

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
Mayor
Bendy White
Mayor Pro Tempore
Grant House
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Frank Hotchkiss
Randy Rowse
Michael Self



James L. Armstrong
City Administrator

Stephen P. Wiley
City Attorney

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

**MARCH 22, 2011
AGENDA**

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

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

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

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

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

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

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

ORDER OF BUSINESS

- 12:30 p.m. - Finance Committee Meeting, David Gebhard Public Meeting Room,
630 Garden Street
- 2:00 p.m. - City Council Meeting Begins
- 5:00 p.m. - Recess
- 6:00 p.m. - City Council Meeting Reconvenes

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

Subject: Review Of Solid Waste Budget

Recommendation: That the Finance Committee hear a report from staff on the financial status of the Solid Waste Fund and proposed rate adjustments for Fiscal Year 2012.

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

AFTERNOON SESSION

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of January 25, the special meeting of February 7, and the regular meetings of February 8, and February 22, 2011 (cancelled).

2. Subject: Adoption Of Ordinance For The Amendment Of Concession Agreement With First Class Concessions, Inc. (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving an Amendment of Concession Agreement No. 23,445, Dated June 22, 2010, Between the City of Santa Barbara and First Class Concessions, Inc., for Operation of the Food and Beverage Concession at the Airport.

3. Subject: Adoption Of Ordinance For A Lease Agreement With Leather Depot, Inc. (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving A Five-Year Lease with One Five-Year Option with Leather Depot, Inc., Doing Business As Coastal Treasures, with a Base Rent of \$2,427 Per Month, for the 610 Square-Foot Retail Store Located at 217-E Stearns Wharf, Effective April 21, 2011.

CONSENT CALENDAR (CONT'D)

4. Subject: Adoption Of Ordinance Regarding Temporary Suspension Of Certain Hedge Regulations (640.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapter 28.87 of Title 28, the City's Zoning Ordinance, in Order to Temporarily Suspend the Application of Certain Provisions of Section 28.87.170 Concerning the Height of Hedges in Required Setbacks and Along the Front Lot Line.

5. Subject: Application For Grant Funding For Mission Creek Lagoon And Laguna Channel Restoration And Flood Reduction Project (530.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Application for \$5,175,000 in Grant Funds from the Flood Corridor Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) and the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Proposition 1E).

6. Subject: Acceptance Of Street Easement At 2501-2511 Medcliff Road (330.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Street Easement for Public Street Uses on a Portion of the Real Property Commonly Known as 2501-2511 Medcliff Road, Authorizing City Public Works Director to Execute Same, and Consenting to the Recordation by City Clerk of Said Street Easement Deed in the Official Records, County of Santa Barbara.

7. Subject: Acceptance Of Utility Easement For Street Light Pedestal At 2437 Calle Andalucia (530.07)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Utility Easement for the Installation and Use of Public Street Light Utility Pedestal and Facilities on a Portion of the Real Property Commonly Known as 2437 Calle Andalucia, Authorizing City Public Works Director to Execute Same, and Consenting to the Recordation by City Clerk of Said Utility Easement Deed in the Official Records, County of Santa Barbara.

CONSENT CALENDAR (CONT'D)

8. Subject: Authorization For The Allocation Of Transportation Development Act Funds (150.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments (SBCAG) for Allocation of \$56,584 in Transportation Development Act (TDA) Funds for Fiscal Year 2012.

9. Subject: Contract For Construction For The Modoc Road Pavement Preparation Project (530.04)

Recommendation: That Council:

- A. Waive the formal bidding requirements, as authorized by Municipal Code Section 4.52.070 (L), Best Interest to Waive;
- B. Authorize the General Services Manager to issue a Purchase Order Contract to Lash Construction, Inc. (Lash), in the low bid amount of \$77,244 for construction of the Modoc Road Pavement Preparation Project (Project), Bid No. 5059; and
- C. Authorize the General Services Manager to approve expenditures of up to \$7,725 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

10. Subject: Rental Property Lease Agreements For Police Recruit Housing And Retroactive Approval Of Purchase Order Number 384872 Issued To The Discovery Group, Inc. (520.04)

Recommendation: That Council:

- A. Grant authority to the Chief of Police through June 30, 2016, to negotiate and execute rental property leases, utility service contracts, and furniture rental agreements, as necessary and in a form acceptable to the City Attorney, for the purpose of police recruit housing; and
- B. Retroactively approve Purchase Order Number 384872 in the amount of \$27,900 issued on January 3, 2011, to the Discovery Group, Inc., for housing and related services for police recruits.

NOTICES

11. The City Clerk has on Thursday, March 17, 2011, 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.

This concludes the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

FINANCE DEPARTMENT

12. Subject: Professional Services Agreement For Zone 1 Hauler Franchise Renewal (630.01)

Recommendation: That Council:

- A. Authorize the Finance Director to negotiate and execute a Professional Services Agreement, in a form acceptable to the City Attorney, with HF&H Consultants, LLC, in an amount not to exceed \$110,200 for competitive contracting assistance; and
- B. Appropriate \$110,200 from the available reserves of the City's Solid Waste Fund to cover these contract costs and direct staff to require any successful Zone 1 Hauler to reimburse the City for these costs as part of the franchise agreement to be awarded.

PUBLIC HEARINGS

13. Subject: Appeal Of Parks And Recreation Commission Denial Of Tree Removal At 320 Cooper Road (570.08)

Recommendation: That Council deny the appeal filed by Peter Hornemann, and uphold the Parks and Recreation Commission decision to deny the removal of a *Quercus agrifolia* (Coast Live Oak) located in the minimum front setback at 320 Cooper Road.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT

14. Subject: Six-Year Capital Improvement Program - Fiscal Year 2012 Through 2017 (230.01)

Recommendation: That Council receive the Six-Year Capital Improvement Program for Fiscal Year 2012 through 2017.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

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

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to subsection (b)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

16. 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 General, Treatment and Patrol, and Supervisory bargaining units and regarding discussions with unrepresented management about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

RECESS

EVENING SESSION

RECONVENE

ROLL CALL

PUBLIC COMMENT

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

17. Subject: Community Development And Human Services Committee Funding Recommendations For Fiscal Year 2012, Policy Amendment And Housing And Urban Development 2011 Action Plan (610.05)

Recommendation: That Council:

- A. Approve the Fiscal Year 2012 funding recommendations of the Community Development and Human Services Committee (CDHSC) for use of Community Development Block Grant (CDBG) and Human Services funds;
- B. Approve the CDHSC funding contingency plan;
- C. Authorize the CDHSC to adjust funding as per the approved contingency plan without further Council action upon receipt of the actual entitlement amount awarded;
- D. Authorize the Community Development Director to negotiate and execute agreements implementing the funding recommendations, subject to the review and approval of the City Attorney;
- E. Authorize the City Administrator to sign all necessary documents to submit the City's 2011 Action Plan to the Department of Housing and Urban Development (HUD); and
- F. Authorize staff to amend CDBG and Human Services grant applications, program applications, policies, and agreements as necessary to implement regulations under the Federal Funding Accountability and Transparency Act of 2006 (FFATA) that became effective as of October 1, 2010, subject to the review and approval of the City Attorney.

ADJOURNMENT

CITY OF SANTA BARBARA

FINANCE COMMITTEE

MEETING AGENDA

DATE: March 22, 2011

Dale Francisco, Chair

TIME: 12:30 p.m.

Michael Self

PLACE: David Gebhard Public Meeting Room
630 Garden Street

Bendy White

James L. Armstrong
City Administrator

Robert Samario
Finance Director

ITEM TO BE CONSIDERED:

Subject: Review Of Solid Waste Budget

Recommendation: That the Finance Committee hear a report from staff on the financial status of the Solid Waste Fund and proposed rate adjustments for Fiscal Year 2012.



CITY OF SANTA BARBARA

FINANCE COMMITTEE AGENDA REPORT

AGENDA DATE: March 22, 2011
TO: Finance Committee
FROM: Administration Division, Finance Department
SUBJECT: Review Of Solid Waste Budget

RECOMMENDATION:

That the Finance Committee hear a report from staff on the financial status of the Solid Waste Fund and proposed rate adjustments for Fiscal Year 2012.

EXECUTIVE SUMMARY:

In the last few years, the finances of the Solid Waste Fund have been significantly impacted by a number of converging factors, including: (1) the shift of franchise fees from the Solid Waste Fund to the General Fund beginning in Fiscal Year 2011; (2) a sharp decline in revenues from the sale of recyclables; and (3) a decline in revenues in the commercial sector caused by various factors, including a new rate structure and a general decline in the economy. In total, these three factors resulted in a \$1.1 million loss of revenues in just two years.

There are also cost increases adding to the problem. In particular, the City will be required to pay an estimated \$150,000 per year to maintain the gas collection system scheduled for implementation at the closed landfill at Elings Park this spring. The cost to install the system is estimated at \$920,000, of which \$400,000 is being funded from a State grant.

Staff has implemented cost savings measures, including staff reductions and other position changes that will save \$245,000 next year. However, an outstanding deficit of approximately \$600,000 still remains.

In order to cure the structural deficit, an across the board increase to rates of 3.37% is needed. This rate increase would be in addition to the increases to rates that are contractually mandated to cover increasing costs of waste collection and disposal services provided by two City's franchised haulers. The overall rate increase required by the franchise agreements is 2.72%.

Proposition 218 noticing of these increases was recently released. Staff felt it would be beneficial to present the rationale for the additional 3.37% increase to the Sustainability Committee and the Finance Committee, and discuss any related questions or concerns, early in the process. The changes were presented to the Sustainability Committee on March 15, 2011.

DISCUSSION:

The Solid Waste Fund accounts for activities associated with the collection and disposal of refuse and the implementation of programs designed to increase diversion of waste from the County's landfill. The diversion programs stem from not only State mandated diversion requirements, but also the limited permitted capacity of Tajiguas Landfill, which is expected to be reached within the next 15 years unless alternative solutions to waste disposal are implemented. As an enterprise fund, the costs of the services are funded primarily from direct charges to customers via the consolidated utility bills.

Over the last two years, the finances of the City's Solid Waste Fund have been negatively impacted by several factors, resulting in projected deficit for the next several years if no corrective action is taken. These factors include, but are not limited to, the following:

- **Loss of Franchise Fees** – Late last year, the City Council approved a shift of revenues from solid waste franchise fees from the Solid Waste Fund to the General Fund, effective July 1, 2011. Because of the timing of this decision, staff did not have the opportunity to adjust rates to make up for the revenue loss, which totals over \$400,000 annually. Moreover, Council directed that the Solid Waste Fund repay prior years receipts of franchise fees at \$50,000 per year.
- **Decline in Recycling Revenues** – Starting in Fiscal Year 2010, the value of mixed recyclables (aluminum cans, glass, cardboard, plastic bottles, etc.) declined sharply due to the dramatic decline in the national and international economies. Consequently, the revenues generated from the sale of mixed recyclables collected in carts in cans within the City declined as well beginning in Fiscal Year 2011. The table below shows the change in revenues from recycling revenues since its inception in Fiscal Year 2009:

Fiscal Year 2009	\$ 535,864
Fiscal Year 2010	871,649
Fiscal Year 2011	(37,000)
Fiscal Year 2012 (Est.)	170,000

As shown above, between last fiscal year and this fiscal year the Solid Waste Fund will have lost \$908,649 in this revenue account alone due to the impacts of the economic downturn on the value of mixed recyclables.

- **Decline in Commercial Sector Revenues** – Since the City began tracking revenues by sector in January 2009, there has been a consistent decline in revenues generated in the commercial sector through the current date. Specifically, in the month of January 2009, the commercial sector generated approximately \$705,000 in gross revenues. In January 2011, the commercial sector generated \$615,499, a decline of \$89,501. On an annualized basis, this represents a decline of over \$1.1 million.

The decline appears to be the result of several factors, including the economic downturn, the rate changes implemented in the commercial sector in November 2009 that enable businesses to lower their overall refuse charges, and a downsizing of trash containers in response to surplus capacity. It is too difficult at this point to precisely determine the relative impacts of each of these factors on revenues. Ultimately, it will be very important to understand to what extent these actually affected revenues since the City is not obligated to mitigate any losses to revenues caused by economic factors or changes to service levels initiated by customers; however, this City is obligated to mitigate any revenue losses to the haulers solely as a result of the changes to rates implemented in the commercial sector.

When the City implemented the new rates in the commercial sector in November 2009, the City began paying the haulers a fixed amount for services provided in the commercial sector based on revenues generated in the year preceding the implementation date. As a result of the declines, there is currently a gap between the revenues being collected and the fixed payments to the haulers of \$48,459 per month. This equates to an annual gap of \$581,506. In order to offset this current gap, both haulers have agreed to a reduction in their fixed payments by a combined total of \$300,693, leaving a remaining gap of \$280,813.

City staff and the haulers have agreed to analyze the data through the summer and fall and determine more precisely the relative impacts of the various factors affecting revenues. With this information, the City can take appropriate action to resolve the remaining difference between the revenues being collected and the payments to the haulers for services provided in the commercial sector.

The overall impact of the factors described above has resulted in a projected decline in revenues by almost \$1.3 million from July 1, 2009 through June 30, 2011, as shown in the table below.

	FY 2009 Actual Revenues	FY 2011 Projected Revenues	Net Change
Franchise Fees	\$ 419,343	\$ -	\$ (419,343)
Gap in Commercial Sector	-	(280,813)	(280,813)
Recycling Revenues	535,864	(37,000)	(572,864)
Totals	\$ 955,207	\$ (317,813)	\$ (1,273,020)

Other Financial Impacts

In addition to the revenue losses previously discussed, certain costs have increased that are outside the control of the City. For example, the City has recently been mandated to construct a methane gas collection system at the closed City landfill located on the site where Elings Park currently resides. The cost of the system is over \$900,000, with \$401,000 to be funded from a State grant. In addition, the City's Solid Waste Fund will be responsible for the maintenance of the system at a cost estimated at \$150,000 per year.

Closing the Budget Gap

Staff has looked for ways to reduce costs where possible and practicable in order to offset both revenue losses and cost increases. For example, staffing levels have been reduced over the last year through a reorganization completed this year, which will result in the elimination of two full-time equivalent positions starting in Fiscal Year 2012. This is a 19% reduction in budgeted staffing and will reduce salary and benefit costs by approximately \$250,000. In addition, a number of other discretionary line-items have been trimmed substantially.

As noted above, City staff and the City's haulers, Allied Waste and MarBorg Industries, have agreed to further analyze the underlying data this fall to hopefully better determine the impacts on revenues in the commercial sector of each of the relevant factors, as previously discussed. However, in the interim, both haulers have agreed to reduce the agreed-upon guaranteed payments in the business sector by a total of \$300,000 in Fiscal Year 2012.

In Fiscal Year 2012, revenues from recyclables will increase to an estimated \$170,000. This is a \$200,000 swing from the current year, which will help offset some of the revenue losses already discussed. The increase is consistent with the more recent upward trend in the market for recyclable materials. It is unlikely that revenues from recyclables will return to pre-recession levels in the near future; however, it is possible that revenues exceed \$300,000 in the next few years.

Impacts on Refuse Rates

Under the terms of the franchise agreements with Allied Waste and MarBorg, the City is required to increase their payments each year to cover costs increases. The first increase relates to the cost of collections, which has been determined to represent 65% of the haulers' total costs. As such, payments to the haulers are adjusted by 65% of the Consumer Price Index each year. The second adjustment is to cover any increased tipping fees imposed by the County for disposal of trash at Tajiguas Landfill. For Fiscal Year 20112, tipping fees are going up by \$4.75 per ton disposed. In total, the contractually obligated increases translate into a 2.72% across the board rate increase.

In addition to the required increases to rates described in the previous paragraph, rates will need to be raised by 3.37% in order to bring the Solid Waste back into balance for Fiscal Year 2012.

The total increases to the rates for Fiscal Year are summarized below.

