holding a valid certificate of registration as a geologist in the specialty of engineering geology issued by the State of California under the applicable provisions of the Geologist and Geophysicist Act of the Business and Professions Code.

ENGINEERING GEOLOGY. is the application of geologic knowledge and principles in the investigation and evaluation of naturally occurring rock and soil for use in the design of civil works.

EROSION. The wearing away of the ground surface as a result of the movement of wind, water or ice.

EROSION/SEDIMENTATION CONTROL PLAN (ESC). is a site drawing with details, notes, and related documents that identify the measures taken by the permittee to (1) control construction-related erosion and prevent construction-related sediment and pollutants from being carried offsite by stormwater, and (2) prevent construction-related non-stormwater discharges from entering the storm drain system that complies with the latest version of the Building & Safety Division's ESC Policy.

EXCAVATION. The removal of earth material by artificial means, also referred to as a cut.

FIELD ENGINEER. shall mean the civil engineer responsible for performing the functions as set forth in Section J105.4.

FILL. deposition of earth materials by artificial means.

GEOTECHNICAL ENGINEER. See "soils engineer."

GEOTECHNICAL HAZARD. is an adverse condition due to landslide, settlement, and/or slippage. These hazards include loose debris, slopewash, and the potential for mud flows from natural or graded slopes.

GRADE. The vertical location of the ground surface.

GRADE, EXISTING. The grade prior to grading.

GRADE, FINISHED. The final grade of the site that conforms to the approved plan.

GRADE, ROUGH. A stage at which the grade approximately conforms to the approved plan.

GRADING. An excavation or fill or combination thereof.

KEY. a compacted fill placed in a trench excavated in earth material beneath the toe of a slope.

LANDSCAPE ARCHITECT. shall mean a person who holds a certificate to practice landscape architecture in the State of California under the applicable landscape architecture provisions of Division 3, Chapter 3.5 of the Business and Professions Code.

LINE. shall refer to horizontal location of the ground surface.

NATURAL GRADE. is the vertical location of the ground surface prior to any excavation or fill.

PRIVATE SEWAGE DISPOSAL SYSTEM. is a septic tank with effluent discharging into a subsurface disposal field, into one or more seepage pits or into a combination of subsurface disposal field and seepage pit or of such other facilities as may be permitted.

PROJECT CONSULTANTS. shall mean professional consultants required by this code which may consist of the design engineer, field engineer, soils engineer, engineering geologist, and architect as applicable to this chapter.

PROFESSIONAL INSPECTION. is the inspection required by this code to be performed by the civil engineer, soils engineer or engineering geologist. Such inspections include those performed by persons supervised by such engineers or geologists and shall be sufficient to form an opinion relating to the conduct of the work.

SITE. is any lot or parcel of land or contiguous combination thereof, under the same ownership, where grading is performed or permitted.

SLOPE. is an inclined ground surface the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

SOIL. is naturally occurring superficial deposits overlying bedrock.

SOILS ENGINEER (GEOTECHNICAL ENGINEER). is an engineer experienced and knowledgeable in the practice of soils (geotechnical) engineering.

SOILS ENGINEERING (GEOTECHNICAL ENGINEERING). is the application of the principals of soil mechanics in the investigation, evaluation and design of civil works involving the use of earth materials and the inspection or testing of construction there of.

STORM DRAIN SYSTEM. is a conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, pipes, ditches and man-made channels, designed or used for collecting, dissipating, or conveying stormwater.

SURFACE DRAINAGE. shall refer to flows over the ground surface.

SOIL TESTING AGENCY. is an agency regularly engaged in the testing of soils and rock under the direction of a civil engineer experienced in soil testing.

TERRACE. A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

SECTION J103 PERMITS REQUIRED

J103.1 Permits required. Except as exempted in Section J103.2, no grading shall be performed without first having obtained a permit therefore from the Building Official. A grading

permit does not include the construction of retaining walls or other structures. A separate permit shall be obtained for each site and may cover both excavations and fills. Any Engineered Grading as described in Section J104 shall be performed by a contractor licensed by the State of California to perform the work described herein. Regular Grading less than 5,000 cubic yards may require a licensed contractor if the Building Official determines that special conditions or hazards exist.

J103.2 Exemptions. A grading permit shall not be required for the following:

1. When approved by the Building Official, grading in an isolated, self-contained area, provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.

2. Excavation for the construction of a structure permitted under this code.

3. Cemetery graves.

4. Excavations for wells, or trenches for utilities.

5. Exploratory excavations performed under the direction of a Soils Engineer or Engineering Geologist. This shall not exempt grading of access roads or pads created for exploratory excavations. Exploratory excavations must be restored to existing conditions, unless approved by the Building Official.

6. An excavation that is less than 50 cubic yards (38.3 m³) and complies with one of the following conditions:

- a) is less than 2 feet (610 mm) in depth, or
- b) does not create a cut slope greater than 5 feet (1524 mm) measured vertically upward from the cut surface to the surface of the natural grade and is steeper than 2 units horizontal to 1 unit vertical (50% slope).

7. A fill not intended to support a structure which does not obstruct a drainage course and complies with one of the following conditions:

- a) is less than 1 foot (305 mm) in depth and is placed on natural terrain with a slope flatter than 5 units horizontal to 1 unit vertical in (20% slope),
- b) is less than 3 feet (914 mm) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, and does not exceed 50 cubic yards and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50% slope), or
- c) is less than 5 feet (1524 mm) in depth at its deepest point measured vertically upward from natural grade to the surface of the fill, and does not exceed 20 cubic yards and creates a fill slope no steeper than 2 units horizontal to 1 unit vertical (50% slope).

EXCAVATIONS		FILLS	
AN EXCAVATION WHICH IS LESS THAN 2 FT IN DEPTH AND DOES NOT EXCEED 50CY		FILL PLACED ON NATURAL GRADE NOT STEEPER THAN 5:1 AND LESS THAN 1FT DEEP	
AN EXCAVATION WHICH CREATES A CUT SLOPE NOT GREATER THAN 5FT IN HEIGHT, NOT STEEPER THAN 2:1, AND DOES NOT EXCEED 50CY		FILL LESS THAN 3FT DEEP AT ITS DEEPEST POINT THAT DOES NOT EXCEED 50CY	
		FILL LESS THAN 5FT DEEP AT ITS DEEPEST POINT THAT DOES NOT EXCEED 20CY	

8. Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

J103.3 Unpermitted Grading. A person shall not own, use, occupy or maintain any site containing unpermitted grading. For the purposes of this Code, unpermitted grading shall be defined as any grading that was performed, at any point in time, without the required permit(s) having first been obtained from the Building Official, pursuant to Section 103.1.

J103.4 Availability of Permit at Site. No person shall perform any grading for which a permit is required under this chapter unless a copy of the grading permit and approved grading plans is in the possession of a responsible person and available at the site.

J103.5 Grading Plan Review, Inspection and Permit Fees. Fees shall be assessed in accordance with the provisions set forth in the City of Santa Barbara's most currently adopted fee schedule.

J103.6 Grading Security. The Building Official may require a security in such form and amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. If required, a permit shall not be issued for grading unless the owner posts with the Building Official a security in one of the following forms:

1. A bond furnished by a corporate surety authorized to do business in this state.
2. A cash bond.
3. Savings and loan certificates or shares deposited and assigned to the City of Santa Barbara.
4. An instrument of credit from a financial institution subject to regulation by the State or Federal government and pledging that the funds necessary to carry out the grading are on

deposit and guaranteed for payment, or a letter of credit issued by such a financial institution.

5. Where unusual conditions or special hazards exist, the Building Official may require security for grading involving less than 1,000 cubic yards (764.6 m³). Security required by this Section may include incidental off-site grading on property contiguous with the site to be developed, provided written consent of the owner of such contiguous property is filed with the Building Official.

6. The Building Official may waive the requirements for a security for:

- a) Grading being done by or for a governmental agency.
- b) Grading necessary to remove a geotechnical hazard, where such work is covered by an agreement and security posted pursuant to the provisions of the City's "Subdivision Ordinance".
- c) Minor grading on a site, not exceeding a slope of three horizontal to one vertical, provided such grading as determined by the Building Official will not affect drainage from or to adjacent properties.
- d) Filling of holes or depressions, provided such grading will not affect the drainage from or to adjacent properties, or affect a rare, threatened or endangered species or its habitat, or other sensitive habitat.

J103.6.1 Amount of Security. The amount of security shall be based on the number of cubic yards of material in either excavation or fill, whichever is greater, plus the cost of all drainage or other protective devices or work necessary to eliminate geotechnical hazards. That portion of the security valuation based on the volume of material in either excavation or fill shall be computed as follows:

1. 100,000 cubic yards or less - 50 percent of the estimated cost of grading work.
2. Over 100,000 cubic yards - 50 percent of the cost of the first 100,000 cubic yards plus 25 percent of the estimated cost of that portion in excess of 100,000 cubic yards.
3. When the rough grading has been completed in conformance with the requirements of this code, the Building Official may at his or her discretion consent to a proportionate reduction of the security to an amount estimated to be adequate to ensure completion of the grading work, site development or planting remaining to be performed. The costs referred to in this section shall be as estimated by the Building Official.

J103.6.2 Conditions. All security shall include the conditions that the principal shall:

1. Comply with all of the provisions of this code, applicable laws, and ordinances;
2. Comply with all of the terms and conditions of the grading permit; and
3. Complete all of the work authorized by the permit.

J103.6.3 Term of Security. The term of each security shall begin upon the filing thereof with the Building Official and the security shall remain in effect until the work authorized by the grading permit is completed and approved by the Building Official.

J103.6.4 Default Procedures. In the event the owner or the owner's agent shall fail to complete the work or fail to comply with all terms and conditions of the grading permit, it shall be deemed a default has occurred. The Building Official shall give notice thereof to the principal and security or financial institution on the grading permit security, or to the owner in the case of a cash deposit or assignment, and may order the work required to complete the grading in conformance with the requirements of this code be performed. The surety or financial institution executing the security shall continue to be firmly bound under an obligation up to the full amount of the security, for the payment of all necessary costs and expenses that may be incurred by the Building Official in causing any and all such required work to be done. In the case of a cash deposit or assignment, the unused portion of such deposit or funds assigned shall be returned or reassigned to the person making said deposit or assignment.

J103.6.5 Right of Entry. The Building Official or the authorized representative of the surety company or financial institution shall have access to the premises described in the permit for the purpose of inspecting the work.

In the event of default in the performance of any term or condition of the permit, the surety or financial institution or the Building Official, or any person employed or engaged in the behalf of any of these parties, shall have the right to go upon the premises to perform the required work.

The owner or any other person who interferes with or obstructs the ingress to or egress from any such premises, of any authorized representative of the surety or financial institution or of the City of Santa Barbara engaged in the correction or completion of the work for which a grading permit has been issued, after a default has occurred in the performance of the terms or conditions thereof, is guilty of a misdemeanor.

SECTION J104 PERMIT APPLICATION AND SUBMITTALS

J104.1 Submittal requirements. In addition to the provisions of Sections J106 and J107, the applicant shall state the estimated quantities of excavation and fill.

J104.2 Site plan requirements. In addition to the provisions of Section J106, a grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties in sufficient detail to identify how grade changes will conform to the requirements of this code.

J104.2.1 Grading Designation. Grading in excess of 5,000 cubic yards or for the support of a structure shall be performed in accordance with the approved grading plan prepared by a civil engineer, and shall be designated as "engineered grading." Grading involving less than 5,000 cubic yards (3825 m³) shall be designated "regular grading" unless the permittee chooses to have the grading performed as engineered grading, or the Building Official determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.

J104.2.2 Regular Grading Requirements. In addition to the provisions of Section J106 and Section J104.2, an application for a regular grading permit shall be accompanied by three sets of plans in sufficient clarity to indicate the nature and extent of the work. The plans and

specifications shall be prepared and signed by an individual licensed by the state to prepare such plans or specifications.

Plans shall be drawn to scale upon substantial paper or mylar and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Each sheet of each set of plans shall give location of the work, the name and address of the owner, and the person by whom they were prepared.

The plans shall include, but shall not be limited to, the following information:

1. General vicinity of the proposed site.
2. Limiting dimensions and depth of cut and fill.
3. Location of any buildings or structures where work is to be performed, and the location of any buildings or structures within 15 feet of the proposed grading.
4. Contours, flow areas, elevations, or slopes which define existing and proposed drainage patterns.
5. Erosion/Sedimentation, Storm water, and dust control provisions are required to be shown on the grading plan in accordance with the requirements of Sections J110, J111 & 112 of this appendix.

J104.2.3 Engineered Grading Requirements. In addition to the provisions of Sections J104.2 and J106, an application for an engineered grading permit shall be accompanied by specifications and supporting data consisting of a soils engineering report and engineering geology report. The plans and specifications shall be prepared and signed by an individual licensed by the state to prepare such plans or specifications when required by the Building Official.

Specifications shall contain information covering construction and material requirements.

Plans shall be drawn to scale upon substantial paper or mylar and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that they will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations. Each sheet of each set of plans shall give location of the work, the name and address of the owner, and the person by whom they were prepared.

The plans shall include, but shall not be limited to, the following information:

1. A vicinity map showing the proposed site.
2. Property limits and accurate contours of existing ground and details of terrain and area drainage.

3. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction.

4. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains.

5. Location of any buildings or structures on the property where the work is to be performed and the location of any buildings or structures on land of adjacent owners that are within 15 feet of the property or that may be affected by the proposed grading operations.

6. Recommendations included in the soils engineering report and the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the Building Official, specific recommendations contained in the soils engineering report and the engineering geology report, which are applicable to grading, may be included by reference.

7. The dates of the soils engineering and engineering geology reports together with the names, addresses and phone numbers of the firms or individuals who prepared the reports.

8. A statement of the quantities of material to be excavated and/or filled and the amount of such material to be imported to, or exported from the site.

9. A statement of the estimated starting and completion dates for work covered by the permit.

10. A statement signed by the owner acknowledging that a field engineer, soils engineer and engineering geologist, when appropriate, will be employed to perform the services required by this code, whenever approval of the plans and issuance of the permit are to be based on the condition that such professional persons be so employed.

11. Erosion/Sedimentation, Storm water, and dust control provisions are required to be shown on the grading plan in accordance with the requirement of sections J110, J111 & J112 of this appendix.

12. A drainage plan for that portion of a lot or parcel to be utilized as a building site (building pad), including elevations of floors with respect to finish site grade and locations of proposed stoops, slabs and fences that may affect drainage.

13. Location and type of any proposed private sewage disposal system.

14. Location of existing utilities and drainage facilities and recorded easements. (public and private).

15. Location of all flood zones as designated and defined in Title 44, Code of Federal Regulations.

J104.3 Soils Engineering Report. The soils engineering report required by Section J104.2.2 shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures and design criteria for corrective measures, including buttress fills, when necessary, and opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes. All reports shall conform with the requirements of this Code and shall be subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications.

J104.4 Engineering Geology Report. The engineering geology report required by Section J104.2.2 shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and opinion on the adequacy for the intended use of sites to be developed by the proposed grading, as affected by geologic factors. The engineering geology report shall include a geologic map and cross sections utilizing the most recent grading plan as a base. All reports shall conform with the requirements of this Code and shall be subject to review by the Building Official. Supplemental reports and data may be required as the Building Official may deem necessary. Recommendations included in the reports and approved by the Building Official shall be incorporated in the grading plan or specifications.

Exception: A soils engineering or engineering geology report is not required where the Building Official determines that the nature of the work applied for is such that a report is not necessary.

J104.5 Liquefaction study. A geotechnical investigation may be required when the proposed work is a "Project" as defined in California Public Resources Code section 2693, and is located in an area designated as a "Seismic Hazard Zone" as defined in Title 14, Section 3722 of California Code of Regulations on Seismic Hazard Zone Maps issued by the State Geologist under Public Resources Code section 2696.

Exception: A liquefaction study is not required where the Building Official determines from established local data that the liquefaction potential is low.

SECTION J105 INSPECTION

J105.1 General. Grading inspections shall be governed by Section J109 of this Appendix J and as indicated herein. Grading operations for which a permit is required shall be subject to inspection by the Building Official. Professional inspection of grading operations shall be provided by the Civil Engineer, Soils Engineer and the Engineering Geologist retained to provide such services in accordance with this Section for engineered grading and as required by the Building Official for regular grading.

J105.2 Special and Supplemental inspections. The special inspection requirements of Section 1704.7 shall apply to work performed under a grading permit where required by the Building Official. In addition to the called inspections specified in Section J109, the Building Official may make such other inspections as may be deemed necessary to determine that the work is being performed in conformance with the requirements of this code. Investigations and reports by an approved soil testing agency, Soils Engineer and/or Engineering Geologist, and Field Engineer may be required. Inspection reports shall be provided when requested by the

Building Official.

Inspection of drainage devices by the Field Engineer in accordance with this section may be required when the Building Official determines the drainage devices are necessary for the protection of the structures in accordance with this code.

J105.3 Field Engineer Inspections. When required, the field engineer shall provide professional inspection within such engineer's area of technical specialty, oversee and coordinate all field surveys, set grade stakes, and provide site inspections during grading operations to ensure the site is graded in accordance with the approved grading plan and the appropriate requirements of this code. During site grading, and at the completion of both rough grading and final grading, the field engineer shall submit statements and reports required by Sections J105.11 and J105.12. If revised grading plans are required during the course of the work, they shall be prepared by a Civil Engineer and approved by the Building Official.

J105.4 Soils Engineer Inspections. When required, the Soils Engineer shall provide professional inspection within such engineer's area of technical specialty, which shall include observation during grading and testing for required compaction. The Soils Engineer shall provide sufficient observation during the preparation of the natural ground and placement and compaction of the fill to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter. Revised recommendations relating to conditions differing from the approved soils engineering and engineering geology reports shall be submitted to the permittee, the Building Official and the Field Engineer.

J105.5 Engineering Geologist Inspection. When required, the Engineering Geologist shall provide professional inspection within such engineer's area of technical specialty, which shall include professional inspection of the bedrock excavation to determine if conditions encountered are in conformance with the approved report. Revised recommendations relating to conditions differing from the approved engineering geology report shall be submitted to the soils engineer.

J105.6 Permittee. The permittee shall be responsible for the work to be performed in accordance with the approved plans and specifications and in conformance with the provisions of this code. The permittee shall engage project consultants, if required, to provide professional inspections on a timely basis. The permittee shall act as a coordinator between the project consultants, the contractor and the Building Official. In the event of changed conditions, the permittee shall be responsible for informing the Building Official of such change and shall provide revised plans for approval.

J105.7 Building Official Inspections. The Building Official may inspect the project site at the following various stages of work requiring approval to determine that adequate control is being exercised by the professional consultants:

1. **Pregrade.** Before any construction or grading activities occur at the site; the permittee shall schedule a pregrade inspection with the Building Official. The permittee is responsible for coordinating that all project consultants are present at the pregrade inspection.
2. **Initial.** When the site has been cleared of vegetation and unapproved fill and it

has been scarified, benched or otherwise prepared for fill. No fill shall have been placed prior to this inspection. All measures as shown on the Erosion/Sedimentation Control Plan shall be installed and/or materials stockpiled for use as needed.

3. **Rough.** When approximate final elevations have been established; drainage terraces, swales and other drainage devices necessary for the protection of the building sites from flooding are installed; berms installed at the top of the slopes; and the statements required by Section J105.12 have been received.

4. **Final.** When grading has been completed; all drainage devices necessary to drain the building pad and project site are installed; slope planting established, irrigation systems installed; and the as-graded plans and required statements and reports have been submitted.

J105.8 Notification of Noncompliance. If, in the course of fulfilling their respective duties under this chapter, the Field Engineer, the Soils Engineer or the Engineering Geologist finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies and corrective measures which should be taken shall be reported immediately in writing to the permittee and to the Building Official.

J105.9 Transfer of Responsibility. If the Field Engineer, the Soils Engineer, or the Engineering Geologist of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the Building Official in writing of such change prior to the recommencement of such grading.

J105.10 Non-inspected grading. No person shall own, use, occupy or maintain any non-inspected grading. For the purposes of this code, non-inspected grading shall be defined as any grading for which a grading permit was first obtained, pursuant to Section J103, supra, but which has progressed beyond any point requiring inspection and approval by the Building Official without such inspection and approval having been obtained.

J105.11 Routine Field Inspections and Reports. Unless waived by the Building Official, routine inspection reports shall be provided by the Field Engineer for all engineered grading projects. The Field Engineer shall file these reports, with the Building Official as follows :

1. bi-weekly during all times when grading of 400 cubic yards or more per week is active on the site;
2. monthly, at all other times; and
3. at any time when requested in writing by the Building Official.

Such reports shall certify to the Building Official that the Field Engineer has inspected the grading site and related activities and has found them in compliance with the approved grading plans, the building code, grading permit conditions, and other applicable ordinances and requirements.

J105.12 Completion of work. Upon completion of the rough grading work and at the final completion of the work, the following reports and drawings and supplements thereto are required for engineered grading or when professional inspection is required by the Building Official:

1. An as-built grading plan prepared by the Field Engineer retained to provide such services in accordance with Section J105.3 showing all plan revisions as approved by the Building Official. This shall include original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and the outlets of subsurface drains. As-constructed locations, elevations and details of subsurface drains shall be shown as reported by the soils engineer.

2. The Field Engineer shall state in a report to the Building Official, that to the best of their knowledge, the work within their area of responsibility was done in accordance with the final approved grading plan.

3. A report prepared by the Soils Engineer retained to provide such services in accordance with Section J105.4, including locations and elevations of field density tests, summaries of field and laboratory tests, other substantiating data, and comments on any changes made during grading and their effect on the recommendations made in the approved soils engineering investigation report. Soils Engineer shall submit a statement that, to the best of their knowledge, the work within their area of responsibilities is in accordance with the approved soils engineering report and applicable provisions of this chapter. The report shall contain a finding regarding the safety of the completed grading and any proposed structures against hazard from landslide, settlement, or slippage.

4. A report prepared by the Engineering Geologist retained to provide such services in accordance with Section J105.5, including a final description of the geology of the site and any new information disclosed during the grading and the effect of same on recommendations incorporated in the approved grading plan. The Engineering Geologist shall submit a statement that, to the best of their knowledge, the work within their area of responsibility is in accordance with the approved engineering geologist report and applicable provisions of this chapter.

5. The grading contractor shall submit a statement of conformance to said as-built plan and the specifications.

J105.13 Notification of completion. The permittee shall notify the Building Official when the grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion-control measures have been completed in accordance with the final approved grading plan, and the required reports have been submitted and approved.

SECTION J106 EXCAVATIONS

J106.1 General. Unless otherwise recommended in the approved soils engineering or engineering geology report, cuts shall conform to the provisions of this section.

In the absence of an approved soils engineering or engineering geology report, these provisions may be waived, as approved by the Building Official, for minor cuts not intended to

support structures nor subject to a surcharge.

J106.2 Maximum slope. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than 2 units horizontal in 1 unit vertical (50% slope) unless the permittee furnishes a soils engineering or an engineering geology report, or both, stating that the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property in conformance with the requirements of Section J111. The Building Official may require the excavation to be made with a cut face flatter in slope than two horizontal to one vertical if the Building Official finds it necessary for stability and safety.

J106.3 Slope Surface Protection. All slopes must be stabilized against surface erosion. Stabilization may be accomplished through the application of erosion control blankets, soil stabilizers or other means as approved by the Building Official.

J106.4 Drainage. Drainage, including drainage terraces and overflow protection, shall be provided as required by Section J109.

SECTION J107 FILLS

J107.1 General. Unless otherwise recommended in the approved soils engineering report, fills shall conform to the provisions of this section. In the absence of an approved soils engineering report and if approved by the Building Official, these provisions may be waived for minor fills not intended to support structures.

J107.2 Preparation of Ground. Fill slopes shall not be constructed on natural slopes steeper than 2 units horizontal in 1 unit vertical (50% slope). The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil and other unsuitable materials scarifying to provide a bond with the new fill and, where slopes are steeper than 5 units horizontal in 1 unit vertical (20% slope) and the height is greater than 5 feet, benching into sound bedrock or other competent material shall be provided as a minimum in accordance with Figure J107.2 or as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than 5 units horizontal in 1 unit vertical (20% slope) shall be at least 10 feet wide. The area beyond the toe of fill shall be sloped for sheet overflow or a paved drain shall be provided. When fill is to be placed over a cut, the bench under the toe of fill shall be at least 10 feet wide but the cut shall be made before placing the fill and acceptance by the Soils Engineer or Engineering Geologist or both as a suitable foundation for fill.

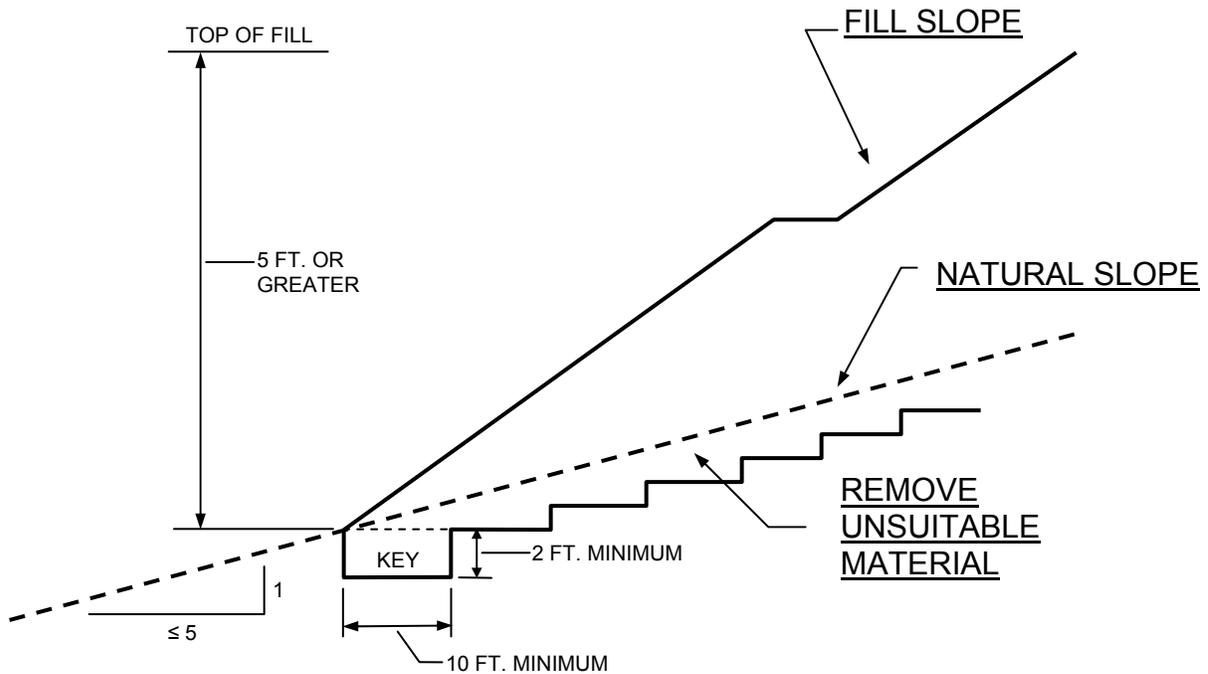


FIGURE J107.2 BENCHING DETAILS

J107.3 Subdrains. Except where recommended by the Soils Engineer or Engineering Geologist as not being necessary, subdrains shall be provided under all fills placed in natural drainage courses and in other locations where seepage is evident. Such sub-drainage systems shall be of a material and design approved by the Soils Engineer and acceptable to the Building Official. The permittee shall provide continuous inspection during the process of subdrain installation to conform with approved plans and Engineering Geologist's and Soils Engineer's recommendation. Such inspection shall be done by the soil testing agency. The location of the subdrains shall be shown on a plan by the Soils Engineer. Excavations for the subdrains shall be inspected by the Engineering Geologist when such subdrains are included in the recommendations of the Engineering Geologist

J107.4 Fill Material. Detrimental amounts of organic material shall not be permitted in fills. Unless approved by the Building Official, no rock or similar irreducible material with a maximum dimension greater than 12 inches shall be buried or placed in fills.

EXCEPTION: The Building Official may permit placement of larger rock when the soils engineer properly devises a method of placement, and continuously inspects its placement and approves the fill stability. The following conditions shall also apply:

1. Prior to issuance of the grading permit, potential rock disposal areas shall be delineated on the grading plan.
2. Rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below grade, measured vertically.

3. Rocks shall be placed so as to assure filling of all voids with well-graded soil.
4. The reports submitted by the soils engineer shall acknowledge the placement of the oversized material and whether the work was performed in accordance with the engineer's recommendations and the approved plans.
5. The location of oversized rock dispersal areas shall be shown on the as-built plan.

J107.5 Compaction. All fills shall be compacted to a minimum of 90 percent of maximum density. Fills shall be compacted throughout their full extent to a minimum relative compaction of 90 percent of maximum dry density within 40 feet below finished grade and 93 percent of maximum dry density deeper than 40 feet below finished grade, unless a lower relative compaction (not less than 90 percent of maximum dry density) is justified by the soils engineer. The relative compaction shall be determined by A.S.T.M. soil compaction test D1557 where applicable. Where not applicable, a test acceptable to the Building Official shall be used, unless the owner furnishes a soils engineering report conforming with the requirements of Section J104.3, stating that the site has been investigated and giving an opinion that a fill at a steeper slope will be stable and not create a hazard to public or private property. Substantiating calculations and supporting data may be required where the Building Official determines that such information is necessary to verify the stability and safety of the proposed slope. The Building Official may require the fill slope be constructed with a face flatter in slope than two horizontal to one vertical if the Building Official finds it necessary for stability and safety.

Field density shall be determined by a method acceptable to the Building Official. However, not less than ten percent of the required density tests, uniformly distributed, shall be obtained by the Sand Cone Method.

Fill slopes steeper than two horizontal to one vertical shall be constructed by the placement of soil a sufficient distance beyond the proposed finish slope to allow compaction equipment to operate at the outer surface limits of the final slope surface. The excess fill shall be removed prior to completion or rough grading. Other construction procedures may be utilized when it is first shown to the satisfaction of the Building Official that the angle of slope, construction method and other factors will accomplish the intent of this Section.

J107.4 Maximum Slope. The slope of fill surfaces shall be no steeper than is safe for the intended use. Fill slopes shall be no steeper than 2 units horizontal in 1 unit vertical (50% slope).

J107.5 Slopes to Receive Fill. Where fill is to be placed above the top of an existing slope steeper than three horizontal to one vertical, the toe of the fill shall be set back from the top edge of the slope a minimum distance of 6 feet measured horizontally or such other distance as may be specifically recommended by a Soil Engineer or Engineering Geologist and approved by the Building Official.

J107.6 Inspection of Fill. For engineered grading, the Soils Engineer shall provide sufficient inspections during the preparation of the natural ground and the placement and compaction of the fill to be satisfied that the work is being performed in accordance with the conditions of plan approval and the appropriate requirements of this chapter. In addition to the above, the Soils Engineer shall be present during the entire fill placement and compaction of fills that will exceed a vertical height or depth of 30 feet (9144 mm) or result in a slope surface steeper than two horizontal to one vertical.

J107.6 Testing of Fills. Sufficient tests of the fill soils shall be made to determine the density thereof and to verify compliance of the soil properties with the design requirements, including soil types and shear strengths in accordance with the standards established by the Building Official.

SECTION J108 SETBACKS

J108.1 General. Cut and fill slopes shall be set back from the property lines in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the property line and shall be as shown in Figure J108.1., unless substantiating data is submitted justifying reduced setbacks.

J108.2 Top of slope. The setback at the top of a cut slope shall not be less than that shown in Figure J108.1, or than is required to accommodate any required interceptor drains, whichever is greater.

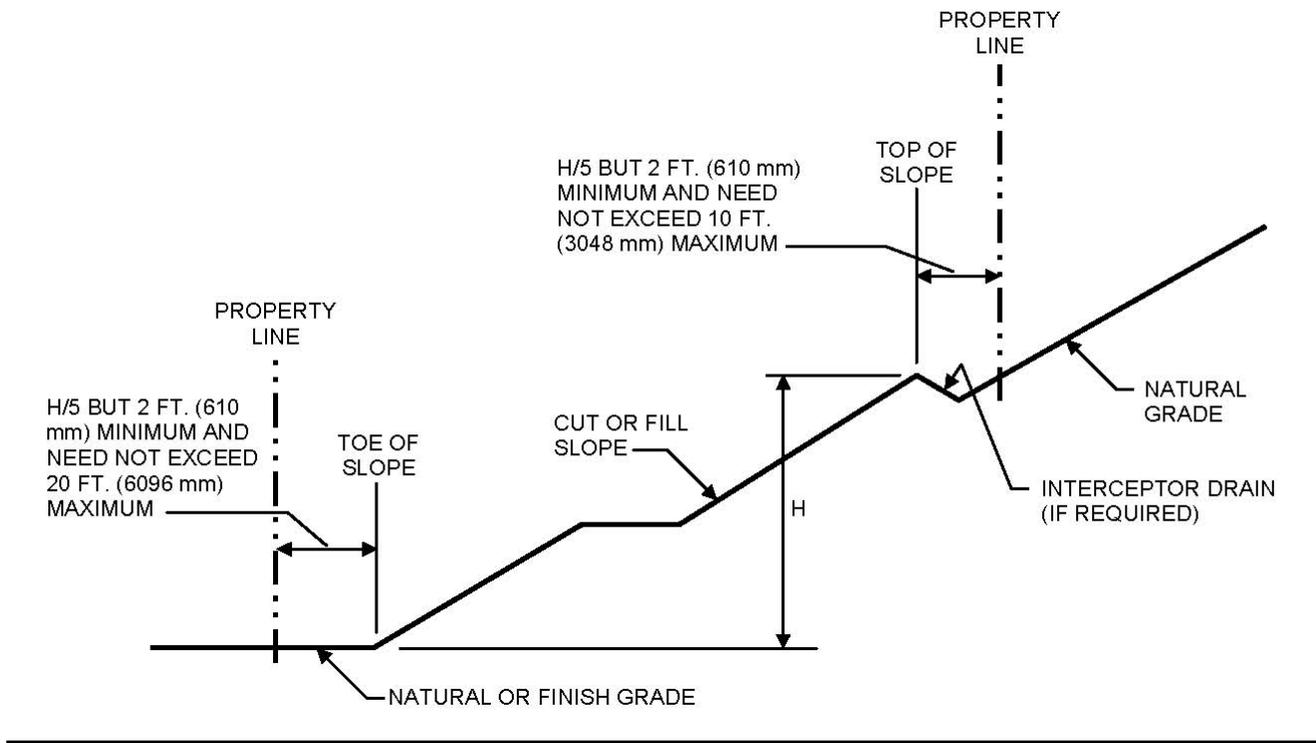


FIGURE J108.1

DRAINAGE DIMENSIONS

J108.3 Toe of Fill Slope. The toe of fill slope shall be made not nearer to the site boundary line than one half the height of the slope with a minimum of 2 feet (610 mm) and a maximum of 20 feet (6096 mm). Where required to protect adjacent properties at the toe of a slope from adverse effects of the grading, additional protection, approved by the Building Official, shall be included. Such protection may include but shall not be limited to:

1. Setbacks greater than those required by Figure J108.1.
2. Provisions for retaining walls or similar construction.
3. Erosion protection of the fill slopes.
4. Provision for the control of surface waters.

J108.4 Alternate Setbacks. The Building Official may approve alternate setbacks. The Building Official may require an investigation and recommendation by a qualified engineer or engineering geologist to demonstrate that the intent of this section has been satisfied.

SECTION J109 DRAINAGE AND TERRACING

J109.1 General. Unless otherwise recommended by a registered design professional, and approved by the Building Official, drainage facilities and terracing shall be provided in accordance with the requirements of this Section .

Exception: Drainage facilities and terracing need not be provided where the ground slope is not steeper than 3 horizontal to 1 vertical (33 percent).

J109.2 Drainage Terraces. Drainage terraces at least 8 feet (2438 mm) in width shall be established at not more than 30 foot (9144 mm) vertical intervals on all cut or fill slopes to control surface drainage and debris except that where only one terrace is required, it shall be at midheight. For cut or fill slopes greater than 100 feet (30480 mm) and up to 120 feet (36,576 mm) in vertical height, one terrace at approximately midheight shall be 20 feet (6,096 mm) in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet (36,576 mm) in height shall be designed by the Civil Engineer and approved by the Building Official. Suitable access shall be provided to permit proper cleaning and maintenance.

Drainage Swales or ditches on terraces shall have a minimum gradient of 5 percent longitudinal grade of not less than 5 percent nor more than 12 percent and a minimum depth of 1 foot (305 mm) at the flow line. There shall be no reduction in grade along the direction of flow unless the velocity of flow is such that slope debris will remain in suspension on the reduced grade. Such terraces and must be paved with reinforced concrete not less than 3 inches (76 mm) in thickness, reinforced with 6-inch (152 mm) by 6-inch (152 mm) No. 10 by No. 10 welded wire fabric or equivalent reinforcing centered in the concrete slab or an approved equal

paving. They shall have a minimum depth at the deepest point of 1 foot (305 mm) and a minimum paved width of 5 feet (1524 mm). Drainage terraces exceeding 8 feet (2438 mm) in width need only be so paved for a width of 8 feet (2438 mm) provided such pavement provides a paved channel at least 1 foot (305 mm) in depth. Downdrains or drainage outlets shall be provided at approximately 300-foot (91.44 m) intervals along the drainage terrace or at equivalent locations. Downdrains and drainage outlets shall be of approved materials and of adequate capacity to convey the intercepted waters to the point of disposal as defined in Section J109.5.

J109.3 Interceptor drains and overflow protection. Berms, interceptor drains or other devices shall be provided at the top of cut or fill slopes to prevent surface waters from overflowing onto and damaging the face of a slope. Berms used for slope protection shall not be less than 12 inches (305mm) above the level of the pad and shall slope back at least 4 feet (1219 mm) from the top of the slope.