Contractually Obligated Rate Increases	
Increase to Collection Costs (65% x 1.95 CPI)	1.27%
Increase to Tipping Fees (\$4.75 per ton)	<u>1.45%</u>
Sub-Total	2.72%
Rate Increase Needed to Address Projected Deficit	<u>3.37%</u>
Total Proposed Rate Increase	<u>6.09%</u>

Impact to Typical Rate Payer

A comparison of monthly billings to typical customers based on the current rates versus proposed rates is presented below.

Service Level	Current Rates	Proposed Rates	\$ Change
Basic Residential Service (32-gal trash, 32-gal greenwaste, up to 96-gal recycle)	\$26.83	\$28.46	+\$1.63
Minimum Multi-Unit Residential (3 cans or less) (3-32 gal trash/ + up to 96-gal greenwaste, up to 96-gal recycle)	\$34.30	\$36.39	+\$2.09
Multi-Unit Residential (4 cans) (4-32 gal trash/week+ up to 96-gal greenwaste, up to 96-gal recycle)	\$37.36	\$39.64	+\$2.28
Sample Small Business Cart/Can Service (96-gal trash/week, up to 96-gal greenwaste, up to 96-gal recycle)	\$58.80	\$62.38	+\$3.58
Sample Business Dumpster Service (4yd trash/week, 4yd recycle/week)	\$329.61	\$349.67	+\$20.06

It is important to note that the impacts to monthly bills can be mitigated in most cases through increased diversion and adjusting service levels accordingly to realize a savings in trash bills.

PREPARED BY: Robert Samario, Finance Director

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING January 25, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

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

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

PUBLIC COMMENT

Speakers: Alan Bleecker, Milpas Community Association; Robert Burke; Andrea Roselinksy.

ITEM REMOVED FROM CONSENT CALENDAR

8. Subject: Set A Date For Public Hearing Regarding Appeal Of Parks And Recreation Commission Denial For 1704 Mission Ridge Road (570.08)

Recommendation: That Council:

- A. Set the date of February 8, 2011, at 2:00 p.m. for hearing the appeal filed by Michael Cooper of the Parks and Recreation Commission's denial of a request to remove a setback tree on the property located at 1704 Mission Ridge Road; and

(Cont'd)

8. (Cont'd)

- B. Set the date of February 7, 2011, at 1:30 p.m. for a site visit to the property located at 1704 Mission Ridge Road.

Documents:

January 10, 2011, letter of appeal.

Motion:

Councilmembers White/Francisco to approve the recommendations.

Vote:

Unanimous voice vote (Abstention: Councilmember Hotchkiss).

CONSENT CALENDAR (Item Nos. 1 – 7, 9 and 11)

The title of the ordinance related to the Consent Calendar was read.

Motion:

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

Vote:

Unanimous roll call vote.

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of October 12, 2010, the adjourned regular meeting of October 18, 2010, the regular meetings of October 19, 2010, and October 26, 2010, and the adjourned regular meeting of October 27, 2010.

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance For Agreements For Joint Uses And Encroachments At The Carrillo Recreation Center And The Lobero Building (330.03)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute Certain Agreements Acknowledging Ongoing Uses Between the Property Known as the Lobero Building at 924 Anacapa Street, Owned by The 924 Group, LLC, and the Property Known as the Carrillo Recreation Center at 100 East Carrillo Street, Owned by the City of Santa Barbara.

Action: Approved the recommendation; Ordinance No. 5542.

3. Subject: Airport Public Art Program (610.04)

Recommendation: That Council:

- A. Authorize the Airport Director to execute a Loan of Asset Agreement, subject to approval by the City Attorney, between the City and the County of Santa Barbara for the long-term loan of a Santa Barbara County Courthouse Lantern; and
- B. Authorize the Airport Director to execute a Loan of Asset Agreement between the City and the David Bermant Foundation for the long-term loan of a kinetic sculpture, "Good Time Clock IV," by artist George Rhoads.

Action: Approved the recommendations; Agreement Nos. 23,618 and 23,619 (January 25, 2011, report from the Airport Director).

4. Subject: December 31, 2010, Investment Report And December 31, 2010, Fiscal Agent Report (260.02)

Recommendation: That Council:

- A. Accept the December 31, 2010, Investment Report; and
- B. Accept the December 31, 2010, Fiscal Agent Report.

Action: Approved the recommendations (January 25, 2011, report from the Finance Director).

5. Subject: Proposition 40 Grant For The Renovation Of The Oak Park Main Restroom (570.05)

Recommendation: That Council increase revenues and appropriations in the Parks and Recreation Department Fiscal Year 2011 Capital Fund in the amount of \$100,325 for a California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40) Per Capita grant for the renovation of the Oak Park Main Restroom.

Action: Approved the recommendation (January 25, 2011, report from the Parks and Recreation Director).

6. Subject: Safety On Highway 154 (150.03)

Recommendation: That Council authorize the Mayor to send a letter of support for the recent action taken by the Santa Barbara County Association of Governments (SBCAG), requesting that the California Highway Patrol (CHP) take administrative action to restrict the transportation of hazardous materials along portions of Highway 154 (SR-154) in Santa Barbara County that are located within the watershed of Lake Cachuma.

(Cont'd)

6. (Cont'd)

Action: Approved the recommendation (January 25, 2011, report from the Public Works Director).

7. Subject: Parma Park Trust Funds For The Maintenance Of Parma Park (570.05)

Recommendation: That Council increase appropriations and revenues by \$61,589 in the Parks and Recreation Department Miscellaneous Grants Fund for implementation of the Fiscal Year 2011 Parma Park Maintenance Plan.

Action: Approved the recommendation (January 25, 2011, report from the Parks and Recreation Director).

9. Subject: Set A Date For Public Hearing Regarding Appeal Of Architectural Board Of Review Preliminary Approval For 401 1/2 Old Coast Highway (640.07)

Recommendation: That Council set the date of February 15, 2011, at 2:00 p.m. for hearing the appeal filed by William Rogers, Attorney representing David and Angie Munoz, of the Architectural Board of Review Preliminary Approval of an application for property owned by William Pritchett and located at 401 1/2 Old Coast Highway, Assessor's Parcel No. 015-291-010, C-P Restricted Commercial/R-2 Two Family Residence Zones, General Plan Designation: 12 Units per Acre. The project is a revised proposal to address violations and permit an "as-built" conversion of an existing commercial unit into a new residential unit. The appeal relates to access easements over the subject property granted to the owners of the adjacent property at 401 Old Coast Highway.

Action: Approved the recommendation (November 8, 2010, letter of appeal).

Agenda Item No. 10 appears in the Redevelopment Agency minutes.

NOTICES

11. The City Clerk has on Thursday, January 20, 2011, 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.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to review the Investment Report and Fiscal Agent Report for the quarter ending December 31, 2010, which were approved by the Council as part of this agenda's Consent Calendar (Item No. 4).

REPORT FROM THE ORDINANCE COMMITTEE

Ordinance Committee Chair Grant House reported that the Committee met to discuss hedge regulations and moved to bring forward to the Council a suspension of enforcement of the hedge ordinance, with exceptions for most new development for a period of three years and bamboo hedges.

REDEVELOPMENT AGENCY REPORTS

12. Subject: Grant To Housing Authority For Acquisition Of 2904 State Street (660.04)

Recommendation: That Council and the Redevelopment Agency Board take the following actions:

- A. That the Agency Board approve a grant of \$1,150,000 in Redevelopment Agency Housing Setaside Funds to the Housing Authority of the City of Santa Barbara for the acquisition of 2904 State Street, and authorize the Agency's Deputy Director to execute a grant agreement and related documents in a form approved by Agency Counsel, and to make non-substantive changes;
- B. That the Agency Board appropriate \$1,150,000 in the Redevelopment Agency Housing Setaside Funds from unappropriated reserves for the grant; and
- C. That Council and the Agency Board adopt, by reading of title only, A Joint Resolution of the Council of the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds as a Grant to the Housing Authority of the City of Santa Barbara for Acquiring an Affordable Housing Site Located Outside the Central City Redevelopment Project (CCRP) Area at 2904 State Street Will Be of Benefit to the CCRP.

Documents:

- January 25, 2011, report from the Assistant City Administrator/Community Development Director/Deputy Director.
- Proposed resolution.
- Undated article submitted by Executive Director Rob Pearson, City of Santa Barbara Housing Authority.
- January 25, 2011, letter from Executive Committee Chair Michael Pittman, Social Venture Partners Santa Barbara.
- January 25, 2011, letter from Community Volunteer Joseph Tumbler, Social Venture Partners Santa Barbara.

The title of the resolution was read.

(Cont'd)

12. (Cont'd)

Speakers:

- Staff: Project Planner Simon Kiefer, Housing and Redevelopment Manager Brian Bosse, City Attorney/Agency Counsel Stephen Wiley, Assistant City Administrator/Community Development Director/Deputy Director Paul Casey, Housing Program Supervisor Steven Faulstich.
- City of Santa Barbara Housing Authority: Executive Director Rob Pearson.
- WillBridge of Santa Barbara: Executive Director Lynnelle Williams.
- Members of the Public: Connie Hannah, Santa Barbara League of Women Voters; Michael Pittman, Social Venture Partners; Joseph Tumbler; Peter Marin, Committee for Social Justice; Bob Casey, WillBridge of Santa Barbara; Lois Hamilton; Shannon Miller; Dr. Lee Heller; Jim Westby; Mickey Flacks.

Motion:

Council/Agency Members House/Francisco to approve the recommendations; Joint Council/Redevelopment Agency Resolution No. 11-001/1023 and Redevelopment Agency Agreement No. 534.

Vote:

Majority roll call vote (Noes: Council/Agency Members Hotchkiss, Self).

13. Subject: Loan To Peoples' Self-Help Housing Corporation For Acquisition Of 510-520 North Salsipuedes Street And 601 East Haley Street (660.04)

Recommendation: That the Redevelopment Agency Board and the City Council take the following actions:

- A. That the Agency Board approve a loan of \$2,000,000 in Agency Housing Setaside funds to Peoples' Self-Help Housing Corporation for the acquisition of the properties at 510-520 North Salsipuedes Street and 601 East Haley Street for eventual development of low income rental housing;
- B. That the Agency Board appropriate \$2,000,000 in the Redevelopment Agency Housing Setaside Funds from unappropriated reserves for the acquisition loan;
- C. That the Agency Board adopt, by reading of title only, A Resolution of the Redevelopment Agency of the City of Santa Barbara Adopting the Replacement Housing Plan Dated December 15, 2010, for the Property at 510-520 North Salsipuedes Street; and
- D. That Council and the Agency Board adopt, by reading of title only, A Joint Resolution of the Council of the City of Santa Barbara and the Redevelopment Agency of the City of Santa Barbara Finding that the Use of Redevelopment Agency Housing Setaside Funds for Development of Affordable Housing Located Outside the Central City Redevelopment Project Area (CCRP) at 510-520 North Salsipuedes Street and 601 East Haley Street Will Be of Benefit to the CCRP.

(Cont'd)

13. (Cont'd)

Documents:

- January 25, 2011, report from the Assistant City Administrator/Community Development Director/Deputy Director.
- Proposed resolutions.

The titles of the resolutions were read.

Speakers:

- Staff: Housing Program Supervisor Steven Faulstich, Housing and Redevelopment Manager Brian Bosse, Assistant City Administrator/Community Development Director/Deputy Director Paul Casey.
- People's Self-Help Housing Corporation: Executive Director Janet Duncan.
- Members of the Public: Connie Hannah, Santa Barbara League of Women Voters; Geoffery Bard.

Motion:

Council/Agency Members House/Self to approve the recommendations; Redevelopment Agency Agreement No. 535 and Resolution No. 1024; Joint Council/Redevelopment Agency Resolution No. 11-002/1025.

Vote:

Unanimous roll call vote.

RECESS

4:00 p.m. - 4:12 p.m.

CHANGES TO THE AGENDA

Motion:

Councilmembers White/Francisco to consider Agenda Item No. 17 next.

Vote:

Unanimous voice vote.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

17. Subject: Interview And Appointment Of Youth Intern Applicant To Park And Recreation Commission (140.05)

Recommendation: That Council:

- A. Interview applicant Michael Yi for the position of Youth Intern on the Park and Recreation Commission; and

17. (Cont'd)

- B. Appoint Michael Yi to the position of Youth Intern on the Park and Recreation Commission.

Documents:

January 25, 2011, report from the Parks and Recreation Director.

Speakers:

- Staff: Neighborhood & Outreach Services Supervisor I Susan Young.
- Members of the Public: Applicant Michael Yi.

Motion:

Councilmembers Hotchkiss/Rowse to appoint Michael Yi to the position of Youth Intern on the Parks and Recreation Commission.

Vote:

Unanimous voice vote.

CITY ATTORNEY

14. Subject: Introduction Of Medical Marijuana Dispensary Ordinance - Amendment For Dispensaries Permitted Under The March 2008 Dispensary Ordinance (520.04)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code to Establish Revised Regulations for Those Storefront Medical Marijuana Dispensaries Permitted Under City Ordinance No. 5449 as Adopted on March 25, 2008.

Documents:

- January 25, 2011, report from the City Attorney.
- Proposed ordinance.
- January 25, 2011, letter from Ric Benitti.

The title of the ordinance was read.

Speakers:

- Staff: City Attorney Stephen Wiley.
- Members of the Public: Jamison Merrick, Mari Menlo, Tony Vassallo, Jim Westby, Geoffery Bard, Alan Bleecker.

Motion:

Councilmembers Francisco/White to approve the recommendation.

Vote:

Majority roll call vote (Noes: Councilmember Rowse).

COMMUNITY DEVELOPMENT DEPARTMENT

15. Subject: Introduction Of Energy Efficiency Standards Ordinance (630.06)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Repealing Chapter 22.82 of the Santa Barbara Municipal Code and Adopting a New Chapter 22.82 Establishing Local "Energy Efficiency Standards" For Certain Buildings and Improvements Covered by the 2010 California Energy Code.

Documents:

- January 25, 2011, report from the Assistant City Administrator/Community Development Director.
- Proposed ordinance.
- January 25, 2011, letter from Chairman Michael Holliday, Santa Barbara Region Chamber of Commerce.
- January 25, 2011, letter from Government Affairs Director Jerry Bunin, Home Builders Association.

The title of the ordinance was read.

Speakers:

- Staff: Chief Building Official George Estrella.
- Gable Associates: Mike Gable.
- Southern California Edison Company: Javier Mariscal.
- Members of the Public: Karen Feeney, Allen Associates; Gil Barry; Darryl Deinhard; Paul Zink; Lindsey Taggart, Community Environmental Council; Michael Holliday, Santa Barbara Region Chamber of Commerce; Trish Odenthal; Geoffery Bard.

Motion:

Councilmembers House/Rowse to continue this item in order to allow staff an opportunity to explore potential incentives to include in the ordinance, and forward to the Ordinance Committee for consideration.

Substitute Motion:

Councilmembers Self/Hotchkiss to decline the ordinance at this time.

Vote on Substitute Motion:

Failed to carry by roll call vote (Ayes: Councilmembers Francisco, Hotchkiss, Self; Noes: Councilmembers House, Rowse, White, Mayor Schneider).

Vote on Main Motion:

Majority roll call vote (Noes: Councilmembers Francisco, Hotchkiss, Self).

16. Subject: Request To Amend Chapala Street Design Guidelines (530.04)

Recommendation: That Council consider the request from Councilmembers Francisco and Self regarding amending the Chapala Street Design Guidelines and provide direction to Staff as appropriate.

Documents:

- January 25, 2011, report from the Assistant City Administrator/Community Development Director.
- January 25, 2011, PowerPoint presentation prepared and made by staff.
- January 21, 2011, comments collected and submitted by Courtney Dietz.
- January 24, 2011, email communication from Janice Evans.

Speakers:

- Staff: Senior Planner II Jaime Limon, Principal Transportation Planner Rob Dayton, Assistant City Administrator/Community Development Director Paul Casey.
- Architectural Board of Review: Member Gary Mosel.
- Members of the Public: Ralph Fertig; Jim Westby; Bob Cunningham; Eva Inbar, COAST; Steve Petersen; Karen McFadden; Tony Vassallo; Courtney Dietz, COAST; B. Hansen; Edward France, Santa Barbara Bicycle Coalition; David Van Hoy, Mesa Architects; Dennis Thompson; Alex Pujo; Kellam de Forest; Tom Morrison.

Motion:

Councilmembers Francisco/Hotchkiss to remove the following paragraph from the Chapala Street Design Guidelines:

"Curb and sidewalk bulb outs shall be added at all intersections. The bulb outs provide more room for pedestrians to circulate near intersections and will significantly reduce the distance required to cross streets."

Amendment Motion:

Councilmembers Francisco/Hotchkiss to:

- 1) Remove the paragraph stated above from the Chapala Street Design Guidelines;
- 2) Eliminate the bulb-out at Canon Perdido and Chapala Streets; and
- 3) Direct staff to revise the Chapala Street Design Guidelines consistent with the deletion of the paragraph stated above, which includes all references to curb and mid-block extensions.

Substitute Motion:

Councilmembers House/White to change the word "shall" to "may" in the paragraph stated above from the Chapala Street Design Guidelines, and refer the development project at the intersection of Canon Perdido and Chapala Streets to the Historic Landmarks Commission for its input.

(Cont'd)

16. (Cont'd)

Vote on Substitute Motion:

Failed to carry by voice vote (Ayes: Councilmembers House, White, Mayor Schneider; Noes: Councilmembers Francisco, Hotchkiss, Rowse, Self).

Vote on Amendment Motion:

Majority voice vote (Noes: Councilmembers House, White, Mayor Schneider).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Self reported that she attended the Metropolitan Transit District Board meeting where the issue of the new bus routes was discussed.
- Councilmember Francisco reported that he attended the Cachuma Operation Maintenance Board meeting on Monday where they discussed the Second Barrel Project.
- Mayor Schneider reported that she attended the U.S. Conference of Mayors meeting in Washington, D.C., where she also took the opportunity to meet with our elected representatives in the Senate and House, members of the Army Corps of Engineers, and the federal government staff who oversee transportation, energy and water budgets.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 8:17 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
CYNTHIA M. RODRIGUEZ, CMC
DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

SPECIAL MEETING February 7, 2011 1704 MISSION RIDGE ROAD

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 1:45 p.m.

ROLL CALL

Councilmembers present: Dale Francisco, Grant House, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: Frank Hotchkiss.

Staff present: Assistant City Administrator/Community Development Director Paul Casey, City Attorney Stephen P. Wiley.

SITE VISIT

Subject: 1704 Mission Ridge Road

Recommendation: That Council make a site visit to the property located at 1704 Mission Ridge Road, which is the subject of an appeal hearing set for February 8, 2011, at 2:00 p.m.

Discussion:

Staff explained the key issues related to the appeal of a decision to deny removal of a tree located within the property's front yard setback. Councilmembers asked a number of questions regarding the tree.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 2:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

SUSAN TSCHECH, CMC
DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING February 8, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the joint meeting of the Council and the Redevelopment Agency to order at 2:00 p.m. (The Finance and Ordinance Committees, which ordinarily 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, Randy Rowse, Michael Self, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Susan Tschech.

CEREMONIAL ITEMS

1. Subject: Proclamation Declaring February 11, 2011, As National 2-1-1 Awareness Day (120.04)

Action: Proclamation presented to Bill Batty, Executive Director of Family Service Agency of Santa Barbara.

PUBLIC COMMENT

Speakers: Kenneth Loch, David Daniel Diaz, Ruth Wilson, Geof Bard, Karolyn Renard, Kate Longstory.

CONSENT CALENDAR (Item Nos. 2 – 10 and 12)

The titles of ordinances and resolutions related to Consent Calendar items were read.

Motion:

Councilmembers Hotchkiss/White to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

2. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meetings of November 2, November 9, November 16, and November 23, 2010, and the regular meeting of November 30, 2010 (cancelled).

Action: Approved the recommendation.

3. Subject: Introduction Of Ordinance For A Lease Amendment With Santa Barbara Shellfish Company, Incorporated (330.04)

Recommendation: That Council approve a lease amendment with Santa Barbara Shellfish Company, Inc., allowing for a seasonal allocation of base rent, and introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a Lease Amendment with Santa Barbara Shellfish Company, Inc., Allowing For a Seasonal Allocation of Base Rent, Effective March 17, 2011.

Action: Approved the recommendation (February 8, 2011, report from the Waterfront Director; proposed ordinance).

4. Subject: Adoption Of Ordinance Regarding Santa Barbara City Firefighters Employee Cost Sharing Of PERS Contributions (430.08)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the City Council of the City of Santa Barbara Authorizing an Amendment to the Contract Between the City Council of the City of Santa Barbara and the Board of Administration of the California Public Employees' Retirement System for Fire Safety Employee Cost Sharing.

Action: Approved the recommendation; Ordinance No. 5543; Agreement No. 23,646.

5. Subject: Adoption Of Ordinance For Power Purchase Agreement For Cogeneration Project At El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Negotiate and Execute a Power Purchase Agreement (PPA), in a Form of Agreement Acceptable to the City Attorney, for a Term of up to Ten (10) Years for Cogeneration at the El Estero Wastewater Treatment Plant (El Estero) Between the City of Santa Barbara and California Power Partners, Incorporated (Calpwr), for the Purchase of Electricity.

Action: Approved the recommendation; Ordinance No. 5544; Agreement No. 23,630.

6. Subject: Records Destruction For Waterfront Department (160.06)

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

Action: Approved the recommendation; Resolution No. 11-005 (February 8, 2011, report from the Waterfront Director; proposed resolution).

7. Subject: Records Destruction For Public Works Department (160.06)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Relating to the Destruction of Records Held by the Public Works Department in the Water Resources Division.

Action: Approved the recommendation; Resolution No. 11-006 (February 8, 2011, report from the Public Works Director; proposed resolution).

8. Subject: Approval Of Emergency Purchase Order For Work At The El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council approve an Emergency Purchase Order to Central Machine for work at the El Estero Wastewater Treatment Plant (El Estero) in an amount not to exceed \$87,800.

Action: Approved the recommendation (February 8, 2011, report from the Public Works Director).

9. Subject: Increase In Construction Change Order Authority For Community Development Block Grant 2010-2011 Access Ramp Project (610.05)

Recommendation: That Council authorize an increase in the Public Works Director's Change Order Authority to approve expenditures for additional work for the Community Development Block Grant (CDBG) 2010-2011 Access Ramp Project (Project), Contract No. 23,954, in the amount of \$30,515, for a total project expenditure authority of \$79,900.

Action: Approved the recommendation (February 8, 2011, report from the Public Works Director).

10. Subject: Purchase Order Increase For City Pier Ice House Emergency Repairs (570.03)

Recommendation: That Council authorize the Waterfront Director to retroactively increase Purchase Order No. 383977 from \$25,000 to \$50,000 for emergency repairs and continued monthly maintenance to the City Pier Ice House in the Harbor.

Action: Approved the recommendation (February 8, 2011, report from the Waterfront Director).

Item No. 11 appears in the Redevelopment Agency minutes.

NOTICES

12. The City Clerk has on Thursday, February 3, 2011, 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.

This concluded the Consent Calendar.

Item No. 13 appears in the Redevelopment Agency minutes.

Councilmember Hotchkiss stated he would not participate in the following item due to a conflict of interest related to his friendship with the Appellant/Applicant, and he left the meeting at 3:15 p.m.

PUBLIC HEARINGS

15. Subject: Appeal Of The Parks And Recreation Commission Action To Deny The Removal Of A Front Setback Tree Located At 1704 Mission Ridge Road (570.08)

Recommendation: That Council deny the appeal filed by Dr. Michael Cooper and uphold the Parks and Recreation Commission decision to deny the removal of a Phoenix canariensis (Canary Island Date Palm) located in the minimum front setback at 1704 Mission Ridge Road.

(Cont'd)

15. (Cont'd)

Documents:

- February 8, 2011, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by Staff.
- February 5, 2011, letter from the Appellant/Applicant.

Public Comment Opened:

3:16 p.m.

Speakers:

- Staff: Assistant Parks and Recreation Director Jill Zachary, City Attorney Stephen Wiley, Urban Forest Superintendent Timothy Downey.
- Street Tree Advisory Committee: Chair Karen Christman.
- Parks and Recreation Commission: Chair Lesley Wiscomb.
- Appellant/Applicant: Dr. Michael Cooper.
- Members of the Public: Tyburn, Geof Bard.

Public Comment Closed:

3:48 p.m.

Motion:

Councilmembers White/House to grant the appeal and approve removal of the tree, but direct the Appellant/Applicant to work with Staff and the appropriate committee/commission to provide mitigation for the loss of the tree in the form of a replacement.

Vote:

Unanimous voice vote.

Councilmember Hotchkiss returned to the meeting at 4:17 p.m.

MAYOR AND COUNCIL REPORTS

14. Subject: Interviews for City Advisory Groups (140.05)

Recommendation: That Council hold interviews of applicants to the Fire and Police Commission, the newly-established Neighborhood Advisory Council, and the Rental Housing Mediation Task Force.

(Estimated Time: 4:00 p.m.)

Documents:

February 8, 2011, report from the Assistant City Administrator/
Administrative Services Director.

(Cont'd)

14. (Cont'd)

Speakers:

The following applicants were interviewed:

Fire and Police Commission:

Diego Torres-Santos

Rental Housing Mediation Task Force:

Meredith Furman

Neighborhood Advisory Council:

Sebastian Aldana, Jr.

Sharon Byrne

Tony Vassallo

Bonnie Raisin

Beatriz Molina

Holly Walters

Naomi Greene

Rick Goodfriend

W. Michael Hackett

Javier Moreno

Cesar Trujillo

The Council will make appointments on March 1, 2011.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 4:47 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
SUSAN TSCHECH, CMC
DEPUTY CITY CLERK



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
February 22, 2011
COUNCIL CHAMBER, 735 ANACAPA STREET**

The regular meeting of the City Council, scheduled for 2:00 p.m. on February 22, 2011, was cancelled by the Council on November 9, 2010.

The next regular meeting of the City Council is scheduled for March 1, 2011, at 2:00 p.m. in the Council Chamber.

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 APPROVING AN AMENDMENT OF CONCESSION AGREEMENT NO. 23,445, DATED JUNE 22, 2010, BETWEEN THE CITY OF SANTA BARBARA AND FIRST CLASS CONCESSIONS, INC. FOR OPERATION OF THE FOOD AND BEVERAGE CONCESSION, AT THE AIRPORT

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, that certain Concession Agreement Amendment between the City of Santa Barbara and First Class Concessions, Inc., a California Corporation, amending the "Obligation to Construct" section of Concession Agreement No. 23,445, to provide for reimbursement for capital expenditures at a not to exceed amount of \$450,000, at the Santa Barbara Airport, effective upon the adoption of this Ordinance and ending on the tenth anniversary of the date the new Terminal is opened to the public, is hereby approved.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A FIVE-YEAR LEASE WITH ONE FIVE-YEAR OPTION WITH LEATHER DEPOT, INC., DOING BUSINESS AS COASTAL TREASURES, WITH A BASE RENT OF \$2,427 PER MONTH, FOR THE 610 SQUARE-FOOT RETAIL STORE LOCATED AT 217-E STEARNS WHARF, EFFECTIVE APRIL 21, 2011

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara Approving a Five-Year Lease With One Five-Year Option With Leather Depot, Inc., Doing Business As Coastal Treasures, With A Base Rent Of \$2,427 Per Month, For The 610 Square-Foot Retail Store Located At 217-E Stearns Wharf, Effective April 21, 2011, is hereby approved.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING SANTA BARBARA MUNICIPAL CODE CHAPTER 28.87 OF TITLE 28, THE CITY'S ZONING ORDINANCE, IN ORDER TO TEMPORARILY SUSPEND THE APPLICATION OF CERTAIN PROVISIONS OF SECTION 28.87.170 CONCERNING THE HEIGHT OF HEDGES IN REQUIRED SETBACKS AND ALONG THE FRONT LOT LINE

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

SECTION ONE. Pending a review and consideration by the City Council of possible amendments to City Zoning Ordinance requirements applicable to hedges within certain zones of the City, the application of the following provisions of section 28.87.170 of the Municipal Code with respect to hedges are hereby suspended except with respect to hedges consisting of the bamboo plant:

1. Subsection A ("Required Setbacks"), and
2. Clause "1" of Subsection B ("Front Lot Line, Side of Driveway.")

SECTION TWO: Nothing herein shall be deemed to suspend the application or enforcement of the requirements of Santa Barbara Municipal Code section 28.87.170 with respect to fences, screens, or walls nor to the requirement for full compliance with the most recently adopted Uniform Fire Code provisions of the City for the "distance requirements" which may be applicable to hedges and buildings (i.e., Uniform Fire Code section 4702.2) or applicable to "Vegetation Road Clearance (i.e., Uniform Fire Code section 4707.8) as adopted by Title 8 of the Santa Barbara Municipal Code nor to effect the discretion of the City Engineer to condition new proposed development within the City to install and maintain private landscaping in a manner that does not potentially adversely impact public traffic and pedestrian safety.

SECTION THREE: Nothing herein shall be deemed to suspend the application or enforcement of the requirements of Santa Barbara Municipal Code section 28.87.170 to hedges located on real property that is the subject of an application for development where the application for development requires a discretionary approval from the Staff Hearing Officer or the Planning Commission. Compliance with section 28.87.170 shall be a condition of approval for any approval of such development application and compliance with the condition of approval shall be confirmed prior to the issuance of a certificate of occupancy or approval of a final inspection.

SECTION FOUR: This ordinance shall remain in effect for a period of three years subsequent to the date of its adoption or upon the enactment of an amendment to Santa Barbara Municipal Code Section 28.87.170 relating to or regulating hedges in certain zones of the City whichever occurs first.

SECTION FIVE: The suspension of City enforcement of portions of Municipal Code Section 28.87.170 pursuant to this ordinance does not delete or repeal the zoning standards stated in Section 28.87.170. This suspension of enforcement is not intended to affect the ability of private individuals to establish a private nuisance on the basis of a property owner violating the zoning standards announced in Section 28.87.170. Furthermore, the adoption of this ordinance has no effect on the operation or effectiveness of the City's View Dispute Resolution Ordinance, Chapter 22.76 of the Santa Barbara Municipal Code.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Creeks Division, Parks and Recreation Department

SUBJECT: Application For Grant Funding For Mission Creek Lagoon And Laguna Channel Restoration And Flood Reduction Project

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Approving the Application for \$5,175,000 in Grant Funds from the Flood Corridor Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) and the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Proposition 1E).

DISCUSSION:

Background

The Creeks Division has been working with staff from the Waterfront Department, Public Works Department, and Parks and Recreation Department to define the scope of work, estimated cost, and timeline for the Mission Creek Lagoon and Laguna Channel Restoration and Flood Reduction Project ("Project"). The Project, which is included in the City's six-year Capital Improvement Plan, is focused on improving the water quality and habitat of the Mission Creek Lagoon and Laguna Channel. The area serves as an important recreational destination for residents and tourists, as well as critical habitat for the federally-listed endangered steelhead trout. The Laguna Channel also houses essential flood control infrastructure that serves a large portion of the downtown area.

Project Planning

As part of the initial Project planning process, the Creeks Division hosted several public forums and met with specific groups and individuals in an effort to solicit input from stakeholders and the wider community. Water quality improvements, habitat restoration, flood control infrastructure upgrades, and enhancements to recreational activities were all identified as important components of any future efforts in this area. Local, state, and federal regulatory agencies were also involved in the development of appropriate Project goals to ensure the protection of natural resources and compliance with existing laws and permits. The Project is currently in the conceptual design phase, with preliminary design

expected to begin by June 2011. The final design phase will commence once public input on the preliminary design plans is complete. The Project is expected to be built in 2013 and 2014, pending completion of the design, permitting, and funding phases. Other Public Works projects adjacent to the Project area, such as the Cabrillo Bridge Replacement Project and the Lower Mission Creek Flood Control Project, are being coordinated by staff to ensure logistical and budgetary issues are resolved efficiently.