Interceptor drains shall be installed along the top of manufactured slopes receiving drainage from a slope with a tributary width greater than 40 feet (12 192 mm), measured horizontally. They shall have a minimum depth of 1 foot (305 mm) and a minimum width of 3 feet (915 mm). The slope shall be approved by the Building Official, but shall not be less than 50 horizontal to 1 vertical (2 percent). The drain shall be paved with concrete not less than 3 inches (76 mm) in thickness, or by other materials suitable to the application Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the Building Official.

J109.4 Drainage across property lines. Surface drainage across property lines shall not exceed that which existed prior to grading. Excess or concentrated drainage shall be contained on site or directed to an approved drainage facility. Erosion of the ground in the area of discharge shall be prevented by installation of nonerosive down drains or other devices.

J109.5 Disposal. All drainage facilities shall be designed to carry waters to the nearest practicable street, storm drain, or natural watercourse drainage way approved by the Building Official and Public Works Director or other appropriate governmental agency jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices. Desilting basins, filter barriers or other methods, as approved by the Building Official and/or the Public Works Director, shall be utilized to remove sediments from surface waters before such waters are allowed to enter streets, storm drains or natural watercourses. If the drainage device discharges onto natural ground, riprap or a similar energy dissipater may be required.

Building pads shall have a drainage gradient of 2 percent toward approved drainage facilities, a public street or drainage structure approved to receive storm waters unless waived by the Building Official. A lesser slope may be approved by the Building Official for sites graded in relatively flat terrain, or where special drainage provisions are made, when the building official finds such modification will not result in unfavorable drainage conditions.

SECTION J110 SLOPE PLANTING AND EROSION CONTROL

J110.1 General. The faces of cut and fill slopes shall be prepared and maintained to control erosion. This control shall consist of effective planting, erosion control blankets, soil stabilizers or other means as approved by the Building Official.

Exception: Erosion control measures need not be provided on cut slopes not subject to erosion due to the erosion-resistant character of the materials as approved by the Building Official.

Erosion control for the slopes shall be installed as soon as practicable and prior to calling for final inspection.

J110.2 Other devices. Where necessary, check dams, cribbing, riprap or other devices or methods shall be employed to control erosion and provide safety.

SECTION J111 NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) COMPLIANCE

J111.1 General. All grading plans and permits shall comply with the provisions of this section for NPDES compliance including the owner of any property on which grading has been performed and which requires a grading permit under Section J103.

J111.2 Erosion/Sedimentation Control Plan (ESCP). No grading permit shall be issued unless the plans for such work include a Erosion/Sedimentation Control Plan, that conforms to the Erosion/Sedimentation Control Policy of the City of Santa Barbara's Building & Safety Division, with details of best management practices, including desilting basins or other temporary drainage or control measures, or both, as may be necessary to control construction-related pollutants which originate from the site as a result of construction related activities. Sites which have been graded and which requires a grading permit under Section J103 are subject to penalties and fines per Section J111.4

All best management practices shall be installed before grading begins. As grading progresses, all best management practices shall be updated as necessary to prevent erosion and control constructed related pollutants from discharging from the site. All best management practices shall be maintained in good working order to the satisfaction of the Building Official unless final grading approval has been granted by the Building Official and all permanent drainage and erosion control systems, if required, are in place.

J111.4 Erosion/Sedimentation Control Plan, Effect of Noncompliance. Should the owner fail to install the best management practices required by Section J111.2 it shall be deemed that a default has occurred under the conditions of the grading permit security. There upon, the Building Official may enter the property for the purpose of installing, by City forces or by other means, the drainage, erosion control and other devices shown on the approved plans, or if there are no approved plans, as the Building Official may deem necessary to protect adjoining property from the effects of erosion, flooding, or the deposition of mud, debris or

constructed related pollutants, or the Building Official may cause the owner to be prosecuted as a violator of this Code or may take both actions. The Building Official shall have the authority to collect the penalties imposed by this section upon determining that the site is non-compliance. Payment of penalty shall not relieve any persons from fully complying with the requirements of this Code in the execution of the work.

If the best management practices for storm water pollution prevention are not installed as prescribed in Section J111.2 and approved by the Building Official, the following penalties shall be imposed:

Grading Permit Volume Penalty:

1--10,000 cubic yards (1--7645.5 m³) = \$100.00 per day

10,001--100,000 cubic yards (7646.3--76455 m³) = \$250.00 per day

More than 100,000 cubic yards (76455 m³) = \$500.00 per day

NOTE: See Section J108 for inspection request requirements.

SECTION J112 DUST CONTROL

Santa Barbara County Air Pollution Control District's dust control measures identified as Construction Impact Mitigation: PM10 Mitigation Measures in SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents* shall be adhered to during all ground disturbing activities.

SECTION J113 REFERENCED STANDARDS

These regulations establish minimum standards and are not intended to prevent the use of alternate materials, methods or means of conforming to such standards, provided such alternate has been approved.

The Building Official shall approve such an alternate provided he or she finds that the alternate is, for the purpose intended, at least the equivalent of that prescribed in this Code in quality, strength, effectiveness, durability and safety.

The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claims regarding the alternate.

The standards listed below are recognized standards, compliance with these standards recognized standards shall be prima facie evidence with the standard of duty set forth in Section 107.

1. Testing.

- Effort a) ASTM D 1557, Laboratory Characteristics Compaction of Soil Using Modified
- Method b) ASTM D 1556, Density and Unit Weight of Soils In Place by the Sand Cone
- Method c) ASTM D 2167, Density and Unit Weight of Soils In Place by the Rubber--Balloon
- d) ASTM D 2937, Density of Soils in Place by the Drive--Cylinder Method
- e) ASTM D 2922, Density of Soil and Soil Aggregate In Place by Nuclear Methods
- f) ASTM D 3017, Water Content of Soil and Rock in Place by Nuclear Methods

SECTION 3. Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is amended by adding Section 22.04.025 to read as follows:

22.04.025 Amendments to California Residential Code

The 2010 California Residential Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.025.

A. Section R310.1 of the California Residential Code is amended to read as follows:

R310.1 Emergency escape and rescue required. Basements, habitable attics and every sleeping room shall have at least one operable emergency escape and rescue opening. Where basements contain one or more sleeping rooms, emergency egress and rescue openings shall be required in each sleeping room. Where emergency escape and rescue openings are provided they shall have a sill height of not more than 44 inches (1118 mm) above the floor. Where a door opening having a threshold below the adjacent ground elevation serves as an emergency escape and rescue opening and is provided with a bulkhead enclosure, the bulkhead enclosure shall comply with Section R310.3. The net clear opening dimensions required by this section shall be obtained by the normal operation of the emergency escape and rescue opening from the inside. Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2. Emergency escape and rescue openings shall open directly into or lead to a public way, or to a yard or court that opens to a public way. If the emergency escape and rescue opening does not open directly into a public way, or to a yard or court, the minimum headroom height between the opening and the public way, yard or court shall be 80 inches (2033 mm).

B. Section R313.1 of the California Residential Code is amended to read as follows:

R313.1 Townhouse automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.

~~**Exception:** An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.~~

R313.1.1 Design and installation. Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with Section P2904 R313.3 or NFPA 13D.

C. Section R313.2 of the California Residential Code is amended to read as follows:

R313.2 One- and two-family dwellings automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in one- and two- family dwellings.

~~**Exception:** An automatic residential fire sprinkler system shall not be required for additions or alterations to existing buildings that are not already provided with an automatic residential sprinkler system.~~

R313.2.1 Design and installation. Automatic residential fire sprinkler systems shall be designed and installed in accordance with Section P2904 R313.3 or NFPA 13D.

R313.2.2 City of Santa Barbara Local Requirements. Approved sprinkler systems shall be provided throughout a building in connection with the projects or changes of occupancy listed in this Section R313.2.2 or as specified elsewhere in this Section R313, whichever is more protective.

R313.2.3 Additions to or Remodels of Single Family Residences, duplexes and townhouses. Sprinklers are required for the addition of floor area to, or the modification or alteration of the interior of, an existing building that contains a Group R, Division 3 occupancy and townhouses, where the floor area of the portion of the building that is added, modified, or altered exceeds 75% of the existing floor area of the building. For purposes of this section, all additions, modifications, or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate toward the 75% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section.

R313.2.4 Computation of Square Footage. For the purposes of this Section R313, the floor area of buildings shall be computed in accordance with the definition of "Floor area, Gross" provided in Section 1002.1 of the California Building Code.

R313.2.5 Existing use. Except as provided in this Section R313, any building in existence at the time of the effective date of the ordinance adopting this section may continue with such use if such use was legal at the time.

D. Section R317.3.1 of the California Residential Code is amended to read as follows:

R317.3.1 Fasteners for preservative-treated wood. Fasteners for preservative- treated wood shall be of hot dipped zinc-coated galvanized steel, stainless steel, silicon bronze or copper. Coating types and weights for connectors in contact with preservative-treated wood shall be in accordance with the manufacturer's recommendations. In the absence of manufacturers recommendations, a minimum of ASTM A 653 type G185 zinc-coated galvanized steel shall be used.

Exceptions:

1. One-half-inch (12.7 mm) diameter or greater steel bolts.
2. Fasteners other than nails and timber rivets shall be permitted to be of mechanically deposited zinc coated steel with coating weights in accordance with ASTM B 695, Class 55 minimum.
3. Plain carbon steel fasteners in SBX/DOT and zinc borate preservative treated wood in an interior, dry environment shall be permitted.

E. Section R327.1.1 of the California Residential Code is amended to read as follows:

R327.1.1 Scope. This chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings, remodels or additions to existing buildings located within a Wildland-Urban Interface Fire Area as defined in Section R327.2 and R327.1.3.1 Item #3.

F. Section R327.1.3 of the California Residential Code is amended to read as follows:

R327.1.3. Application. New buildings, remodels, or additions to existing buildings located in any Fire Hazard Severity Zone or Wildland-Urban Interface Fire Area designated by the enforcing agency constructed after this application date shall comply with the provisions of this code.

Exceptions: Accessory and/or Group U occupancy buildings may be exempted from all or portions of this chapter upon approval of the Fire Marshall and/or Chief Building Official.

- ~~4. Buildings of an accessory character and classified as a Group U occupancy and not exceeding 120 sq. ft. in floor area, when located at least 30 feet from an applicable building.~~
- ~~5. Buildings of an accessory character classified as Group U occupancy of any size located at least 50 feet from an applicable building.~~
- ~~6. Buildings classified as Group U Agricultural building, as defined in Section 202 of this code, when located at least 50 feet from an applicable building.~~
- ~~7. Additions to and remodels of buildings originally constructed prior to the applicable application date.~~

G. Section R327.5.2 of the California Residential Code is deleted in its entirety and readopted to read as follows:

327.5.2 Roof Coverings. Roof coverings on new buildings shall be class A noncombustible in accordance with adopted UBC Standards or otherwise as may be approved by the Chief Building Official. Roof coverings shall be class A or noncombustible fire retardant materials on existing buildings and additions or repairs to existing buildings. Treated or untreated wood shakes or shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20% of the existing roof is being replaced within a two (2) year period, provided such replacement roofing is fire retardant treated wood shakes or shingles.

H. Section R327.5.4 of the California Residential Code is amended to read as follows:

R327.5.4 Roof Gutters. Roof gutters shall be provided with ~~the~~ an approved means to prevent the accumulation of leaves and debris in the gutter. All roof gutters and downspouts shall be constructed of non-combustible materials.

I. Section R327.5 of the California Residential Code is amended by adding a Section R327.5.5 “Drip Edge Flashing” to read as follows:

R327.5.5 Drip Edge Flashing. When drip edge flashing is used at the free edges of roofing materials, it shall be non-combustible.

J. Section R327.6.2 of the California Residential Code is amended to read as follows:

R327.6.2 Requirements. Ventilation openings for enclosed attics, enclosed eave soffit spaces, enclosed rafter spaces formed where ceilings are applied directly to the underside of roof rafters, and underfloor ventilation openings shall be fully covered with metal wire mesh, vents, other materials, or other devices that meet the following requirements:

1. The dimensions of the openings therein shall be a minimum of 1/16th inch (1.6 mm) and shall not exceed 1/8th inch (3.2mm).
2. The materials used shall be noncombustible.

~~—**Exception to item #2:** Vents located under the roof covering, along the ridge of roofs, with the exposed surface of the vent covered by noncombustible wire mesh, may be of combustible materials.~~

3. The materials used shall be corrosion resistant.
4. Individual ventilation openings shall not exceed 144 square inches.
5. Turbine attic vents shall be equipped to allow one-way direction rotation only and shall not free spin in both directions.
6. Ventilation openings protected with vent openings that resist the intrusion of flame and embers, and which are listed by the State Fire Marshal, are exempt from complying with this sub-section.

K. Section R327.7.3 of the California Residential Code is amended to read as follows:

R327.7.3. Exterior Walls. The exterior wall covering or wall assembly shall comply with one of the following requirements;

1. Noncombustible material
2. Ignition-resistant material
3. Heavy-timber exterior wall assembly
4. Log wall construction assembly
5. Wall assemblies that meet the performance criteria in accordance with the test procedures for a 10-minute direct flame contact exposure test set forth in SFM Standard 12-7A-1.

Exceptions: ~~Any of the following shall be deemed to meet the assembly performance criteria and intent of this section:~~

~~1. One layer of 5/8-inch Type X gypsum sheathing applied behind the exterior covering or cladding on the exterior side of the framing.~~

~~2. The exterior portion of a 1-hour fire resistive exterior wall assembly designed for exterior fire exposure including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.~~

L. Section R327.8.2 of the California Residential Code is amended to read as follows:

R327.8.2 Exterior glazing. The following exterior glazing materials and/or assemblies shall comply with this section:

1. Exterior windows and/or skylights.
2. Exterior glazed doors.
3. Glazed openings within exterior doors.
4. Glazed openings within exterior garage doors.
5. Exterior structural glass veneer.

M. Section R327.8.2 of the California Residential Code is amended by adding Section R327.8.2.3 to read as follows:

R327.8.2.1.1 Vinyl framing. Glazing frames made of vinyl materials shall have welded corners, metal reinforcement in the interlock area, and be certified to the most current edition of ANSI/AAMA/NWWDA 101/I.S.2 structural requirements.

N. Section R327 of the California Residential Code is amended by adding a new Section R327.11 “Spark Arrestors” to read as follows:

R327.11 Spark Arrestors. All structures having any chimney, flue, or stovepipes shall be equipped with an approved spark arrestor if the chimney, flue, or stovepipe is attached to any solid fuel burning fireplace, stove, barbecue or similar appliance or device.

O. Chapter 3 of the California Residential Code is amended by adding new Sections R329 through R333 to read as follows:

R329 Special Inspections and Structural Tests. When structural tests and special inspections are required due to the methods of construction the tests and inspections shall be performed and documented as is required in Chapter 17 of the California Building Code.

R330. Encroachments into the Public Right of Way. Encroachments into the public right of way shall comply with the standards of Chapter 32 of the California Building Code.

R331. Safeguards During Construction. Provisions for pedestrian safety during construction and the protection of adjacent public and private properties shall be governed by the requirements of Chapter 33 of the California Building Code.

R332. Sound Transmission Control. Wall and floor-ceiling assemblies separating dwellings from each other and from public or service areas such as interior corridors, garages,

and mechanical spaces, shall provide airborne sound insulation for walls, and both airborne and impact sound insulation for floor-ceiling assemblies. Standards and regulations controlling sound transmission between attached dwellings units shall comply with Section 1207 of the California Building Code.

R333. Residential Swimming Pools and Spas. Residential swimming pools and spas proposed appurtenant to occupancies regulated by this code, shall be installed per Section 3109.4.4 of the California Building Code as amended.

P. Section R401 of the California Residential Code is amended by adding a new Section 401.5 “Grading” to read as follows:

R401.5 Grading. Grading for all structures covered by this code shall be per Appendix J of the currently adopted California Building Code as amended.

Q. Section R3401.4 of the California Residential Code is deleted in its entirety and readopted to read as follows:

~~**R401.4. Soils Tests.** Where quantifiable data created by accepted soil science methodologies indicate expansive, compressible, shifting or other questionable soil characteristics are likely to be present, the building official shall determine whether to require a soil test to determine the soil’s characteristics at a particular location. This test shall be done by an approved agency using an approved method.~~

R401.4. Soils Reports/Geotech Investigations. A Soils Report or Geotechnical Investigation shall be required as per Section 1803 of the California Building Code.

Exceptions:

1. Single-story additions with less than a 500 sq. ft. “footprint” and that are less than 50% of the existing structure they are attached to.

2. Second story additions to an existing slab on grade structure that does not require new footings.

3. Detached “U” Occupancy Category buildings.

Projects utilizing any of these exceptions shall use the presumptive load-bearing values of Table R401.4.1.

R. Section R401.4.1 of the California Residential Code is deleted in its entirety. Table R401.4.1 is not deleted.

S. Section R403.1.2 of the California Residential Code is amended to read as follows:

R403.1.2 Continuous Footing in Seismic Design Categories D₀, D₁ and D₂. The braced wall panels at exterior walls of buildings located in Seismic Design Categories D₀, D₁ and D₂ shall be supported by continuous footings. All required interior braced wall panels in buildings with plan dimensions greater than 50 feet (15 240 mm) shall also be supported by continuous footings.

T. Section R403.1.3 of the California Residential Code is amended to read as follows:

R403.1.5 Slope. The top surface of footings shall be level. The bottom surface of footings shall not have a slope exceeding one unit vertical in ten units horizontal (10-percent slope). Footings shall be stepped where it is necessary to change the elevation of the top surface of the footings or where the slope of the bottom surface of the footings will exceed one unit vertical in ten units horizontal (10-percent slope).

For structures located in Seismic Design Categories D₀, D₁, D₂, and E, stepped footings shall be reinforced with four ½-inch diameter (12.7 mm) deformed reinforcing bars. Two bars shall be placed at the top of the footing and two bars shall be placed at the bottom of the footing.

U. Section R404.2 of the California Residential Code is amended to read as follows:

R404.2 Wood foundation walls. Wood foundation walls shall be constructed in accordance with the provisions of Sections R404.2.1 through R404.2.6 and with the details shown in Figures 403.1(2) and R403.1(3). Wood foundation walls shall not be used for structures located in Seismic Design Categories D₀, D₁, D₂, and E.

V. Section R802.10.2 of the California Residential Code is amended to read as follows:

R802.10.2 Design. Wood trusses shall be designed in accordance with accepted engineering practice. The design and manufacture of metal-plate-connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared by a registered professional where required by the statutes of the State of California or the jurisdiction in which the project is to be constructed professional registered by the State of California.

W. Section R902.1 of the California Residential Code is amended to read as follows:

R902.1 Roofing covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A or, B ~~or C~~ roof shall be installed in areas designated by this section. Class A, and B ~~and C~~ roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

Exceptions:

- ~~1. Class A roof assemblies include those with coverings of brick, masonry and exposed concrete roof deck.~~
- ~~2. Class A roof assemblies also include ferrous or copper shingles or sheets, metal sheets and shingles, clay or concrete roof tile, or slate installed on noncombustible decks.~~

X. Section R902.1.1 of the California Residential Code is amended to read as follows:

R902.1.1 Roof coverings within Wildland-Urban Interface Fire Area. The roofing and re-roofing requirements of structures within a Wildland-Urban Interface Fire Area as defined in Section R327.2 and R327.1.3.1 Item #3 shall meet the requirements of R327. The entire roof covering of every existing structure where more than 50 percent of the total roof area is

~~replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A.~~

~~Exception: The requirements shall not apply in any jurisdiction that adopts the model ordinance approved by the State Fire Marshal pursuant to Section 51189 of the Government Code or an ordinance that substantially conforms to the model ordinance and transmits a copy to the State Fire Marshal~~

Y. Section R902.1.2 of the California Residential Code is deleted in its entirety without replacement.

Z. Section R902.1.3 of the California Residential Code is deleted in its entirety and readopted to read as follows:

R902.1.3 Roof coverings in all other areas. ~~The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class C.~~ The roof covering or roofing assembly of any new building or the re-roofing of any existing building, regardless of type or occupancy classification, shall be no less than Class B, except that Group H, Division 1 and Group I occupancies shall be Class A. Treated or untreated wood shakes or shingles shall not be permitted, except on existing structures which are constructed with shake or shingle roofs where less than 20% of the existing roof is being replaced within a two-year period, provided such replacement roofing is fire retardant treated wood shakes or shingles.

Exception: In the High Fire Hazard District, roof coverings shall be in accordance with Section R327 as amended.

SECTION 4. Section 22.04.030 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.030. Amendments to California Plumbing Code.

The 2010 California Plumbing Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.030.

A. Section 103.4.1 of the California Plumbing Code is deleted in its entirety and readopted to read as follows:

103.4.1 Permit fees. ~~Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule Table 1-1. The fees are to be determined and adopted by this jurisdiction.~~ The fee for each permit shall be established by resolution of the City Council of the City of Santa Barbara.

B. Section 412.1 of the California Plumbing Code is amended to read as follows:

412.1 Fixture Count. Plumbing fixtures shall be provided for the type of building occupancy and in the minimum number shown in Table 4-1[OSHPD 1, 2,3 & 4] and Table 4-2.

Exception: Within existing buildings, the Chief Building Official may make alternate consideration findings for partial compliance on the basis of the following criteria:

1. The cost of compliance is in excess of 15% of all cost of construction as proposed or incurred within one 1) year before or after the work proposed; and

2. The proposed use does not intensify the occupant load by more than 15% of the existing occupant load; and

3. Water closets are not reduced by more than one fixture from that required under CPC Table 4-1 criteria for the use proposed; and

4. Other physical constraints of existing buildings and occupancies relative to disabled access regulations exist.

C. Chapter 4 of the California Plumbing Code is amended to add Section 419 Water Meters Required to read as follows:

419. Water Meters Required.

419.1. Group R Occupancies. Each dwelling unit, including but not limited to apartments units, shall be served by separate City water meter. Except in projects of less than five (5) dwelling units, such meter shall serve only uses within the dwelling unit and other uses shall be served by an additional separate City water meter.

419.2. Occupancies Other Than Group R. All occupancies other than Group R on a single parcel of land, may be served by a single meter, except that no such meter shall also serve any Group R occupancy.

D. Section 603.0 of the California Plumbing Code is amended to read as follows:

603.0 Cross-connection control. Cross-connection control shall be provided in accordance with the provisions of this chapter and Sections 7583 through 7630 “Drinking Water Supplies” of Title 17 of the California Administrative Code, and where there is a conflict between the requirements, the higher level of protection shall apply.

No person shall install any water-operated equipment or mechanism, or use any water-treating chemical or substance, if it is found that such equipment, mechanism, chemical, or substance causes pollution or contamination of the domestic water supply. Such equipment or mechanism shall be permitted only when equipped with an approved backflow prevention device or assembly.

E. Section 608.2 of the California Plumbing Code is amended to read as follows

608.2 Excessive Water Pressure. ~~Where static water pressure in the water supply piping is exceeding eighty (80) pounds per square inch (552 kPa), an approved type pressure regulator preceded by an adequate strainer shall be installed and the static pressure reduced to eighty (80) pounds per square inch (552 kPa) or less. Pressure regulator(s) equal to or exceeding one and one half (1/2) inches (38 mm) shall not require a strainer. Regardless of the pressure at the main, all occupancies served by the City of Santa Barbara Water Resource Division shall be equipped with an approved pressure regulator preceded by a strainer (unless a strainer is built into the device). Any irrigation system or other secondary piping that bypasses said regulator shall be equipped with its own approved pressure regulator and strainer, installed upstream of any piping, backflow device, valve, solenoid or outlet. Such regulator(s) shall control the pressure to all water outlets in the building unless otherwise approved by the Authority Having Jurisdiction. Each such regulator and strainer shall be accessibly located above ground or in a vault equipped with a properly sized and sloped bore-sighted drain to daylight, shall be protected from freezing, and shall have the strainer readily accessible for cleaning without removing the regulator or strainer body or disconnecting the supply piping. Pipe size determinations shall be based on 80 percent of the reduced pressure when using Table 6-6. An approved expansion tank shall be installed in the cold water distribution piping downstream of each such regulator to prevent excessive pressure from developing due to thermal expansion and to maintain the pressure setting of the regulator. The expansion tank shall be properly sized and installed in accordance with the manufacturer's instructions and listing. Systems designed by registered engineers shall be permitted to use approved pressure relief valves in lieu of expansion tanks provided such relief valves have a maximum pressure relief setting of one hundred (100) pounds per square inch (689 kPa) or less.~~

F. Section 710.0 of the California Plumbing Code is amended to add Sections 710.14 and 710.15 to read as follows:

710.14 Sewage Pump Signaling Device. Specially designed sewage disposal systems which depend upon a sewage lift pump or ejector for their operation shall be provided with an approved audible signaling device to warn building occupants in the event of pump failure.

710.15. Approved Type Backwater Valve. When the valuation of an addition, alteration, or repair to a building exceeds \$1,000.00 or when additions, alterations, or repairs are made to the plumbing system or fixtures and a permit is required, an approved backwater valve shall be installed in accordance with Section 710.0 of this Code.

Exception: Repairs to the exterior surface of a building are exempt from the requirements of this section.

G. Section 713.0 of the California Plumbing Code is amended to read as follows:

713.2 When no public sewer intended to serve any lot or premises is available in any thoroughfare or right of way abutting such lot or premises, drainage piping from any building or works shall be connected to an approved private sewage disposal system.

Approved private systems may be used until a public system is available. Upon written notice by the Chief Building Official to the record owner of title, such private systems shall be abandoned in accordance with the provisions of Section 722.0 of this code and permits to connect to the public system must be secured.

SECTION 5. Section 22.04.040 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.040 Amendments to the California Mechanical Code.

The 2010 California Mechanical Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.040.

A. Section 110 of the California Mechanical Code is hereby deleted in its entirety and readopted to read as follows:

110 Board of Appeals. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 and Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020.

B. Section 115 of Appendix 1 of the California Mechanical Code is deleted in its entirety and readopted to read as follows:

115 Permit fees. The fee for each permit shall be established by resolution of the City Council of the City of Santa Barbara.

SECTION 6. Section 22.04.050 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.050. Amendments to the California Electrical Code.

The 2010 California Electrical Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.050. Article 89.108.8 California Electrical Code is deleted and readopted to read as follows:

89.108.8 Appeals Board. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 of Chapter 1 and Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020.

SECTION 7. Section 22.04.060 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code is adopted to read as follows:

22.04.060 Amendments to the 2009 International Property Maintenance Code

The 2009 International Property Maintenance Code, as adopted by reference pursuant to this Chapter, is amended as set forth in this Section 22.04.060.

A. Section 103 of the International Property Maintenance Code is deleted in its entirety.

B. Section 107 of the International Property Maintenance Code is deleted in its entirety and readopted to read as follows:

107 Notice and Order. The building official shall issue a notice and order directed to the record owner of the building. The notice and order shall contain the following:

1. The street address and a legal description sufficient for identification of the premises upon which the building is located.

2. A statement that the building official has found the building to be dangerous with a brief and concise description of the conditions found to render the building dangerous under the provisions of Section 302 of this code.

3. A statement of the action required to be taken as determined by the building official.

3.1 If the building official has determined that the building or structure must be repaired, the order shall require that all required permits be secured therefore and the work physically commenced within such time (not to exceed 60 days from the date of the order) and completed within such time as the building official shall determine is reasonable under all of the circumstances.

3.2 If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a certain time from the date of the order as determined by the building official to be reasonable.

3.3 If the building official has determined that the building or structure must be demolished, the order shall require that the building be vacated within such time as the building official shall determine reasonable (not to exceed 60 days from the date of the order); that all required permits be secured therefore within 60 days from the date of the order; and that the demolition be completed within such time as the building official shall determine is reasonable.

4. Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the building official (i) will order the building vacated and posted to prevent further occupancy until the work is completed, (ii) may proceed to cause the work to be done and charge the costs thereof against the property or its owner, and (iii) will refer the case to the City Attorney for the initiation of an appropriate legal action for abatement and appropriate civil or criminal penalties..

5. Statements advising (i) that any person having any record title or legal interest in the building may appeal from the notice and order or any action of the building official to the Building and Fire Code Board of Appeals, provided the appeal is made in writing as provided in

this code, and filed with the building official within 10 days from the date of service of such notice and order, and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

C. Section 111 of the International Property Maintenance Code is deleted and readopted to read as follows:

111 Means of Appeal. Appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction shall be addressed in accordance with the provisions of Section 113 of Chapter 1 and Appendix B of the California Building Code as amended by the City of Santa Barbara in Section 22.04.020.

SECTION 8. Whenever in this Ordinance or in any of the codes adopted by reference hereby, another code or publication of standards or of rules or regulations is referred to, such reference shall incorporate and adopt by reference such other codes, standards or rules or regulations as part of this ordinance. A copy of said primary and secondary codes are on file and shall be maintained for public inspection by the Chief Building Official as provided in Title 5, Division 1, Part 1, Chapter 1 of the California Government Code while this Ordinance is in force.

SECTION 9. Ordinance Numbers 5440 are 5451 are repealed upon the effective date of this ordinance.

SECTION 10. The provisions of this ordinance shall take effect at 12:01 a.m. on January 1, 2011.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Mayor and Council Members

FROM: Fire Prevention Bureau, Fire Department

SUBJECT: Introduction Of Ordinance For 2010 Fire Code Adoption

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 8.04 to Adopt by Reference the 2009 Edition of the International Fire Code, Including Appendix Chapter 4 and Appendices B, BB, C, CC, and H of that Code, and The 2010 California Fire Code with Local Amendments to Both Codes.

DISCUSSION:

In 2007, the State of California and local jurisdictions within the state adopted the International Fire Code, with state and local amendments. The International Fire Code is part of a greater series of model codes that includes the International Building Code, also published by the International Code Council (ICC). Both were adopted by the State under Title 24 of the California Code of Regulations, Part 9 and Part 2 respectively. The codes are on a three year revision cycle and the new codes will go into effect statewide on January 1, 2011. The State of California has completed amendments to the codes as of July 1, 2010 and under state law local jurisdictions (particularly charter cities) have 180 days to further amend them before they become law. In 2007, the City of Santa Barbara further amended the codes based on local conditions and adopted the current Code on November 13, 2007. Later, Council approved further amendments to the code to adopt residential fire sprinkler provisions.

Since July 2010, staff has been in the process of reviewing the 2010 California Fire Code, and making amendments of our own to adapt the code to local climatic and topographical conditions. Local jurisdictions are allowed to amend California-adopted sections of the code, but are limited to making the amended sections more stringent. For any sections relating to building standards we must make findings for the change. The findings are based on our unique climate, topography or geology and must describe conditions that require additional life safety protection. Sections of the International code that are not adopted by the state may be amended in any manner to meet local needs.

Our approach to the Fire Code, as always, was to make as few amendments as possible. Some are administrative in nature, such as language added to preserve our existing joint Building Division / Fire Department Board of Appeals. Very few additional adjustments to the code were necessary in this cycle, and our draft adopting ordinance is very similar to the ordinance adopted in 2007. Many of the changes were prompted by changes in the State code, such as the adoption of the California Residential Code, which require us to separate residential and commercial sprinkler requirements previously adopted. Residential sprinkler requirements now appear as part of the adopting ordinance for that code. The Residential and Building Codes are companion documents to the Fire Code and are presented under a separate item on the Council agenda. A summary of local amendments to the California Fire Code appears as an attachment to this document.

On October 19, 2010, staff presented a draft of the ordinance to the Ordinance Committee. The summary of local amendments was explained and the Ordinance Committee voted unanimously to send the ordinance to the full City Council for introduction.

Staff recommends that the Council introduce and subsequently adopt the ordinance, by reading of title only. If the Council does so, the Ordinance will be presented for formal adoption on November 9, 2010. The City's ordinance would be effective as of January 1, 2011, when the state codes go into effect.

ATTACHMENT(S): Summary of Local Amendments, 2010 Fire Code

PREPARED BY: Joseph Poiré, Fire Marshal

SUBMITTED BY: Andrew DiMizio, Fire Chief

APPROVED BY: City Administrator's Office

Attachment

Santa Barbara City Fire Department

2009 International Fire Code / 2010 California Fire Code Adoption Summary of Amendments

November 2, 2010

MC = Municipal Code, CFC = International or California Fire Codes

#	Chapter/Section	Title	Concept	Type(<u>new</u> , <u>existing</u> <u>CFC / MC</u> <u>deleted or</u> <u>revised</u>)	Findings
1	Chapter 1, Division II / Sec. 103.1	Fire Prevention Bureau Personnel and Police	Formerly adopted as an appendix, this chapter was adopted by the State as Chapter 1, Division II. Part of the organization of the Fire Prevention Bureau, carried over from the existing code, citing authority of fire code officials.	Existing, CFC / MC	NA
2	Chapter 1 Div II Sec. 104.10	Fire Investigations	Existing language from the 2007 California Fire Code, with minor word changes for clarity, citing authority to investigate.	Existing, CFC / MC	NA
3	Chapter 1/ Division II Sec.108	Board of Appeals	Base code appeal sections, deleted to allow for local appeals sections below.	Deleted	NA
4	Chapter 1/ Division II Sec. 114.1.1 through 114.1.8	Building and Fire Code Board of Appeals	Readopts existing local provisions for a joint Building and Fire Code Board of Appeals.	Existing, CFC / MC,	NA
5	Chapter 1/ Division II Sec. 109.3	Violation Penalties	Completes the IFC section 109 by describing violations of the code as a misdemeanor, consistent with current language.	Existing, CFC / MC	NA
6	Chapter 3 / Section 308.1.4	Open Flame cooking devices	Deleted and new sections added below as in the 2007 adoption	Existing, MC	NA
7	Chapter 3 / Section 308.1.4.1	Open Flame cooking Devices	New title section 308.1.4.1, in part due to renumbering of the CFC. IFC 308.1.4 prohibited charcoal barbeques on most apartment patio's and decks within 10 feet of any combustible element, a section that is unenforceable. Not adopted by the state.	MC / Existing	NA
8	Chapter 3 / Section 308.1.4.1	Liquefied- petroleum gas fueled cooking devices.	Amends the section to allow standard sized (5 gallon) propane barbeques on apartment decks / balconies.	MC / Existing	NA
9	Chapter 4	Emergency Planning and Preparedness	As in 2007, this chapter not adopted either locally or at the state level. Chapter 4 conflicts with or duplicates state regulations (Title 19) in several sections; has additional requirements	Deleted	NA

			in conflict with or not desirable under local conditions.		
10	Chapter 5 / Section 503.1 through 503.5.2	Fire Apparatus Access Roads	Amends the access sections to meet existing local requirements of 20 feet in width for commercial and 16 feet in width for residential to within 150 feet of exterior walls. Minor changes to the exceptions allowed for the 150 foot requirement, adding language to #1 that maintains current local standards for grade, cross slope turning radius and dead ends.	Existing, CFC / MC, minor revisions	Yes
11	Chapter 5 / 503.5.1.1 and 503.5.1.2	Secured Gates and barricades	One section amended, one added to the access roadways, dealing with the closure of certain roadways due to fire danger. Minor revisions to the “tampering” with locked gates section and the new section prohibits parking vehicles in a manner that blocks closed gates.	Existing MC	Yes
12	Chapter 5 / Section 505.1.1	Premise Identification, Mixed use occupancy	Refers to local municipal code section 8.04.030 regarding mixed use occupancy signs to clarify that they are required in both existing and new construction.	Existing MC	Yes
13	Chapter 5 / Section 505.3	Directory	Maintains the existing requirement for a project directory when required by the fire code official. Minor wording changes.	Existing MC	Yes
14	Chapter 5 / Section 507.through 507.5.6	Required Water Supply	The basic fire flow requirements of Chapter 5 were adopted by the state, along with Appendix B of the International; Code. The state then leaves local jurisdictions to either use Appendix B or any “approved method” without further definition. These sections outline the locally approved method and are a readoption of our existing fire-flow requirements for new construction.	Existing MC	Yes
15	Chapter 9 / Section 903.2	Automatic Fire Sprinkler Systems	The California Fire Code provisions in Chapter 9 are less stringent than our existing requirements, in some cases allowing for assembly occupancies up to 12,000 square feet without sprinklers. Changes in Chapter 9 are similar to changes we made in 2007 when we amended to code with local sprinkler requirements, both commercial and later, residential. This year the state divided sprinkler requirements and assigned residential sprinklers to the newly adopted 2010 California Residential Code. We therefore moved our own residential sprinkler requirements to that code, under Section R313. Our commercial requirements remain in this chapter of both the Fire and Building Codes.	Existing MC, CFC, CBC and newly adopted Cal. Residential Code	Yes
16	Chapter 9 / Section 907.2.27	Fire Alarm Detection Systems	This section is a minor revision of our existing requirement for an automatic detection fire alarm in mixed use occupancies. We first authored this section in response to the proliferation of residential units above commercial occupancies throughout the city.	Existing, MC, CFC	Yes

			The concept is to alert the residents in the event of a fire condition in the business occupancies below, especially at night when the business is closed.		
17	Chapter 33 / 3301.1.2	Explosives and Blasting Agents	Limits storage by Zone, excludes most of the city. Storage is limited to the industrial zone near the airport, by permit only	Existing MC	NA
18	3301.2 and 3301.3	Fireworks, Prohibition	State law allows for "safe and sane" fireworks. Maintains the current prohibition on all fireworks within the city limits, including safe and sane. Provides for confiscation.	Existing MC	Yes
19	Chapter 49 / Sections 4901 through 4709.13	Requirements for Wildland Interface Areas	These sections were adopted in 2007 as Chapter 47, renumbered to match the state's adopted version of the code. One sentence added to clarify the requirements for enforcement of defensible space over property lines	Existing MC	Yes
20	Municipal Code Section 8.04.030 A and B	Fire Prevention Development Standards	A) Fire Zone 2 allows for on site water and other requirements in areas where there is no municipal water supply. B) Requires the mixed use occupancy sign, which identifies the presence of dwelling units for first responders when a new building combines residential and commercial occupancies. No proposed changes.	Existing MC	Yes

COUNCIL INTRODUCTION DRAFT 11/2/10
SHOWING CHANGES FROM EXISTING MUNICIPAL CODE

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SANTA BARBARA MUNICIPAL CODE CHAPTER 8.04 TO ADOPT BY REFERENCE THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE, INCLUDING APPENDIX CHAPTER 4 AND APPENDICES B, BB, C, CC, AND H OF THAT CODE, AND THE 2010 CALIFORNIA FIRE CODE WITH LOCAL AMENDMENTS TO BOTH CODES.