California Department Of Water Resources (DWR) Flood Corridor Program

The Creeks Division submitted an application to the California Department of Water Resources (DWR) Flood Corridor Program for \$5,175,000 in grant funds to cover a portion of the Project design and construction. The Flood Corridor Program funds primarily nonstructural flood management solutions through direct expenditures and grants to local public agencies and nonprofit organizations. Funding under this Program is intended to be used for acquisition, restoration, enhancement and protection of real property while enhancing wildlife habitat in and near flood corridors throughout the state. The Flood Corridor Program has substantial funding in the 2011 grant cycle from voter-approved Proposition 84 and Proposition 1E.

The DWR requires a resolution from the City Council as part of the grant application. The resolution must be executed within 30 days of the proposal due date (March 3rd) and no later than 60 days after the due date.

BUDGET/FINANCIAL:

Preliminary design and construction cost estimates for this project are approximately \$7,000,000. The Creeks Division requested \$5,175,000 in grant funding through the Flood Corridor Program. The remaining amount would be funded with a combination of funds, including Measure B matching funds and other grant sources.

SUSTAINABILITY IMPACT:

The purpose of the project is to enhance the habitat and water quality of the Mission Creek Lagoon, Laguna Channel, and surrounding environment. Additional sustainable practices may be realized by reducing the energy costs associated with pumping storm water around the Laguna Channel tide gates. More efficient motors and renewable energy sources will be considered during the Project design phase.

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

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

APPROVED BY: City Administrator's Office

RESOLUTION NO: _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING THE APPLICATION FOR \$5,175,000 IN GRANT FUNDS FROM THE FLOOD CORRIDOR PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84) AND THE DISASTER PREPAREDNESS AND FLOOD PREVENTION BOND ACT OF 2006 (PROPOSITION 1E)

Mission Creek Lagoon and Laguna Channel Restoration and Flood Reduction Project

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above;

WHEREAS, the Department of Water Resources has been delegated the responsibility for the administration of this grant program, establishing necessary procedures;

WHEREAS, said procedures established by the Department of Water Resources require a resolution certifying the approval of application by the Applicants governing board before submission of application to the State; and

WHEREAS, the Applicant, if selected, will enter into an agreement with the State of California to carry out the project;

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF SANTA BARBARA:

1. Approves the filing of an application for the Mission Creek Lagoon and Laguna Channel Restoration and Flood Reduction Project;
2. Certifies that Applicant understands the assurances and certification in the application;
3. Certifies that Applicant or title holder will have sufficient funds to operate and maintain the project(s) consistent with the land tenure requirements; or will secure the resources to do so;
4. Certifies that it will comply with all provisions of Section 1771.5 of the California Labor Code;

5. If applicable, certifies that the project will comply with any laws and regulations including, but not limited to, the California Environmental Quality Act (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, that prior to commencement of construction all applicable permits will have been obtained; and

6. Appoints the Parks and Recreation Director, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment requests and so on, which may be necessary for the completion of the aforementioned project.



Agenda Item No. _____

File Code No. 330.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Acceptance Of Street Easement At 2501-2511 Medcliff Road

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Street Easement for Public Street Uses on a Portion of the Real Property Commonly Known as 2501-2511 Medcliff Road, Authorizing City Public Works Director to Execute Same, and Consenting to the Recordation by City Clerk of Said Street Easement Deed in the Official Records, County of Santa Barbara.

DISCUSSION:

A street easement for a one-foot strip of land along the frontage of the property located at 2501-2511 Medcliff Road has been granted by the owner as a condition of Planning Commission Resolution 010-10, requiring the installation of new sidewalk along this frontage portion of the property that is adjacent to the public right of way.

The sidewalk installation is a condition of the Planning Commission Resolution, allowing the property owner to subdivide two existing parcels into four parcels. Three of the four parcels being created are occupied by homes. One parcel will remain undeveloped.

A final subdivision map is pending for Council approval. The Planning Commission condition allowed for the owner to install the required sidewalk improvements either before or after recording the Final Map. The owner's intent is to complete the improvements before the Final Map is recorded. The proposed acceptance of this Easement by the City would allow this work to proceed.

ATTACHMENT: Vicinity Map of Easement Location

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

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

MEDCLIFF

1.00'

ROAD

1.00'

A PORTION OF EXISTING LOT 1

A PORTION OF EXISTING LOT 2

PROPOSED LOT LINES PER PARCEL MAP CURRENTLY IN PROGRESS

PROPOSED LOT LINES PER PARCEL MAP CURRENTLY IN PROGRESS



[Signature]

24 JANUARY 2011

SCALE: 1"=50'



RDH

LAND SURVEYING & CONSULTING
1767EX1.DWG (EM3)

**EXHIBIT MAP
ZECH PROPERTY
EASEMENTS**

24 JANUARY 2011
1 OF 1

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA ACCEPTING A STREET EASEMENT FOR PUBLIC STREET USES ON A PORTION OF THE REAL PROPERTY COMMONLY KNOWN AS 2501-2511 MEDCLIFF ROAD, AUTHORIZING CITY PUBLIC WORKS DIRECTOR TO EXECUTE SAME, AND CONSENTING TO THE RECORDATION BY CITY CLERK OF SAID STREET EASEMENT DEED IN THE OFFICIAL RECORDS, COUNTY OF SANTA BARBARA

WHEREAS, the City Planning Commission, under Resolution 010-10 has approved the subdivision of real property located at 2501-2511 Medcliff Road in the City of Santa Barbara;

WHEREAS, it is the City Planning Commission's condition of approval to have the property owner of 2501-2511 Medcliff Road install a new section of public sidewalk fronting the aforementioned property that is adjacent to the existing public right of way;

WHEREAS, it is necessary to acquire an easement on the private property to allow for the installation of new sidewalk improvements as required;

WHEREAS, the real property owner of 2501-2511 Medcliff Road, with respective Santa Barbara County Assessor's Parcel APN 041-330-024 and 041-330-025, currently owned by Albert F. Zech, Trustee of the Albert F. Zech Trust u/d/t dated June 29, 1993, has agreed to grant a one-foot easement fronting the said property in order to construct the new segment of public sidewalk;

WHEREAS, the written Easement Deed has been reviewed and accepted by the affected owner, and the Easement Deed has been signed voluntarily to allow follow up proceedings by the City to acquire the street easement, subject to final approval by Council;

WHEREAS, this Resolution will provide authorization by the Council of the City of Santa Barbara for the Public Works Director to execute the Street Easement Deed with the affected owner as aforementioned; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the easement from the aforementioned affected real property, as more particularly described in the proposed Street Easement Deed executed and delivered for such purpose at this time, without further action or subsequent resolution to accept the Easement.

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

SECTION 1. The Public Works Director is hereby authorized by the Council of the City of Santa Barbara to execute the Street Easement Deed with Albert F. Zech Trustee of the Albert F. Zech Trust, u/t/d dated June 29.

SECTION 2. The City of Santa Barbara hereby accepts the street easement on the affected real property as aforementioned, and more particularly described in the Street Easement Deed to the City of Santa Barbara, which has been executed and delivered hereunder.

SECTION 3. The City of Santa Barbara hereby consents to the recordation by City Clerk of said Easement Deed in the Official Records, County of Santa Barbara.

SECTION 4. This Resolution shall become effective immediately upon its adoption.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Acceptance Of Utility Easement For Street Light Pedestal At
2437 Calle Andalucia

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Accepting a Utility Easement for the Installation and Use of Public Street Light Utility Pedestal and Facilities on a Portion of the Real Property Commonly Known as 2437 Calle Andalucia, Authorizing City Public Works Director to Execute Same, and Consenting to the Recordation by City Clerk of Said Utility Easement Deed in the Official Records, County of Santa Barbara.

DISCUSSION:

A utility easement on the property located at 2437 Calle Andalucia has been granted by the owner for the installation and use of a City street light utility pedestal. The pedestal serves a newly installed street light on Calle Andalucia.

The utility pedestal was originally installed in the parkway portion of the public right of way as part of the City's construction contract associated with the Cliff Drive Underground Utility District No. 10 Project. Due to aesthetic concerns voiced by neighboring residents, it was determined that the utility pedestal should be moved from the parkway position to a location next to an existing Edison transformer on the 2437 Calle Andalucia property.

It was anticipated that the City utility could be co-located within the Edison easement. However, Southern California Edison was unable to grant the City full easement rights to this area. The property owner was approached, and a separate easement was granted to accommodate the utility pedestal without monetary consideration.

ATTACHMENT: Aerial Map of Easement Location

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

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 ACCEPTING A UTILITY EASEMENT FOR THE INSTALLATION AND USE OF PUBLIC STREET LIGHT UTILITY PEDESTAL AND FACILITIES ON A PORTION OF THE REAL PROPERTY COMMONLY KNOWN AS 2437 CALLE ANDALUCIA, AUTHORIZING CITY PUBLIC WORKS DIRECTOR TO EXECUTE SAME, AND CONSENTING TO THE RECORDATION BY CITY CLERK OF SAID UTILITY EASEMENT DEED IN THE OFFICIAL RECORDS, COUNTY OF SANTA BARBARA

WHEREAS, a new City street light and pedestal have been constructed within the public right of way known as Calle Andalucia;

WHEREAS, it is the City's desire to move the City street light utility pedestal from its existing location in the public right of way to the proposed utility easement location on private property at 2437 Calle Andalucia;

WHEREAS, the real property located at 2437 Calle Andalucia, with respective Santa Barbara County Assessor's Parcel APN 041-423-006, currently owned by The Martha Taylor Living Trust, UTD 2/14/2006, Martha Gay Taylor, Trustee; is located in proximity to the newly constructed City street light;

WHEREAS, it is necessary to acquire an easement on private property to place a City utility pedestal to service said street light and such permanent easement grant is being offered by an Easement Deed from the aforementioned affected property owner at no cost;

WHEREAS, the written Easement Deed has been reviewed and accepted by the affect owner, and the Easement Deed has been signed voluntarily to allow follow up proceedings by the City to acquire the utility easement, subject to final approval by Council;

WHEREAS, this Resolution will provide authorization by the Council of the City of Santa Barbara for the Public Works Director to execute the Utility Easement Deed with the affected owner as aforementioned; and

WHEREAS, this Resolution will demonstrate intent by the Council of the City of Santa Barbara to accept the easement from the aforementioned affected real property, as more particularly described in the proposed Utility Easement Deed executed and delivered for such purpose at this time, without further action or subsequent resolution to accept the Utility Easement.

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

SECTION 1. The Public Works Director is hereby authorized by the Council of the City of Santa Barbara to execute the Utility Easement Deed with The Martha Taylor Living Trust, UTD, 2/14/2006, Martha Gay Taylor, Trustee.

SECTION 2. The City of Santa Barbara hereby accepts the utility easement on the affected real property as aforementioned, and more particularly described in the Easement Deed to the City of Santa Barbara, which have been executed and delivered hereunder.

SECTION 3. The City of Santa Barbara hereby consents to the recordation by City Clerk of said Easement Deed in the Official Records, County of Santa Barbara.

SECTION 4. This Resolution shall become effective immediately upon its adoption.



Agenda Item No. _____

File Code No. 150.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Transportation Division, Public Works Department

SUBJECT: Authorization For The Allocation Of Transportation Development Act Funds

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments (SBCAG) for Allocation of \$56,584 in Transportation Development Act (TDA) Funds for Fiscal Year 2012.

DISCUSSION:

Each year the City is required to adopt a resolution authorizing the Public Works Director to file a claim for the City's share of area-wide TDA funds. Use of the TDA funds is restricted to pedestrian and bicycle projects. The claim that will be submitted to SBCAG for Fiscal Year 2012 includes \$56,584 for pedestrian and bicycle facilities. The funds are available based on a formula previously agreed to by the County of Santa Barbara and the cities within the County. Staff will use this money for bicycle and pedestrian projects, and as matching dollars when competing for state and federal bicycle and pedestrian grants.

PREPARED BY: Browning Allen, Transportation Manager/ks

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 AUTHORIZING THE FILING OF A CLAIM WITH THE SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS (SBCAG) FOR ALLOCATION OF \$56,584 IN TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS FOR FISCAL YEAR 2012

WHEREAS, the Transportation Development Act (TDA), as amended (Public Utilities Code Section 99220 et. seq.), provides for the allocation of funds from the Local Transportation Fund for use by eligible claimants for various transportation purposes; and

WHEREAS, pursuant to the provisions of the TDA, as amended, and pursuant to the applicable rules and regulations thereunder (21 Ca. Admin, Code Sections 6600 et. seq.), a prospective claimant wishing to receive an allocation from the Local Transportation Fund shall file its claim with SBCAG.

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

SECTION 1. The City's Public Works Director is authorized to execute and file an appropriate claim pursuant to the terms of the TDA, as amended, and pursuant to the applicable rules and regulations promulgated thereunder, together with all the necessary supporting documents, with the Santa Barbara County Association of Governments (SBCAG), for an allocation of TDA funds in Fiscal Year 2012.

SECTION 2. The authorized claim includes \$56,584 for pedestrian and bicycle facilities.

SECTION 3. A copy of this Resolution shall be transmitted to SBCAG in conjunction with the filing of this Claim.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction For The Modoc Road Pavement Preparation Project

RECOMMENDATION: That Council:

- A. Waive the formal bidding requirements, as authorized by Municipal Code Section 4.52.070 (L), Best Interest to Waive;
- B. Authorize the General Services Manager to issue a Purchase Order Contract to Lash Construction, Inc. (Lash) in the low bid amount of \$77,244 for construction of the Modoc Road Pavement Preparation Project (Project), Bid No. 5059; and
- C. Authorize the General Services Manager to approve expenditures of up to \$7,725 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

DISCUSSION:

PROJECT DESCRIPTION

The work consists of repairing localized roadway distress on Modoc Road from Las Positas Road to the City limits. During the past few years, rains have accelerated the deterioration of sections of Modoc Road. This roadway disrepair has continued to accelerate significantly due to the recent rains. The road is a secondary arterial and is not scheduled for treatment until Fiscal Year 2012. Road repair is much more cost-effective in earlier stages of road disrepair rather than in the late stages. This philosophy is the essence of the City's pavement preservation strategy. Therefore, staff recommends advancing the roadway maintenance of Modoc Road to avoid costly repairs that are expected to become necessary if immediate road maintenance is not provided.

The proposed maintenance preparation work includes patching and other roadway repairs. A cape seal treatment will be applied after this pavement preparation. The cape seal treatment will be provided utilizing the existing Zone 4 Pavement Maintenance Project change order funds. The Zone 4 Pavement Maintenance Project

contract was awarded on June 29, 2010, however, it was delayed in late fall 2010 due to weather and falling temperatures until spring/summer of 2011. (See the attached City "Pavement Zone Map.") Both good weather and temperatures above 50 degrees are required to have the sealing compound set in a timely matter.

PURCHASE ORDER CONTRACT

This Purchase Order Contract is to provide pavement maintenance preparation. Pursuant to City Council Resolution 97-052, the Purchasing Agent is authorized to contract for maintenance and repair services that are included in the budget approved by the City Council for contracts not to exceed \$75,000. Public Works estimated that the total cost of the proposed road maintenance and repair would fall under \$75,000. As such, a request for bids was not advertised in a local publication. Instead, staff solicited bids from three firms as authorized under the Municipal Code. Unfortunately, due to rising petroleum prices, bids came in higher than expected and exceeded the \$75,000 estimate.

Because the bids exceeded \$75,000 and the request for bids was not advertised in a local publication, Council approval is required. Based on the significant continuing deterioration on Modoc Road, staff believes that it is important to perform this work as soon as possible. Therefore, staff recommends that Council exercise its authority under Santa Barbara Municipal Code Section 4.52.070 (L) to waive formal bidding requirements and authorize the General Services Manager to issue a Purchase Order Contract to Lash.