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

SECTION 1. Findings

Climatic Conditions

A. The City of Santa Barbara is located in a semi-arid Mediterranean type climate. It annually experiences extended periods of high temperatures with little or no precipitation. Hot, dry winds, (“Sundowners”) which may reach speeds of 60 m.p.h. or greater, are also common to the area. These climatic conditions cause extreme drying of vegetation and common building materials. In addition, the high winds generated often cause road obstructions such as fallen trees. Frequent periods of drought and low humidity add to the fire danger. This predisposes the area to large destructive fires. In addition to directly damaging or destroying buildings, these fires also disrupt utility services throughout the area. The City of Santa Barbara and adjacent front country have a history of such fires, including the 1990 Painted Cave Fire and the 1977 Sycamore Canyon Fire. In 2007, the City was impacted by the back country Zaca Fire and by the Gap fire in 2008. The Tea Fire destroyed over 150 homes within the City in November of 2008 and the Jesusita Fire destroyed homes and property in much of the Santa Barbara front country in May of 2009.

B. The climate alternates between extended periods of drought and brief flooding conditions. Flood conditions may affect the Fire Department’s ability to respond to a fire or emergency condition. Floods also disrupt utility services to buildings and facilities within the City.

C. Water demand in this area challenges the quantity supplied by natural precipitation and, although the population continues to grow, the already-taxed water supply does not. The estimated population of California in 2006 was more than 36 million people. The state is projected to increase in population by nearly 10 million by

the year 2030, with 50 percent of that growth centered in Southern California. Due to storage capacities and consumption, and a limited amount of rainfall, future water allocation may not be fully dependable in many areas of the state. The city's core area continues to become more concentrated, with new multi-storied mixed-use structures whose occupants, along with the structures themselves, could be vulnerable to uncontrolled fires due to lack of available water. This necessitates the need for additional and on-site fire protection features.

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

Topographical conditions:

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

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

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

C. These topographical conditions combine to create a situation which places fire department response time to fire occurrences at risk, and makes it necessary to provide

automatic on-site fire-extinguishing systems and other protection measures to protect occupants and property.

Geological conditions:

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

A. Previous earthquakes have been accompanied by disruption of traffic flow and fires. A severe seismic event has the potential to negatively impact any rescue or fire suppression activities because it is likely to create obstacles similar to those indicated under the high wind section above. With the probability of strong aftershocks there exists a need to provide increased protection for anyone on upper floors of buildings. The October 17, 1989, Loma Prieta earthquake resulted in one major fire in the Marina District (San Francisco). When combined with the 34 other fires locally and over 500 responses, the department was taxed to its fullest capabilities. The Marina fire was difficult to contain because mains supplying water to the district burst during the earthquake. In addition to gas mains, individual gas and electric service connections to residences may provide both fuel and ignition sources during a seismic event. This situation creates the need for both additional fire protection and automatic on-site fire protection for building occupants.

B. Road circulation features located throughout Santa Barbara also make amendments reasonably necessary. There are major roadways, highways and flood control channels that create barriers and slow response times. Hills, particularly in the Foothill and Extreme Foothill zones, slopes, street and storm drain design accompanied by occasional heavy rainfall, cause roadway flooding and landslides and at times may make an emergency access route impassable. Much of Sycamore Canyon lies in an area subject to geologic activity, as witnessed by the recent closure of the road due to the slide potential.

The climatic, topographical, and geological conditions described above make it prudent to rely upon automatic fire sprinkler systems and other fire protection measures to mitigate extended fire department response times. Automatic sprinklers, mixed use notification signs, fire alarms and other measures specified in this ordinance are intended to lessen life safety hazards and keep fires manageable with potentially reduced fire flow (water) requirements for a given structure. Additional fire protection is also justified to match the current resources of firefighting equipment and personnel within the Santa Barbara City Fire Department.

SECTION 2. Section 8.04.010 of the Santa Barbara Municipal Code is hereby amended to read as follows:

8.04.010 Adoption of International Code by Reference

Subject to the amendments ~~provided for specified~~ in Section 8.04.020 ~~of this Code, the following International Code and certain appendix chapters and references therein is hereby adopted by reference and shall be known as the City of Santa Barbara Fire Code:~~ The International Fire Code, as published by the International Code Council (2009~~6~~ Edition), including ~~Appendix Chapter 1,~~ Appendix Chapter 4 and Appendices B, BB C, CC and H; ~~published by the International Code Council, and including~~ The 2010~~07~~ California Fire Code (Title 24, Part 9 of the California Code of Regulations); and all standards and secondary codes referenced in said codes are adopted by reference and shall be known as the City of Santa Barbara Fire Code.

Said codes and any standards and secondary codes adopted by reference and the amendments therein, are on file and available for public inspection in the office of the City Clerk.

SECTION 3. Section 8.04.020 of the Santa Barbara Municipal Code is deleted in its entirety and readopted to read as follows:

8.04.020 Amendments to International Fire Code

In response to local climatic, geological and topographical conditions, The 2009 International Fire Code and The 2010 California Fire Code, as adopted by reference by Section 8.04.010, ~~is~~are amended as follows:

A. ~~Appendix Chapter 1. Appendix Chapter 1, Division II of the International Fire Code is amended as follows:~~

~~1. Section 103 of Appendix Chapter 1 "Fire prevention bureau personnel and police" is amended to add Section 103.3.1 to read as follows:~~

103.3.1 Fire prevention bureau personnel and police. The fire code official and members of the fire prevention bureau shall have the powers of a police officer in performing their duties under this code. When requested to do so by the fire chief, the chief of police is authorized to assign such available police officers as necessary to assist the fire department in enforcing the provisions of this code.

B. ~~Section 104.10 of Appendix Chapter 1 "Fire Investigations" is amended to read as follows:~~

104.10 Fire investigations. The fire code official is authorized to investigate promptly the cause, origin and circumstances of ~~each and every fire,~~ explosion or other

~~hazardous condition~~ occurring in the jurisdiction, ~~involving loss of life or injury to person or destruction or damage to property and, if~~ In addition, the fire code official is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials in the jurisdiction. ~~If it appears to the bureau of investigation~~ fire code official that such ~~fire incidents are~~ of suspicious origin, ~~they are~~ the fire code official is authorized to take immediate charge of all physical evidence relating to the cause of the fire, ~~explosion, hazardous condition, or release and are authorized to pursue the investigation to its conclusion.~~

~~The fire code official is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials.~~

~~The police department is authorized to assist the fire department in its investigations when requested to do so.~~

104.10.1 Assistance from other agencies. Police and other enforcement agencies are authorized to assist in the investigation of fires when requested to do so by the fire code official.

C. Section 108 ~~of Appendix Chapter 1~~ is deleted in its entirety without replacement.

D. Section 109.3 ~~of Appendix Chapter 1~~ “Violation Penalties” is amended to read as follows:

Section 109.3 Violation penalties. Persons who violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor. Penalties shall be as prescribed by state law and local ordinance. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. ~~Section 1142 is added to Appendix Chapter 1~~ Chapter 1, Division II of the International Fire Code is amended by adding Section 114 “Building and Fire Code Board of Appeals” to read as follows:

Section 1142. Building and Fire Code Board of Appeals

In order to hear and decide appeals of orders, decisions or determinations made by the Fire Code Official or Building Official relative to the application and interpretations of the technical codes, there shall be and is hereby created a Building and Fire Code Board of Appeals consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction and building service equipment and who are not employees of the jurisdiction. The Fire Code Official or Building Official shall be an ex officio member and shall act as secretary to said Board but shall have no vote upon any matter before the Board. The Building and Fire Code Board of Appeals shall be appointed by the City Council and shall hold office at its pleasure. The Board shall adopt rules of

procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the Fire Code Official or Building Official.

1142.1.1 Alternatives. The Board may consider any alternate provided that it finds that the proposed design, material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the technical codes in accessibility, suitability, strength, effectiveness, fire resistance, durability, safety, and sanitation.

1142.1.2 Appointments. The City Council shall appoint individuals to an eligibility list. Appeals shall be scheduled before five members selected from the eligibility list by the Community Development Director or the Fire Code Official as may be appropriate based on the subject matter.

1142.1.3 Quorum. It shall take a quorum of three members to hear an appeal and majority vote of the Board convened to sustain an appeal.

1142.1.4 Chairperson. The chairperson shall be selected by the convened Board. The chairperson shall maintain order and conduct the meeting in accordance with Section 1142.1.7 and 1142.1.8.

1142.1.5 Meetings. The Board shall meet when needed to hear an appeal or when needed to transact business of the Board. Either the Chief Building Official or the Fire Code Official or their designee shall act as Secretary of the Board.

1142.1.6 Board Decisions. The decision of the Building and Fire Code Board of Appeals shall be final on all matters of appeals and shall become an order to the Appellant, Building Official or Fire Code Official as may be appropriate.

1142.1.7 Procedures. The Chief Building Official or Fire Code Official may use the procedure for Conduct of Hearing Appeals in accordance with Chapter 6 of the Uniform Code for the Abatement of Dangerous Buildings for appeals. The Board may elect alternate procedures by a unanimous vote of the convened Board as they may deem appropriate.

1142.1.8 Procedural Rules. Appeal hearings shall be conducted substantially in accordance with the following format:

1. The Chairperson shall call the meeting to order.
2. The Chairperson shall note the Board members present for the minutes.
3. The Chairperson shall recognize the Chief Building Official or Fire Code Official for presentation of the appeal. The Chief Building Official or the Fire Code Official shall read his/her recommendation to the Board. This recommendation shall be the standing motion before the Board.
4. The Chairperson shall recognize the Appellant for presentation of rebuttals.

5. All witnesses must be called by either the Appellant or the Chief Building Official or the Fire Code Official and may be questioned.

6. After a motion to amend, accept, or deny the standing motion has been made and seconded, the Board may entertain comments from the public.

7. The Board shall vote on the standing or amended motion.

8. The Chairperson shall adjourn the meeting at the end of business.

9. The Secretary shall prepare minutes for the record and shall serve as custodian of case records and said minutes.

F. **Chapter 3** of the International Fire Code is amended as follows:

~~1. Section 304.1.2 is amended to read as follows:~~

~~**Section 304.1.2 Vegetation.** Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with Chapter 47.~~

~~21. Section 308.3.11.4 of Chapter 3 is hereby deleted without replacement.~~

~~32. Section 308.3.1.11.4.1 of Chapter 3 is amended to read as follows:~~

~~**Section 308.3.1.1 1.4.1 Liquefied-petroleum gas fueled cooking devices.** LP gas burners having an LP gas container with a water capacity greater than 25 pounds (5 Gallon) shall not be located on combustible balconies or within 10 feet (3048 mm) of combustible construction.~~

~~**Exception:** One and two-family dwellings.~~

~~GG. Chapter 4 of the International Fire Code is deleted in its entirety without replacement.~~

~~DH. Chapter 5 of the International Fire Code is amended as follows:~~

~~1. Section 503 “Fire Apparatus Access Roads” is deleted in its entirety and readopted to read as follows:~~

~~**503.1 Where Required.** Fire Department access roads shall be provided and maintained in accordance with Sections 503.1.1 and 503.1.3~~

~~**503.1.1 Buildings and Facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved~~

into or within the jurisdiction. The fire apparatus roads shall comply with the requirements of this section and shall extend to within 150 feet of (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45,720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system ~~not otherwise required by this code and~~ installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

2. Fire Apparatus Roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternate means of fire protection is provided.

503.1.2 Additional Access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of the terrain, climatic conditions or other factors that could limit access.

503.1.3 High Piled Storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 23.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.78.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 13 feet 6 inches. If a fire apparatus access road serves three or fewer single-family residential units, the required width may be reduced to not less than 16 feet (4879 mm) upon the approval of the fire code official.

503.2.2 Authority. The fire code official is authorized to require and increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Such fire apparatus access roads shall be capable of supporting 60,000 pounds and shall be constructed of approved materials.

503.2.4 Turning radius. The turning radius of roadways shall be no less than 70 feet in diameter measured from outer edge to outer edge.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 300 feet in length shall be provided with approved provisions for the turning around of fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official.

503.2.7 Grade. The gradient for a fire apparatus access road shall not exceed a 16 % grade.

503.2.~~7~~.18 Cross-slope. The cross-slope gradient shall not exceed 6%.

503.2.8. Angle of Approach and Departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including parking of vehicles. The minimum required widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.5 Required gates or barricades.

503.5.1 Secured gates and barricades. When required, gates and barricades shall be secured in an approved manner. Roads, trails and other access ways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

503.5.1.1 Vehicle obstruction. Entrances to roads, trails, or other access ways that have been closed with gates and barriers in accordance with Section 503.5 shall not be obstructed by parked vehicles, except for public officers acting within their scope of duty.

503.5.1.2 Closure of accessways. Locks, gates, doors, barricades, chains, enclosures, signs, tags, or seals which have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with or

otherwise molested in any manner except when authorized by the fire code official or by public officers acting within their scope of duty.

503.5.2 Fences and Gates. School grounds may be fenced and gates therein may be equipped with locks, provided that safe dispersal areas based on 3 square feet (0.28m²) per occupant are located between the school and the fence. Such required safe dispersal areas shall not be located less than 50 feet (15240 mm) from school buildings. Every public and private school shall conform to Section 32020 of the Education Code.

I. Section 505 "Premises Identification" is amended to add Sections 505.1.1 and 505.3 to read as follows:

505.1.1 Mixed Use Occupancy Identification. Mixed use occupancy notifications signs shall be provided according to Municipal Code 8.04.030 (B).

505.3 Directory. For complexes and large buildings, an approved directory or premise map may be required at a location determined by the fire code official.

J. Section ~~508-507~~ "Fire Protection Water Supplies" is deleted in its entirety and readopted to read as follows:

~~508507.1~~ Required Water Supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Prior to development of a project, the fire code official may require the flow testing of fire hydrants adjacent to the proposed development in order to determine adequacy of fire flow.

~~508507.2~~ Type of Water Supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required flow.

~~508507.2.1~~ Private fire service mains. Private fire service mains and appurtenance shall be installed in accordance with NFPA 24.

~~508507.2.2~~ Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

~~508507.3~~ Fire Flow. Fire Flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method *or Appendix B*. For the purposes of this section, an "approved water supply" shall mean the following:

1. Residential Requirement. All residential buildings containing ten (10) or less dwelling units shall be served by a fire flow of 750 gpm at a residual pressure of 20 psi when flowing. Fire-flow requirements may be modified downward by the fire code official for isolated buildings or the installation of approved fire protection devices, but in no case shall the fire flow be less than 500 gpm at a residual pressure of 20 psi. Residential

buildings containing eleven (11) or more dwelling units shall be served by fire flows in compliance with the commercial requirements below.

2. Commercial Requirement. A fire flow of 1,250 gpm at a residual pressure of 20 psi when flowing will be required.

508507.4 Water Supply Test. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.

508507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 508507.1 through 508507.5.6 and Appendix C or by an approved method. For purposes of this section, "an approved method" shall mean the following:

508507.5.1 Where Required, Commercial. A commercial hydrant to Santa Barbara City standards must be located within 300 feet of all portions of a facility or building as measure by an approved route around the exterior of the facility or building. Where a portion of the facility or building is hereafter constructed or moved into or within the jurisdiction is more than 300 feet from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building, the fire code official may require on-site hydrants or another approved mitigation method.

508507.5.1.1 Where Required, Residential. For Group R-3, Group U and Group R-2 occupancies containing ten (10) or less dwelling units, a residential hydrant to Santa Barbara City standards must be located within 500 feet of all portions of a facility or building as measure by an approved route around the exterior of the facility or building. Where a portion of the facility or building is hereafter constructed or moved into or within the jurisdiction is more than 500 feet from a hydrant on a fire apparatus road, as measured by an approved route around the exterior of the facility or building, the fire code official may require on-site hydrants or another approved mitigation method.

508507.5.2 Inspection, Testing and maintenance. Fire hydrant systems shall be subject to such periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall be in accordance with approved standards.

508507.5.3 Private fire service mains and water tanks. Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with Title 19 California Code of Regulations Chapter 5.

508507.5.4 Obstruction. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall

not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

508507.5.5 Clear space around hydrants. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

508507.5.6 Physical protection. Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

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

~~4K.~~ Section 903.2 “Where required” ~~of Section 903~~ is amended to add Section 903.2.1~~98~~ to read as follows:

903.2.1~~819~~ Local Requirements. Approved automatic sprinkler systems shall be installed throughout buildings and structures as specified elsewhere in this Section 903.2 or as specified in this Section 903.2.1~~98~~, whichever is more protective:

903.2.1~~819~~.1 New Buildings, Generally. The construction of a new building containing any of the following occupancies: A, B, E, F, H, I, L, M, R, S or U.

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

903.2.1~~819~~.2 New Buildings in the High Fire Hazard Area. The construction of any new building within the City’s designated High Fire Hazard Area.

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

903.2.1~~819~~.3 Additions to Buildings Other than Single Family Residences. The addition of floor area to an existing building that contains any occupancy other than Group R, Division 3.

903.2.1~~819~~.4 Remodels of Buildings Other than Single Family Residences. The remodel or alteration of the interior of an existing building that contains any occupancy other than Group R, Division 3, where the floor area of the portion of the building that is modified or altered exceeds 50% of the existing floor area of the building. For purposes of this section, all modifications or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate

toward the 50% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section.

~~903.2.18.5 Additions to or Remodels of Single Family Residences.~~ The addition of floor area to, or the modification or alteration of the interior of, an existing building that contains a Group R, Division 3 occupancy, where the floor area of the portion of the building that is added, modified, or altered exceeds 75% of the existing floor area of the building. For purposes of this section, all additions, modifications, or alterations to an existing building that occur after the effective date of the ordinance adopting this section shall be counted in the aggregate toward the 75% threshold measured against the floor area of the building as it existed on the effective date of the ordinance adopting this section. [Editorial Note: The sprinkler provisions relating to residential uses have been moved to the new Residential Code to be presented by Building and Safety.]

~~903.2.18.619.5~~ **Change of Occupancy to a Higher Hazard Classification.** Any change of occupancy in an existing building where the occupancy changes to a higher hazard classification

~~903.2.18.719.6~~ **Computation of Square Footage.** For the purposes of this Section 903.2.19, the floor area of buildings shall be computed in accordance with the definition of “Floor area, Gross” provided in Section 1002.1 of the California Building Code.

~~903.2.18.819.7~~ **Existing use.** Any existing building not classified as Group R, Division 3, in existence at the time of the effective date of this code may have their use continued if such use was legal at the time. Additions to existing buildings shall require an automatic fire sprinkler system installed throughout, including areas not previously protected.

L. Section 907 “Fire Alarm and Detection Systems” ~~of the International Fire Code~~ is amended to add Section 907.~~4.52.27~~ to read as follows:

~~907.4.52.27~~ **Mixed Use Occupancies.** Where residential occupancies are combined with commercial occupancies, a fire alarm system shall be installed which notifies all occupants in the event of a fire. The system shall include automatic smoke detection throughout the commercial and common areas. In addition, a notification system shall be installed in a manner and location approved by the fire code official that indicates the presence of residential dwelling units in accordance with Municipal Code Section 8.04.030.B.

M. ~~Chapter 33 Explosives and Fireworks of the International Fire Code~~ is amended as follows:

—1.— Section 3301 “General” is amended to add Sections 3301.2, 3301.3, and 3301.4 to read as follows:

Section 3301.2 Explosives and Blasting Agents. Storage of explosives and blasting agents is restricted to the A-I (Airport Industrial) zone.

Section 3301.3 Prohibition. The manufacturing, possession, storage, sale, use and handling of fireworks are prohibited in the City of Santa Barbara.

Exceptions: ~~4.~~ Commercial, theatrical and group entertainment productions as permitted by the fire code official and in accordance with Title 19, California Code of Regulations, Chapter 6. Fireworks.

Section 3301.4 Seizure: The fire code official is authorized to seize, take, remove or caused to be removed at the expense of the owner all stock of fireworks offered or exposed for sale, stored or held in violation of this ordinance and Title 19, Chapter 6.

~~NG. Chapter 497 Requirements for Wildland-Urban Interface Fire Areas of the International Fire Code is amended as follows:~~

~~1.~~ **Section 49701 “General”** is amended to read as follows:

Section 49701.1 Scope. The mitigation of conditions where a wildfire burning in vegetative fuels may readily transmit fire to buildings and threaten to destroy life, overwhelm fire suppression capabilities, or result in large property losses shall comply with this chapter. In addition, this section is intended to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities conducted in Urban Wildland Interface Areas as defined by the City of Santa Barbara Wildland Fire Plan.

Section 49701.2 Purpose. The purpose of this code is to provide minimum standards to increase the ability of a building to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in conflagration losses through the use of performance and prescriptive requirements. In addition, the purpose of this code is to prevent the occurrence of fires and to provide adequate fire-protection facilities to control the spread of fire which might be caused by recreational, residential, commercial, industrial or other activities conducted in Urban Wildland Interface Areas.

Section 49701.3 Policy. The policy direction for the City of Santa Barbara Wildland Urban Interface Area is established by the City of Santa Barbara Wildland Fire Plan, approved by City Council in January of 2004.

~~02.~~ **Section 49702 “Definitions”** ~~of Chapter 497~~ is amended to add the following definitions and to amend the definition of Wildland-Urban Interface Fire Area to read as follows:

Spark Arrester is defined as a device constructed of non-flammable materials specifically for removing and retaining carbon and other flammable particles over 0.0232 inches in size from the exhaust flow of an internal combustion engine operated by hydrocarbons.

Tracer is any bullet or projectile incorporating a feature which marks or traces the flight of said bullet or projectile by flame, smoke or other means which result in fire or heat.

Tracer Charge is any bullet or projectile incorporating a feature designed to create a visible or audible effect by means which result in fire or heat and shall include any incendiary bullets and projectiles.

Wildland-Urban Interface Fire Area is a geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. See Article 86B for the applicable referenced Sections of the Government Code and the Public Resources Code. The City of Santa Barbara Wildland Fire Plan, approved by City Council in January of 2004 outlines the Wildland Urban Interface Areas within the City of Santa Barbara’s local jurisdiction. For purposes of this code, Wildland Urban Interface Areas and High Fire Hazard Areas are interchangeable.

P3. Section 49703 “Plans” of Chapter 497 is amended to read as follows:

49703.1 General. When required by the fire code official, a fire protection plan shall be prepared for parcels within Urban Wildland Interface Areas.

49703.2 Content. The plan shall be based on site specific wildfire hazard and risk assessment that includes considerations of location, topography, aspect, flammable vegetation, climatic conditions and fire history. The plan shall address water supply, access, building construction and fire-resistance factors, fire protection systems and equipment, evacuation, defensible space and vegetation management. The plan shall also address any off site factors listed above that affect the project area.

49703.3 Cost. The cost of fire protection plan preparation and review shall be the responsibility of the applicant.

49703.4 Plan retention. The fire protection plan shall be retained by the fire code official.

Q4. Section 49704 “Fire Hazard Severity Zones” of Chapter 47 is amended to add Section 49704.1.1 to read as follows:

49704.1.1 Local Land Classification. Lands in the local jurisdiction are classified by the Fire Code Official in accordance with the City of Santa Barbara Wildland Fire Plan (May 2004).

R5. Section 49706 “Hazardous Vegetation and Fuel Management” of Chapter 497 is amended to add Section 49706.1.1 to read as follows:

49706.1.1 General. The City of Santa Barbara Wildland Fire Plan identifies vegetation management areas that pose an increased threat to the community during a wildland fire.

Within these areas the fire code official has the authority to work with property owners to reduce the amount of flammable vegetation outside the defensible space areas. These areas include both City and Private lands. Standards for vegetation management are specified in the City of Santa Barbara Wildland Fire Plan.

S6. Section 49707 “Defensible Space” of Chapter 47 is amended to read as follows:

49707.1.1 General. Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall follow defensible space requirements outlined in 49707.1 through 49707.9. For purposes of this section, defensible space requirements shall apply to persons owning, leasing or controlling land with hazardous vegetation that is within the defensible space of structures on adjacent properties.

49707.2 Distance Requirements: Maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 30 to 150 feet of such buildings or structures as outlined in the following zones;

- | | |
|---------------------|---|
| 1. Coastal Interior | 30 to 50 feet brush clearance from structures |
| 2. Coastal | 50 to 70 feet brush clearance from structures |
| 3. Foothill | 100 feet brush clearance from structures |
| 4. Extreme Foothill | 150 feet brush clearance from structures |

Exceptions:

1. Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

2. Grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures and less than 18 inches (457 mm) in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

49707.3 Chimney Clearance. Remove portions of trees which extend within 10 feet (3048 mm) of the outlet of a chimney,

49707.4 Overhanging Trees. Maintain trees adjacent to or overhanging a building free of deadwood, ~~and~~

49707.5 Roof Debris. Maintain the roof of a structure free of leaves, needles or other dead vegetative growth.

49707.6 Additional Clearance Requirements. Within any high fire hazard zone additional brush clearance may be required on slopes greater than 30%. Slopes ranging between 30 and 40 % slope may require 200 feet clearance. Slopes ranging from 41 to 60% may require 250 to 300 foot clearance.

49707.7 High Fire Hazard Area Fire Safe Landscaping. All parcels in the Wildland Urban Interface Areas must meet defensible space requirements as outline in 49707.1. Defensible Space requirements can be met though fire safe landscaping in accordance with Wildland Fire Plan, Appendix E (High Fire Hazard Landscape Guidelines). Fire safe landscaping requirements shall be utilized on all parcels within the Wildland Urban Interface Areas.

49707.7.1 New Development. New developments in the wildland urban interface area must submit Landscape Plans for review by the Fire Code Official. Landscaping shall meet the Defensible Space distances as outlined in the Wildland Fire Plan, Appendix E (High Fire Hazard Defensible Space Requirements). All landscape plant species must be fire resistant as described in the Wildland Fire Plan, Appendix E (High Fire Hazard Landscape Guidelines).

49707.8 Vegetation Road Clearance. The owner, occupant or other person in control of any real property (vacant or developed) in, upon, or adjoining hazardous fire areas, and the owner, occupant or other person in control of real property adjacent to such property shall:

1. Maintain an area cleared of flammable vegetation and other combustible growth for a distance of 10 feet on each side of portions of highways and private streets which are improved, designed or ordinarily used for vehicular traffic.

Exception: Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided they do not form a means of readily transmitting fire.

2. Maintain an area cleared of all overhanging vegetation for a vertical clearance of not less than 13 feet 6 inches within the full portion of highways and private streets which are improved, roadway and one foot (1 foot) on each side from the edge of the drivable roadway.

49707.9 Unusual Circumstances. If the fire code official determines that difficult terrain, danger or erosion or other unusual circumstances make strict compliance with the clearance of vegetation provisions of Sections 49707 undesirable or impractical, enforcement thereof may be suspended and approved alternative measures shall be provided.

I7. Section 4714-4908 “Trespassing On Posted Property” is added to Chapter 497 to read as follows:

4714.14908.1 General. When the fire code official determines that a specific area within a wildland urban interface area presents an exceptional and continuing fire danger because of the density of natural growth, difficulty of terrain, proximity to structures or accessibility to the public, such areas shall be closed until changed conditions warrant termination of closure. Such areas shall be posted as hereinafter provides.

4714.24908.2 Signs. Approved signs prohibiting entry by unauthorized persons and referring to Section 4714.2.14908.1 shall be placed on every closed area pursuant to this section.

4714.34908.3 Trespassing. Entering and remaining within areas closed and posted is prohibited.

Exception: Owners and occupiers of private or public property within closed and posted areas, their guests or invitees, and local, state and federal public officers and their authorized agents acting in the course of duty.

4714.44908.4 Tampering With Fire Department Locks, Barricades And Signs Locks, barricades, seals, cables, signs and markers installed within wildland urban interface areas, by or under the control of the fire code official, shall not be tampered with, mutilated, destroyed or removed. Gates, doors, barriers and locks installed by or under the control of the fire code official shall not be unlocked.

U8. Section 4715-4909 “Ignition Sources” is added to Chapter 497 to read as follows:

47154909.1 General. Control of ignition sources in wildland urban interface areas shall be in accordance with 47154909.1 through 47154909.12.

47154909.2 Smoking. Lighting, igniting or otherwise setting fire to or smoking tobacco, cigarettes, pipes or cigars in wildland urban interface areas is prohibited.

Exception: Place of habitation or within the boundaries of established smoking areas or campsites as designated by the fire code official.

47154909.3 Spark Arresters. Chimney’s used in conjunction with fire places, barbeques or heating appliances in which solid or liquid fuels is used, upon buildings, structures or premises located within 200 feet of wildland urban interface areas, shall be provided with a spark arrestor constructed with heavy wire mesh or other non-combustible material with openings not to exceed 1/2 inch.

47154909.4 Suppression Equipment for Gasoline-Fueled Internal Combustion Engines- Off Road Vehicles. No person shall use or operate any internal combustion engine which operates on hydrocarbon fuels on any forest, brush, or grass covered land without providing, and maintaining in good working order, a spark arrester attached to the exhaust system, except for motorcycles, vehicles equipped with a muffler as defined by the California Vehicle Code, such as motor trucks, truck tractors, buses, and passenger vehicles are not subject to the provisions of this section. Spark arresters affixed to the exhaust of engines shall not be placed or mounted in such a manner as to allow flames or heat from the exhaust system to ignite any flammable material.

47154909.5 Suppression Equipment For Gasoline-Fueled Internal Combustion Engines- Tools. No person shall use or operate any portable saw, auger, drill, tamper or

other portable tool powered by a gasoline-fueled internal combustion engine on or near any forest, brush, grass covered land, within 25 feet from any flammable material without providing at the immediate location a round point shovel or a 2A 10 BC fire extinguisher. The above tools shall at no time be farther than 25 feet, with unrestricted access, from the operator to the point of operation.

47154909.6 Tracer Bullets, Tracer Charges, Rockets And Model Aircraft. Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across wildland urban interface areas. Rockets, model airplanes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause fire shall not be fired or projected into or across wildland urban interface areas.

47154909.7 Apiaries. Lighted and smoldering material shall not be used in connection with smoking bees in or upon wildland urban interface areas except by permit from the fire code official.

47154909.8 Open Flame Devices. Welding torches, tar pots, decorative torches and other devices, machines or processes liable to start or cause fire shall not be operated or used in or upon wildland urban interface areas, except by permit from the fire code official.

Exception: Use within habited premises or designated campsites which are a minimum of 30 feet from grass, grain, brush or forested areas.

47154909.9 Outdoor Fires. Outdoor fires shall not be built, ignited or maintained in or upon wildland urban interface areas, except by permit from the fire code official. Permits shall incorporate such terms and conditions which will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or upon wildland urban interface areas under the following conditions:

1. When high winds are blowing,
2. When a person age 17 or over is not present at all times to watch and tend fire, or
3. When the fire code official declares a Red Flag Fire Alert.

Exception: Outdoor fires within habited premises or designated campsites where such fires are built in a permanent barbeque, portable barbeque, outdoor fireplace or grill and are a minimum of 30 feet from grass, grain, brush or forested areas.

47154909.10 Outdoor Fireplaces and Barbeques. Permanent barbeques, portable barbeques, outdoor fireplaces or grills shall not be used for the disposal of rubbish, trash, or combustible waste material. Permanent barbeques outdoor fireplaces, portable barbeques and grills shall be maintained in good repair and in a safe condition at all times. Openings in such appliances shall be provided with an approved spark arrester, screen, or door.

Exception: When approved, unprotected openings in barbeques and grills necessary for proper functioning.

47154909.11 Dumping. Garbage, cans, bottles, papers, ashes, refuse, trash, rubbish or combustible waste material shall not be placed, deposited or dumped in or upon wildland urban interface areas or in, upon or along trails, roadways or highways in wildland urban interface areas.

Exception: Approved public and private dumping areas.

4909715.12 Disposal Of Ashes. Ashes and coals shall not be placed, deposited or dumped in or upon wildland urban interface areas.

Exception: (1) In the hearth of an established fire pit, camp stove or fireplace, (2) In a noncombustible container with a tight fitting lid, which is kept or maintained in a safe location not less than 10 feet from combustible vegetation or structures, (3) Where such ashes or coals are buried and covered with 1 foot of mineral earth not less than 25 feet from combustible vegetation or structures.

4909715.13 Use Of Fire Roads And Firebreaks. Motorcycles, motor scooters and motor vehicles shall not be driven or parked upon, and trespassing is prohibited upon, fire roads or firebreaks beyond the point where travel is restricted by a cable, gate or sign, without the permission of the property owners. Vehicles shall not be parked in a manner which obstructs the entrance to a fire road or firebreak.

Exception: Public officers acting within their scope of duty.

SECTION 4. Section 8.04.030 of the Santa Barbara Municipal Code is amended to read as follows:

8.04.030 Fire Prevention Development Standards

A. **Fire Zone 2.** Buildings or portions of buildings constructed within the boundaries of Fire Zone 2, as designated by the fire code official and shown on a map on file with the City Clerk and the Community Development Department, shall provide a ten thousand (10,000) gallon water tank to be used for fire protection purposes only, designed, installed and maintained in a manner approved by the fire code official, incorporating each of the following additional features in its construction:

1. All fire department access complies with the requirements of Section 503 of the International Fire Code (2009~~6~~ Edition) as amended by this Chapter; and
2. All plantings used for landscaping within one hundred–fifty feet (150') of any structure must be fire resistant; and
3. All native brush, shrubs and grasses are kept cleared to within one hundred–fifty feet (150') of any structure; and

4. Residential fire sprinklers are installed in any building used for sleeping or cooking according to National Fire Protection Association Residential Standards.

B. Mixed Use Occupancy Notification System. Signs shall be installed in a manner and in locations approved by the fire code official indicating the presence of residential dwelling units in buildings of mixed-use occupancy. Required signs shall be clearly visible from the front of the building and conform to the following criteria:

1. All signs shall begin with the letter **R** followed by a hyphen.
2. **R** - shall be followed by cardinal numbers denoting the floors containing dwelling units. Example: **R-2** denotes dwelling units on the 2nd floor; **R-2-3** denotes dwelling units on the 2nd and 3rd floors.
3. Letters shall have a minimum of 4" high with a 1/2" wide stroke.
4. Letters shall contrast to their background.
5. Letters on glass shall be in reflective tape.
6. In the event that dwelling units are added or removed from floors, the required sign shall be updated prior to the occupancy of the altered floor space.

Example:

R-2

SECTION 5. Repeal of Previous Ordinance

Ordinance No. 5239 and 5498 are repealed.

SECTION 6. The provisions of this ordinance shall go into effect on January 1, 2011 at 12:01 a.m.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Mayor and Councilmembers

FROM: Recreation Division, Parks and Recreation Department

SUBJECT: Neighborhood Advisory Council Formation

RECOMMENDATION: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Establishing the Neighborhood Advisory Council and Rescinding Resolution Nos. 04-086, 79-093, 82-046, 97-039, 97-040, and 97-041; and
- B. Authorize staff to proceed with Neighborhood Advisory Council member recruitment.

DISCUSSION:

Executive Summary

Over the last several years, a significant focus for the community and City organization has been the increase in youth violence, and the social and economic factors affecting families and neighborhoods. There has been a need for better collaboration and improved delivery of programs and services for underserved youth and families, and improved connections with neighborhoods to facilitate effective prioritization and delivery of City resources.

To support improved resident voice and services, the Parks and Recreation Commission appointed a sub-committee to look at restructuring the work of the three community center advisory committees into one joint committee to represent the underserved neighborhoods. This sub-committee met many times over the last year to develop a proposal for a new "Neighborhood Advisory Council" for consideration by the Commission and City Council. The proposal includes recommendations on the proposed Neighborhood Advisory Council purpose, duties, membership, term, organization and administration, and how to proceed with member recruitment. With adoption of the resolution and approval of the recruitment process by City Council, the staff will proceed with implementation of the newly formed Neighborhood Advisory Council.

Background

During development of the Fiscal Year 2010 budget, with the support of City Council and the Parks and Recreation Commission, staff created a new work unit, Neighborhood and Outreach Services, by merging Community Services and Teen Programs. The mission of the newly formed unit was to provide programs and outreach services to strengthen families, improve outcomes for children and youth, enhance neighborhoods and create stronger communities. The unit also works closely with the Neighborhood Improvement Task Force, local non-profits, and the Community Development and Human Services Commission, and focuses on building community networks and collaborations to increase delivery of necessary services to the following target neighborhoods: Eastside, Lower Eastside, Laguna, West Downtown, Westside, and Lower Westside.

Historically, the three community center advisory committees, Westside, Franklin, and Lower Westside, provided recommendations to Parks and Recreation Department staff, the Parks and Recreation Commission, and City Council on community center programs and services. Over the last several years, each committee has broadened their focus to address growing neighborhood concerns, such as deteriorating neighborhood conditions, youth violence, and social service needs. When addressing the concerns, the three committees often replicated each others' efforts since the neighborhoods shared similar challenges and concerns.

As part of the program merger, it was recommended to restructure the three advisory committees into one joint council, shifting focus from community center-based recommendations to neighborhood-based representation and resident advocacy. It was also recommended to add a formal neighborhood youth voice, increase committee outreach, improve resident participation, and strengthen the purpose as a City vehicle for resolution of neighborhood issues. The idea was embraced by the Parks and Recreation Commission, Youth Council, and the three advisory committees.

Neighborhood and Outreach Services (NOS) Sub-Committee

In order to facilitate the change from three advisory committees, the Parks and Recreation Commission established a Neighborhood and Outreach Services Sub-committee that would develop recommendations on a new neighborhood council format. The sub-committee included two representatives from the Parks and Recreation Commission, Franklin, Westside, and Lower Westside Advisory Committees, and the Youth Council.

The sub-committee was charged with developing a new structure and recommendations which would be forwarded to each of the bodies and the City Council for review.

Sub-committee members:

Beebe Longstreet, Chair, Parks and Recreation Commission
Daraka Laramore-Hall, Parks and Recreation Commission
Raquel Mendoza, Westside Community Center Advisory Committee
Rosalina Palacios, Westside Community Center Advisory Committee
Theresa Pena, Franklin Neighborhood Center Advisory Committee
Ana Soto, Franklin Neighborhood Center Advisory Committee
Nick Ferrara, Jr., Lower Westside Center Advisory Committee
Elvira, Quirgoa, Lower Westside Center Advisory Committee
Pepe Gil, Santa Barbara Youth Council
Chloe Hunt, Santa Barbara Youth Council

The sub-committee was asked to address several areas in a proposal for Parks and Recreation Commission and City Council consideration. The areas included name, purpose, duties, member representation, how to incorporate youth voice, committee and town hall meeting frequency, and the role and interaction with other groups including the Neighborhood Improvement Task Force and Community Development and Human Services Commission.

The sub-committee met six times since their appointment last fall. Additionally, representatives from the community center advisory committees met separately throughout the process to discuss options in more detail and returned to the sub-committee with feedback and ideas. Since the goal was to improve neighborhood voice, the sub-committee also solicited input from residents and community partners through meetings held on the Eastside and Westside.

During the sub-committee meetings, there was considerable discussion on all areas, including purpose, duties, membership, and to “whom” the new advisory council would report. Throughout the process, draft proposals were shared with respective advisory committees and the Youth Council for comments and recommendations, and on September 9, 2010, the sub-committee unanimously approved a draft proposal for the new “Neighborhood Advisory Council” (NAC), including name, purpose, duties, membership, organization, terms, and administration. The proposal was sent to the Parks and Recreation Commission for their consideration.

Neighborhood Advisory Council Proposal

The table below summarizes the current structure of the Community Center Advisory Committees with that of the Proposed Neighborhood Advisory Council. As mentioned, community center advisory committees were previously charged with the responsibility to oversee City services provided at community centers. The reformation into a

Neighborhood Advisory Council (NAC) will allow a shift in representation to resident advocacy for underserved neighborhoods within the City. Key changes are outlined below:

	Community Center Advisory Committees	Proposed Neighborhood Advisory Council
Powers and Duties	Advise City Council, P&R Commission, and P&R Department on maintenance and operation of the centers, or issues of neighborhood concern, and other matters upon request	Addressed below in Purpose and Duties sections
Purpose	Not specified	Advocacy for residents, vehicle for community input, assist in mobilization of resources to support needs
Duties	Not specified (see above)	<ul style="list-style-type: none"> • Represent residents to insure their concerns are addressed • Advise City Council, P&R Commission, and staff on services, needs, and priorities • Establish neighborhood priorities • Receive reports on service outcomes • Advise staff on outreach, participation, and projects • Advise staff on operation of centers • Outreach and facilitate resident voice • Appoint sub-committees to address specific concerns
Membership	<ul style="list-style-type: none"> • 7 members each on 3 separate committees; 4 from census tracts, 3 members at large (21 total members) • Must work or live in the neighborhood • Qualified elector not required 	<ul style="list-style-type: none"> • 13 members total - 8 members from 6 neighborhoods: Westside, Lower Westside, West Downtown, Eastside, Lower Eastside, and Laguna, and 5 members at large • No more than 3 members from a single neighborhood • Up to 3 youth members • Must be a City resident • Qualified elector not required

Liaisons	<ul style="list-style-type: none"> • 1 City Councilmember • 1 P&R Commissioner 	<ul style="list-style-type: none"> • Up to 2 City Councilmembers • Up to 2 P&R Commissioners • 1 CD and Human Services Committee member • 1 Youth Council member • Other liaisons appointed as needed
Organization	<ul style="list-style-type: none"> • Meets once a month • Brown Act 	<ul style="list-style-type: none"> • Meets once a month • Brown Act • 3 unexcused absences within 12 months results in removal • Special or town hall meetings to address neighborhood or special concerns
Length of Term	Four years, staggered, serve until successors are appointed	Four years, staggered, may be appointed to multiple terms, serve until successors are appointed
Applicant Interviews	Scheduled at regular or special meeting of 3 Council members	Scheduled at regular or special meeting of 3 Council members
Administration	Not specified	Annual and periodic reports to Council and P&R Commission

Parks and Recreation Commission Recommendation

At the September 22, 2010 meeting, the Parks and Recreation Commission reviewed the Sub-Committee proposal and recommended that the proposal be forwarded to City Council for further action.

Noting Council and Commission interest in the success of the NAC to improve neighborhoods, the Commission amended the proposal to include "up to two" liaisons from both City Council and Parks and Recreation Commission.

The Commission discussed the transition of membership between the current committees and the proposed NAC; should the recommendation be to recruit and interview for all thirteen NAC committee member positions or allow existing community center advisory committee members to transition to the newly formed NAC? The Commission recommended that an application and interview process be conducted for all 13 members following the current City Council advisory committee interview process guidelines, with a lottery to stagger the terms. In recognition of the significant efforts by the current advisory committee members to create the proposed new council structure, the Commission asked that in this initial appointment process Council give greater consideration to people who have actively served on the current advisory committees at the time of appointment.

Conclusion

With City Council approval of the resolution and recruitment process, staff will coordinate with the City Clerk's office on member recruitment and interview dates, conduct outreach to community members through several media avenues, and send letters to community center advisory members to encourage application.

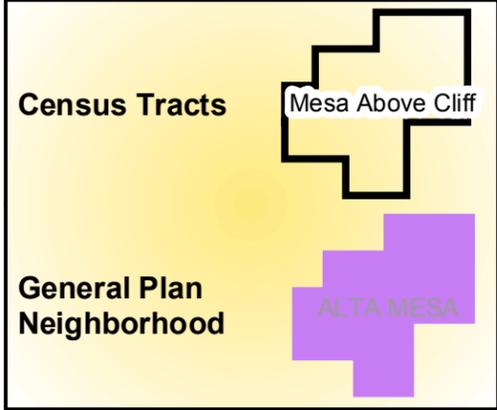
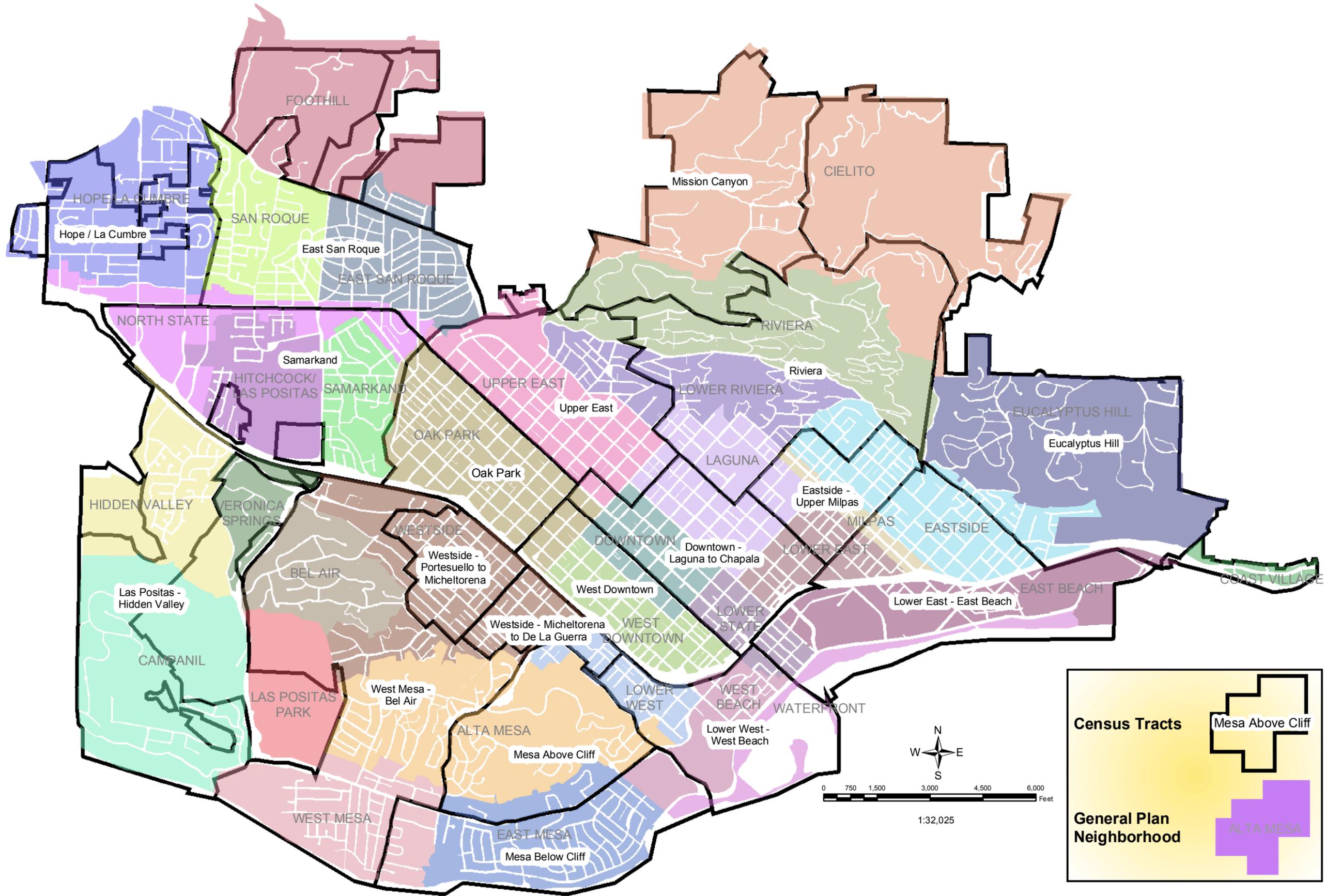
Staff would like to extend appreciation and thanks to the Westside, Franklin, and Lower Westside Advisory Committees, Youth Council, and the NOS sub-committee for their dedicated commitment and conscientious discussions during this process.

ATTACHMENT: General Plan Neighborhoods and Census Tract

PREPARED BY: Sarah Hanna, Recreation Programs Manager

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

APPROVED BY: City Administrator's Office



Neighborhood by Census Tracts

City of Santa Barbara

GPU 2030

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ESTABLISHING THE NEIGHBORHOOD ADVISORY COUNCIL AND RESCINDING RESOLUTION NOS. 04-086, 79-093, 82-046, 97-039, 97-040, and 97-041.

WHEREAS, there has been a need for better collaboration and improved delivery of programs and services for underserved youth and families, and improved connections with neighborhoods to facilitate effective prioritization and delivery of City resources; and

WHEREAS, it is the desire of the City Council to support improved resident voice and delivery of City services through the consolidation of the Franklin Neighborhood Advisory Committee, Lower Westside Community Center Advisory committee and Westside Community Center Advisory Committee into one group titled, the Neighborhood Advisory Council.

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

Section 1. Establishment.

The City of Santa Barbara Neighborhood Advisory Council (NAC) is hereby established.

Section 2. Purpose

The purpose of the Neighborhood Advisory Council is to provide guidance and operation assistance to the City Council, Parks and Recreation Commission, and Parks and Recreation Department in the provision of neighborhood services for residents of the City of Santa Barbara. As such, it will provide a vehicle for community input and assist in the mobilization of area resources to help meet neighborhood related interests and needs of the community.

Section 3. Duties

The Neighborhood Advisory Council shall perform a variety of guidance and support functions. The scope of such involvement will include, but not be limited to the following:

A. Represent neighborhood residents to insure their concerns and issues are addressed.

B. Advise the City Council, Parks and Recreation Commission, Parks and Recreation Department, and other City Departments as appropriate and necessary, in matters pertaining to neighborhood services, needs, and other matters upon request.

C. Establish priorities regarding social service and capital program needs, and present Neighborhood Advisory Council recommendations as appropriate and necessary to the Parks and Recreation Department, Neighborhood Improvement Task Force, and Community Development and Human Services Committee. Receive reports on agencies providing services in the specific neighborhoods and use of funds.

D. Advise Neighborhood and Outreach Services staff on resident outreach, participation, and community service projects.

E. Advise Neighborhood and Outreach Services, and the Parks and Recreation Department staff on maintenance, operation, programming, and policies of community centers to ensure that services are meeting the needs of residents.

F. Outreach and facilitate resident voice through committee and town hall meetings.

G. Appoint sub-committees consisting of residents and resident advocates to address neighborhood concerns when appropriate. Sub-committees shall report back to the Neighborhood Advisory Council.

Section 4. Membership

The Neighborhood Advisory Council shall be composed of thirteen (13) members. All NAC members must be residents of the City, but do not need to be qualified electors. Eight (8) members shall be residents of the following six (6) neighborhoods: Westside, Lower Westside, West Downtown, Eastside, Lower Eastside, and Laguna (as those neighborhoods are described in the General Plan Land Use Element). Five (5) members shall be members at large and may reside in any area of the City. No more than three (3) members shall be residents of any one of the specified neighborhoods. Of the thirteen members, the City Council may, but is not required to, appoint up to three (3) youth of age sixteen (16) years or older. Priority in youth assignments should be given to youth from the six (6) specified neighborhoods. Members will not receive compensation for their service on the Neighborhood Advisory Council. Members will not be required to provide a financial disclosure.

The City Council and Parks and Recreation Commission may each appoint up to two (2) from their membership to serve as liaisons to the Neighborhood Advisory Council. The Community Development and Human Services Committee and Youth Council may appoint one (1) from their membership to serve as a liaison to the NAC. Other liaisons positions may be appointed by City Council to support NAC purpose and duties.

Section 5. Appointment.

Applicants will be interviewed and appointed by the City Council. Applicants may elect to be interviewed as part of regularly scheduled City Council Advisory Committee Interview Sessions or by a subcommittee of up to three (3) members of City Council at a scheduled meeting held at a community center. The subcommittee shall report to City Council on the interviews that it conducts. Appointments will be made by the City Council upon completion of the recruitment/interview process.

Section 6. Terms.

Members shall serve four-year terms and until their successors are appointed and qualified. Members appointed to fill an unscheduled vacancy shall serve the remainder of the scheduled term. Each term of office shall expire on December 31st of the appropriate year. Terms shall be staggered so that the number of terms expiring in any year shall not differ by more than one (1) from the number of terms expiring any other year. Three (3) members shall have an initial term of two (2) years, three (3) members shall have an initial term of three (3) years, and four (4) members shall have an initial term of four (4) years. Members may be appointed to multiple terms in accordance with the City Council Guidelines for Advisory Groups.

Section 7. Organization

The Neighborhood Advisory Council shall meet monthly on a day and time established by NAC action. Meeting location will rotate through available facilities in the six (6) specified neighborhoods. The Committee shall elect from their membership a Chair and Vice-Chair who shall serve in such capacity for terms of one year each. The committee is required to follow all aspects of the Brown Act. Meetings shall be conducted in accordance with Robert's Rules of Order. Three (3) unexcused absences within a twelve (12) month period will result in the member's removal from the NAC. The NAC may appoint sub-committees to represent the specified neighborhoods and areas of interest as needed. Special or town hall meetings may be called as needed to address specific issues or as public forums.

Section 8. Administration

The Neighborhood Advisory Committee shall provide an annual written report to the City Council and Parks and Recreation Commission each July. In addition, the Neighborhood Advisory Committee shall prepare other written reports as requested by the City Council or the Parks and Recreation Commission.

Section 9. Resolution Numbers 04-086, 79-093, 82-046, 97-039, 97-040, and 97-041 are repealed.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: November 2, 2010

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Annual Performance Management Program Report for Fiscal Year 2010 and Comparative Indicators Report

RECOMMENDATION: That Council:

- A. Receive a status report on the City's performance management program and a summary of department performance highlights for Fiscal Year 2010; and
- B. Receive a report on how the City of Santa Barbara compares with other California communities on key indicators.

DISCUSSION:

In 2002, the City of Santa Barbara implemented a performance management system to promote long-term planning, and improve program efficiency and effectiveness. The management system consists of program owners developing performance objectives each fiscal year, monitoring progress through regular status reports, and assessing progress on the objectives as part of management performance evaluations. Through this process the City is able to plan and prioritize work, evaluate organizational effectiveness, identify opportunities for improvement and align program goals with City Council's goals for the organization.

In Fiscal Year 2010 there were 845 objectives reported on with 693 (82%) of those being achieved. Attachment 1 summarizes some of the highlights and challenges for 2010 by area of focus including: financial management, employee safety, public outreach, timeliness of service, environmental leadership and special projects. Some of the more challenging and complex projects have carried forward into Fiscal Year 2011.

Monthly reports on key management indicators are provided to managers and supervisors to maintain performance awareness at a program level. Key indicators include: sick leave, lost hours due to injury, vehicle collisions, work schedules, training and timeliness of completing employee evaluations. Continued focus on employee safety resulted in the 6th consecutive year of significant reduction in citywide hours lost due to injury. Hours lost due to injury in 2010 declined by 25% from 2009 and 73% from

2004. Additionally, managers and supervisors achieved a 90% rate of employee evaluations completed on time and employee sick leave hours and average sick leave remained the same as 2009.

Also included in this report is the Annual Comparative Indicators Report. This report compares Santa Barbara with 10 other California communities. Comparing benchmarks between cities provides a starting point for Council and staff to evaluate the effectiveness and efficiency in providing services relative to other communities. Attachment 2 is a snapshot of how the City compares in six areas: General Demographics, Financial, Public Safety, Library, Parks and Public Works. The ten communities that were selected are: Santa Cruz, Redondo Beach, Newport Beach, Santa Monica, Carlsbad, Berkeley, Ventura, Sunnyvale, Oceanside and Huntington Beach. These cities were selected because they are mainly coastal communities, are close in population and land size, have similar demographics and provide similar services.

- ATTACHMENT(S):**
1. Fiscal Year 2010 Performance Highlights and Performance Objectives Not Met
 2. Fiscal Year 2011 Comparative Indicators Report
 3. Fiscal Year 2011 Ten Cities Comparative Graphs
 4. Fiscal Year 2011 Ten Cities Data Tables

PREPARED BY: Lori Pedersen, Administrative Analyst

SUBMITTED BY: James L. Armstrong, City Administrator

APPROVED BY: City Administrator's Office

Fiscal Year 2010 Performance Summary

<u>Department</u>	<u>Total Objectives</u>	<u>Percent of Objectives Achieved</u>
Administrative Services Department	31	84%
Airport Department	58	86%
City Administrator's Office	20	95%
Community Development Department	92	85%
Finance Department	121	78%
Fire Department	40	85%
Library Department	30	77%
Parks and Recreation Department	152	81%
Police Department	99	68%
Public Works Department	164	86%
Waterfront Department	38	100%

Fiscal Year 2010 Performance Highlights

1.) FINANCIAL MANAGEMENT		
Department	Program	Highlight
Airport	Business and Property Management	Exceeded annual lease revenue target through effective management of commercial and industrial lease assets and received 97% of the base rents on time.
Finance	Revenue & Cash Management	Provided quarterly comprehensive financial reviews to the Finance Committee and Council.
Finance	Licenses & Permits	Identified 327 unlicensed businesses using Franchise Tax Board, State Board of Equalization records and periodicals, resulting in the collection of \$31,103 in license fees.
Public Works	Engineering Services	Limited Public Works change orders for capital improvement to an average of 7% of the total value of construction projects awarded.
Waterfront	Property Management	Collected 97% of base rents by the due date.

2.) NEW REVENUE		
Department	Program	Highlight
Parks and Recreation	Creeks	Applied for and received \$4,115,585 in grant funding of which \$3,441,585 was awarded from the State Water Resources Control Board for two projects: Upper Las Positas Creek Restoration and Storm Water Management Project and the Storm Drain Screens project.
Police	Administrative Services Division	Applied for the second round of the U.S. Department of Justice COPS grant for \$1.53 million and submitted an application for one Criminal Impact Team officer position for two years.
Police	Traffic	Received a grant for \$194,855 from the Office of Traffic and Safety and \$26,205 from UC Berkeley for DUI enforcement.
Public Works	Alternative Transportation	Applied for and received \$400,000 Highway Safety Improvement Program grant for improvements to the Anacapa and Carrillo Streets intersection.
Public Works	Engineering	Exceeded revenue as a result of American Recovery and Reinvestment Act grants, bridge replacement grants and State Revolving Fund loans for water quality projects.

3.) EMPLOYEE SAFETY		
Program	Highlight	Highlight
Finance	Risk Management – Occupational Safety & Health	Injuries on the job and hours lost due to injury reached historic lows. In FY 10 there were 128 injuries, a 12% decrease from FY 09. The number of hours lost due to injury was 12,438, a 25% from FY 09.
Finance	Risk Management - Workers Compensation	The use of modified duty placement rate was 97%; reducing Temporary Total Disability (TTD) payments by \$236,462.
Finance	Risk Management - Occupational Safety & Health	Recognized City departments and employees for going the extra step to assure that occupational safety and health have priority in the work place.

Fiscal Year 2010 Performance Highlights

3.) EMPLOYEE SAFETY		
Program	Highlight	Highlight
Fire	Operations	Provided 21,518 hours of mandated fire training.
Waterfront	Harbor Patrol	Continued to emphasize safety resulting in no work hours lost due to employee injury.

4.) IMPROVED SERVICE TO PUBLIC		
Department	Program	Highlight
Community Development	CDBG and Human Services	Provided \$4.2 million in Redevelopment Agency, State, and Federal funds for affordable housing projects, an increase of \$2.18 million from FY 09.
Finance	Billing	Notified 100% of Extraordinary Water Use applicants of credit determination within 45 days of receipt of application.
Finance	Billing and Customer Service	Issued 100% of refunds for closed water accounts within 30 days.
Police	Traffic Program	The number of DUI traffic collisions was down 21% from 2009.
Police	Tactical Patrol Office	Criminal offenses in the downtown corridor, around the labor line and at the shelter area were down 7% from 2009.
Public Works	Traffic Operations	Maintained level of service at 95% of identified signalized intersections at Level C (SBCAG Congestion Management Program) during peak hours, up from 89.5% in FY 09.

5.) PREVENTATIVE MAINTENANCE		
Department	Program	Highlight
Airport	Air Operations and Area Maintenance	Increased preventative maintenance hours by 15% to 1,374 hours.
Fire	Wildland Fire Mitigation	Completed ten miles of road clearance in the Wildland Fire Suppression Benefit District and four miles in the High Fire Hazard Area.
Parks and Recreations	Grounds and Facilities	Inspected Skater's Point skateboard park daily for abnormal wear, graffiti and vandalism.
Public Works	Motor Pool	Completed 95% of preventative maintenance services of the City's motor pool on schedule with manufacturer's recommendations, resulting in 96-99% in-service time for sedans, fire pumpers, police interceptors, trucks, and loaders.
Public Works	Communications Systems	Maintained the Combined Communications Center (9-1-1) at 100% operational readiness and completed 100% of the preventative maintenance work orders.
Public Works	Water Distribution	Flushed 100% of the fire hydrants and transmission mains.

Fiscal Year 2010 Performance Highlights

5.) PREVENTATIVE MAINTENANCE		
Department	Program	Highlight
Public Works	Wastewater Collection	Inspected 31 miles of pipeline using Closed Circuit Television. The data gathered is used to analyze and rate pipe conditions.
Public Works	Water Treatment	Performed 100% of the preventative maintenance for the Cater Water Treatment plant and the C. Meyer Desalination Facility.
Public Works	Wastewater Collection	Inspected 130 restaurants for compliance with grease trap maintenance requirements; reducing the impact grease has on the City's wastewater collection system.
Public Works	Wastewater Collection	Increased the miles of wastewater collection pipes cleaned by 24% to 214 miles.
Waterfront	Facilities Maintenance	Completed 96% of preventative maintenance tasks on time.

6.) ACCURACY		
Department	Program	Highlight
Administrative Services	Information Systems	Maintained 99.9% uptime for the City's Wide Area Network, Financial Management System and the Geospatial Data Browser and servers.
Community Development	Housing Development and Preservation	Certified 95% of affordable rental units and 100% of owner-occupied units for compliance with the City's affordability and occupancy requirements.
Finance	Payroll	Processed the biweekly employee payroll accurately and timely 99.97% of the time.
Police	Information Technology	Maintained critical systems availability at 99.99%
Police	Property Room	Received and processed 16,242 items and conducted quarterly audits of the Property Room.
Police	Crime Lab	Tested and calibrated 100% of the Drager E-PAS intoxillizer devises used in Driving Under the Influence investigations weekly.

7.) TIMELINESS OF SERVICE		
Department	Program	Highlight
Administrative Services	City Clerk	Completed 100% of Customer Service Requests within 2 working days or by the requested deadline.
Administrative Services	City Clerk	Filed 97% of 450 Statements of Economic Interests on time.
Airport	Certification and Operations	Responded to 100% of emergency response drills (11) within time requirements.

Fiscal Year 2010 Performance Highlights

7.) TIMELINESS OF SERVICE		
Department	Program	Highlight
Community Development	Records, Archives, and Clerical Services	Delivered 100% of 36,657 building and planning file documents and commercial plan view requests on-time
Community Development	Building Inspection and Code Enforcement	Completed 100% of 10,815 building inspections on the day scheduled for permitted work.
Finance	Accounts Payable	Issued 100% of vendor payments within 24 hours of receipt from departments.
Finance	Risk Management – Liability	Completed 99% of claim investigations within 45 days.
Fire	Operations	Achieved an average fire emergency response time of two minutes fifty nine seconds.
Fire	Aircraft Rescue and Firefighting Operations	Responded to 100% of all emergencies in the aircraft operational area within three minutes.
Fire	Fire Prevention	Conducted 99.5% of new construction related inspections (186) within two working days of request.
Library	Support Services	Made new books available to patrons within 8.4 days of receipt from vendor.
Parks and Recreation	Forestry	Acted on 100% of tree ordinance violations within 30 days of reporting date.
Police	Combined Communications Center	Answered 9-1-1 calls for service within an average of 3.5 seconds.
Police	Animal Control	Responded to 100% of animal control cases (3,810) within 24 hours.
Police	Patrol Division	Maintained an average response time to Priority One Emergency calls at six minutes thirteen seconds.
Public Works	Traffic Operations	Investigated and resolved 91% of traffic related concerns, complaints and requests within 30 calendar days.
Public Works	Transportation and Drainage Systems Maintenance	Removed 90% of graffiti on public property was within 3 working days from date of notice, for a total of 163,895 square feet of removal.
Waterfront	Marina Management	Processed 98.4% of slip trades, transfers, live-aboard permits within 10 working days of application.
Waterfront	Harbor Patrol	Responded to 100% of in-harbor emergencies within five minutes.

Fiscal Year 2010 Performance Highlights

8.) EXCELLENCE IN PUBLIC OUTREACH AND MARKETING		
Department	Program	Highlight
Airport	Marketing and Communications	100% of issued news releases elicited media coverage.
Airport	Marketing and Communications	Captured 63.7% of the regional (tri-county) air service market.
City Administrator's Office	Administration	Maintained frequent communication with community leaders via the City Administrator's Report and annual State of the City Report.
City Administration	City TV	Maintained a 99.75% Channel 18 broadcast system uptime.
City Administration	City TV	Televised 246 public meetings totaling 814 hours.
Community Development	City Arts Advisory Program	Produced 9 events in the Cultural Arts District including: Free Movie Nights in the Courthouse Sunken Garden, City Arts Grant Reception, Storefront Gallery Project, and sculpture exhibitions at Jardin de Las Granadas.
Community Development	CDBG/Rental Housing Mediation Task Force	Provided 1,288 residents with information about mediation services.
Community Development	Long Range Planning and Special Studies	Completed public review and submitted to Council, as part of the Plan Santa Barbara process, the Land Use Element and Map and the Housing Element.
Fire	Administration	Implemented a new Public Information Officer program to deliver daily/weekly media news updates.
Library	Public Services Small Branches	Made contact with 62,346 youths through Library programs.
Police	Beat Coordinator	Completed two Citizen Academies and provided DARE instruction at 13 elementary schools.
Public Works	Water Supply Management	Launched the "Smart Landscape Rebate Program," and "Water Wise Landscape" distribution Program.
Waterfront	Administrative Support and Community Relations	Continued a comprehensive communications program involving: Waterfront sponsored events, distribution of the Docklines publication, coordination of ship visits, and submittal of articles to the City Administrator's Report.

9.) INCREASED PARTICIPATION		
Department	Program	Highlight
Community Development	Housing Development and Preservation	Assisted in the development and preservation of 64 affordable housing units.
Finance	Payroll	Increased the number of employees opting out of printed pay advices to 583 employees, up from 542 in FY 09.

Fiscal Year 2010 Performance Highlights

9.) INCREASED PARTICIPATION		
Department	Program	Highlight
Library	Public Service Program	Increased the number of downloadable books checked out by 40%.
Library	Public Service Program	Assisted 219 adult literacy learners to improve their reading, writing, and spelling skills, an increase of 17% from last year.
Library	Public Service Program	Increased public computer sessions in City libraries by 5% to 234,185 sessions.
Parks and Recreation	Facilities and Special Events	Increased outdoor rental permits at Chase Palm Park by 116% due to an increase in outdoor fitness classes.
Parks and Recreation	Youth Activities	Provided summer, winter and spring camps and clinics for 1,122 youths an increase of 46% from FY 09.
Parks and Recreation	Neighborhood and Outreach Services	Increased daily attendance at the Teen Center by 110% from FY 09 (20) to an average of 42 teens.
Parks and Recreation	Neighborhood and Outreach Services	Mentored 233 youths and adults through the Job Apprenticeship Program an increase of 44% from FY 09.
Parks and Recreation	Sports Program	Increased participation in youth sports by 13% from FY 2009 to a total of 1,734 participants.
Parks and Recreation	Sports Program	Increased the number of participants in adult sports programs by 37% to 1,580 participants.

10.) CUSTOMER SATISFACTION SURVEYS		
Department	Program	Highlight
Administrative Services	Information Systems	100% of employees reported that training improved their ability to use desktop applications.
Community Development	Rental Housing Mediation Task Force Program	91% of clients surveyed reported that they were satisfied with their dispute resolution, the customer service they received and would recommend the program to others.
Parks and Recreation	Facilities and Special Events	100% of the customers who rented facilities rated the facilities as "good" to "very good."
Parks and Recreation	Aquatics	98% of the participants in aquatic programs rated their overall satisfactions as "good" to "excellent."
Parks and Recreation	Sports Program	97% of participants in youth sports programs rated their overall customer satisfaction as "good" to "excellent."

11.) TRAINING FOR EMPLOYEES TO IMPROVE PERFORMANCE		
Department	Program	Highlight
Community Development	Staff Hearing Officer, Environmental Review and Training Section	Conducted 17 training sessions for planning staff that included environmental review, application review, noticing procedures and internal processes.

Fiscal Year 2010 Performance Highlights

11.) TRAINING FOR EMPLOYEES TO IMPROVE PERFORMANCE		
Department	Program	Highlight
Finance	Risk Management – Liability	Conducted five Defensive Driver Training classes with 73 employees participating.
Fire	Aircraft Rescue and Firefighting (ARFF)	100% of ARFF personnel received mandated training in compliance with FAA standards.
Fire	Emergency Services and Public Education	Held 5 workshop sessions for Emergency Operations Center staff.
Parks and Receptions	Aquatics	Provided 206 hours of training to Aquatics staff.
Parks and Recreation	Park Operations	21 Parks Operation Staff received Green Gardener training to achieve and maintain certification.
Waterfront	Harbor Patrol	Hosted six joint Fire and Harbor Patrol emergency response drills in the Harbor plus a Police training exercise.

12.) ENVIRONMENTAL LEADERSHIP		
Department	Program	Highlight
Airport	Business and Property Management	Completed the installation of LED lights on Taxiway B and expanded replacement to include taxiways and elevated runways throughout the airfield.
Community Development	Building Counter and Plan Review	Performed six expedited Green Building – Plan Check Reviews.
Fire	Wildland Fire Mitigation	Utilized 93% of chipped material from road clearance program.
Finance	Solid Waste	Successfully launched the Foodscraps Composting Program in November 2009 with 98 businesses participating.
Parks and Recreation	Creeks Restoration and Water Quality Improvement Program	Certified 20 additional businesses as Clean Water Businesses for a total of 90 businesses.
Parks and Recreation	Creeks Restoration and Water Quality	Completed construction of the Upper Las Positas Creek Restoration and Storm Water Management project.
Parks and Recreation	Beach Maintenance	Hand cleaned the perimeter of Mission Creek Lagoon and Sycamore Creek Outfall to prevent trash from entering the ocean.
Parks and Recreation	Forestry	Planted 323 new trees, exceeding the 2:1 ratio goal for replacing trees.
Public Works	Building Maintenance Program	Installed HVAC direct digital controls at 630 Garden Street and implemented Fresh Air cooling with economizers.
Public Works	Building Maintenance Program	Generated 494,470 kWh of energy from the Corporate Yard Solar panels, providing approximately 67% of the energy for the Corporate Yard facilities.

Fiscal Year 2010 Performance Highlights

12.) ENVIRONMENTAL LEADERSHIP		
Department	Program	Highlight
Public Works	Motor Pool	38% of the vehicles in the City fleet are capable of using alternative fuels.
Public Works	Wastewater Capital	Received approval from Council and funding from the Clean Water State Revolving Fund (SWSRF) Loan for the Pilot Fats, Oils and Grease project.
Waterfront	Marina Management	Conducted annual Operation Clean Sweep Event collecting 3,000 pounds of seafloor debris.
Waterfront	Facilities Design and Capital Programs	Installed a solar thermal unit on Marina 1 west restroom resulting in reduced natural gas usage.

13.) ADHERENCE TO STATE/FEDERAL GUIDELINES		
Department	Program	Highlight
Airport	Air Operations Area Maintenance and Certification and Operations	Achieved a 100% compliance with Federal Aviation Regulations (FAR) Part 139 for airfield maintenance requirements and daily airfield inspections.
Airport	Facilities Planning and Development	Achieved 100% compliance with permit conditions of approval pertaining to project development, environmental monitoring, and maintenance activities.
Community Development	CDBG and Human Services Administration	Submitted the required Consolidated Annual Performance Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development on-time.
Finance	Risk Management	Achieved 100% compliance with State and Federal mandates for employee safety.
Fire	Operations	100% of Fire personnel received mandated training.
Fire	Prevention	Completed 100% of the Hazardous Materials Facility and State Mandated Licensed Facility inspections.
Parks and Recreation	Golf Course	Submitted a 100% of the monthly pesticide usage reports on-time to the County Agricultural Commissioner.
Police Department	Records	Administered required telecommunication system training to Records Bureau Team members.
Police Department	Training and Recruitment	Developed and implemented a calendar of in-house POST–certified training classes to ensure all officers are compliant with required hours of professional training and perishable skills training.
Public Works	Environmental Services	Completed 100% of required fuel site assessments and remediation efforts and reports on time.
Public Works	Motor Pool	Completed 100% of mandated inspections and certifications for aerial equipment, youth buses, and commercial vehicles.
Public Works	Water Distribution	Operated the water distribution system to meet 100% of all State and Federal requirements.

Fiscal Year 2010 Performance Highlights

13.) ADHERENCE TO STATE/FEDERAL GUIDELINES		
Department	Program	Highlight
Public Works	Wastewater Treatment	Achieved 99.9% compliance with wastewater discharge limits as listed in the National Pollutant Discharge Elimination System permit and 100% compliance with local air emissions as specified in the Air Pollution Control District permit.

14.) USE OF TECHNOLOGY		
Department	Program	Highlight
Administrative Services	Information Systems	Implemented new server and storage technology.
Administrative Services	Information Systems	Upgraded the City's Portal server to Office SharePoint.
Community Development	Records, Archives and Clerical Services	Completed installation and utilized the Questys Solutions Records Management database for the scanning and viewing of Land Development Team records and archives.
Finance	Payroll	Brought payroll data archiving in-house saving \$6,000 annually.
Fire	Aircraft Rescue and Firefighting Operations	Continued to utilize remote video training system allowing staff to provide effective station coverage.
Police	Crime Lab	Submitted 96% of latent fingerprints to the Department of Justice within four working days.
Police	Information Technology	Implemented a regional data sharing system with Santa Barbara County law enforcement agencies.
Waterfront	Facilities Design and Capital Improvement	Added utilities information to City's GIS database.

15.) SPECIAL PROJECTS COMPLETED		
Department	Program	Highlight
Administrative Services	City Clerk	Administered the vote-by-mail 2009 General Municipal Election to elect a Mayor, three Councilmembers and vote on ballot measures.
Airport	Facilities Planning and Development	Completed construction of the Consolidated Rental Car facility, which included photovoltaic panels to provide energy to the facility.
Community Development	Redevelopment Agency	Completed the following FY 2010 projects under budget: Fire Station #1 Remodel (including a new Emergency Operations Center), IPM Sustainable Parks Project, and Soil Remediation Project for 125 State Street.
Fire	Operations	Replaced outdated 5" diameter fire hoses and converted to the County wide standard of 4".
Fire	Operations	Completed improvements to the emergency radio broadcast system increasing reliability of dispatch and command frequencies.