CONTRACT BIDS

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

	BIDDER	BID AMOUNT
1.	Lash Construction, Inc. Santa Barbara, CA	\$77,244
2.	Granite Construction Santa Barbara, CA	\$78,145
3.	CalPortland Construction Santa Maria, CA	\$126,300

The low bid of \$77,244, submitted by Lash is an acceptable bid that is responsive to and meets the requirements of the bid specifications. The change order funding recommendation of \$7,725, or 10%, is typical for this type of work and size of project.

PUBLIC OUTREACH

Modoc Road is a wide road where traffic control can be implemented without much traffic delay. This portion of the work will be of little inconvenience to the flow of traffic. Staff will issue a 72-hour public notice of the work occurring within the project area in accordance with the most recent public outreach procedures.

FUNDING

This Project is funded by the Streets Capital Fund. There are sufficient funds in the Streets Capital Fund to cover the cost of this Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Construction Contract	\$77,244	\$7,725	\$84,969
TOTAL RECOMMENDED AUTHORIZATION			\$84,969

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

ESTIMATED TOTAL PROJECT COST

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

City Staff Costs	\$2,219
Subtotal	\$2,219
Construction Contract	\$77,244
Construction Change Order Allowance	\$7,725
Subtotal	\$84,969*
Construction Management/Inspection (by City Staff)	\$4,520
Subtotal	\$4,520
TOTAL PROJECT COST	\$91,708

SUSTAINABILITY IMPACT:

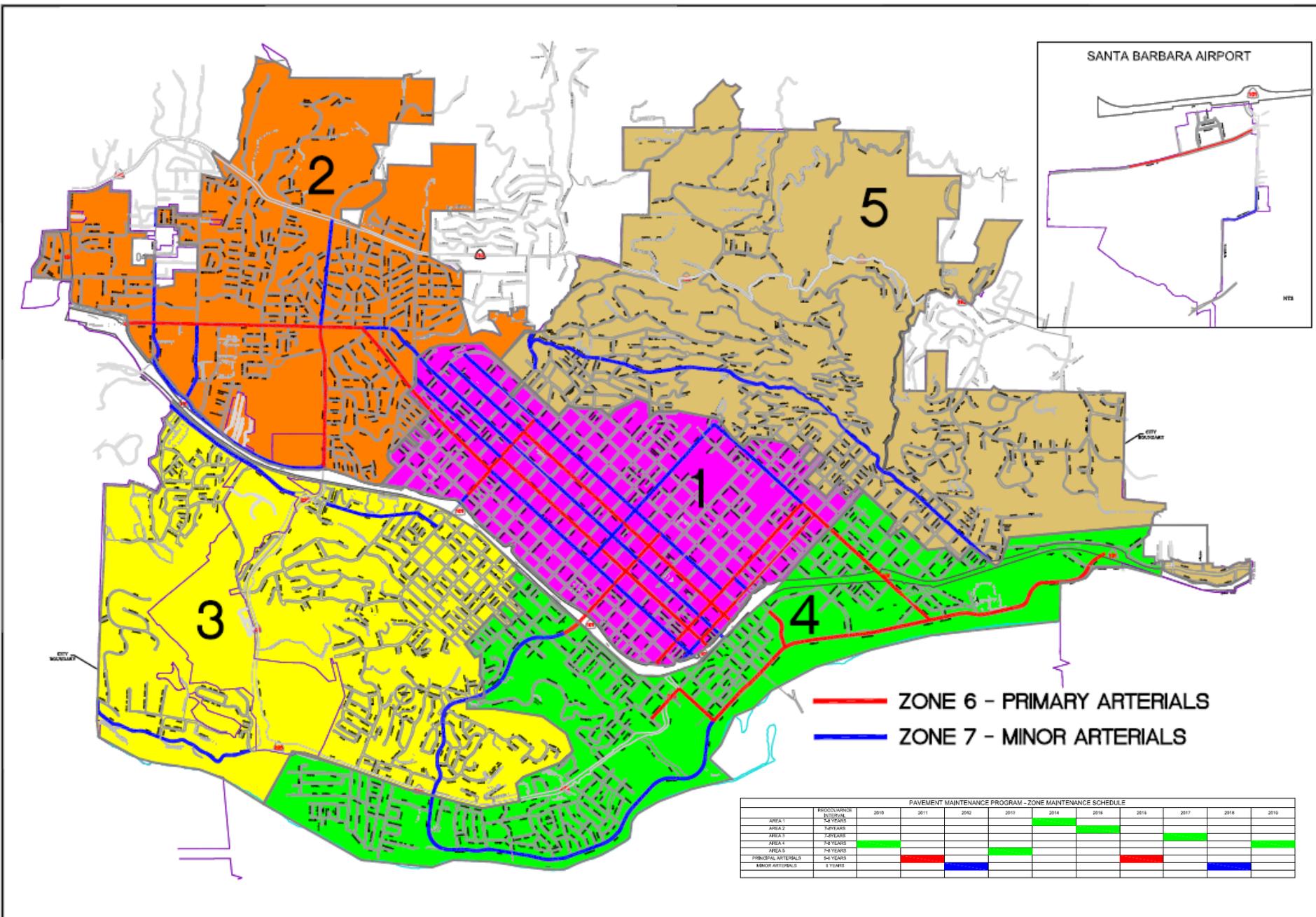
This project, in concert with the sustainable Santa Barbara Program and combined with the Annual Pavement Maintenance Project, will contribute to the maintenance of City roads. This timely maintenance sustains the good condition of City roads and eliminates the need for more costly road reconstruction, which would include the use of additional materials and pavement oils, both depleting natural resources.

ATTACHMENT: Pavement Maintenance 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



— ZONE 6 - PRIMARY ARTERIALS
— ZONE 7 - MINOR ARTERIALS

PAVEMENT MAINTENANCE PROGRAM - ZONE MAINTENANCE SCHEDULE

	PROPOSED LIFE CYCLE	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
AREA 1	24 YEARS										
AREA 2	20 YEARS										
AREA 3	20 YEARS										
AREA 4	24 YEARS										
AREA 5	24 YEARS										
PRIMARY ARTERIALS	8 YEARS										
MINOR ARTERIALS	8 YEARS										



**CITY OF SANTA BARBARA ROAD MAP 2010
PAVEMENT ZONE MAP
UPDATED MAY 2010**

DATE APPROVED	DESIGN	DRAWN	CHECKED	DATE	DATE
APPROVAL:	CITY ENGINEER	DATE			

\\yngarden\public\works\Group_Folders\ENR\Streets Design\0--STREET\Road Maps\Road Maps\New Zone Map.dwg, 12/8/2010 7:24 AM, Resse, Matt-00 5
 SHEET 1 OF 1



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Administrative Services Division, Police Department

SUBJECT: Rental Property Lease Agreements For Police Recruit Housing And Retroactive Approval Of Purchase Order Number 384872 Issued To The Discovery Group, Inc.

RECOMMENDATION: That Council:

- A. Grant authority to the Chief of Police through June 30, 2016, to negotiate and execute rental property leases, utility service contracts, and furniture rental agreements, as necessary and in a form acceptable to the City Attorney, for the purpose of police recruit housing; and
- B. Retroactively approve Purchase Order Number 384872 in the amount of \$27,900 issued on January 3, 2011, to the Discovery Group, Inc., for housing and related services for police recruits.

DISCUSSION:

In the past, the City has provided furnished apartments and paid utilities for the City's police recruits attending the Ventura County Sheriff's Academy in Camarillo or the San Bernardino Sheriff's Academy in San Bernardino.

In collaboration with the Finance Department, the Police Department has determined that using the normal low bid process to select housing would be inefficient and impractical. Therefore, staff recommends the Chief of Police be authorized to execute rental property leases, utility contracts, and furniture rental agreements, as necessary, through June 30, 2016, in a form approved by the City Attorney and subject to sufficient funds being available in each year's approved Police Department budget.

In September 2007, Police Department staff received similar approval from City Council for a three-year period that ended in September 2010. On January 3, 2011, the Police Department issued a purchase order in the amount of \$27,900 to the Discovery Group, Inc. for housing of police recruits for six months, unaware that the authority granted by Council in 2007 expired in September 2010. Without this authority, the Police Department would be required to solicit at least three formal bids for these services. Since this was not done, staff is requesting retroactive approval from Council for the selection of the Discovery Group.

BUDGET/FINANCIAL INFORMATION:

The current average monthly cost of recruit housing per unit is listed below with associated expenses. Every effort is made to share housing units, depending on the number of recruits in the Academy.

Rent	\$1,800
Furniture Rental	500
Utilities	<u>200</u>
Total	<u>\$2,500</u>

Funding of \$37,800 is budgeted each year for police recruit housing in the Police Department budget.

PREPARED BY: Sergeant William Marazita, Administrative Services Division

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Environmental Services Division, Finance Department

SUBJECT: Professional Services Agreement For Zone 1 Hauler Franchise
Renewal

RECOMMENDATION: That Council:

- A. Authorize the Finance Director to negotiate and execute a Professional Services Agreement, in a form acceptable to the City Attorney, with HF&H Consultants, LLC, in an amount not to exceed \$110,200 for competitive contracting assistance; and
- B. Appropriate \$110,200 from the available reserves of the City's Solid Waste Fund to cover these contract costs and direct staff to require any successful Zone 1 Hauler to reimburse the City for these costs as part of the franchise agreement to be awarded.

EXECUTIVE SUMMARY:

On November 23, 2010, Council directed staff to meet with the Sustainability Committee to discuss, among other things, whether to contract with HF&H for professional support during the negotiation of a new solid waste franchise contract for the City's solid waste Zone 1.

Having met with the Sustainability Committee and received its unanimous support for the contract with HF&H in a reduced non-to-exceed amount of \$110,200, staff is returning for approval from the full Council.

DISCUSSION:

Since 2003, the City has had two "zones" for solid waste collection and disposal in the business, multi-unit residential, and single family residential sectors. The City has contracted with two waste haulers, one in each zone, to collect solid waste, recyclables, green waste and, most recently, business food scraps.

These are the two largest contracts the City has with a private vendor. Collectively, the haulers are paid over \$15.5 million in City rate payer funds for these services. Approximately 65% of this amount is retained by the hauler for collection services, and 35% is paid to the County of Santa Barbara for disposal costs. The cost of these services is funded entirely through the solid waste rates which the City charges to its residents and businesses. The duration of these franchise agreements can typically be for a period of 10 years or longer. The services provided are also essential to public and environmental health. For these reasons, these contracts are some of the most important that the City enters into.

The City's franchise contract with Allied Waste Services of North America, LLC (Allied Waste) for solid waste collection in Zone 1 will expire on June 7, 2013. Zone 1 is roughly described as the area west of the middle of State Street and south of Highway 101. The City has initiated a procurement process to select a hauler with whom to negotiate a successor agreement.

Professional Procurement Support

A 10-year franchise agreement for Zone 1 would be expected to encompass over \$80 million in consumer services paid to the hauler over the term of the franchise. Staff believes that there will be a myriad of complexities and opportunities associated with this procurement process. The investment in professional support from HF&H Consultants, LLC, a respected professional firm which specializes in advising cities and counties in the areas of recycling and solid waste and has conducted hundreds of similar franchise negotiations, will ensure that the City negotiates the best possible franchise terms for its citizens and businesses. Further, it is anticipated that the successful hauler will fully reimburse the City's Solid Waste Fund for these costs.

The use of professional services by public agencies in solid waste hauler franchise negotiations is very common given the importance and complexity of the services involved, changes in solid waste management practices and related technologies, the high level of industry regulation, and the significant financial commitments involved. The City used professional contracting services ten years ago, in 2001 when the last franchise negotiations occurred, in total contract amounts of \$95,000 with ARI & Hanson Bridgett LLP.

On November 23, 2010, staff recommended that the Finance Director be authorized to negotiate and execute an agreement for professional services with HF&H. The total recommended contract amount of \$152,000 included \$126,000 in estimated basic costs, plus up to \$26,000 in the event more than 4 waste haulers were to respond, or the City wished to engage in negotiations with more than one finalist simultaneously.

Based on input from the Council on November 23, 2011, staff reviewed the proposed agreement to see if there were ways to reduce the cost. HF&H revised their estimate for base services to reduce it by \$5,800. The \$26,000 for extra services has also been

removed, because City staff believes it is unlikely these services will be needed, and that there may be some limited opportunities for staff to control costs by having staff assume certain tasks in place of HF&H. Staff will try to absorb any extra services within the base authorized amount, and will return to Council only if further authorization is necessary.

With these reductions, the estimate for remaining services is down to \$110,200. Following discussion with staff, the Sustainability Committee voted unanimously to support staff's recommendation for the contract with HF&H in this reduced amount.

Franchise Proposal Process

Council also directed staff to meet with the Sustainability Committee to discuss staff's recommendation that the City conduct an open competitive process to solicit proposals for the franchise hauling contract, rather than limiting the process to certain haulers, in order to be fully assured that the proposals are as price competitive as possible and provide the City rate payers with the best and most efficient trash and recycling services for their money. Upon further advice from the City Attorney, staff has concluded that an open and public process is required by Article XIV of the City Charter for franchise negotiations and the Council award of City franchises by City ordinance. Therefore, staff will proceed with the open competitive process.

Nevertheless, staff believes that many of the concerns raised by Councilmembers related to an open competitive process, such as ensuring that the selected hauler has a record of good customer service and public stewardship, can be addressed through carefully crafted proposal evaluation criteria.

BUDGET/FINANCIAL INFORMATION:

Funding for the contract of \$110,200 will be appropriated from Solid Waste Fund reserves to the current operating budget to cover the contract costs. However, it is anticipated that the successful hauler will reimburse the City for these costs in full, so these funds will eventually be restored to reserves.

ATTACHMENT: Revised HF&H Consultants, LLC: Scope Of Work and Fee Estimate to Provide Solid Waste and Recycling Contracting Services

PREPARED BY: Kristy Schmidt, Employee Relations Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

HF&H CONSULTANTS, LLC

**SCOPE OF WORK AND FEE ESTIMATE TO PROVIDE SOLID WASTE AND
RECYCLING CONTRACTING SERVICES**

CITY OF SANTA BARBARA

PROJECT BACKGROUND

The City of Santa Barbara (City) currently receives collection services under separate agreements with Allied Waste Services (“Allied”) in Zone 1 and Marborg Industries (“Marborg”) in Zone 2. The agreements expire June 7, 2013. The Marborg agreement provides the company with an extension option. The Allied Waste Agreement does not. The City seeks an experienced solid waste consultant in order to assist the City through a competitive procurement of a new solid waste collection agreement for services provided in Zone 1 serviced by Allied Waste beginning June 8, 2013.

Each hauler provides exclusive residential and commercial collection services within their zones. Obtaining a new agreement with enhanced services through a competitive process in half of the City presents certain challenges. For example, different rates and/or services proposed for Zone 1 may necessitate negotiations with Marborg for service or rate changes in Zone 2, City-billing of blended rates, or other remedies to standardize rates and services City-wide, if that is the City’s goal. Alternatively, services and/or rates could be different in each zone.

There have been many regulatory and other industry developments in the solid waste field since the current agreement was drafted. As part of this contracting process, we will identify service improvements and provide new contract language so that the City’s agreement addresses changes in the City’s needs, and reflect current solid waste industry practices. A few of these issues that cities must now consider include:

- Air Resource Board regulations and other vehicle requirements;
- Commercial and multi-family recycling services;
- Collection of electronic and other universal waste;
- Sharps collection (i.e. syringes);
- Large venue event recycling; and,
- Proposition 218 issues.

Additionally, we understand that the City is interested in the feasibility of:

- Door-to-door HHW collection (the City currently relies on a regional drop-off location open Saturdays);

- Textile recycling;
- Food waste diversion; and,
- Other programs to increase recycling.

HF&H has provided services to jurisdictions throughout the State and has assisted clients with similar issues. We can provide the City with the expertise and assistance that the City needs for a successful process.