Fiscal Year 2010 Performance Highlights

15.) SPECIAL PROJECTS COMPLETED		
Department	Program	Highlight
Library	Goleta Program	Increased usage of the teen section of the Library due to reorganization of materials and new furniture.
Parks and Recreation	Project Management Team	Completed trail restoration, removal of fire damaged trees, fencing and debris and installation of trail signs as part of the first phase of the Parma Park Rehabilitation and Restoration Plan
Police	Administrative Services Division	Administered the Byrne JAG grant for the six jurisdictions in Santa Barbara County and met all reporting requirements.
Police	Investigative Division	Developed and implemented an expanded Serious Habitual Offender Program to identify at risk youth who are approaching Serious Habitual Offender status and youth who are in danger of becoming active gang participants.
Public Works	Transportation and Drainage System Maintenance	Performed annual maintenance of the 5.9 mile railroad corridor per new agreement. Clean-up was consolidated into 26 consecutive days.
Public Works	Building Maintenance	Completed City's 2008 Greenhouse Gas Emissions Inventory.
Public Works	Motorpool	Created a centralized electronic vehicle pool program at 630 Garden Street and the Granada Garage, resulting in the elimination of four vehicles from the City fleet.
Public Works	Wastewater Capital	Completed the construction of the annual Sewer Main Rehabilitation Project.
Waterfront	Facilities Design and Capital Program	Completed Phase I of Marina 1 Replacement project including main walkway, gangway and landside utilities, with minimal impact to Marina 1 slip holders.

Fiscal Year 2010 Performance Highlights

Performance Objectives Not Met

DEPARTMENT	OBJECTIVE	COMMENTS
Administrative Services	<i>Provide 95% of classification recommendations to the requesting department within 45 working days of receiving the Position Description Form.</i>	This objective will continue in FY 2011.
Airport	<i>Complete design and construction of Phase 2 of the Tidal Circulation Project.</i>	The Tidal Circulation project carried forward to FY 2011. The project will be complete at the end of November 2010 after the installation of plant material.
City Administrator's Office	<i>Ensure that 90% of citizens' service requests are responded to within five working days.</i>	Continuing to work with departments to respond within the five days.
Community Development	<i>Continue progress on the Historic Preservation Work Program. Present Districting Plan to Historic Landmarks Commission and Ordinance Committee.</i>	Focus on the Brinkerhoff and Rosemary Lane Historic Districts will move forward in FY 11 instead of a complete districting plan.
Finance	<i>In partnership with the County, select a vendor by September 2009 to begin the design, permitting, and eventual construction and operation, of a conversion technology facility at the Tajiquas Landfill</i>	Work continues on this project. The Request for Proposals was released in May 2010 and the target date for selection of a vendor is now December 2010.
Fire	<i>Conduct two vegetation fuel modification projects based on FY 2008 plan.</i>	Two fuel modification projects were developed. Implementation of one of the projects was delayed due to bird nesting season but has now been completed and the second project is going out to bid and will be implemented in late November.
Library	<i>Maintain the Library circulation rate at 723,000.</i>	The impact of furlough and a reduced book budget was greater than anticipated and circulation rates were lowered in FY 2011 to reflect this impact.
Parks and Recreation	<i>Process 1,500 facility reservations for community, private, and public events at four community buildings.</i>	The current economic conditions continue to have an impact on facility rentals and marketing in FY 2011 will focus on these facilities.
Police	<i>Process 93% of Special Event Permit Applications within three working days.</i>	To reflect reduced staffing levels the processing time has been extended to five working days in FY 2011.
Public Works	<i>Conduct at least one post-construction public feedback survey to assist in the continued enhancement of Capital Improvement Project management.</i>	Improvements to the survey process and expanded outreach efforts will be implemented in FY 2011.
Waterfront	<i>None</i>	

City of Santa Barbara



Comparative Indicators Report Fiscal Year 2011 Budgets

November 2010

The Comparative Indicators report is a snapshot of information in six key areas. The indicators are related to City demographics, general fund revenues and expenditures, public safety, library, parks and public works services with ten other cities. The cities include Carlsbad, Oceanside, Santa Cruz, Ventura, Sunnyvale, Newport Beach, Huntington Beach, Berkeley, Redondo Beach, Santa Monica and Santa Barbara. The information was gathered from adopted and proposed FY 2011 budgets, on-line resources and reports and communication with staff.

While every city faces different challenges based on expectations of service levels, fiscal constraints, and community demographics, this information provides a starting point to gauge our effectiveness and efficiency relative to these other California communities.

General Demographics

The City of Santa Barbara is just below the median in both population and land area and ranks fourth in density at 4,328 people per square mile. The City of Carlsbad's population increased the most by 1.7% from 2009. The City of Santa Monica has the greatest density at 11,169 people per square mile. According to the 2009 American Community Survey Santa Barbara's per capita income is \$35,883 just slightly below the median of \$40,183. The median household income increased in Santa Barbara by 9% from 2008 but Santa Barbara now has the lowest median household income at \$59,016. The median of this group of cities is \$71,095 (Santa Monica) and Newport Beach continues to be the highest at \$104,435. Owner Occupied housing was down slightly in Santa Barbara at 41% (-1%) from 2008. Ventura went down 5% to 53% and Redondo Beach increased by 6% to 56%. Carlsbad continued to be the highest at 70% Owner Occupied Housing which is a 3% increase from 2008 data.

Financial

The financial information gathered and presented in this report, provides an overview of a city's expenses and financial resources. Since every city is structured and organized differently, this report does not include every department. Instead, this report reviews and evaluates key comparable areas.

When evaluating the General Fund revenue, Redondo Beach and Santa Monica are outliers on the chart -- \$65,838,202 and \$251,572,856; respectively. Santa Barbara is 9.6% below the median at \$102,376,117; yet when assessing the per capita revenue Santa Barbara is 9% above the median at \$1,126. The General Fund revenue per capita spectrum ranges from Oceanside at \$619 to Santa Monica with \$2,714.

The policies and amounts allocated to Capital projects from the General Fund varied greatly. Carlsbad has a dedicated infrastructure fund that monies are allocated to every year. In FY 2011 many communities, in response to the current economic situation, either completely eliminated or greatly reduced General Fund dollars allocated to capital projects. Some communities, like Ventura, appear to have large capital programs but when you look at the Capital Program detail the funds are from grants or dedicated funds for specific projects.

The source of General Fund revenues vary from city to city, including special tax districts, grant funds and other dedicated revenue. Five key general fund revenue sources were identified: Sales, Property, Business License, Utility Users and Transient Occupancy taxes. Newport Beach, Carlsbad and Oceanside communities do not have a Utility Users Tax. These five key taxes represent 59% of Santa Barbara's General Fund revenue. Santa Barbara's Property and Transfer Tax per capita is \$255, which is 16% below the median \$303 (Sunnyvale) and Newport Beach has the highest at \$814 per capita. Santa Barbara continues to have the third highest Transient Occupancy Tax (TOT) revenue per capita at \$123. The Transient Occupancy Tax revenue per capita also illustrates the diversity of revenue

receipts; Oceanside receives \$17 per capita, Berkeley \$48 per capita and Santa Monica receives \$320 per capita. Most agencies projected less TOT in FY 2011 but Santa Cruz, Berkeley and Newport Beach have projected increased revenue.

Authorized Positions

The range for authorized positions per 1,000 population is 5.29 (Oceanside) to 23.54 (Santa Monica). Santa Barbara has 11.15 authorized positions per 1,000 residents. The difference from one city to the next may be due to more enterprise operations such as Airport, Waterfront, Water/Wastewater utilities and Downtown Parking or that the organization emphasizes a higher level of service. Additional information and comparison about individual programs and departments is needed to understand exactly where Santa Barbara varies from these other communities.

Public Safety

Police Department

Data was gathered for three standard indicators: percentage of General Fund expense, number of authorized positions per 1,000 residents and Part One Crimes per 1,000 residents. The Part One Crimes data was pulled from the 2009 Department of Justice annual report. The Department of Justice cautions against using the data as a ranking tool because the information can be misleading due to the variability between communities.

The Police Department expenditure represents 32.7% of Santa Barbara's General Fund expense and is the median of this group. Redondo Beach expends 43.3% of General Fund revenue on Police while Carlsbad expends 25.9%. It should be noted that Sunnyvale is the only city that has a combine Police and Fire service. Variation in percentage may also reflect the size of other City General Fund departments, specifically Parks and Recreation and Community Development.

The number of sworn authorized positions per 1,000 residents provides an understanding of staffing levels in a community. Santa Barbara continues as the median with 1.51 authorized police officers per 1,000 residents. The range is 1.10 (Ventura) to 2.31 (Santa Monica).

Part One Crimes are defined as homicide, burglary, robbery, rape, vehicle, theft, aggravated assault, larceny and arson. Each city Police Department submits this information to the Federal Bureau of Investigation (FBI). The data for this year was pulled from the 2009 Preliminary Report. It is recognized that this data potentially has the greatest variance due to reporting policies, community practices and population characteristics. In 2009 the Part 1 Crime rate for Santa Barbara was 37 per 1,000 residents, up from 34 in 2008. 2010 data already indicates that 2009 was an unusual year and that Part One Crimes have dropped significantly. It is estimated that the Part One Crime rate for 2010 will be approximately 30 incidents per 1,000 residents.

Fire Department

The Fire Departments of each city organization operate a variety of programs. Santa Barbara provides emergency medical response, fire fighting and emergency services as part of the department. Other communities include Marine Rescue (Santa Cruz), Lifeguards (Newport Beach) and paramedic services (Redondo Beach, Carlsbad and Huntington Beach). Some communities also receive funding from a FireMed program, where individuals pay an annual fee (\$46-\$60) to receive paramedic, emergency ambulance service, and other additional services.

Santa Barbara Fire Expenditures as a percentage of the General Fund are 21%, which exceeds the median of 18.7%. Santa Barbara has 1.13 sworn positions per 1,000 residents. Another measure

utilized to better understand operations is the number of square miles covered per fire station. Each of Santa Barbara's fire stations covers approximately 3 square miles. (Fire Operations for the Santa Barbara Airport were excluded from the data as they are funded by the Airport and operate outside the downtown core.)

In conclusion Santa Barbara's Police and Fire services represent 53.9% of the General Fund expense.

Library

The primary source of library information was the California Public Library Survey of 2010 for Fiscal Year 2009. The size and organization of library systems vary greatly from one community to the next. Santa Barbara and Santa Cruz are unique agencies that provide Library services for both the County and City, making services available to a larger population (200,000+). Ventura Library information was included as well even though the system is run by the County and services a much larger population. Santa Barbara's Library Department operating budget in 2009 was \$5,461,505 and the per capita cost was \$27.47 per population served with the median at \$56.45 (Redondo Beach). The City's cost for serving City residents was isolated this year and is shown on the graphs as well.

Parks

When looking at city parks and recreation programs the organizational structures varied significantly. Some combined the programs under Community Services while others included larger departments like Waterfront and Library. Developed park land is a common indicator. Santa Barbara has 360 acres of developed parks as well as 1200 acres of open space. Santa Barbara is above the median (3.13) at 3.96 acres per resident. The range is 1.31 acres per person in Santa Monica to 8.38 acres per person in Santa Cruz.

Public Works

Street Pavement Condition Index

The Pavement Condition Index (PCI) indicates the quality of the streets in each city. This information is established and reported by cities every two years. As a result, some of the numbers presented are for various years and can vary depending on the rating system used. A PCI of 70 is considered to be good. In FY 2009 the City of Santa Barbara received a new PCI report and the PCI dropped to 68 from 70.

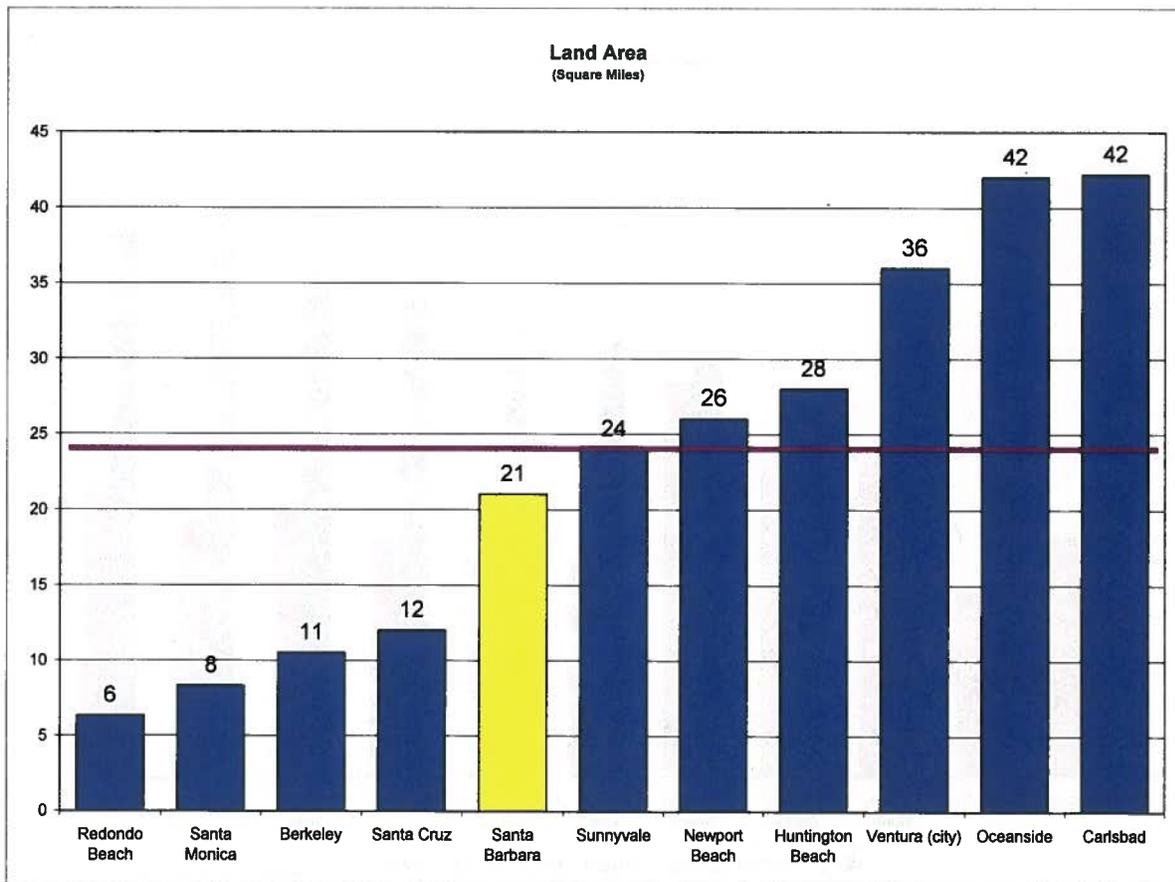
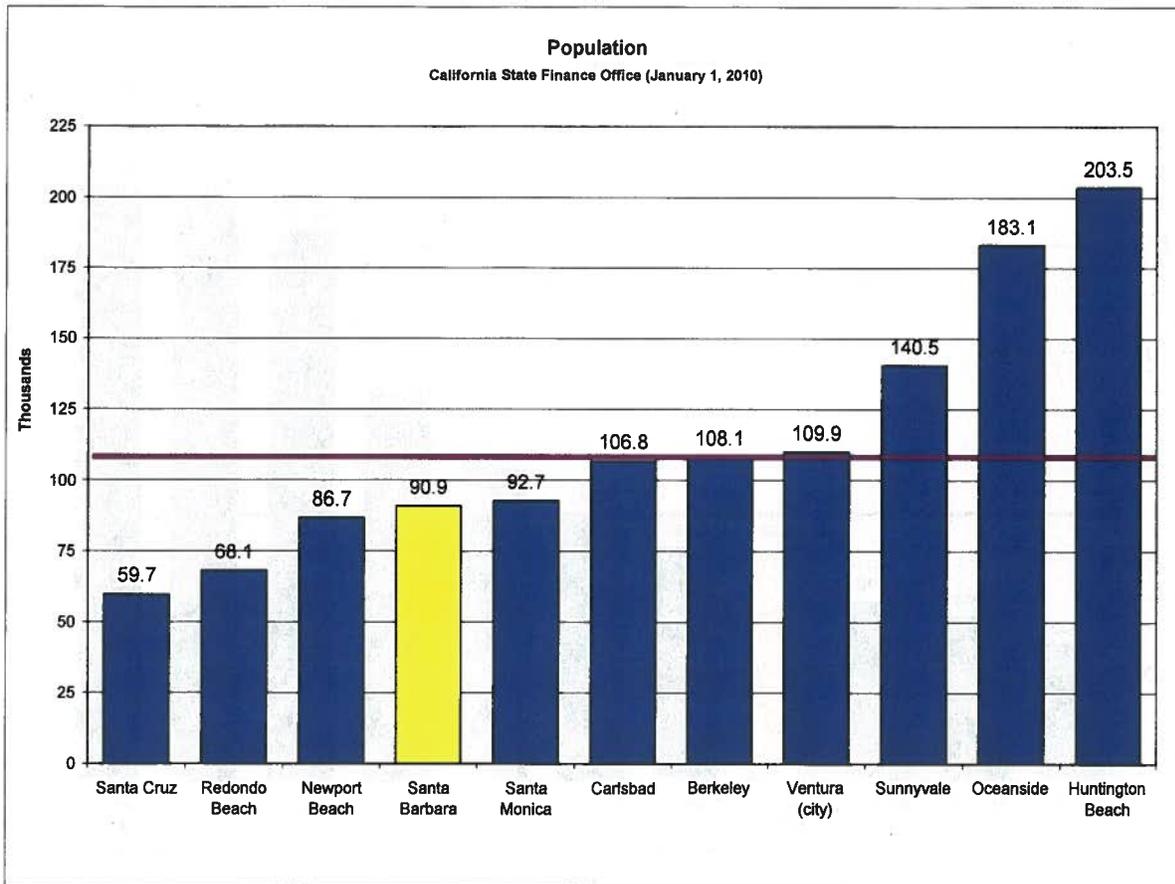
Streets Maintained

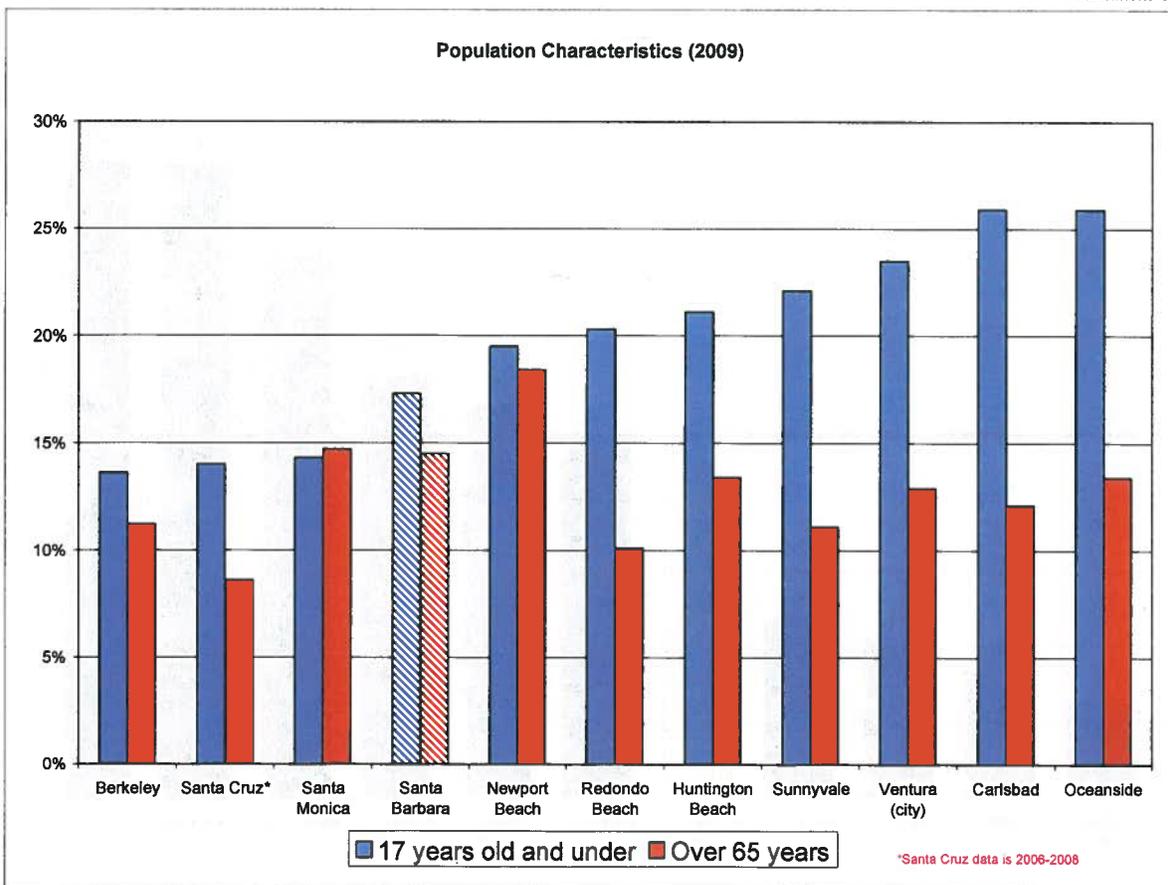
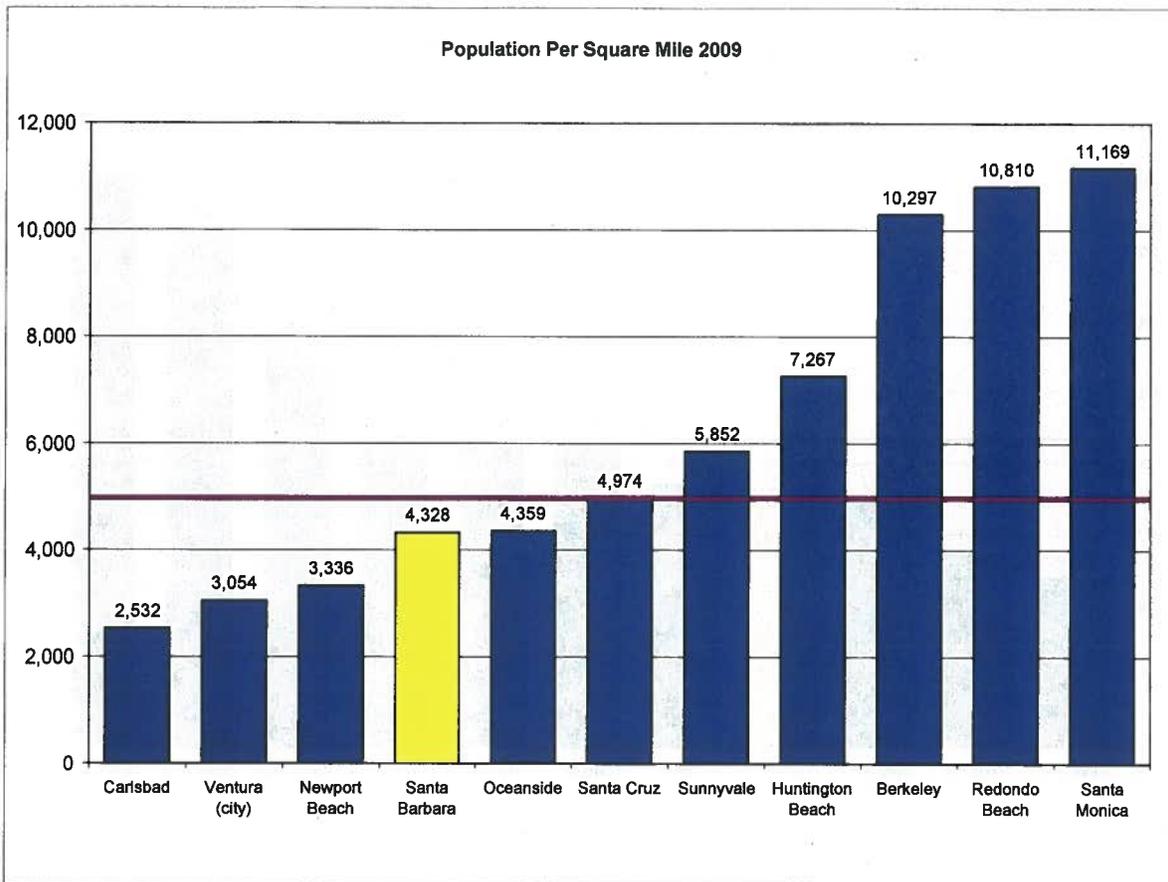
Street maintenance is also an indicator of the amount of miles that the city has to maintain and is a companion indicator to PCI. Some cities track center miles and others track lane miles. Center miles are measured from the center line of the street and don't count whether there are two or more lanes, while lane miles account for the distance covered by each lane. Santa Barbara maintains 240 paved center lane miles.

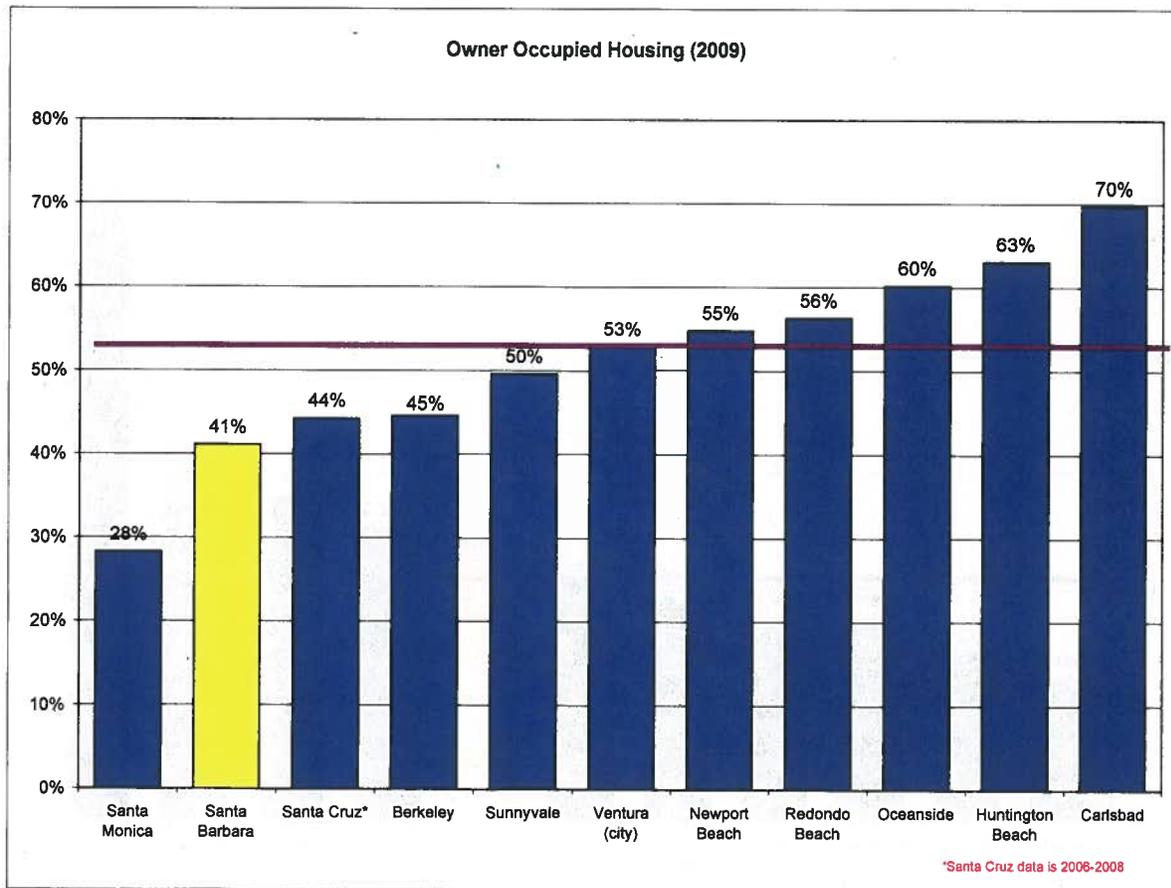
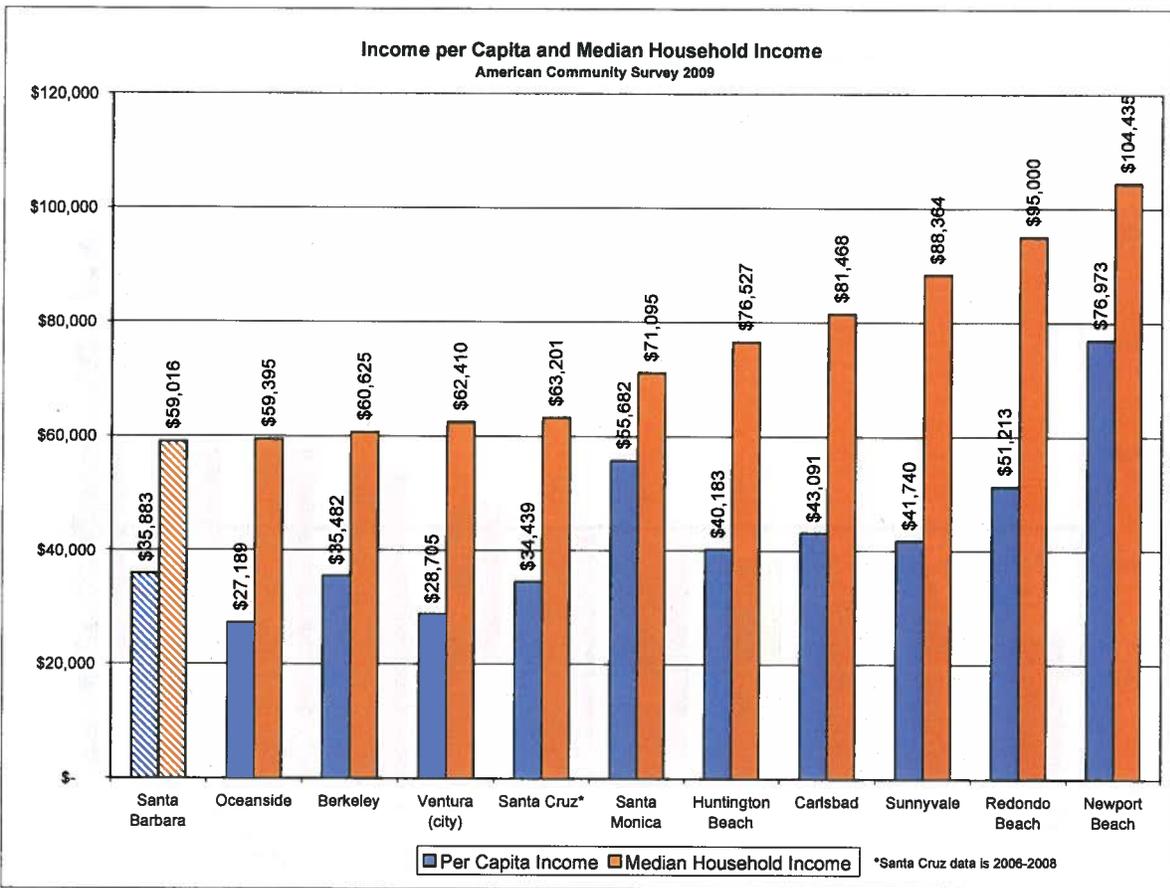
Conclusion

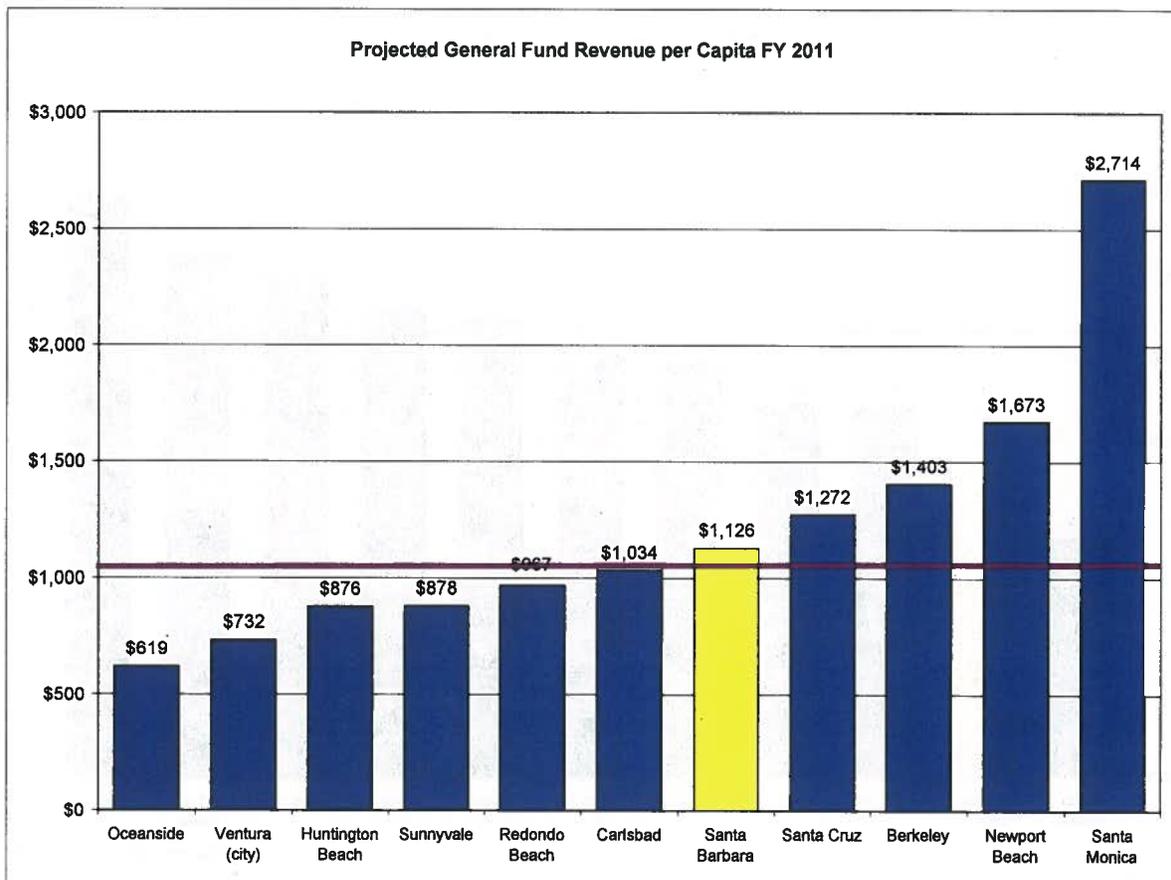
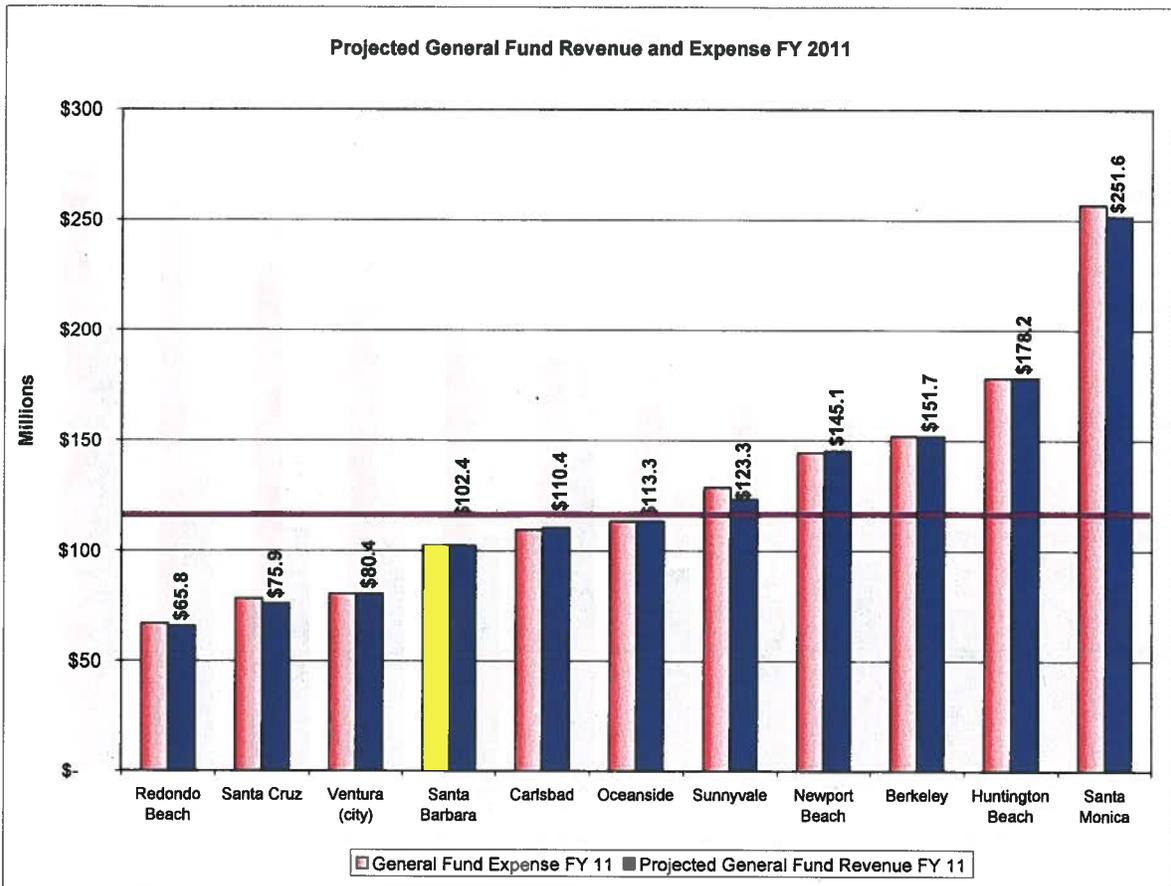
Review of the data collected indicates that Santa Barbara is at or near the median in most of the service areas. The areas where Santa Barbara exceeds the median represents the City's ongoing commitment to public service, safety, and open space.