PROJECT INITIATION

In November 2010, the City retained HF&H to:

- Profile the current solid waste agreement requirements against updated service options and contract terms;
- Analyze key contracting strategy options;
- Meet with City staff and the City to discuss the existing and alternative services and terms; and,
- Meet with Sustainability Committee to review contracting options.

The above work was completed and we met with the Sustainability Committee on February 28, 2011. The following scope of services describes the workplan to complete the City's competitive procurement process.

HF&H APPROACH

HF&H offers the City full service competitive contracting assistance, as described in the work plan below. Each of HF&H's clients have different service and contract needs, which we work with each city to address. All of our clients have the same desire for a smooth process, which we offer through our program outlined below.

WORK PLAN

The following work plan is for conducting a competitive procurement. This section is organized as follows:

Task 1: Determine City's Collection Needs & Develop Contracting Strategy

Task 2: Prepare and Issue Request for Proposals

Task 3: Review and Evaluate Proposals

Task 4: Negotiate With Top Ranked Contractors, and Prepare a New Agreement with Selected Contractor for City Council Approval

TASK 1: DETERMINE CITY'S COLLECTION NEEDS & DEVELOP CONTRACTING STRATEGY

Subtask 1A: Initiate Project

HF&H has already completed the following tasks:

- Reviewed existing background documents including the city's existing franchise agreement and solid waste rate schedules.
- Discussed the existing and alternative services with City staff on January 6, 2011 and February 2, 2011.
- Met with Sustainability Committee on February 28, 2011 to discuss contracting strategy options.
- Prepared the project plan and analysis of the current agreement.

Subtask 1B: Define Scope of Services and Confirm with City

The purpose of this task is to define the scope of the solid waste services to be proposed upon in the RFP package. HF&H has performed a preliminary review of existing service methods in the City. We will prepare for a subsequent meeting with the Sustainability Committee to review potential key service enhancements and contract terms. HF&H will meet with the City's Sustainability Committee to discuss these options and answer questions. The Sustainability Committee may subsequently make recommendations to the City Council, and if requested we will attend the City Council meeting to answer questions when the Sustainability Committee's recommendations are considered.

Subtask 1C: Gather and Review Operating Data

We will collect any data available regarding the current services provided. We will prepare data collection forms to assist the City and/or hauler in providing additional information in a user-friendly format. As the City provides all billing services, the City will be able to provide much of the key service data.

It has been our experience that when proposers are confident about the accuracy of operating data contained in the RFP, they propose lower rates and include fewer contingency costs. Collecting data in this manner also may uncover additional issues, such as poor reporting or service issues that we would address in the new agreement.

TASK 2: PREPARE AND ISSUE REQUEST FOR PROPOSALS

Subtask 2A: Prepare draft RFP and agreement

Based on the information and direction received in prior tasks, we will prepare the draft RFP, agreement, and criteria to be used in evaluating the proposals received.

Subtask 2B: Revise RFP and agreement once, after review by the City Attorney, other City staff and potential proposers

We will submit the draft RFP and agreement to City staff, City Sustainability Committee, the City Attorney, and potential proposers for review. We will provide a list of potential proposers to the City. After City staff, the Sustainability Committee, and the potential proposers have reviewed the documents and provided us with their written comments, we will confer with City and make appropriate revisions once to these documents. The draft agreement is included in the RFP as an attachment. The City Attorney is requested to make any changes directly to the documents in a strike-and-replace format.

HF&H works at developing proposer interest in the City's RFP process from the beginning of the project. Seeking input on the agreement from potential proposers can not only lead to a better contract, but also assists in generating proposer interest. Some cities issuing RFPs have recently failed to receive a sufficient number of proposals. HF&H has consistently obtained for its clients multiple quality proposals in response to each RFP.

Subtask 2C: Attend meetings with City regarding RFP package

If necessary after parties have reviewed the draft documents, HF&H will attend one meeting with the City Sustainability Committee, City Manager, and/or City Attorney to discuss suggested revisions.

Subtask 2D: Attend Council meeting to approve RFP package

HF&H will attend one City Council meeting at which the City Council will approve the RFP and draft agreement. We recommend that contact between proposers and the City be controlled through "Process Integrity Guidelines" and will suggest methods to do so, based on City staff and City Council's desired level of interaction with proposers. We will make a presentation, if requested, and answer questions. Once the RFP and the draft agreement have been approved by the City Council, they can be distributed to potential proposers. We will provide the City with a list of potential proposers with whom we are familiar.

Subtask 2E: Prepare for and attend proposers' conference

With City staff coordination, we will schedule a proposers' conference to be conducted shortly after release of the RFP. Potential proposers will have an opportunity to receive clarification of any issues and ask questions at this conference. We will also accept written requests for clarification, until a set deadline.

Subtask 2F: Prepare addenda

We will prepare written responses to questions posed at the proposers' conference, or submitted in writing, and prepare any necessary addenda arising from issues posed at the proposers' conference. All questions and responses shall be made available to all proposers in attendance at the conference.

We find that proposers will often have last minute questions while finalizing their proposals a day or two before they are due. We arrange our personal schedules to ensure that we always have project staff available to answer last minute questions.

Subtask 2G: Development of a Proposal Evaluation Team

The City will select a proposal evaluation team to review the proposals. The City's selection of this team may also be made earlier in the process.

TASK 3: REVIEW AND EVALUATE PROPOSALS

Subtask 3A: Review proposals for completeness

We will perform an initial review of each proposal submitted for compliance with the City's RFP requirements and disregard substantially incomplete proposals.

Subtask 3B: Evaluate complete proposals

The specific criteria for which we evaluate the complete proposals will be developed using input received from City staff and the City Council. Based on our experience in other cities, we anticipate evaluating the proposals based on the following criteria:

- Experience of the proposers in providing the requested services in other jurisdictions, based on information contained in their proposals;
- Exceptions taken to the terms and conditions of the draft agreement;
- Proposed total compensation (rate revenue) over the term of the agreement, based on the rates included in the financial section of the proposal;
- Financial resources of the proposers, based on information in their proposals; and,
- Unique proposal features that exceed the RFP's minimum requirements.

Proposals received in each RFP process present unique issues to be evaluated. For example, our success in assisting cities in reducing rates can result in lower City fee revenue for cities that assess fees based on gross receipts. The City receives a 5% City billing fee, a 2% gross receipts fee, and a 6% utility users tax. In such instances, a "lump sum fee" increased annually by CPI may be more appropriate, or the fee percentage may need to be increase to generate historical fee levels.

Subtask 3C: Prepare follow-up questions for proposers

After performing our initial review and evaluation, we will provide each proposer with our summary evaluation of the company's individual proposal in order to confirm our understanding of the information presented in the proposal.

Subtask 3D: Review responses and clarify unresolved issues

We will review responses received from proposers and resolve any open issues to help ensure that proposers are satisfied with the representation of their proposals.

Subtask 3E: Meet with staff to discuss preliminary evaluation

We will meet with the City's evaluation team regarding our preliminary evaluation and discuss the next steps in the evaluation process, such as selecting the proposers to be interviewed.

Subtask 3F: Interview proposers

Along with the City's evaluation team, we will interview the proposers, scheduling all interviews on one day. The City may decide to interview all proposers, or interview companies with the top proposals only

Subtask 3G: Contact references for recommended proposer

We will contact references provided for the proposer to be recommended to the City Council for award of the agreement. We will summarize the results of the reference checks within the evaluation report.

Subtask 3H: Prepare evaluation report

All proposals receive a preliminary evaluation. A detailed evaluation is performed of the one or two proposals that appear to offer the most value for the services and costs proposed. Additionally, we will review the overall reasonableness of the operational and financial assumptions contained in the technical section of the proposals selected for detailed evaluation. After our evaluation is complete, we will provide the City with a report describing the evaluation results.

TASK 4: NEGOTIATE WITH TOP RANKED CONTRACTORS, AND PREPARE A NEW AGREEMENT FOR CITY COUNCIL APPROVAL

Subtask 4A: Participate in negotiating session

HF&H will participate in a negotiation session with one or more haulers. Based on our prior experience, final negotiations can usually be completed during one session per proposer, and the fee estimate includes costs for one session with one proposer. However, the City may prefer to negotiate with multiple proposers at this time, as multiple proposals may appear attractive prior to finalizing the agreement(s). Proposers are most cooperative when they are still in competition. After finalizing negotiations, we would then assist the City's evaluation team in its determination of a final selection. If the City desires to negotiate further with the final selection, we would assist in those negotiations as well.

Subtask 4B: Prepare revised portions of agreement

Based upon the negotiations, we will make one set of revisions to the final agreement negotiated with each proposer and ask each proposer to sign the agreement. The City can then make a decision based on clearly defined contract terms, verses general promises often made in proposals and during negotiations. Also, at award, neither the successful nor unsuccessful proposers can debate what was or was not the final offer to the City.

Subtask 4C: Attend one City Council meeting for approval of final agreement

We will attend the City Council meeting at which the final agreement is expected to be approved.

TASK 5: TRANSITION ASSISTANCE (OPTIONAL TASK)

After award of the new solid waste collection agreement, the City and contractor will need to undertake numerous tasks in order to ensure a smooth transition. HF&H has assisted cities

through this process to minimize disruption to ratepayers and to ensure programs are properly implemented in a timely manner. Services with which we can provide assistance include:

- Development and Monitoring of Detailed Transition Calendar

During the transition, it is critical that key tasks are completed by certain dates. We develop a detailed calendar and monitor all parties' compliance in meeting deadlines. Examples include dates for ordering and delivering equipment, for initial and final drafts of each public education piece to be delivered and edited, community workshops, and Proposition 218 noticing (if applicable). If a new hauler is selected, parties will need to meet and establish key transition dates for exchange of information and container delivery and removal.

- Review and Revision of All Public Education Materials

Transition materials prepared by the contractor may not be sufficient to simply and productively provide customers with the information necessary. For example, a recent RFP client of ours distributed what appeared to the city to be a well laid-out informational piece from an experienced hauler, with a return card for the selection of residential cart sizes. The mailer did not include sufficient information on certain cart selection options, and other public education efforts did not sufficiently educate residents as to their cart selection options, resulting in the hauler needing to order additional cart types and sizes after the initial roll-out, and replace numerous customers' carts at an increased expense. Another recent RFP client is having HF&H monitor and help manage the transition, in which we have assisted in revising public outreach materials to ensure their clarity and effectiveness.

- Evaluating the Reasonableness of Contractor Plans

We have guided RFP clients regarding the reasonableness of its contractor's assumptions for the time necessary to roll-out new containers and how best to coordinate a container exchange without a disruption in service to the customer.

- Conducting Public Workshops
- Attending City Council Meetings
- Assistance with Proposition 218 Notice Development and Public Hearings
- Conducting Meetings with the Contractor and City Staff
- Providing City with Customer Service Support
- Reviewing and Amending the Municipal Code for Consistency with New Agreement
- Monitoring Contractor Compliance With Agreement Terms During Transition, including remittance of applicable fees and attainment of insurance and performance surety.

These optional services are not included in the proposed scope, but can be provided on a time and materials basis.

COMPETITIVE PROCUREMENT SCHEDULE

The current agreement expires on June 7, 2013, providing ample time for a thorough process and a smooth transition, including time for ordering equipment and conducting public education.

Table 1: Competitive Procurement Schedule

Activity	Party	Target Date
1. Approve consulting agreement	City Council	March 15, 2011
2. Meet with City staff and Sustainability Committee to confirm service options	HF&H and City	April 2011
3. Provide requested operating data	Haulers and City staff	April 2011
4. Review City billing data and hauler operating data	HF&H	May 2011
5. Prepare preliminary RFP and draft agreement	HF&H	June/July 2011
6. Seek input from: City staff, Sustainability Committee, and City Attorney	City, HF&H	August/September 2011
6. Seek input from potential proposers.	Potential Proposers	October 2011
7. Prepare revised RFP and draft agreement	HF&H	November 2011
8. Present RFP package to Council for approval, and distribute to proposers	City, HF&H	December 2011
9. Prepare proposals	Proposers	January/February 2012
10. Submit proposals	Proposers	March 2012
11. Evaluate proposals	City, HF&H	April/May 2012
12. Contact references and finalize evaluation	City, HF&H	June 2012
13. Select contractor(s) for negotiations	City	July 2012
14. Conduct negotiations and resolve exceptions to agreement	HF&H/City/ Proposer	August/September 2012
15. Consider negotiated agreement for approval	City Council	October 2012
16. Order equipment	Contractor	November 2012
17. Outreach Campaign - Prepare and distribute educational materials, conduct informational meetings and prepare for transition	Contractor	November 2012 through May 2013
18. Initiate rollout of new service	Contractor	June 8, 2013

FEE ESTIMATE

We will perform the scope of work based on time and materials. The estimated total cost to perform the workplan tasks is \$110,200, excluding the optional transition assistance in Task 5. Our actual costs could be higher or lower than this amount, depending on the complexity of the City's contracting process, the number of proposals to be evaluated, the number of negotiation sessions required, and other factors that cannot be precisely estimated in advance. The estimated level of effort by task is summarized below and hours may be shifted among tasks.

The proposed cost includes preparation of the RFP, gathering operating data, soliciting proposals, conducting a pre-proposal conference and issuing addenda, evaluating up to four proposals, and preparing and negotiating the final agreement with one proposer. The proposed cost assumes that one integrated residential and commercial RFP and collection service agreement is developed and a single set of services proposed. Should additional proposals beyond four be submitted, we estimate that the budget will increase by \$5,500 per proposal. If negotiations are conducted with more than one proposer, the additional cost shall be \$7,500 per company. If the City were to split the agreement into separate residential and commercial agreements, or seek a subsequent round of "best and final" offers after the proposals are submitted and evaluated, or request other changes to the scope of work, our fee estimate may increase.

The proposed scope of services does not include preparing the staff report that City staff will need to prepare to transmit various action items to the City Council during the process. The proposed scope does not include public education and outreach efforts during the RFP process, which we understand will be performed by City Staff, if necessary.

The scope does not include transition assistance after award of the agreement. However, HF&H can provide these services on a time and materials basis.

We will bill you once per month, based on the number of hours worked and expenses incurred. Payment is due within 30 days of invoicing. Hourly rates for professional and administrative personnel are listed below.

<u>Position</u>	<u>Rate</u>
President and Senior Vice President & Vice President	\$249
Senior Manager/Senior Project Manager	\$210 - \$225
Director	\$210
Manager	\$205
Senior Associate	\$165 - \$185
Associate Analyst	\$125 - \$145
Assistant Analyst	\$100 - \$115
Administrative Staff	\$90
Intern	\$45

Expenses will be billed as follows:

Mileage	Prevailing IRS mileage rate
Document Reproduction	\$0.15 per page (black & white)
	\$0.75 cents per page (color)
Outside document reproduction/couriers/postage	Actual
Public conveyances and parking	Actual
All other out-of-pocket expenses	Actual

In most of the competitive procurements we have conducted for other cities, the successful contractor is required to reimburse the City for its consulting costs. Based on the City's estimate that the existing hauler agreement is worth approximately \$8 million annually, the total value over 10 years would be \$80 million at current rates. Our fees are less than two-tenths of 1%.