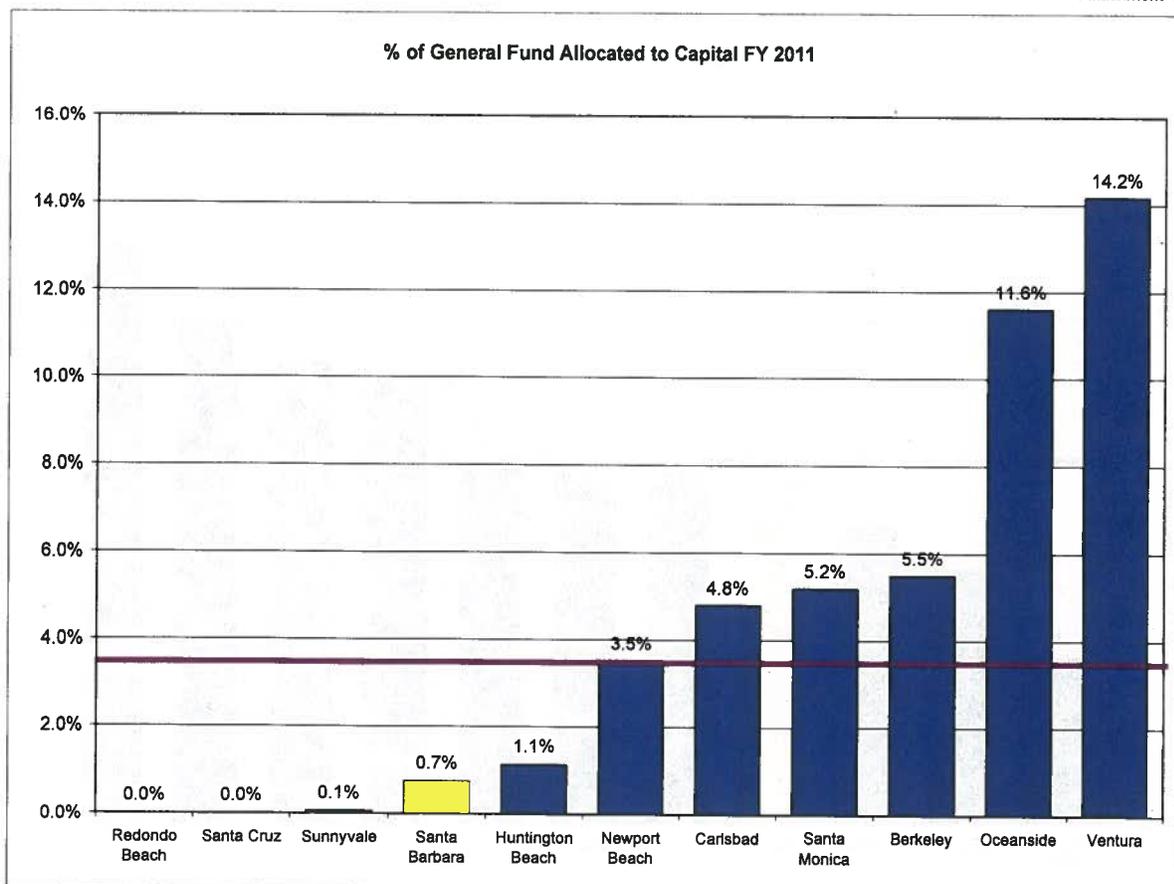
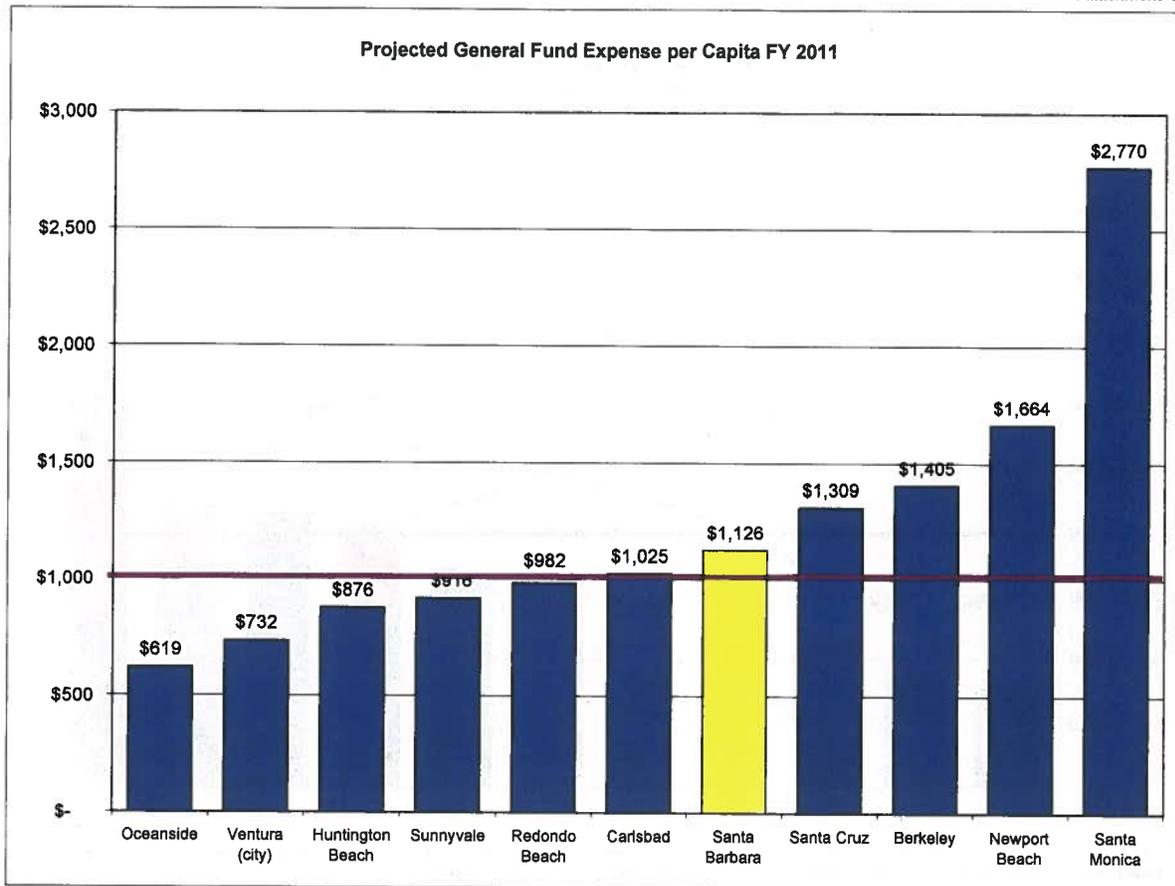
Note: The budget data for Berkeley, Carlsbad, Newport Beach, Santa Cruz, Santa Monica, Sunnyvale, and Oceanside came from their FY 2011 adopted budgets. The proposed budgets were used for, Huntington Beach, and Ventura. Additionally information was gathered from on-line resources, annual reports and communication with staff. In the communities where information was not available they have been omitted from the graphs.

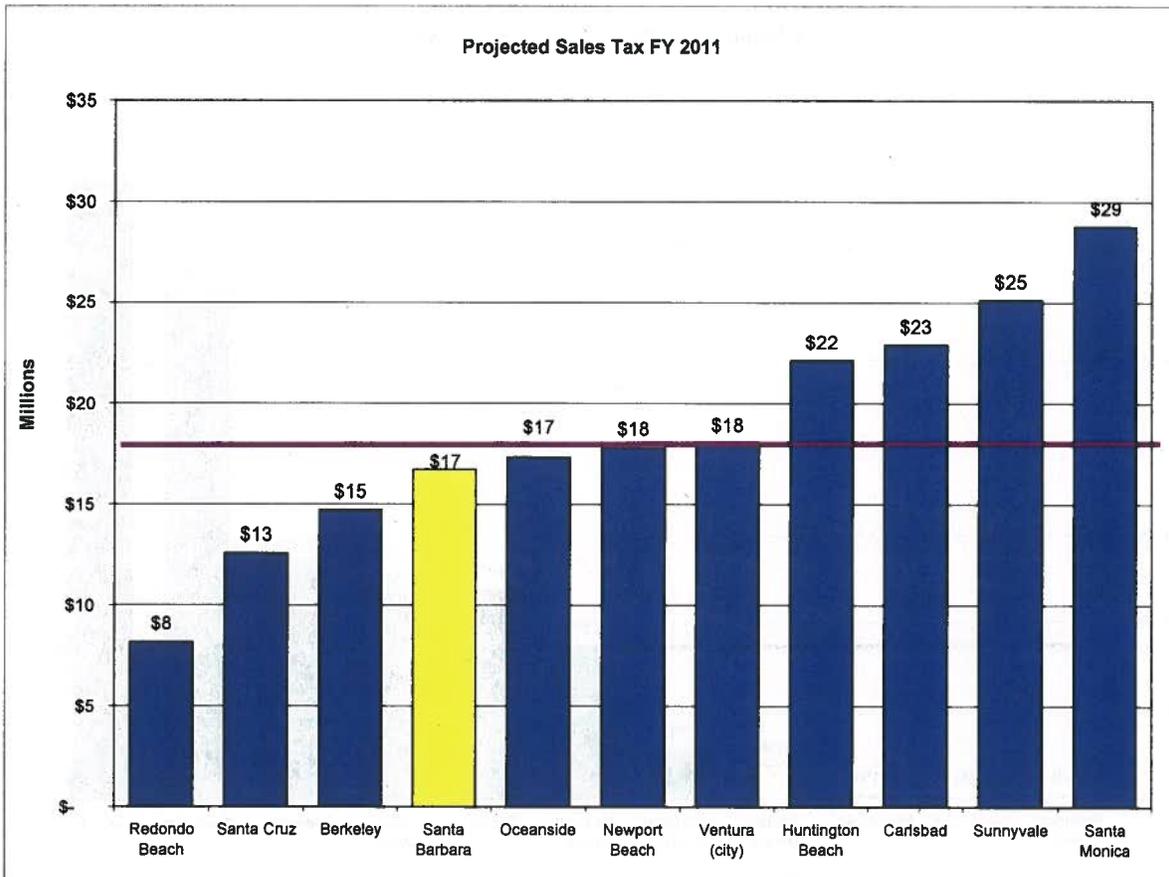
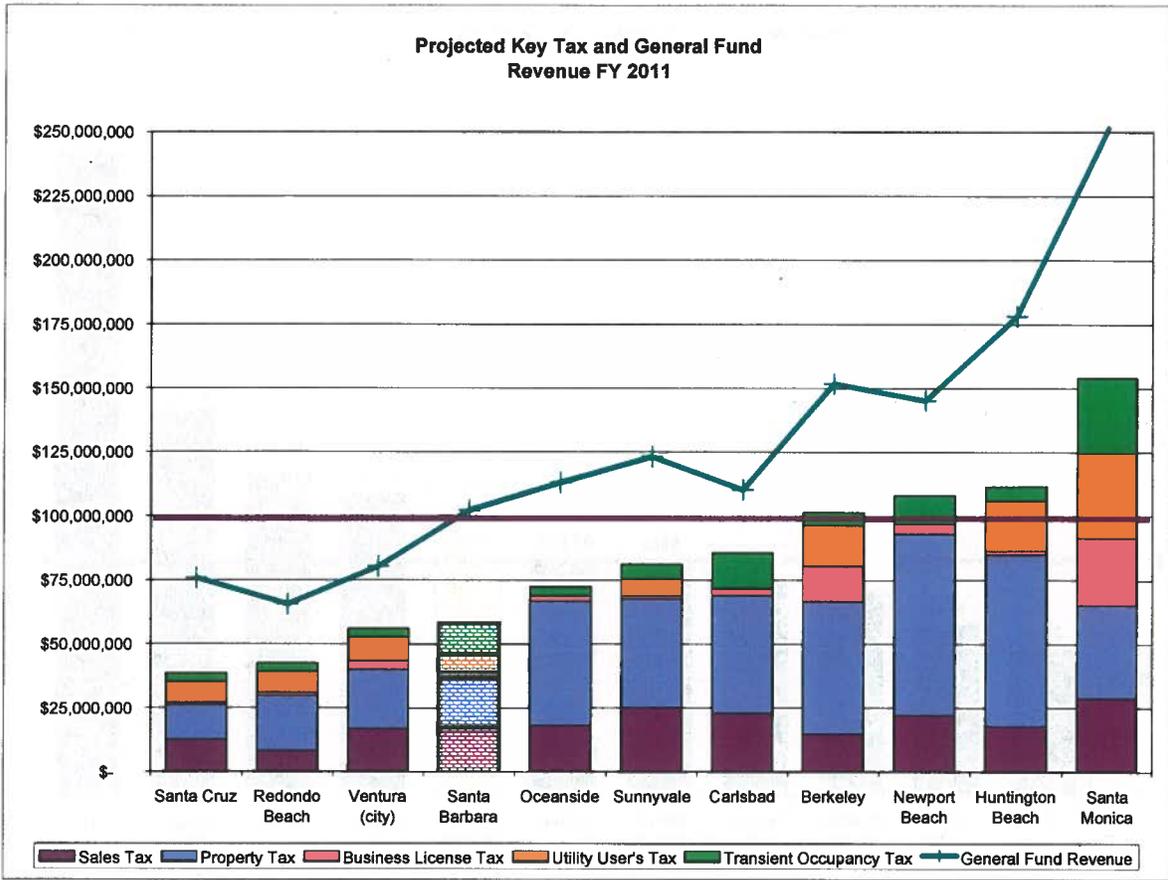


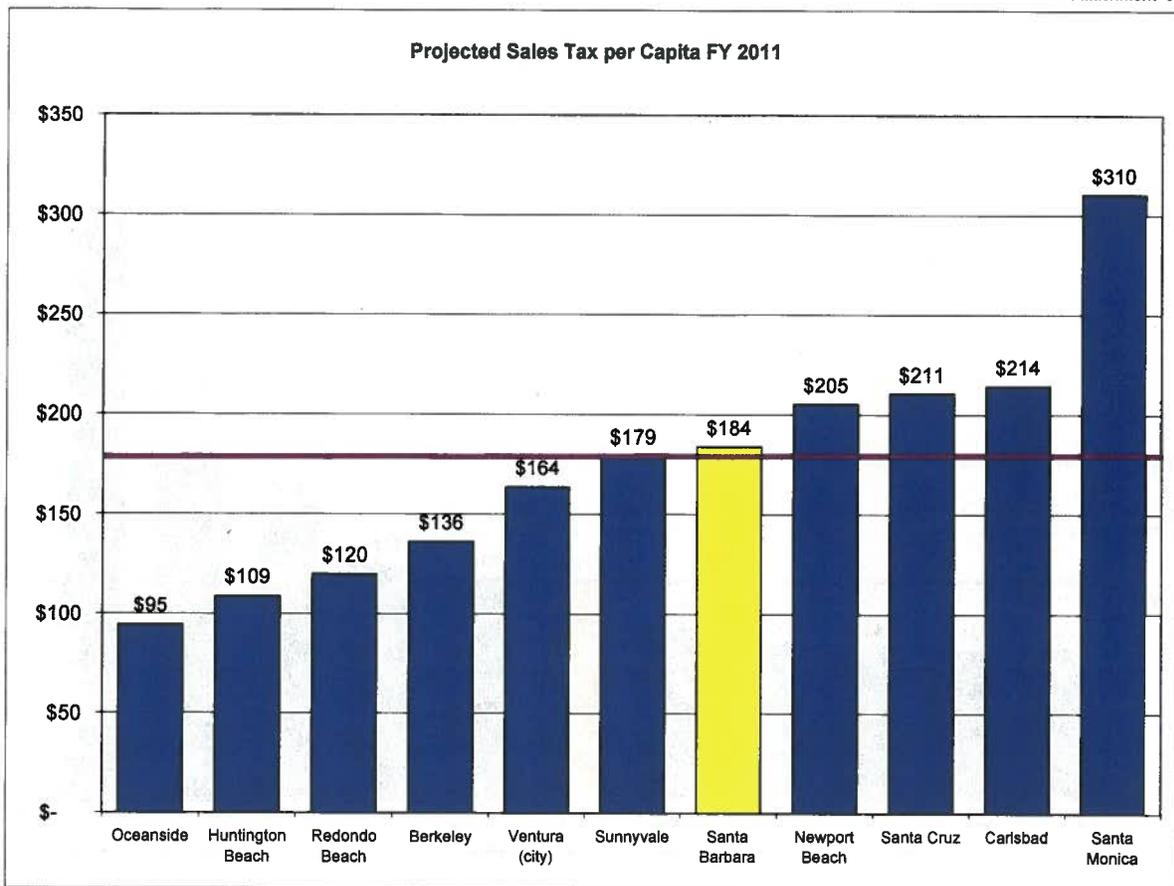






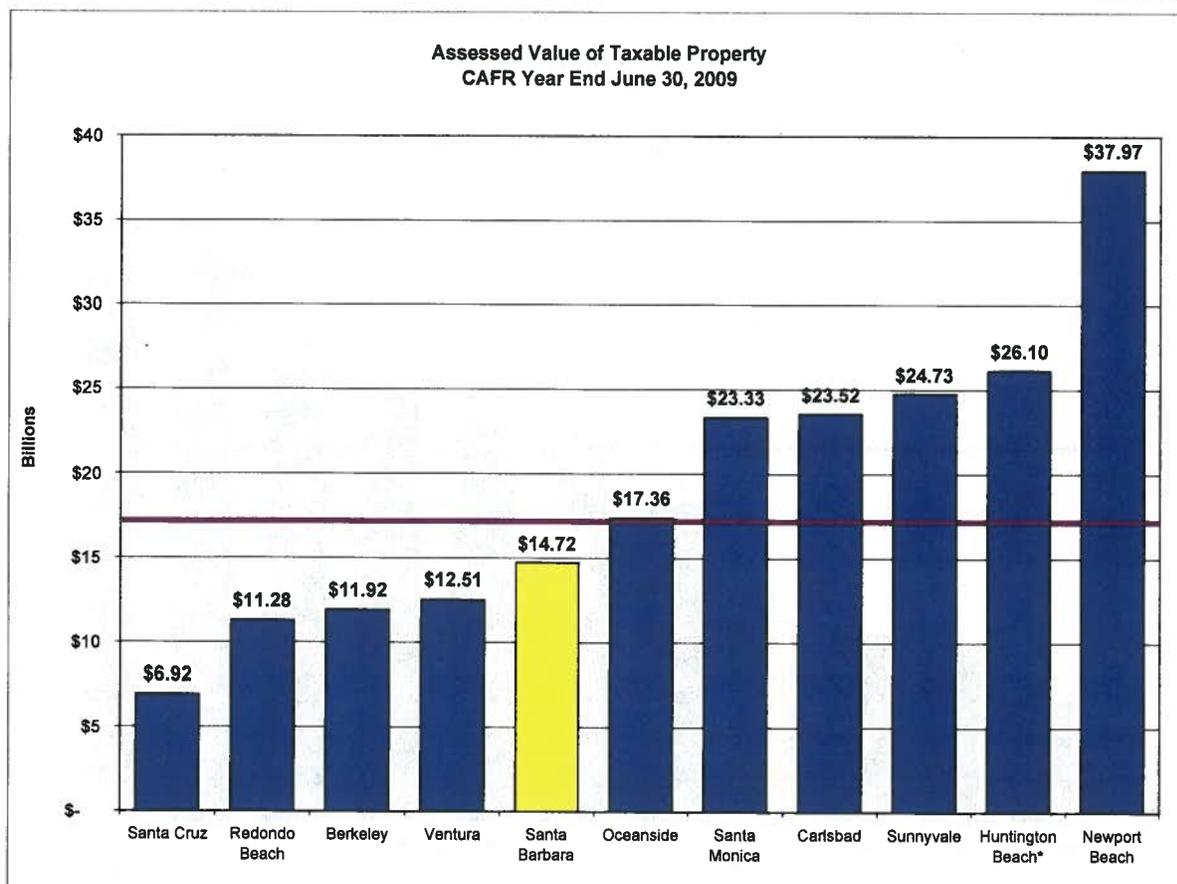






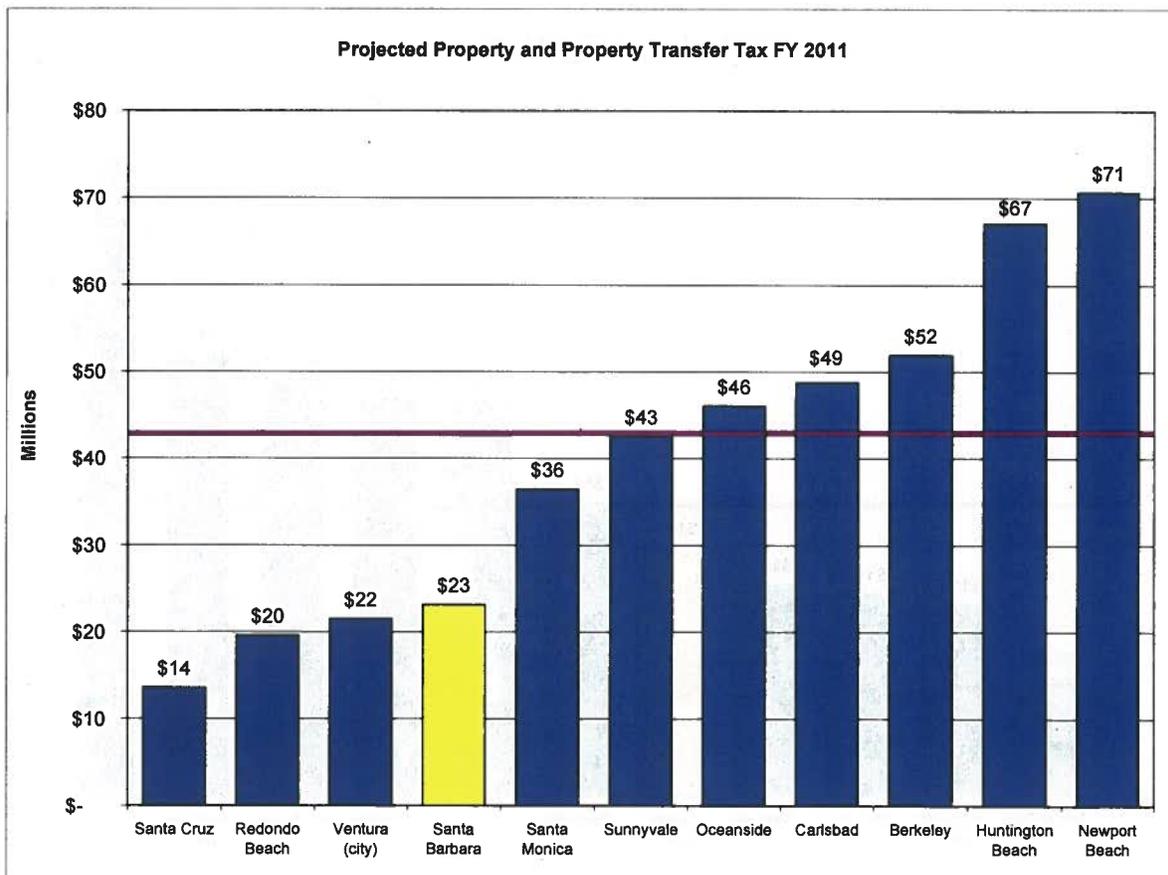
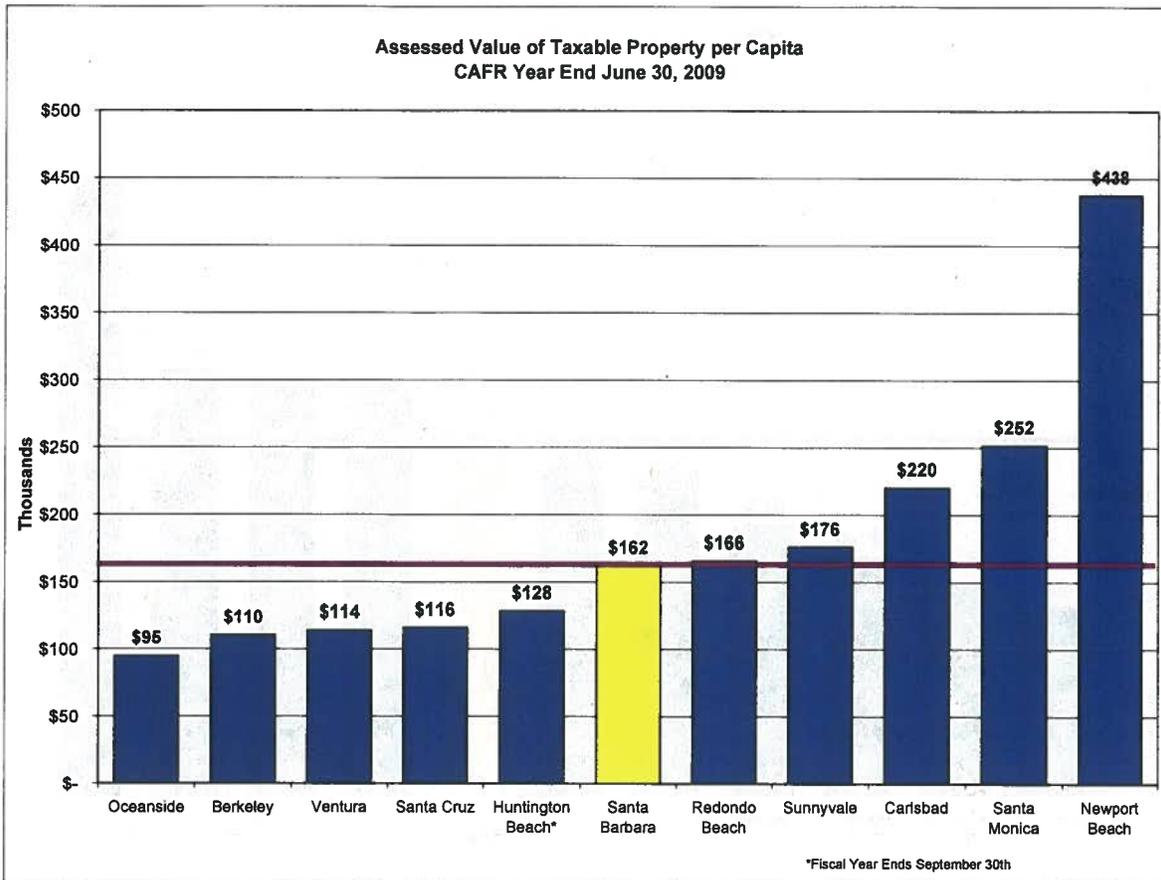
13 of 40

10/25/2010

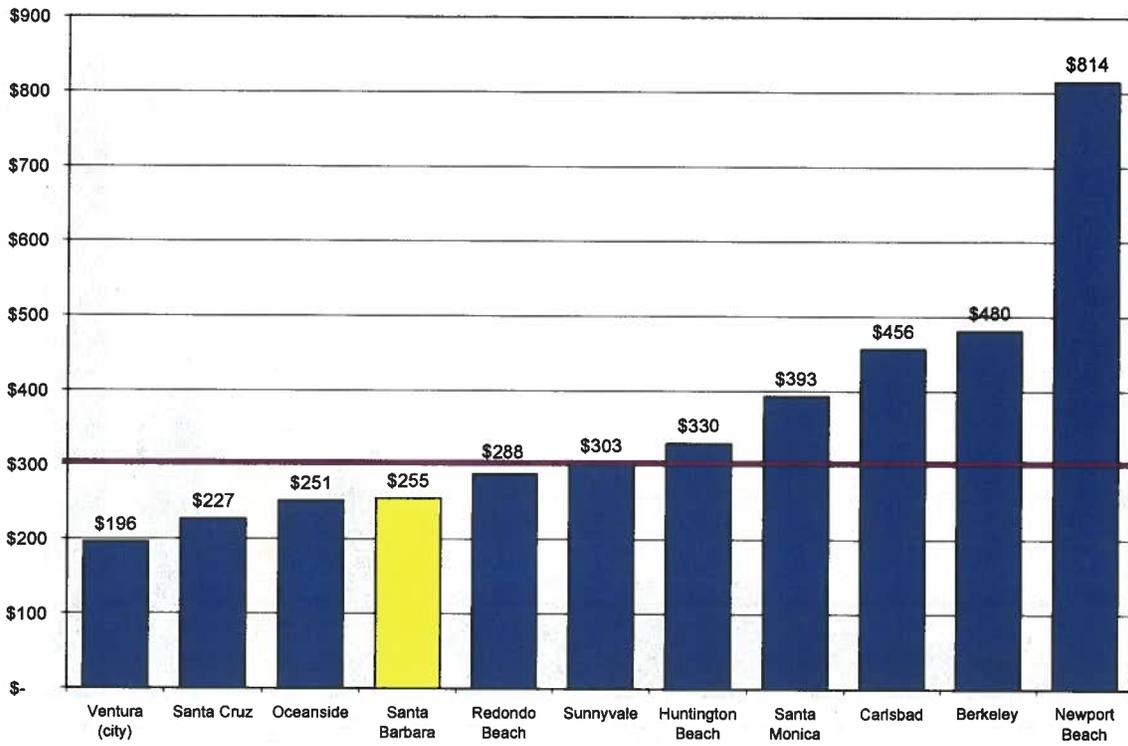


14 of 40

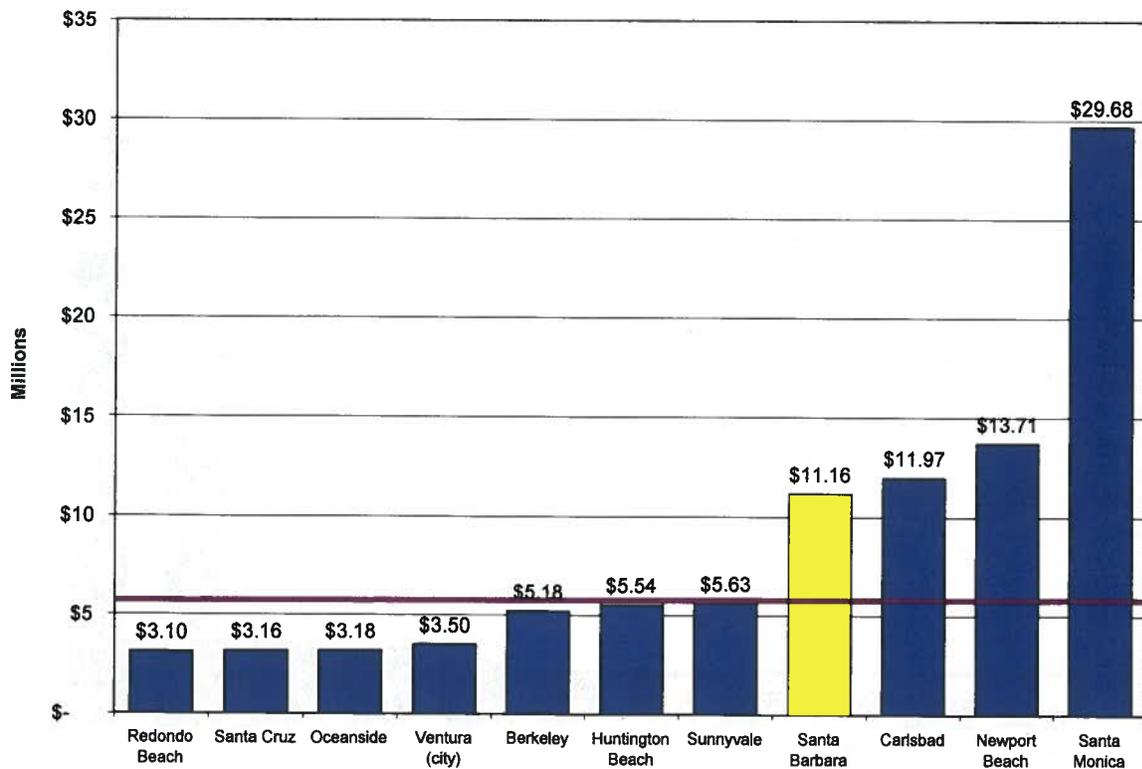
10/25/2010

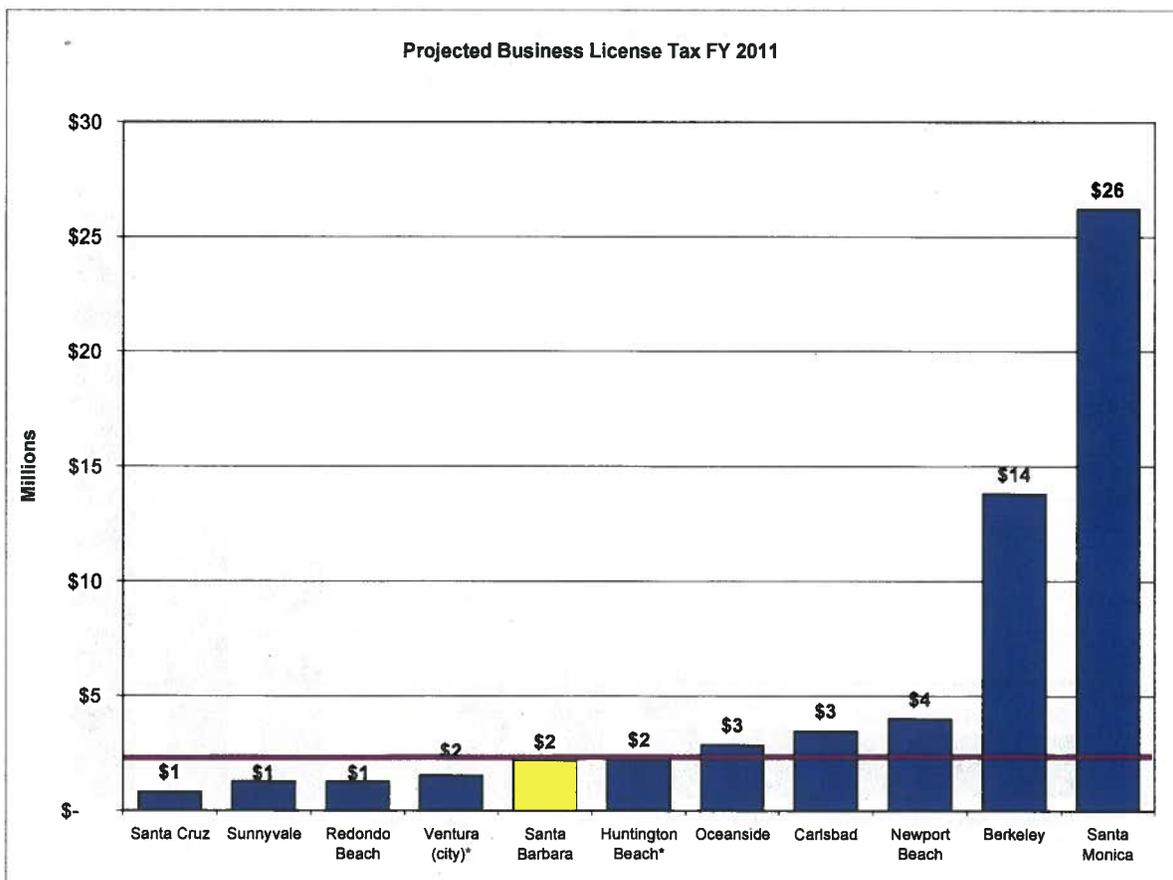
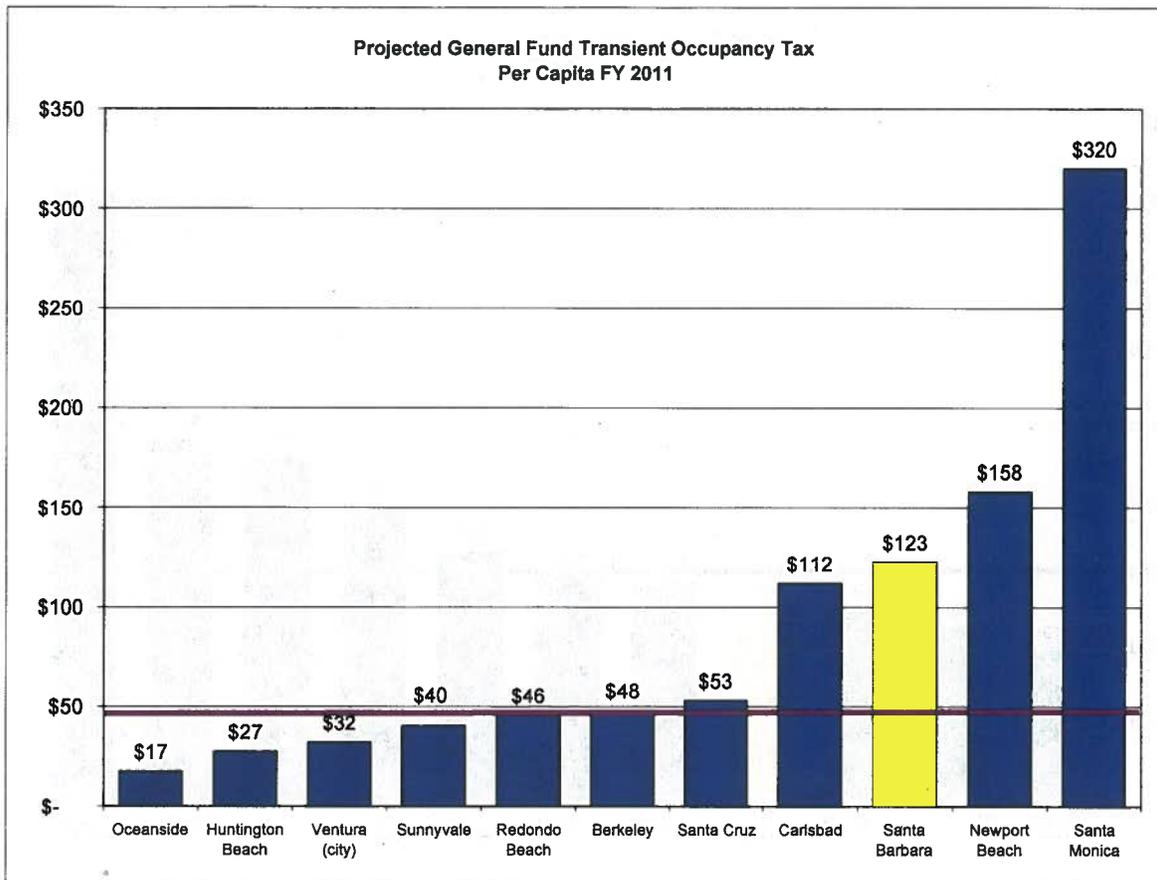