WORKPLAN

TASK DESCRIPTION	Sr. Vice President	Manager	Senior Associate	Total Hours
1. Determine City's Collection Needs & Prepare Contracting Strategy				
A. Initiate Project				
	Completed			
B. Define Scope of Services and Confirm with City	28	25	4	57
- Finalize service recommendations and confirm with City staff				
- Meet with Sustainability Committee, document recommendations (mtg #1)				
- Present recommended services/terms to City Council (meeting #2)				
C. Gather and Review Operating Data	8	16	24	48
Subtotal: Task 1 Hours	36	41	28	105
2. Prepare and Issue Request for Proposals				
A. Prepare draft RFP and agreement	16	46	32	94
B. Revise RFP and documents once after review by City Attorney, other City staff, and potential proposers	8	16	0	24
C. Attend Council meeting to approve RFP package (meeting #3)	8	0	0	8
D. Prepare for and attend proposers' conference (meeting #4)	0	8	0	8
E. Prepare addenda	4	12	2	18
Subtotal: Task 2 Hours	36	82	34	152
3. Review and Evaluate Proposals				
A. Review proposals for completeness	1	4	0	5
B. Evaluate complete proposals (maximum of four)	16	40	24	80
C. Prepare follow-up questions for proposers	4	8	4	16
D. Review responses and clarify unresolved issues	4	8	0	12
E. Meet with City staff to discuss preliminary evaluation (meeting #5)	8	8	0	16
F. Interview proposers (meeting #6)	0	8	0	8
G. Contact references for recommended contractor	1	4	6	11
H. Prepare evaluation report	12	24	12	48
Subtotal: Task 3 Hours	46	104	46	196
4. Negotiate Final Agreement and Prepare a New Agreement				
A. Participate in one negotiating session (meeting #7)	8	8	0	16
B. Prepare revised portions of agreement	8	16	0	24
C. Attend Council meeting for approval of final agreement (meeting #8)	10	10	0	20
Subtotal: Task 4 Hours	26	34	0	60
Manage Project and Prepare Workpapers - Task Hours	4	2	0	6
Total Hours	148	263	108	519
Hourly Rate	\$ 249	\$ 205	\$ 165	
Subtotal Expenses	\$ 36,852	\$ 53,915	\$ 17,820	\$ 108,587
Total Fees and Expenses				\$ 1,613
				\$ 110,200



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Parks Division, Parks and Recreation Department

SUBJECT: Appeal Of Parks And Recreation Commission Denial Of Tree Removal At 320 Cooper Road

RECOMMENDATION:

That Council deny the appeal filed by Peter Hornemann, and uphold the Parks and Recreation Commission decision to deny the removal of a *Quercus agrifolia* (Coast Live Oak) located in the minimum front setback at 320 Cooper Road.

DISCUSSION:

Tree Removal Application

On November 29, 2010, the Parks and Recreation Department received a tree removal application from Peter Hornemann for the Coast Live Oak tree located in the minimum front setback at 320 Cooper Road (Attachment 1). The basis for the applicant's tree removal request was that the tree is lifting a wall, and the tree could damage underground utilities at a future date.

Background

The Coast Live Oak located at 320 Cooper Road is estimated to have been planted at least 30 years ago. The property at 320 Cooper Road is zoned E-3 with a front setback of 20 feet. Since the tree is located in the minimum front setback, a permit is required before the tree can be removed.

Santa Barbara Municipal Code (SBMC) Chapter 15.24 Preservation of Trees, provides guidance for private trees. SBMC Section 15.24.020 establishes the permitting requirements for removing any tree growing within the minimum front setback. Pursuant to Municipal Code Section 15.24.040, a setback tree requires review by the Street Tree Advisory Committee (STAC). The STAC provides a recommendation to the Parks and Recreation Commission (Commission) based on the considerations specified under 15.24.080.

Pursuant to SBMC 15.24.080, considerations during the review of a tree removal application, include:

- Whether the tree is an official Historic or Specimen tree,
- The potential size of the tree in relation to the lot,
- The number and size of other trees on the site or on adjacent City property,
- Any benefits to adjacent trees,
- Whether the tree was planted by or with the permission of the applicant, the condition and structure of the tree, and
- Whether the tree canopy can properly grow.

The Commission reviews the application materials and the STAC recommendation prior to taking action. In addition to the considerations under Section 15.24.080, the Commission must determine, under Section 15.24.090, that one of the following conditions exists in order to make a finding for removal:

- The removal would adhere to the principals of good forestry management, or
- A reasonable development of the property requires the removal, or
- The character of the neighborhood would not be materially affected, or
- The topography of the building site renders the removal desirable, or
- The safety of persons or property dictates removal.

Parks and Recreation Commission decisions on tree removal permit applications may be appealed to the City Council pursuant to SBMC 15.20.170.

Tree Removal Application Review

Mr. Hornemann's tree removal application was reviewed by the STAC at its January 6, 2011, regular meeting. The STAC reviewed materials submitted by the applicant and conducted a site visit. The STAC unanimously voted (4/0) to recommend that the Parks and Recreation Commission deny the tree removal application. The STAC determined that the wall could be repaired through a combination of root pruning and alternative wall construction methods, and that the potential damage to underground utilities is not significant enough to warrant removal of this tree. The STAC also commented that the removal of this oak would be a detriment to the health of the adjacent pine tree.

The Parks and Recreation Commission considered the application and the STAC recommendation at its regular meeting on January 26, 2011. The Commission's discussion of the tree removal application included questions about how to determine if utility lines exist under the tree. Staff advised that it is likely that the electrical supply, television cable, and telephone lines are located under ground below the tree. This can not be determined accurately unless a request is made to Underground Service Alert to mark the location of the lines. Commissioner Burns commented that the utility box for the lines is located sufficiently away from the tree and is not currently being impacted by the tree. The Commission unanimously voted (5/0) to concur with the STAC recommendation and thereby denied the setback tree removal application.

Appeal of the Parks and Recreation Commission's Decision

Mr. Hornemann is appealing the Parks and Recreation Commission's denial of his tree removal application on the basis that the tree will continue to cause damage to the wall and could disrupt the underground electric utility line in the future. Staff determined the water and sewer utility lines enter the property at locations away from the tree. Staff contacted Southern California Edison and confirmed the power supply line for Mr. Hornemann's home is located under ground at the location of the tree. Southern California Edison also indicated that if the line is installed to California Electrical Code requirements, it should be inside a conduit and located a minimum of four (4) feet below the surface. Tree roots require oxygen and water to grow and therefore are typically located within the top three (3) feet of soil. Since the electrical line should be inside a conduit located four (4) feet below ground, and it is unlikely that the tree roots grow to that depth, it is also unlikely the tree roots will negatively impact the line.

The STAC and the Commission took into account all of the considerations for removal pursuant to SBMC 15.24.080 described above. The STAC and Commission also considered all of the findings for removal pursuant to SBMC 15.24.090.

RECOMMENDATION:

The Parks and Recreation Commission considered all relevant issues pertaining to the tree removal application. Staff recommends that Council deny the appeal and uphold the decision of the Parks and Recreation Commission to deny the tree removal application.

- ATTACHMENTS:**
1. Tree Removal Application, dated November 29, 2010
 2. Street Tree Advisory Committee Meeting Minutes, January 6, 2011
 3. Parks and Recreation Commission Meeting Minutes, January 26, 2011
 4. Appeal letter and attachments, dated February 3, 2011

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

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

APPROVED BY: City Administrator's Office



City of Santa Barbara
Parks and Recreation Department
SETBACK TREE REMOVAL APPLICATION

NOV 29 2010

PARK & RECREATION
PARKS DIVISION

Mailing Address:
PO Box 1990
Santa Barbara, CA 93102
(805) 564-5433 FAX (805) 897-2524

Physical Address:
402 E. Ortega St.
Santa Barbara, CA 93101

Application Fee: \$50 (effective July 1, 2010)

DATE OF REQUEST:	11/29/2010
APPLICANT:	Peter Hornemann
OWNER NAME (IF DIFFERENT THAN APPLICANT):	
MAILING ADDRESS:	320 Cooper Road, Santa Barbara
DAYTIME PHONE:	805-729-5129
LOCATION OF TREE (ADDRESS):	320 Cooper Road, Santa Barbara.
TREE SPECIES (IF KNOWN):	Oak
REASON(S) FOR REMOVAL:	Damage/Up Lifting retaining wall. UTILITIES Run under tree trunk, already replaced COX CATV Feed. That was damaged.
TREE(S) WILL BE REPLACED: Yes [] With:	No <input checked="" type="checkbox"/>

PROVIDE THE FOLLOWING SUPPLEMENTAL INFORMATION

- > Property owner letter, indicating reasons for removal. Also include whether:
 - o The removal application is associated with new development or redevelopment of property
 - o Status of development application, including whether the project is scheduled for review by the Single Family Design Board, Architectural Board of Review or Historic Landmarks Commission
 - o The tree is a designated Specimen or Historic Tree or located on a property with a designated Historic Landmark
- > Photo of tree(s) proposed for removal
- > Development plan/Landscape plan

ATTACHMENT 1

TO: City of Santa Barbara
Parks and Recreation Department
402 E. Ortega Street.
Santa Barbara, California 93101

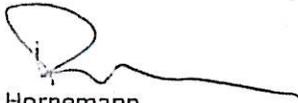
11/29/2010

FROM: Peter Hornemann
320 Cooper Road.
Santa Barbara, California 93109

RE: Setback Tree Removal Application

I would like the Oak tree located in my front yard removed completely. It has caused problems with my utilities as telephone, electrical and CATV pass under the trunk base of the tree. I have had to replace the CATV Service already and am concerned about future issues arising with the Continued growth of the tree. There is a retaining wall located about a Foot from the trunk base of the tree, presently causing the wall to split And raise up. My neighbor is very concerned and has asked my repeatedly To have the tree removed as it is "ruining her wall." She has pruned the tree And very little of the trees branches reach into her property. I am in agreement With her that the tree's growth will only create more serious problems with the Retaining wall. I also am concerned that contined growth will negatively effect My underground utilities that pass under the trunk base of the tree. Removal of The tree will have a positive effect on the retaining wall, eventually settling back Down and make permanent repairs possible, as well as maintaining a good Relationship with my neighbor. It will also give me piece of mind that no further Damage will occur to my utilities that pass under the trunk base.

Thank you for your consideration



Peter Hornemann

ATTACHMENT 1





CITY OF SANTA BARBARA
PARKS AND RECREATION DEPARTMENT

Street Tree Committee
REGULAR MEETING
Thursday, January 6, 2011
Parks Lunch Room
402 E. Ortega Street
8:30 a.m.

Minutes

1. CALL TO ORDER 8:34 AM
2. ROLL CALL
Members present: Maury Treman, Karen Christman, Bob Cunningham, Carol Bornstein
Staff present: Randy Fritz, Tim Downey, Patty Herrera
P&R Commission Liaison present: Lesley Wiscomb
Members of the public: Des O'Neill, Rain Longo, Dana Longo
3. APPROVAL OF MINUTES
A. Regular Meeting, December 2, 2010 – Approved.

Member Maury Treman moved, seconded by Carol Bornstein that the December 2, 2010 Minutes be approved as presented, passed 4/0.

4. CHANGES TO THE AGENDA
 1. Typo on block number of item C. Street Tree Master Plan, 1. 4000 block of San Martin Way. Block is 4100 block of San Martin Way and not the 4000 block.
 2. Take 4100 block of San Martin Way after Election of Chair and Vice Chair for 2011.
5. MEMBER AND STAFF COMMUNICATION
 - A. PARKS AND RECREATION COMMISSION ACTIONS
 1. Tim updated STAC regarding the December Parks and Recreation Commission actions. Tim informed STAC that the Parks and Recreation Commission concurred with all of STAC recommendations.
 2. Tim shared/presented STAC a copy of the Annual Enforcement Report and answered questions on the subject.
 3. Karen presented Tree/Landscape Ordinance Administrative Recommendations.
 4. Tim to talk to Santos about Rangers to help with enforcement in progress.
6. PUBLIC COMMENT
None
7. NEW BUSINESS
 - A. ELECTION OF CHAIR AND VICE CHAIR FOR CALENDAR 2011
 1. Bob Cunningham moves to nominate Carol Bornstein as Chair and Maury Treman as Vice Chair.

Member Bob Cunningham moved, seconded by Carol Bornstein to nominate Karen Christman as Chair and Maury Treman as Vice Chair, passed 4/0.

B. TREE REMOVAL CONSIDERATIONS

STREET TREES

None

SETBACK TREES

1. 320 Cooper Rd. – *Quercus agrifolia*, Coast Live Oak – Peter Hornemann

Recommendation to deny

The Committee recommends that the Commission deny the removal. The Committee and staff discussed that root pruning and wall construction methods could be used to preserve the tree while allowing the wall repairs. The Committee and staff determined that the reasons provided by the applicant are not sufficient to justify removal.

Member Maury Treman moved, seconded by Carol Bornstein that the Commission approve the removal, passed 4/0.

2. 434 E. Valerio St. – *Washingtonia robusta*, Mexican Fan Palm – Michael Cooper

Recommendation to deny

The Committee recommends that the Commission deny the removal. The Committee and staff determined that the reasons provided by the applicant are not sufficient to justify removal.

Member Bob Cunningham moved, seconded by Carol Bornstein that the Commission deny the removal, passed 4/0.

C. STREET TREE MASTER PLAN

1. 4100 block of San Martin Way – change designation

The Committee recommends that the Commission add *Tristania laurina*, Water Gum and *Cassia leptophylla*, Gold Medallion Tree as additional designated species.

Member Maury Treman moved, seconded by Bob Cunningham to add *Tristania laurina*, Water Gum and *Cassia leptophylla*, Gold Medallion Tree as additional designated species. passed 4/0.

8. OLD BUSINESS

- A. 1000 – 1300 block of Chapala St. – consider change to designated species

The Committee recommends that the Commission co-designate *Cedrela fissilis*, Brazilian Cedar Wood and *Koelreuteria bipinnata*, Chinese Flame Tree for 1100 – 1200 blocks and strike 1000 block of Chapala St. The Committee also recommends adding the 1400 block to next month's Agenda.

Member Bob Cunningham moved, seconded by Carol Bornstein to co-designate *Cedrela fissilis*, Brazilian Cedar Wood and *Koelreuteria bipinnata*, Chinese Flame Tree for 1100 – 1200 blocks and strike 1000 block of Chapala St. The Committee also recommends adding the 1400 block to next month's agenda, passed 4/0.

ATTACHMENT 2

B. 2400 – 3000 block of De La Vina St. – consider change to designated species

Karen Christman moves to postpone 2400 – 3000 block of De La Vina St. Members to bring information/notes on parkway size and staff to look at Minutes for further discussion.

Bob Cunningham moves, seconded by Carol Bornstein to postpone a decision with each member to bring to next meeting a list of up to 10 trees to choose from, passed 4/0.

C. Upper State St. – street tree designation

Member Maury Treman moved, seconded by Carol Bornstein to postpone, to look at whole street spread laid out, passed 4/0.

Meeting was adjourned at 11:00 AM

Respectfully submitted,
Tim Downey, Urban Forest Superintendent

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Tim Downey at 564-5592. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements.



City of Santa Barbara
PARKS AND RECREATION DEPARTMENT

PARKS AND RECREATION COMMISSION
Regular Monthly Meeting

Wednesday, January 26, 2011

Minutes

CALL TO ORDER: The meeting was called to order at 4:02 p.m. at City Council Chambers.

PLEDGE OF ALLEGIANCE: Chair Wiscomb

ROLL CALL:

Commissioners & Staff Present

Commissioner Lesley Wiscomb
Commissioner Daraka Larimore-Hall
Commissioner W. Scott Burns
Commissioner Nicolas Ferrara
Commissioner Beebe Longstreet
Youth Intern Michael Yi
Parks & Recreation Director Nancy Rapp
Asst. Parks & Recreation Director Jill Zachary
Urban Forest Superintendent Timothy Downey
Executive Assistant Karla Megill
Parks Manager Santos Escobar, Jr.
Recreation Programs Manager Sarah Hanna
Neighborhood and Outreach Services Supervisor Susan Young

Commissioners & Staff Absent

Commissioner Chris Casebeer
Commissioner Rocky Jacobson

Ms. Young introduced Michael Yi, newly appointed Parks and Recreation Commission Youth Intern and provided an overview of the Youth Intern Program.

CHANGES TO THE AGENDA: None

WRITTEN COMMUNICATIONS: None

PUBLIC COMMENT: Speakers: Billy Goodnick, Cathy Murillo, and Karen Christman

ATTACHMENT 3

Chair Wiscomb suggested it is appropriate for the Commission to consider the issue of maintenance and new projects by the Parks and Recreation Department, and, possibly some Integrated Pest Management recommended changes that might go forward to City Council as part of maintenance.

Commissioner Longstreet suggested the items could be addressed during the budget process.