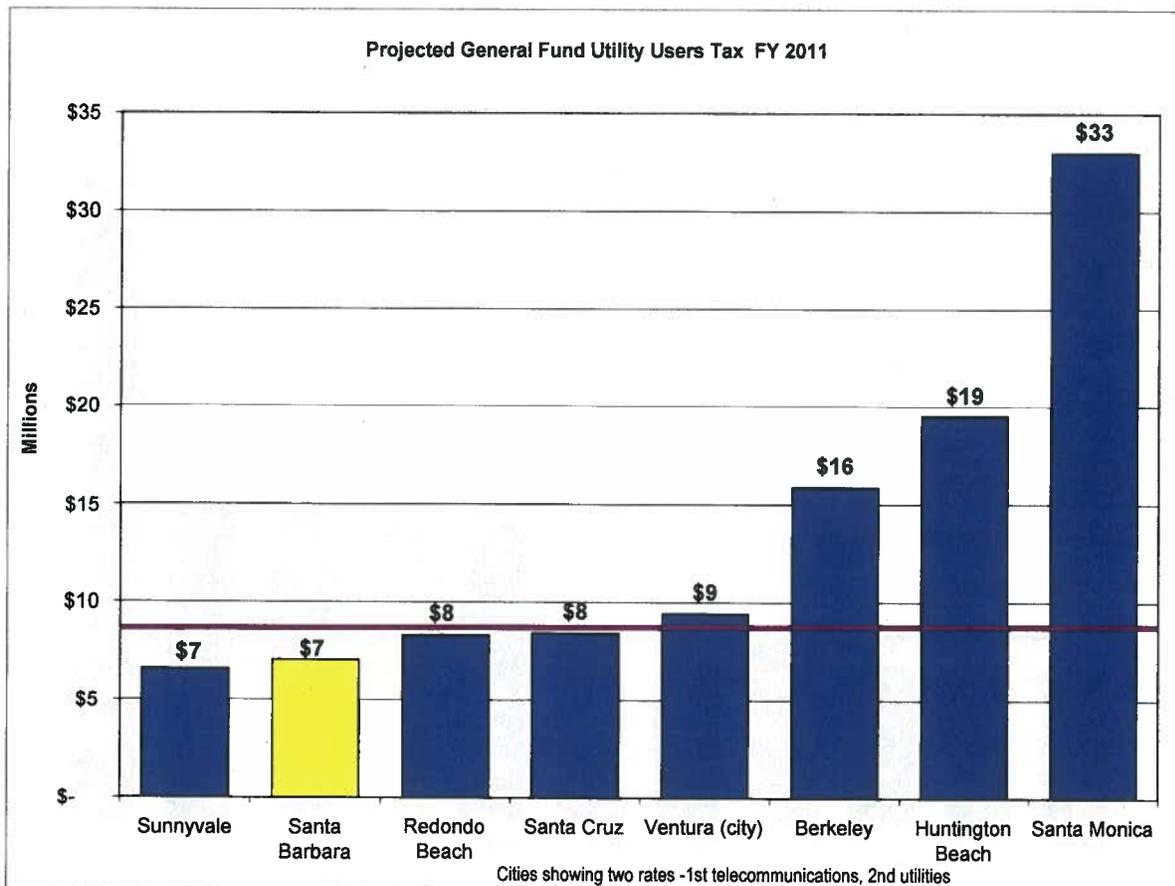
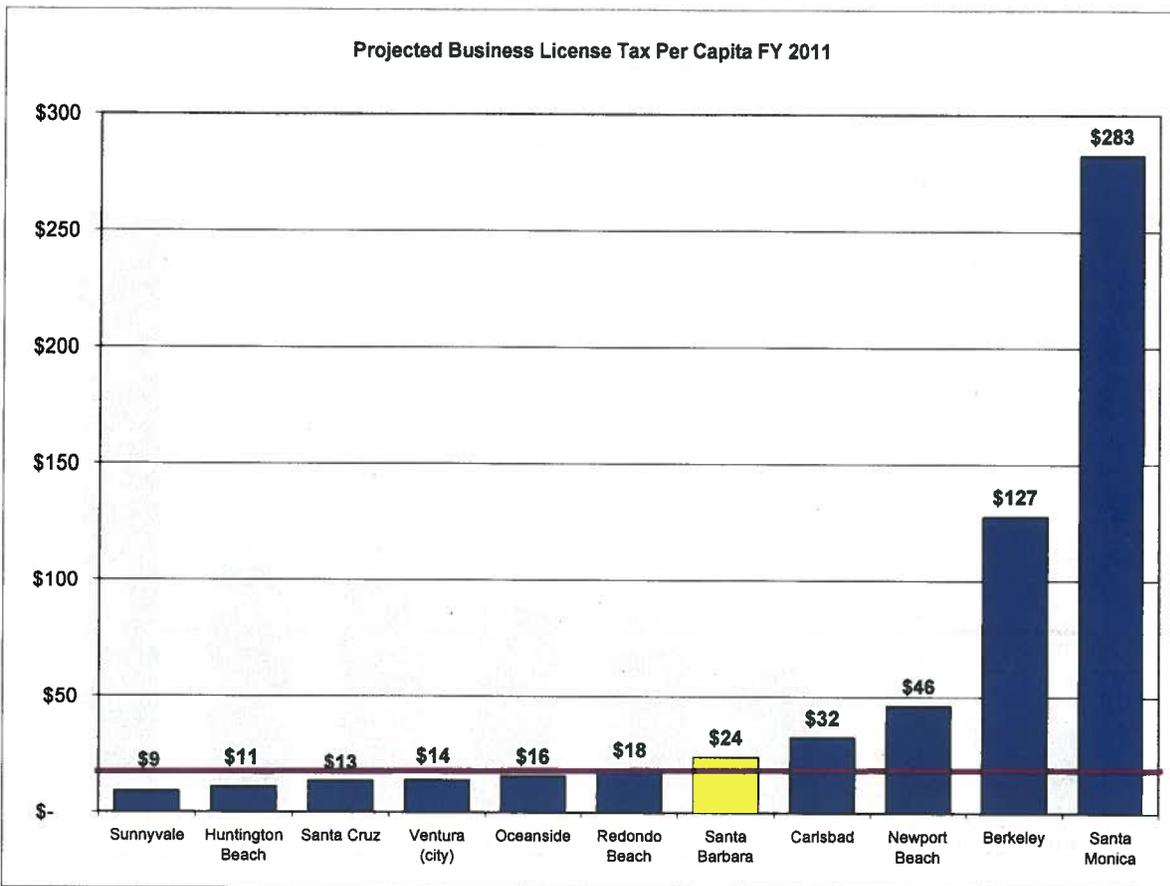
**Projected Property and Property Transfer Tax
Per Capita FY 2011**

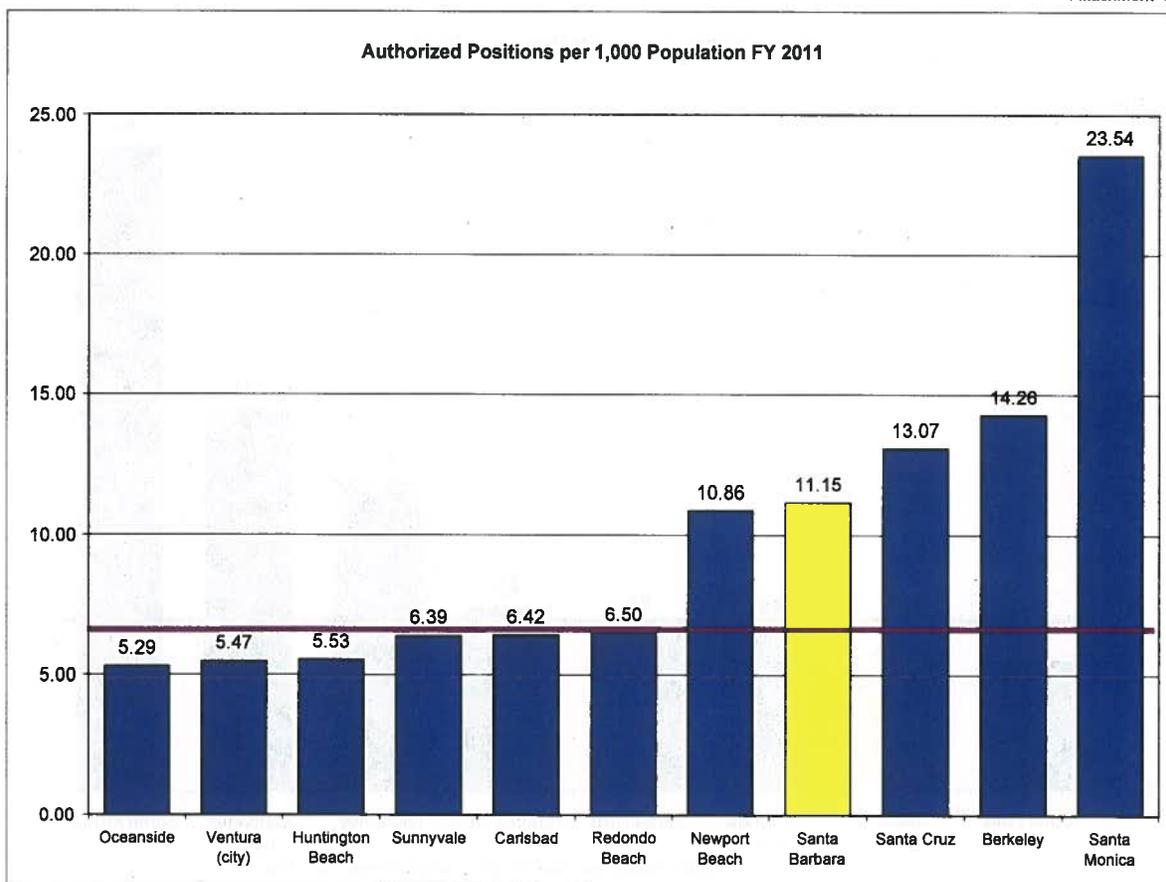
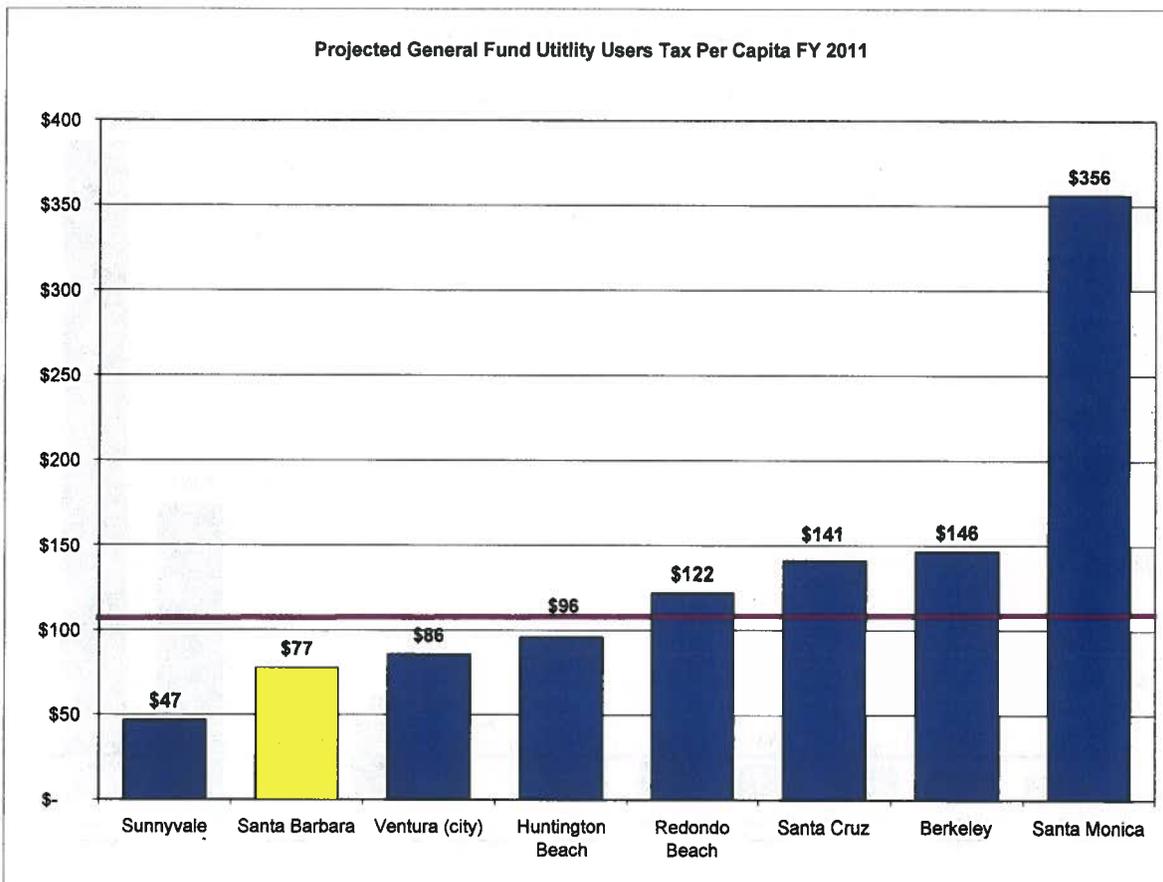


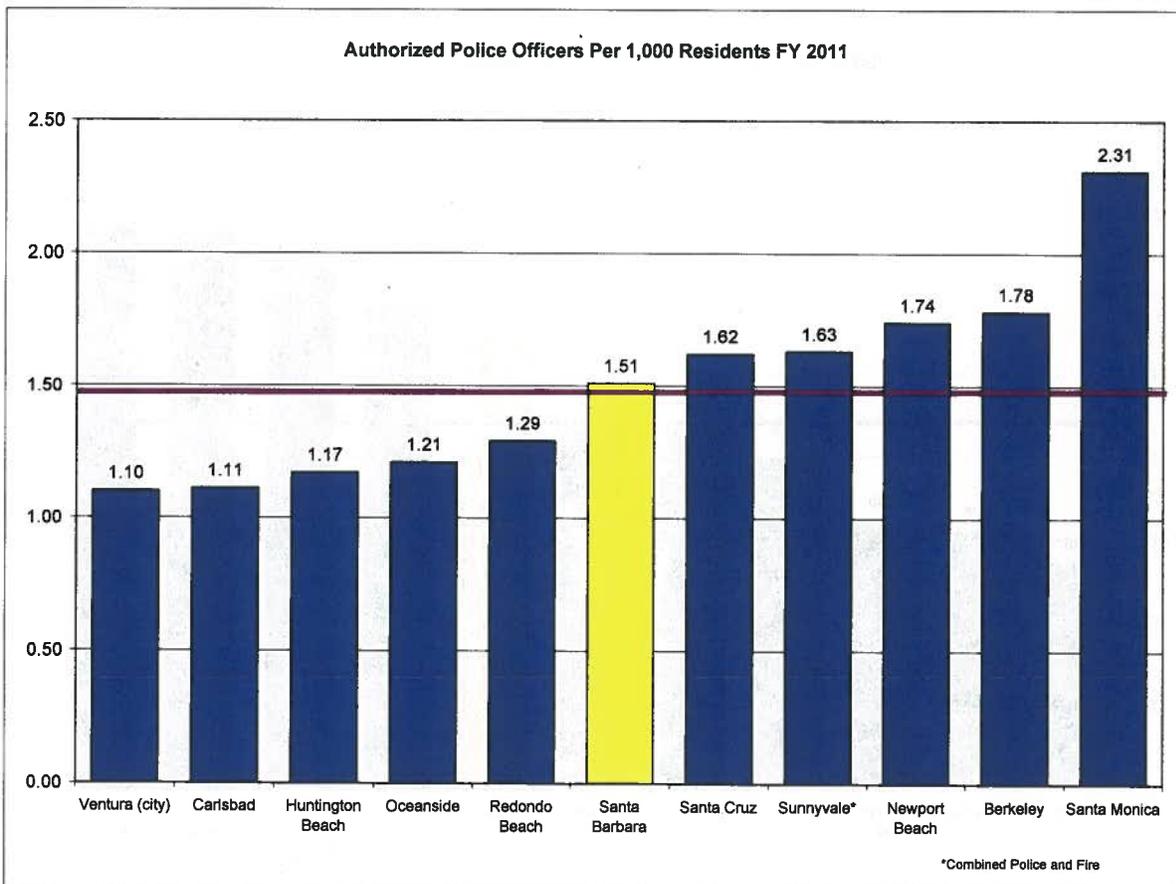
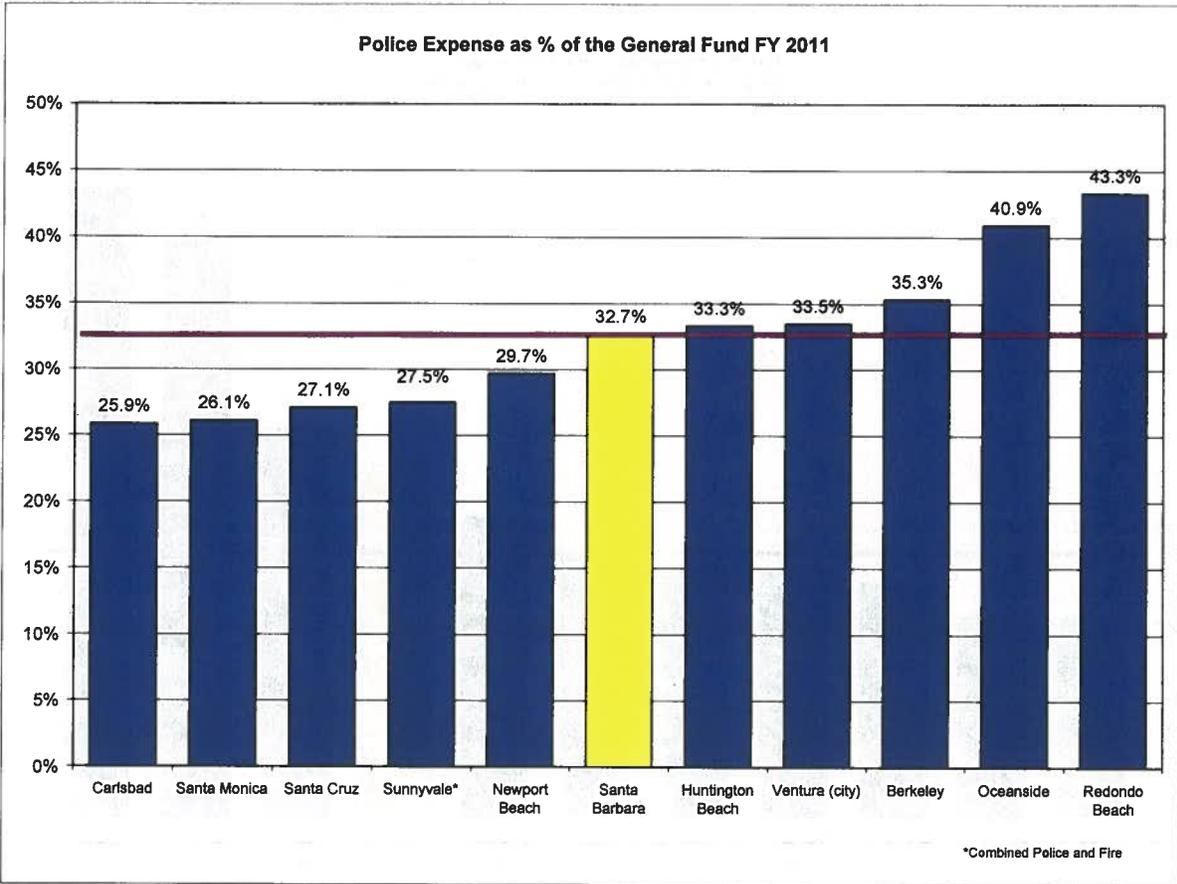
**Projected General Fund
Transient Occupancy Tax FY 2011**

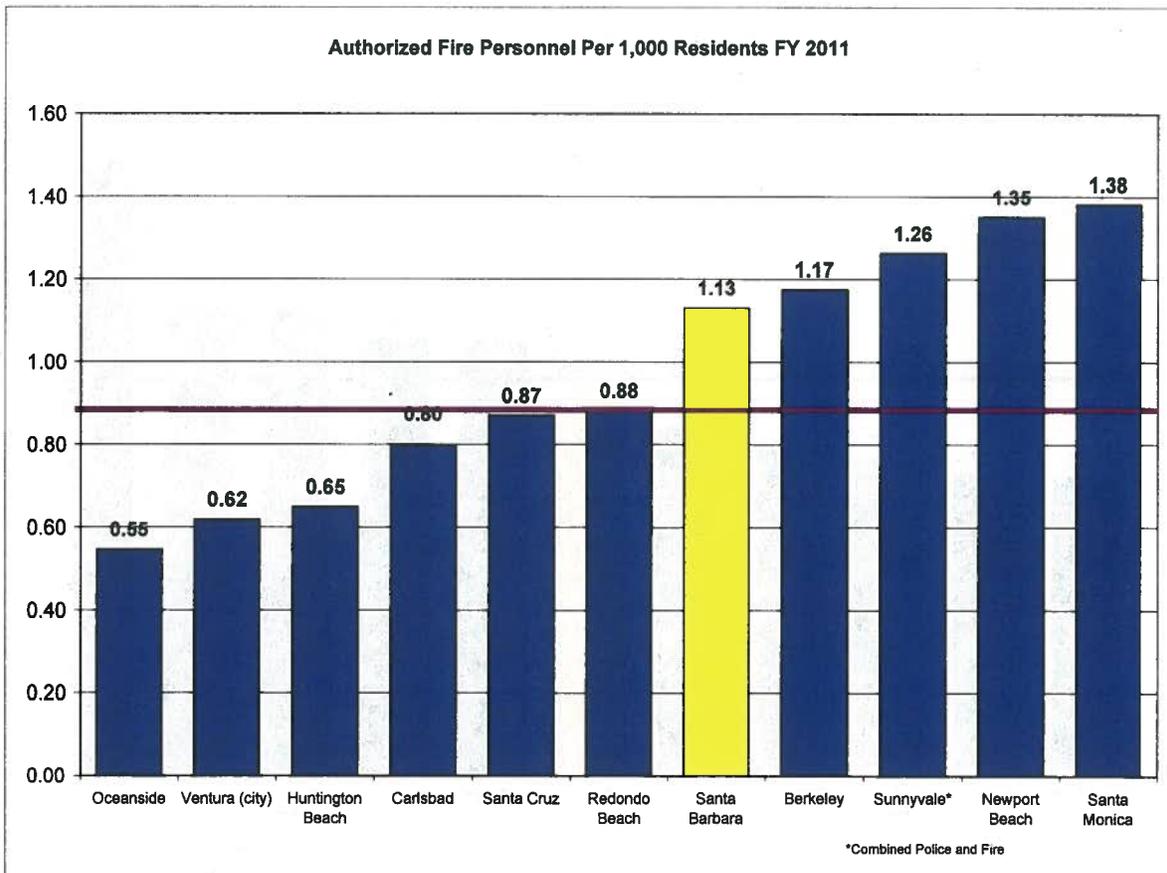
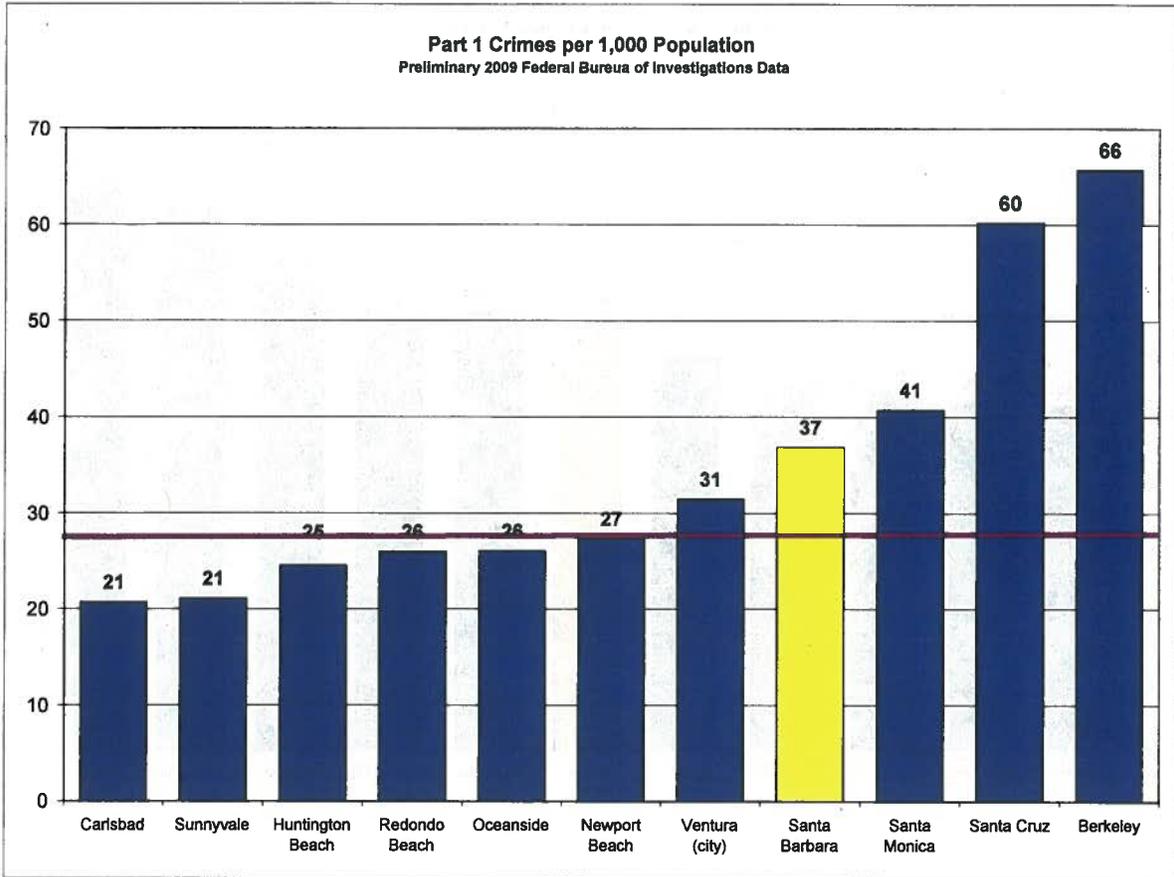


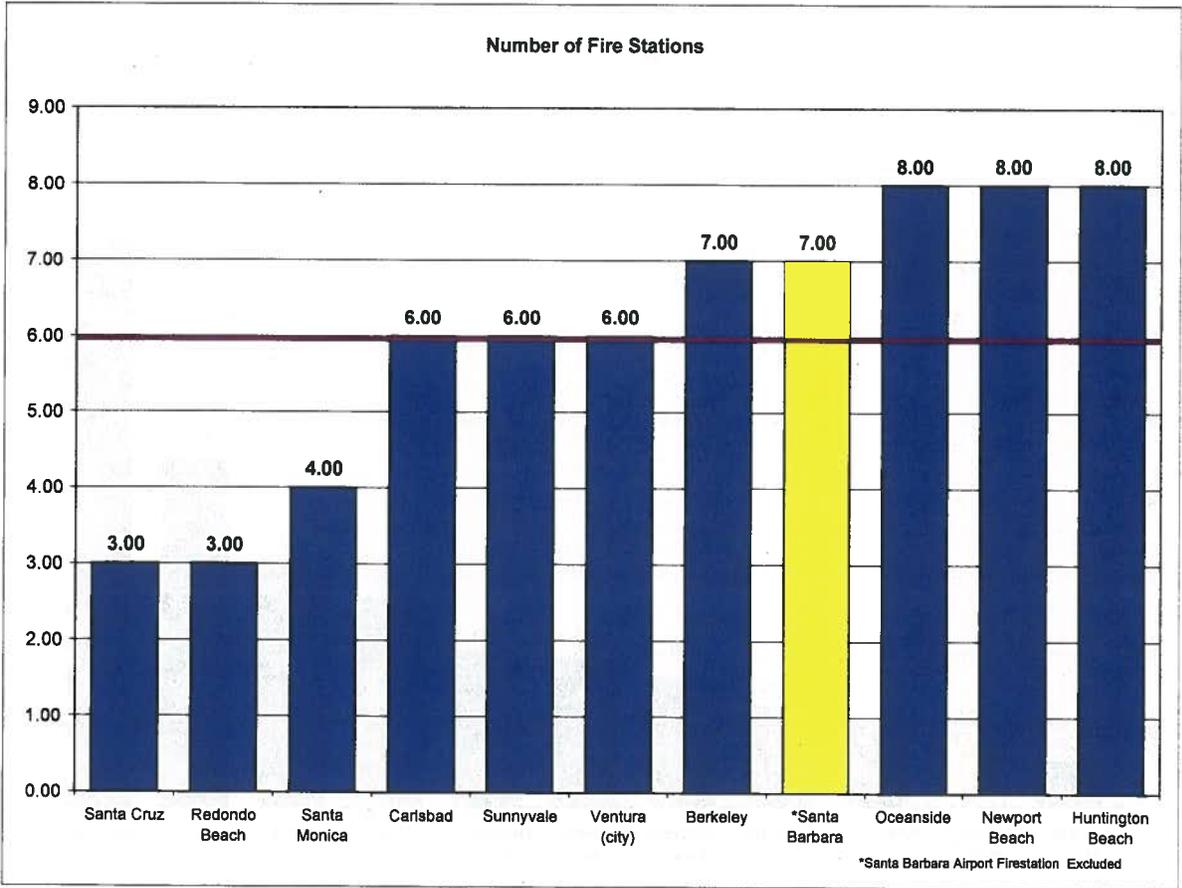
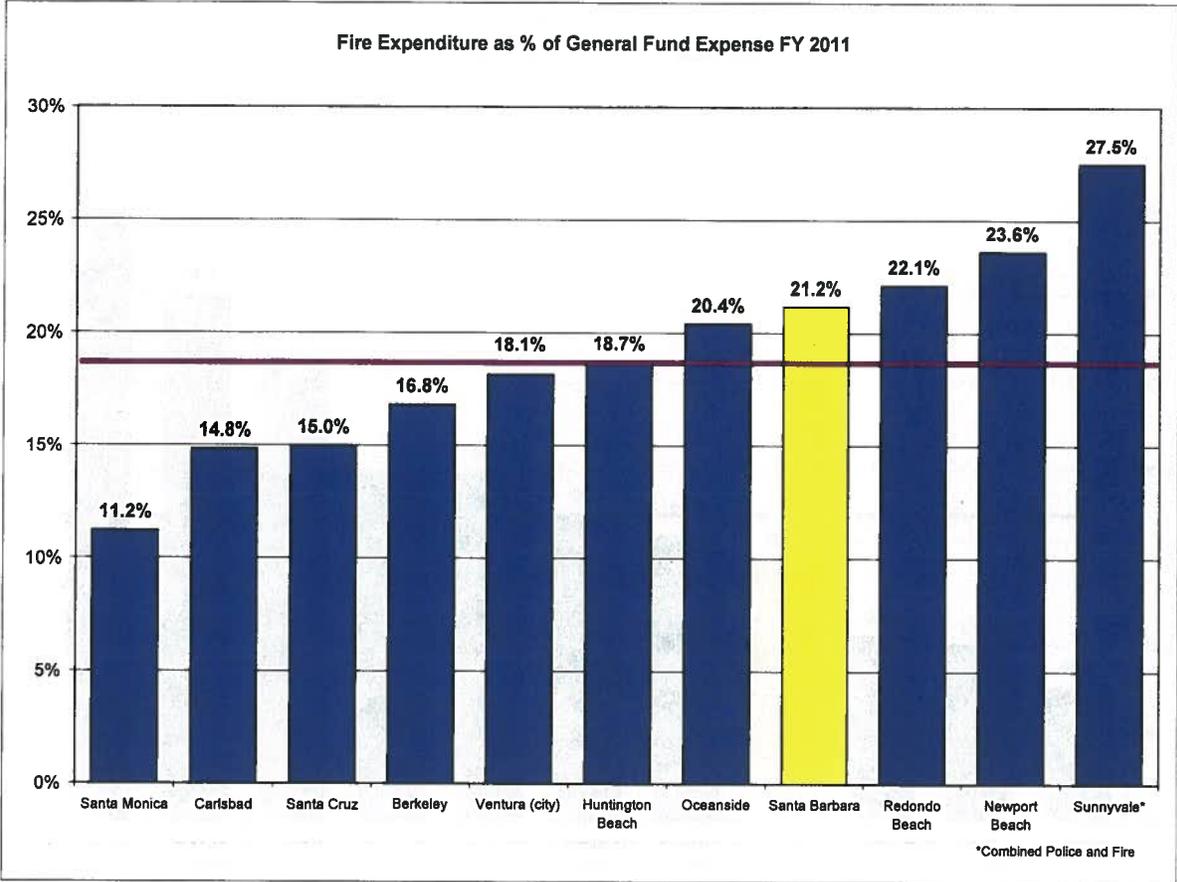


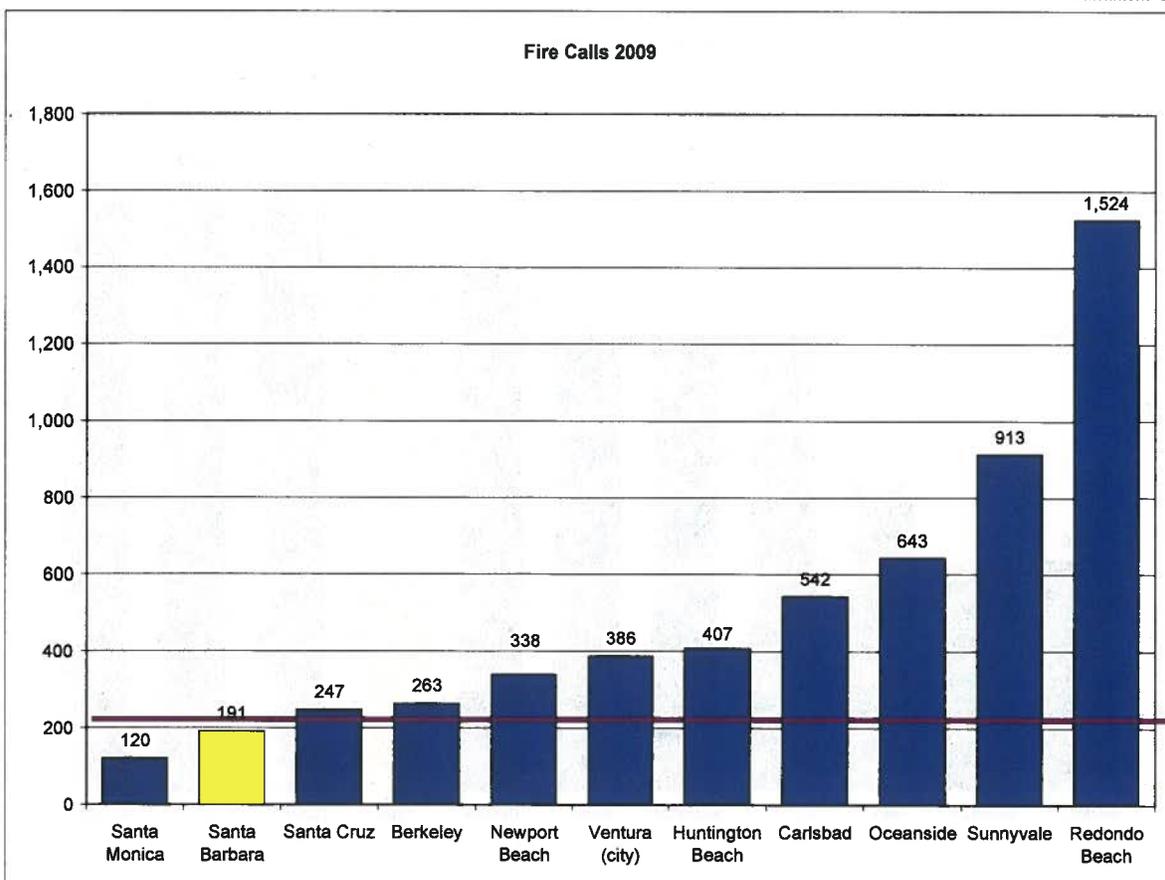
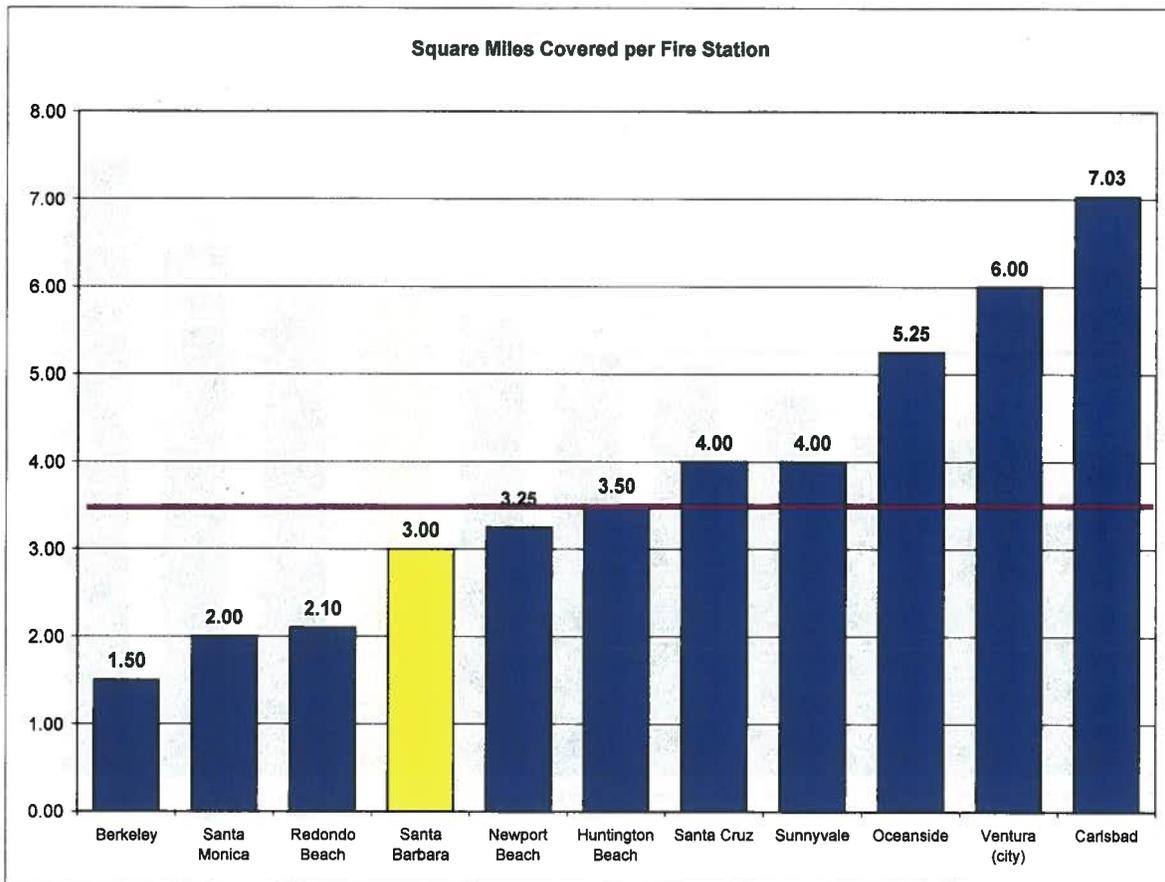


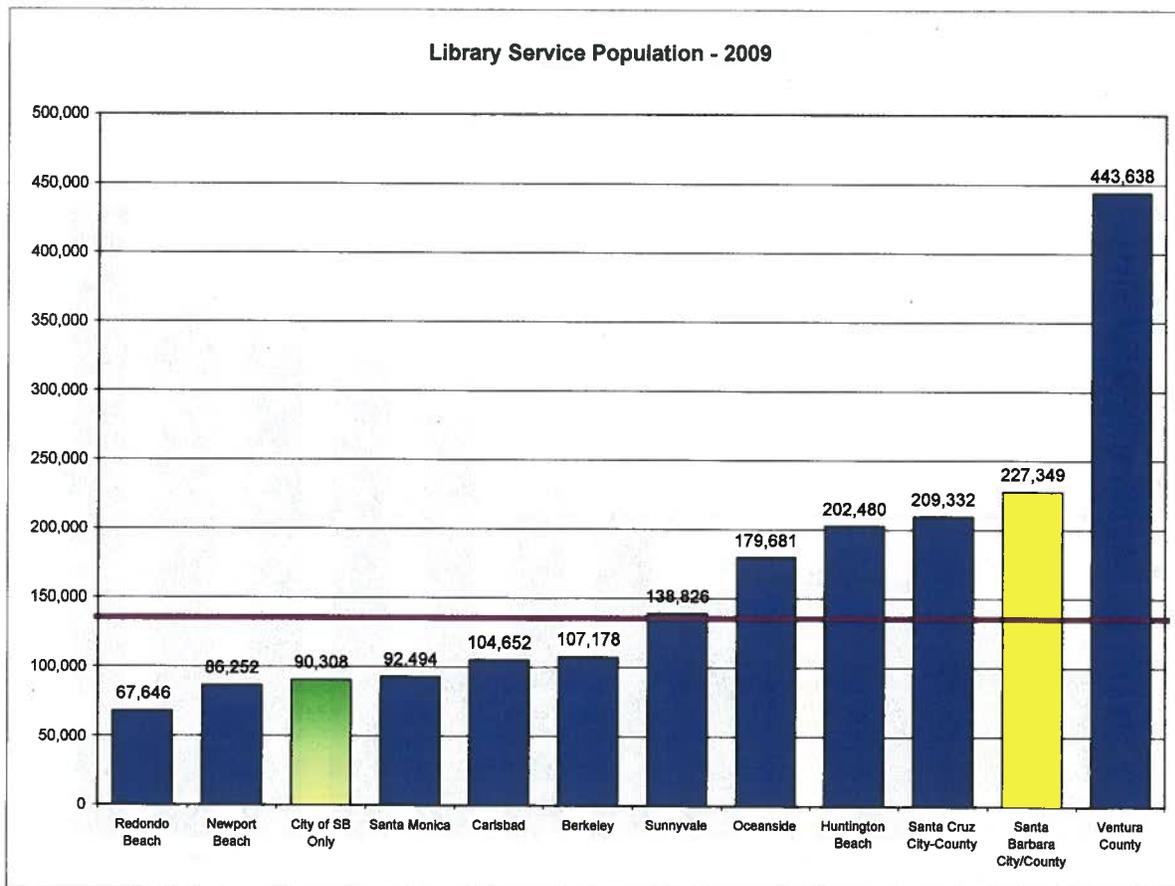
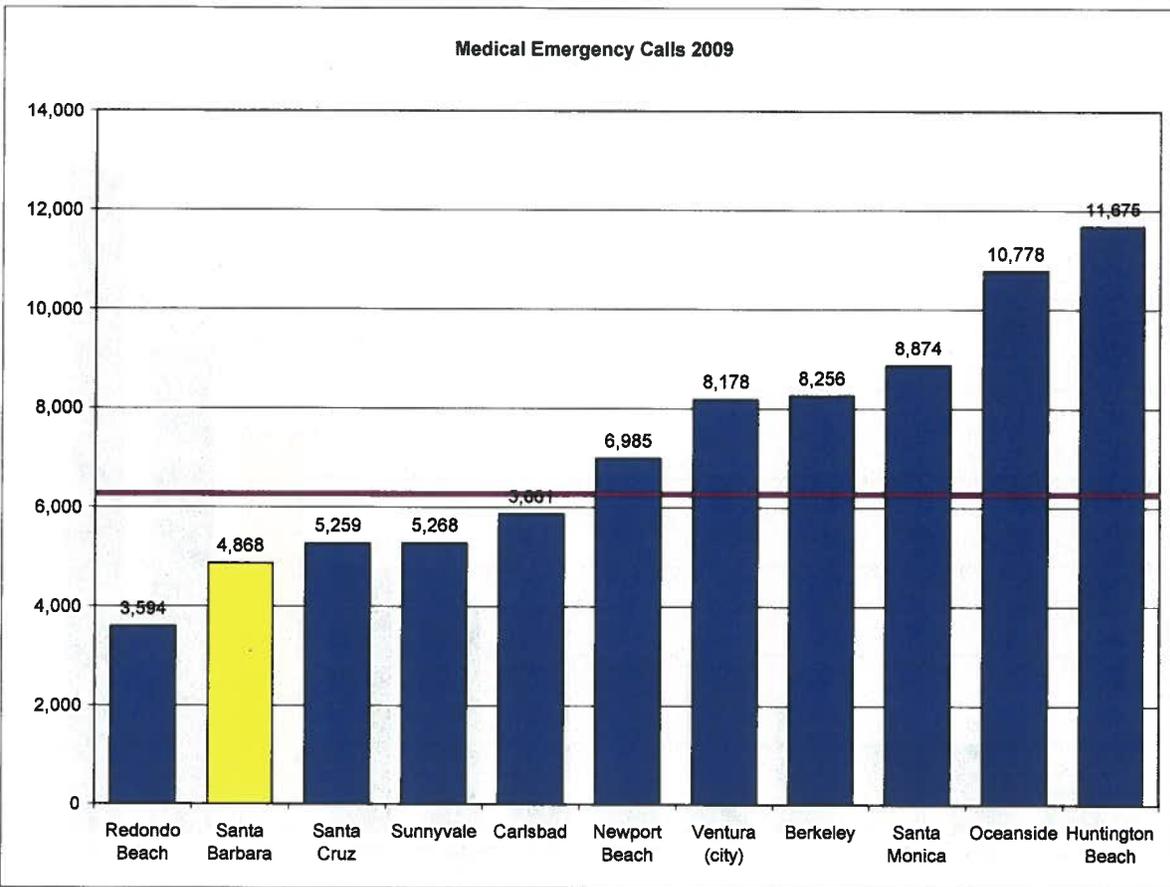


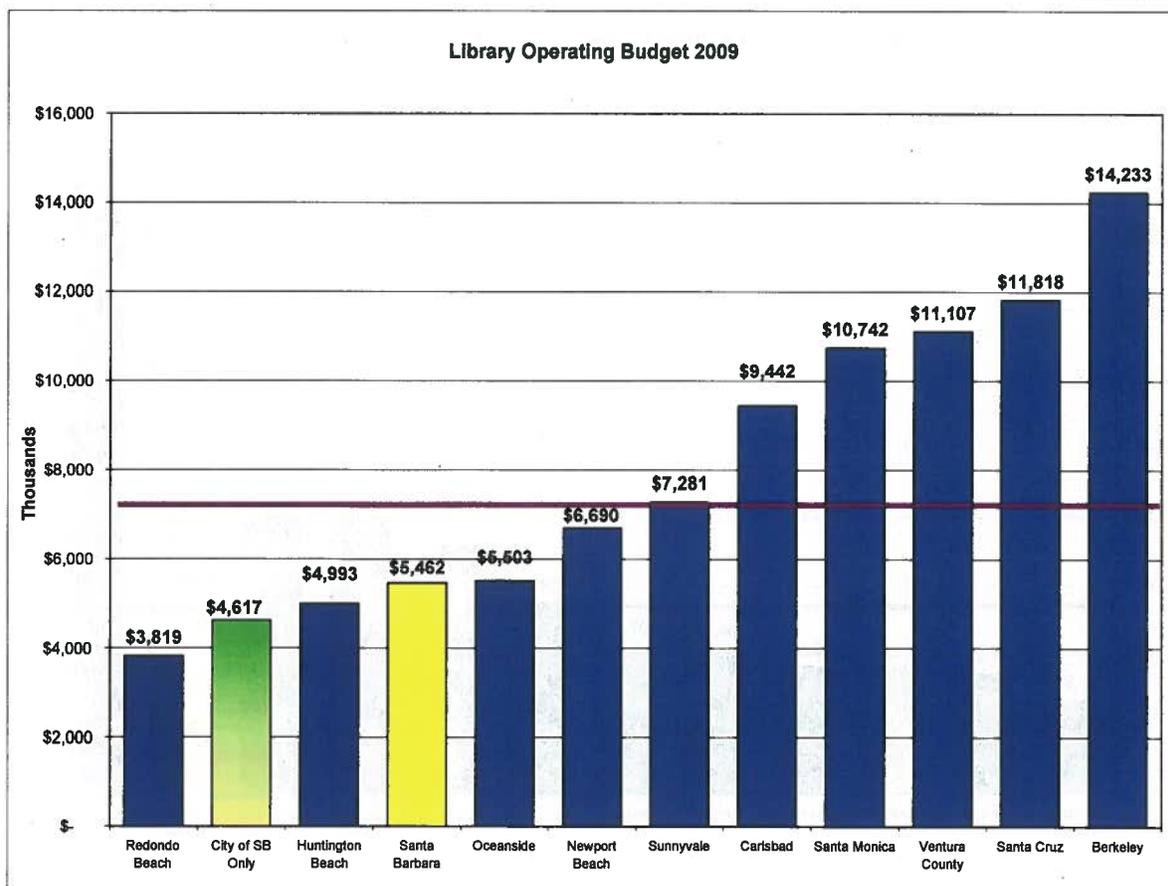
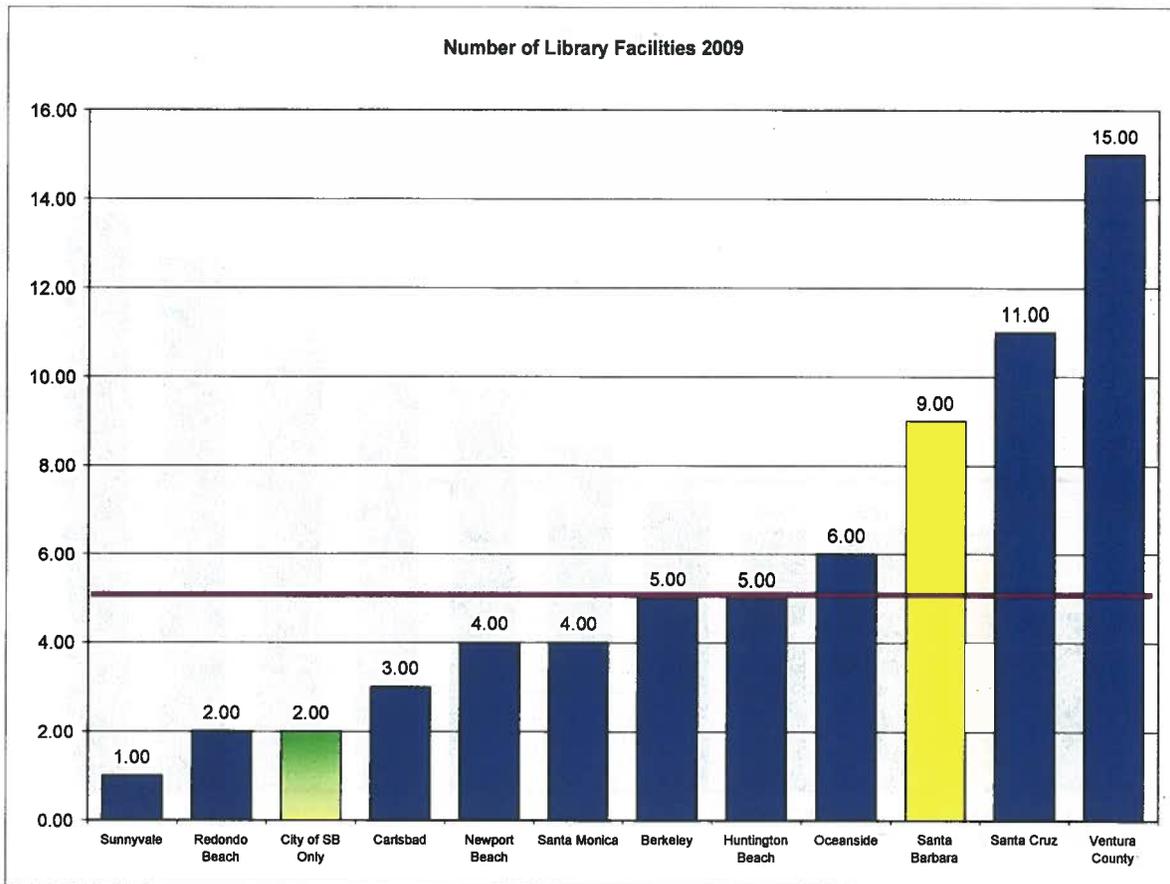


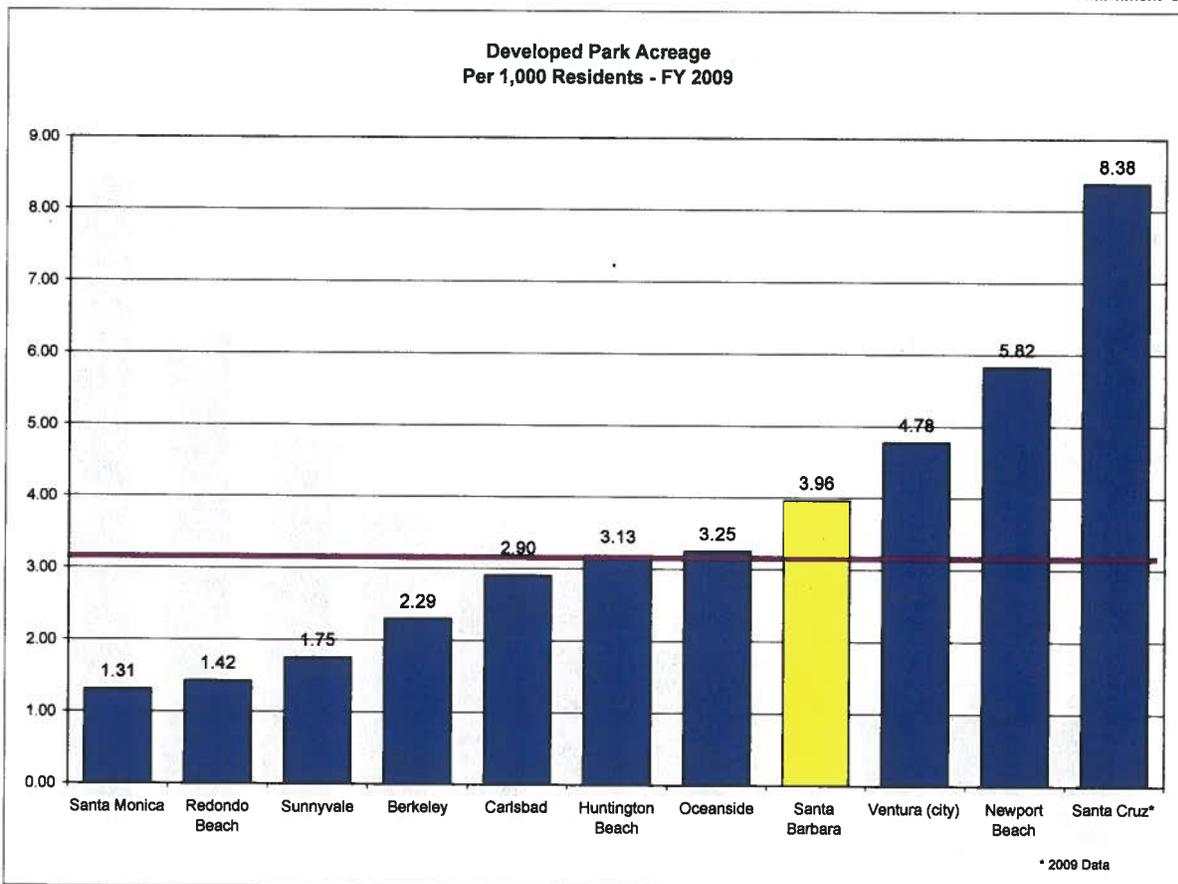
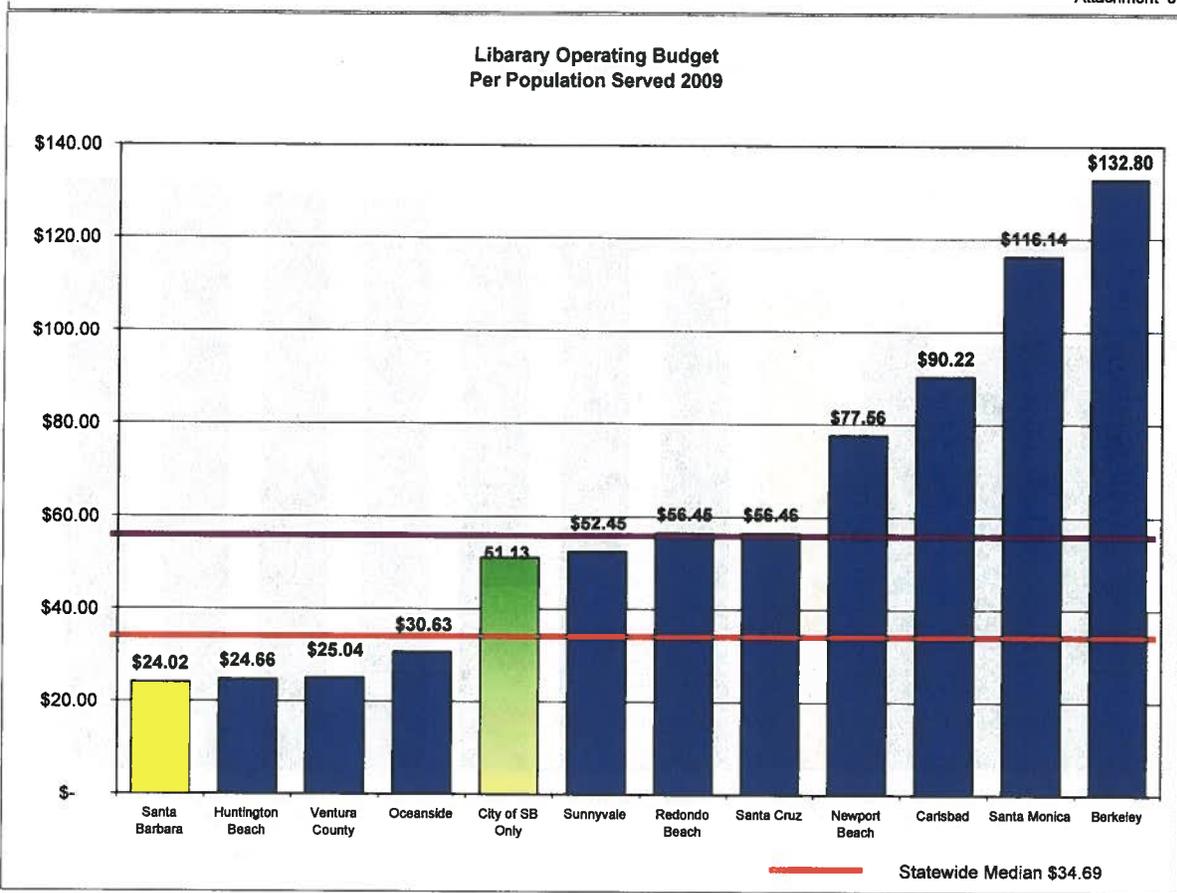


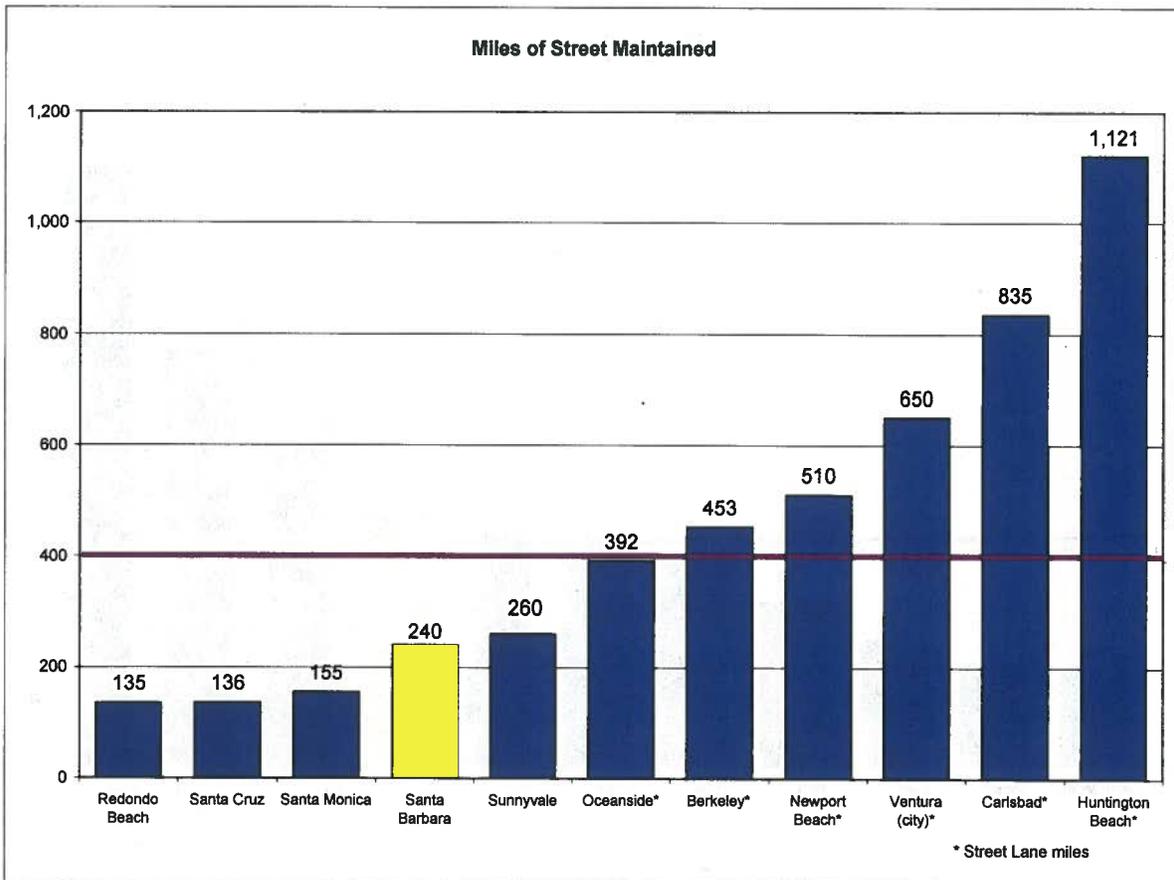
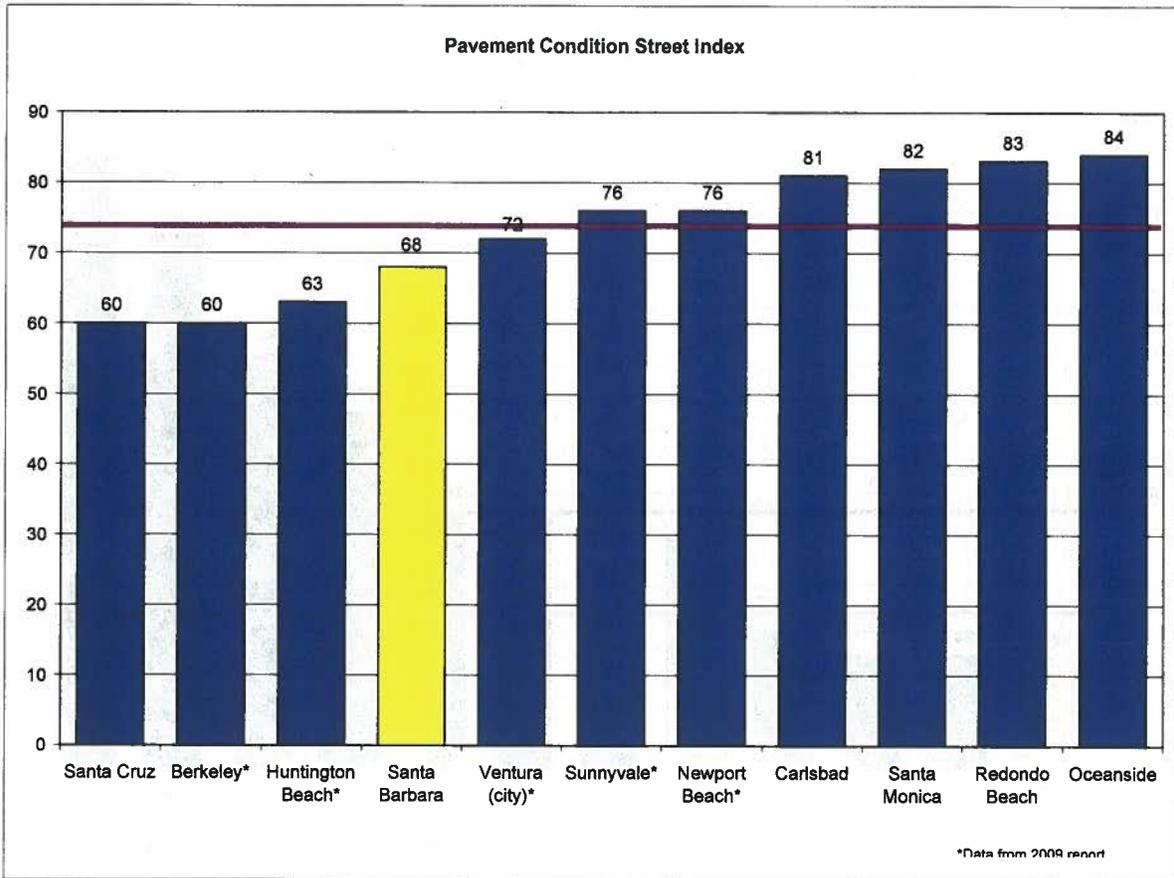












Comparative Indicators (FY 11 Adopted Budget)

Indicator	Santa Barbara Adopted FY 2011	Santa Cruz Adopted FY 2011	Redondo Beach Proposed FY 2011	Newport Beach Adopted FY 2011	Santa Monica Adopted FY 2011	Carlsbad Adopted FY 2011	Berkeley Adopted FY 2011	Ventura Proposed FY 2011	Sunnyvale Adopted FY 2011	Oceanside Adopted FY 2011*	Huntington Beach Proposed Budget FY 2011*
Population California State Finance Office (January 1, 2010)	90,893	59,684	68,105	86,738	92,703	106,804	108,119	109,946	140,450	183,095	203,484
Land Area (square miles)	21	12	6.3	26	8.3	42.19	10.5	36	24	42	28
Population per square mile	4,328.24	4,973.67	10,810.32	3,336.08	11,169.04	2,531.50	10,297.05	3,054.06	5,852.08	4,359.40	7,267.29
Population characteristics											
17 and under	17.3%	14.0%	20.3%	19.5%	14.3%	25.9%	13.6%	23.5%	22.1%	25.9%	21.1%
Over 65	14.5%	8.6%	10.1%	18.4%	14.7%	12.1%	11.2%	12.9%	11.1%	13.4%	13.4%
Per Capita Income	\$ 35,883	\$ 34,439	\$ 51,213	\$ 76,973	\$ 55,682	\$ 43,091	\$ 35,482	\$ 28,705	\$ 41,740	\$ 27,189	\$ 40,183
Median Household Income	\$ 59,016	\$ 63,201	\$ 95,000	\$ 104,435	\$ 71,095	\$ 81,468	\$ 60,625	\$ 62,410	\$ 88,364	\$ 59,395	\$ 76,527
Percent of Owner-Occupied Housing	41%	44.22%	56.30%	54.77%	28.24%	69.73%	44.60%	52.8%	49.58%	60.15%	63%
Financial Information											
General Fund Revenue	\$ 102,376,117	\$ 75,937,623	\$ 65,838,202	\$ 145,125,670	\$ 251,572,856	\$ 110,387,000	\$ 151,743,815	\$ 80,444,529	\$ 123,300,000	\$ 113,274,911	\$ 178,188,548
General Fund Revenue per Capita	\$ 1,126	\$ 1,272	\$ 967	\$ 1,673	\$ 2,714	\$ 1,034	\$ 1,403	\$ 732	\$ 878	\$ 619	\$ 876
General Fund Expense	\$ 102,376,117	\$ 78,114,549	\$ 66,872,426	\$ 144,313,778	\$ 256,796,550	\$ 109,436,776	\$ 151,944,841	\$ 80,444,529	\$ 128,700,000	\$ 113,274,957	\$ 178,188,548
General Fund Expense per Capita	\$ 1,126	\$ 1,309	\$ 982	\$ 1,664	\$ 2,770	\$ 1,025	\$ 1,405	\$ 732	\$ 916	\$ 619	\$ 876
Authorized positions per 1,000 population	11.15	13.07	6.50	10.86	23.54	6.42	14.26	5.47	6.39	5.29	5.53
General Fund Capital Improvement	\$ 758,170	\$ -	\$ -	\$ 5,054,497	\$ 13,284,275	\$ 5,242,205	\$ 8,331,699	\$ 11,389,222	\$ 75,272	\$ 13,127,085	\$ 2,000,000
General Fund Capital as % of Gen Fund Exp.	0.74%	0.00%	0.00%	3.50%	5.17%	4.79%	5.48%	14.16%	0.06%	11.59%	1.12%
Total Tax Revenues Per Capita	\$ 663	\$ 645	\$ 593	\$ 1,224	\$ 1,662	\$ 815	\$ 938	\$ 490	\$ 577	\$ 379	\$ 572
Sales Tax	\$ 16,714,359	\$ 12,571,024	\$ 8,162,000	\$ 17,800,000	\$ 28,765,000	\$ 22,888,000	\$ 14,705,040	\$ 17,984,472	\$ 25,112,500	\$ 17,307,800	\$ 22,115,000
Property and Property Transfer Tax	\$ 23,148,100	\$ 13,544,000	\$ 19,585,000	\$ 70,642,840	\$ 36,425,533	\$ 48,712,000	\$ 51,911,130	\$ 21,503,385	\$ 42,513,743	\$ 46,027,000	\$ 67,075,000
Business License Tax	\$ 2,168,000	\$ 797,200	\$ 1,250,000	\$ 4,000,000	\$ 26,200,000	\$ 3,462,000	\$ 13,780,791	\$ 1,510,698	\$ 1,250,000	\$ 2,838,700	\$ 2,205,000
UUT	\$ 7,040,000	\$ 8,412,000	\$ 8,300,000	\$ -	\$ 32,984,000	\$ -	\$ 15,838,522	\$ 9,413,885	\$ 6,562,157	\$ -	\$ 19,480,000
TOT	\$ 11,157,000	\$ 3,155,000	\$ 3,100,000	\$ 13,705,291	\$ 29,675,000	\$ 11,965,000	\$ 5,183,309	\$ 3,500,743	\$ 5,631,782	\$ 3,175,000	\$ 5,535,000
Total of Tax Revenue	\$ 60,227,459	\$ 38,479,224	\$ 48,280,300	\$ 106,148,131	\$ 154,049,533.00	\$ 87,027,000	\$ 101,418,792	\$ 53,913,183	\$ 81,070,182	\$ 69,348,500	\$ 116,410,000
Percent generated from 5 taxes	59%	51%	61%	73%	61%	79%	67%	67%	66%	61%	65%

Comparative Indicators (FY 11 Adopted Budget)

	<u>Santa Barbara</u>	<u>Santa Cruz</u>	<u>Redondo Beach</u>	<u>Newport Beach</u>	<u>Santa Monica</u>	<u>Carlsbad</u>	<u>Berkeley</u>	<u>Ventura</u>	<u>Oceanside</u>	<u>Huntington Beach</u>	<u>Sunnyvale*</u>
Public Safety											
FY 11											
Police Expenditures as % of Gen. Fund Exp.	33%	27%	43%	30%	26%	26%	35%	33%	41%	33%	28%
DOJ 2009 - Sworn Police FTEs per 1,000 residents	1.51	1.62	1.29	1.74	2.31	1.11	1.78	1.10	1.21	1.17	1.63
DOJ 2009 - Part 1 Crimes per 1,000	36.84	60.18	25.96	27.32	40.70	20.66	65.70	31.46	26.04	24.53	21.07
Fire Expenditure as % of Gen. Fund Exp.	21%	15%	22.10%	23.60%	11%	15%	17%	18%	20%	19%	28%
Sworn Fire personnel per 1,000 residents	1.13	0.87	0.88	1.35	1.38	0.80	1.17	0.62	0.55	0.65	1.26
Number of Stations	7	3	3	8	4	6	7	6	8	8	6
Square Miles covered by station	3.00	4.00	2.10	3.25	2.00	7.03	1.50	6.00	5.25	3.50	4.00
Number of fire calls	191	247	1,524	338	120	542	263	386	643	407	913
Number of medical emergency calls	4,868	5,259	3,594	6,985	8,874	5,861	8,256	8,178	10,778	11,675	5268

Public Safety Department Details

Santa Monica Police includes, Harbor, helicopter unit, jail Police fleet services and animal shelter
 Berkeley Police Service includes Jail Services
 Huntington Beach Police has helicopter operations for traffic, jail and fleet maintenance
 Santa Cruz Fire includes EMS and Marine Services
 Redondo Beach includes EMT, paramedics and Harbor Patrol and hazmat
 Newport Beach Fire includes EMS, Ocean Lifeguards and Jr. Lifeguards
 Huntington Beach includes paramedic, ambulance service, fleet maintenance and hazmat
 Berkeley Fire includes paramedic/ambulance service
 Oceanside Fire has Paramedic and Lifeguard
 Carlsbad Fire provides paramedic and ambulance services

*Sunnyvale is an integrated Police and Fire Department General Fund expenditure equals 55% of the General Fund

	<u>Santa Barbara</u>	<u>Santa Cruz</u>	<u>Redondo Beach</u>	<u>Newport Beach</u>	<u>Santa Monica</u>	<u>Carlsbad</u>	<u>Berkeley</u>	<u>Ventura (County)</u>	<u>Oceanside</u>	<u>Huntington Beach</u>	<u>Sunnyvale</u>	<u>City of SB Libraries Only</u>
Library (stats from 2008-2009 report) pop. Base												
	227,349.00	209,332.00	67,646.00	86,252.00	92,494.00	104,652.00	107,178.00	443,638	179,681.00	202,480.00	138,826.00	90,308.00
Operating Income	\$ 5,461,505	\$ 11,818,178	\$ 3,818,534	\$ 6,690,063	\$ 10,742,178	\$ 9,442,143	\$ 14,233,479	\$ 10,874,515	\$ 5,503,337	\$ 4,993,044	\$ 7,281,021	\$ 4,617,285
Library Circulation Rate per Capita	7.05	10.94	12.70	18.27	17.34	12.76	18.20	3.87	3.08	4.66	17.88	8.39
Number of libraries and branches	9.00	11.00	2.00	4.00	4.00	3.00	5.00	15.00	6.00	5.00	1.00	2.00
Operating Budget	\$ 5,461,505	\$ 11,818,178	\$ 3,818,534	\$ 6,690,063	\$ 10,742,178	\$ 9,442,143	\$ 14,233,479	\$ 11,107,491	\$ 5,503,337	\$ 4,993,044	\$ 7,281,021	\$ 4,617,285
Expenditures Per Capita	\$ 27.47	\$ 61.90	\$ 56.45	\$ 77.56	\$ 116.14	\$ 91.63	\$ 132.91	\$ 25.04	\$ 30.63	\$ 24.66	\$ 50.20	\$ 51.13
Public Works												
Pavement Condition Index	68	60	83	76	82	81	60	72	84	63	76	
Lane miles maintained	240	136	135	510	155	835	453	650	392	1,121	260	