Commissioners Ferrara concurred with Chair Wiscomb and Commissioner Longstreet stating the importance of maintenance of the parks.

Commissioner Burns concurred and suggested it be addressed by some sort of blue ribbon committee.

Commissioner Larimore-Hall suggested the Commission not wait until they address the budget to discuss some of the items. He stressed the Commission should not discuss the items without keeping the budgetary issues in mind, particularly because of the public nature of the issue; he said to totally separate the issues would be irresponsible. Commissioner Larimore-Hall said, however, at the same time there are citizen engaged discussions, proposals, etc., that are not only budget issues that he would be happy to see on the agenda next month and, further, to have the opportunity to respond to some of the things said in public comment.

Chair Wiscomb commented that the February meeting agenda is full and suggested the Commission talk about the items closer to the budget, but before the budget as a separate item.

Ms. Rapp said staff will evaluate workload and what would be involved in bringing a report back to the Commission. She said the February agenda is full, but staff will look at bringing a report back to the Commission in March.

Chair Wiscomb commented that Ms. Christman brought up smoothing out some of the administrative policies regarding the tree ordinances.

Ms. Rapp said staff would review them, but administrative policies would not be approved by the Commission.

COMMUNITY SERVICE RECOGNITION:

1. Recognition of Dave Everett for his volunteer service to the Front Country Trails Program

Recommendation: That the Commission recognize Dave Everett for his volunteer service to the Front Country Trails Program.

Documents:

- Staff Report

Speakers:

ATTACHMENT 3

- Staff: Jill Zachary, Assistant Parks and Recreation Director
- Members of the Public: Dave Everett

The Commission presented Mr. Everett with a Community Service Certificate in recognition of his volunteer service to the Front Country Trails Program.

COMMISSIONER COMMITTEE ASSIGNMENT REPORTS:

Commissioner Ferrara reported that the Integrated Pest Management Advisory has not met; therefore, he has nothing to report.

Commissioner Burns reported on the activities of the Front Country Trails Multi-Jurisdictional Task Force and the Parks and Recreation Community (PARC) Foundation.

Chair Wiscomb reported on the activities of the Street Tree Advisory Committee. She further reported on the Golf Advisory Committee. Chair Wiscomb reported on the rose pruning event.

COMMISSION AND STAFF COMMUNICATIONS:

Ms. Rapp reported that there are 31 applicants to the Neighborhood Advisory Council, and interviews will be conducted on February 3rd and 8th, with appointments being made in March. She further stated that staff will ask the Commission to appoint up to two liaisons to that Committee at the February meeting.

YOUTH COUNCIL REPORT: Youth Intern Yi provided this report.

CONSENT CALENDAR:

2. Approval of Minutes - For Action

Recommendation: That the Commission waive the reading and approve the minutes of the regular meeting of December 15, 2010.

Commissioner Nicolas Ferrara moved, seconded by Commissioner Beebe Longstreet, and passed 5/0 to waive the reading and approve the minutes of the regular meeting of December 15, 2010.

STREET TREE ADVISORY COMMITTEE ITEMS:

1. Street Tree Advisory Committee Recommendations – For Action

Recommendation: That the Commission:

- A. Deny the following Setback Tree removal requests.

Documents:

- Staff Report
- Staff PowerPoint

Speakers:

- Staff: Jill Zachary, Assistant Parks and Recreation Director; Tim Downey, Urban Forest Superintendent.

1. 320 Cooper Rd. – Quercus agrifolia, Coast Live Oak – Peter Hornemann

Mr. Downey briefed that the applicant's reasons for removal are that the tree roots are damaging the retaining wall; the removal of the tree would benefit an adjacent tree on the property; and he has already had to make repairs to utility lines that run under the tree trunk. Mr. Downey further said the applicant has concerns that additional utility lines will be damaged.

Mr. Downey indicated the Street Tree Advisory Committee determined that the tree could be preserved and the wall repaired with a combination of root pruning and wall construction techniques. He said they further determined that the other tree is in decline and would not really benefit from the removal of the tree.

Mr. Downey advised that the Street Tree Advisory Committee recommended the request be denied because the reasons for the request do not justify the removal.

Commissioner Ferrara asked whether there is any way to determine if there are utility lines that would be impacted, other than the television cable lines already replaced by the applicant.

Mr. Downey said he is unsure as to whether the City Mapping system contains a complete representation of all utility lines.

Commissioner Larimore-Hall asked how one determines if cable or electrical lines are there and being impacted if the City mapping system is not 100% reliable in terms of the location.

Mr. Downey responded saying that trees are not typically approved for removal due to the presence of utility lines; the applicant is stating the trees could potentially damage utility lines. He said he is not reporting any existing damage. Mr. Downey informed the Commission of a service called "Dig Alert" that could be retained to determine if utility lines are present. He said he does not believe that has been done in this case.

Chair Wiscomb commented that the applicant expressed concern in his letter that continued growth of the tree will negatively affect underground utilities.

ATTACHMENT 3

Ms. Zachary added that the City's mapping system shows where there are water and sewer lines; there are no water and sewer lines underneath this tree. She said that if there are any other utilities, they would be under the jurisdiction of Edison or Cox, etc. Ms. Zachary said a property owner could call "Dig Alert" and have utility lines drawn out. She said that was not done as part of this tree removal application.

Commissioner Burns indicated he looked at the tree and saw the Cox cable box. He commented that there have been times when a tree has grown around a cable box and there has even been a time when the Commission has recommended a Palm tree be cut down because it was surrounding an Edison box. Mr. Burns said that in this case, the box is three to four feet from the base of the tree; it could be an issue in the future.

Commissioner W. Scott Burns moved, seconded by Commissioner Beebe Longstreet, and passed 5/0 to concur with the Street Tree Advisory Committee recommendation and staff and deny the removal of the Quercus agrifolia, Coast Live Oak, at 320 Cooper Road.

1. 434 E. Valerio St. – Washingtonia robusta, Mexican Fan Palm - Santa Barbara Real Estate & Investment Corp.

Mr. Downey briefed that the applicant's reasons for removal are that the palm fronds are falling from the tree; the skirt on the tree is creating a space where rats could nest; and they are concerned about the proximity of the tree to the building.

Mr. Downey advised that the Street Tree Advisory Committee determined that the skirt of the tree could be trimmed through regular maintenance, alleviating two of the concerns, and the tree is quite a distance from of the structure, thus it is unlikely that it is causing any damage. Mr. Downey advised that the Street Tree Advisory Committee recommended that the request be denied.

Commissioner Ferrara stated that he made a site visit to the tree and that it does not seem close to the unit at all; it looks to be 10 to 15 feet from the unit.

Commissioner Nicolas Ferrara moved, seconded by Commissioner Daraka Larimore-Hall, and passed 5/0 to concur with the Street Tree Advisory Committee recommendation to deny the removal of the Washingtonia robusta, Mexican Fan Palm, at 434 E. Valerio Street.

- B. Approve the requests to co-designate the following species to the Street Tree Master Plan

1. 4100 block of San Martin Way – change designation

Commissioner Beebe Longstreet moved, seconded by Commissioner Daraka Larimore-Hall, and passed 5/0 to concur with the Street Tree Advisory Committee recommendation regarding the Street Tree Master Plan change for the 4100 block of San Martin Way.

ADMINISTRATIVE AND STAFF REPORTS:

4. Tree Preservation Ordinance Enforcement - For Information

Recommendation: That the Commission receive a status report on Tree Preservation Ordinance Enforcement.

Documents:

- Staff Report
- Staff PowerPoint

Speakers:

- Staff: Jill Zachary, Assistant Parks and Recreation Director; Tim Downey, Urban Forest Superintendent.

Chair Wiscomb commented that the Commission should look at the amount of staff time Tree Ordinance Violation cases take when considering the budget.

Commissioner Larimore-Hall asked that staff provide a multi-year report with the numbers of cases and pending cases and some sense of how staff found out about the violation, keeping privacy in mind, in order to gauge the effectiveness of outreach.

5. Twelve35 Teen Center Update - For Information

Recommendation: That the Commission receive information on the Twelve35 Teen Center participation and activities.

Documents:

- Staff Report

Speakers:

- Staff: Sarah Hanna, Recreation Programs Manager

6. Fiscal Year 2011 Golf Six-Month Rounds and Revenue Report - For Information

Recommendation: That the Commission receive a report on rounds and revenue at the Santa Barbara Golf Club for the first six months of Fiscal Year 2011.

Documents:

- Staff Report
- Staff PowerPoint

Speakers:

- Staff: Nancy Rapp, Parks and Recreation Director, and Nancy Woods, Administrative Analyst

OLD BUSINESS: None

NEW BUSINESS:

7. Proposal to Allow Alcohol at Carrillo Recreation Center - For Action

Recommendation: That the Commission recommend to City Council that Resolution No. 08-057, regarding consumption of alcoholic beverages in certain City-owned public areas, be modified such that consumption of alcohol is allowed in the Carrillo Recreation Center.

Documents:

- Staff Report
- Staff PowerPoint

Speakers:

- Staff: Sarah Hanna, Recreation Programs Manager, and Nancy Rapp, Parks & Recreation Director

Commissioner Daraka Larimore-Hall moved, seconded by Commissioner Beebe Longstreet, and passed 5/0 to recommend to City Council that Resolution No. 08-057, regarding consumption of alcoholic beverages in certain City-owned public areas, be modified such that consumption of alcohol is allowed in the Carrillo Recreation Center.

ADJOURNMENT:

Commissioner Daraka Larimore-Hall moved, seconded by Commissioner Nicolas Ferrara, and passed 5/0 to adjourn.

Respectfully submitted,

Nancy L. Rapp
Parks and Recreation Director

ATTACHMENT 4

TO: City of Santa Barbara
Parks and Recreation Department
402 E. Ortega Street
Santa Barbara, California 93101

2/3/2011

FROM: Peter Hornemann
320 Cooper Road
Santa Barbara, California 93109

CITY OF SANTA BARBARA

FEB 03 2011

PARK & RECREATION
PARKS DIVISION

RE: Ltr dated 11/29/2010 (attached)
Ltr dated 1/27/2011 (attached)

I wish to appeal your decision regarding the removal of a tree from my property located at 320 Cooper Road. I have spoken with my neighbor Irene A. Toll concerning your decision and she is concerned, as I am that this tree's further growth will continue to damage her brick wall (see picture). My concern is also that my utilities are underground along the path of the base of the tree. Electrical, telephone and Cable TV are beneath the base roots. I am concerned that further damage to these utilities could happen at any time. I have had to replace the cable tv feed already. A outage of the electrical could also occur and would be very costly to repair. I am a retired and disabled American war veteran and any interruption of these underground services would cause a extreme hardship and could be financially devastating. My neighbor, Irene, is also concerned that the damage to her brick wall will continue and result in a financial hardship to repair it. She is 88 years old and lives alone at 312 Cooper Road..

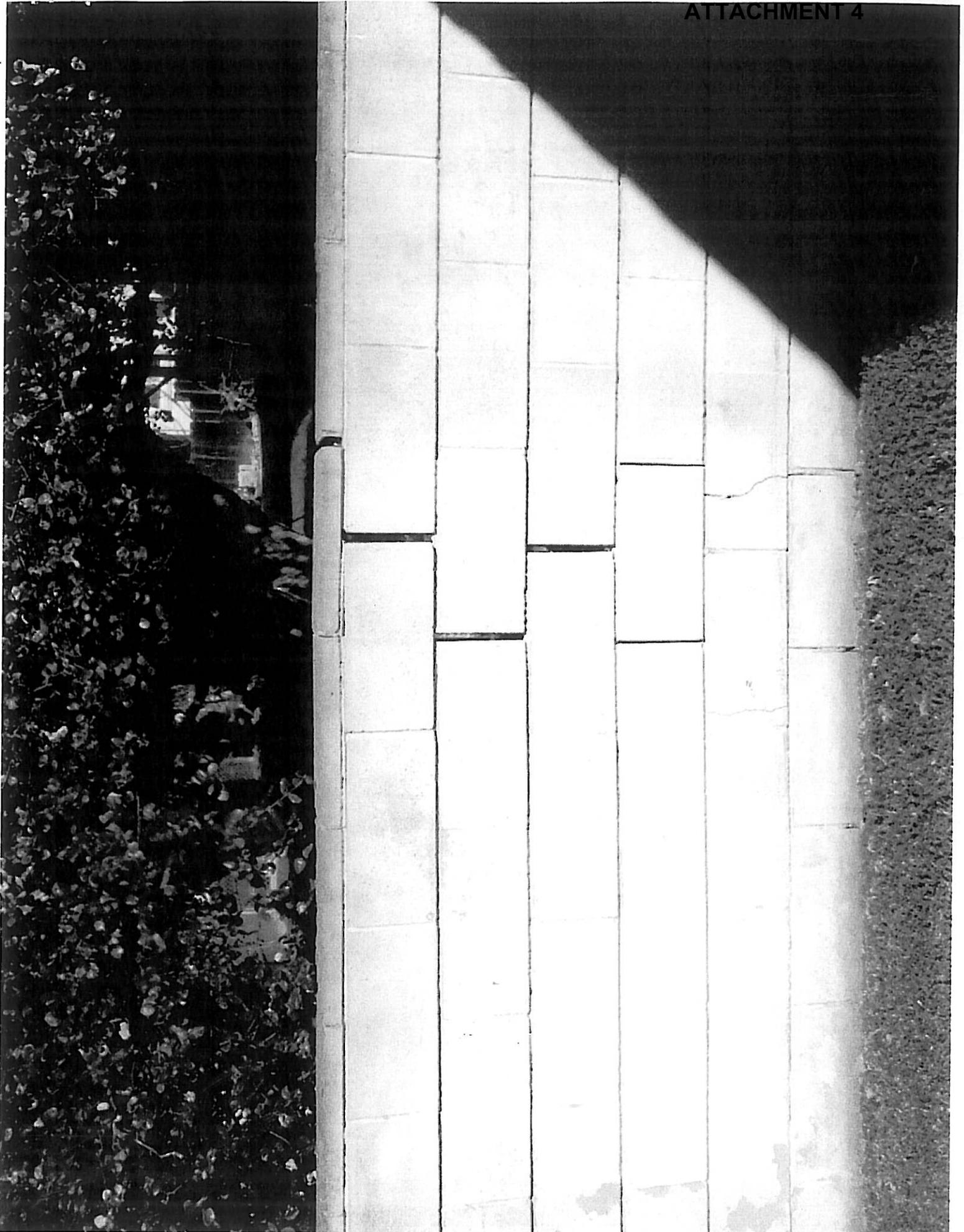
I can understand that if a tree is standing in a yard is not impacting anything, I would also be in favor of keeping it. This tree on the other hand is causing damage to my property and my neighbors property which could result in a financial hardship to both of us.
Please reconsider your determination and allow the removal of the tree.

If the city will assume financial and other liabilities for any present and future damage that has or may arise from the continued presence of the tree, I will no longer argue in favor of the tree's removal.



Peter Hornemann

729-5129





CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Administration Division, Public Works Department

SUBJECT: Six-Year Capital Improvement Program - Fiscal Year 2012 Through 2017

RECOMMENDATION:

That Council receive the Six-Year Capital Improvement Program for Fiscal Year 2012 through 2017.

DISCUSSION:

In accordance with City Charter Section 604(d), the City's Six-Year Capital Improvement Program (CIP) has been prepared and filed with the City Clerk.

The goals of the CIP are to:

- Provide a balanced program for capital improvements given the anticipated funding revenues over a six-year planning period;
- Illustrate unmet capital needs based on anticipated funding levels; and
- Provide a plan for capital improvements that can be used in preparing the capital budget for the next fiscal year.

The City of Santa Barbara's CIP forecasts the City's capital needs over a six-year period. Although the City Charter requires a five-year CIP, staff has prepared a six-year plan for many years. The first two years of the plan are the basis for the next two-year Financial Plan, with the remaining four years used to plan for future projects. The long-range nature of the CIP has become even more important in the past few years due to the complex economic, environmental, and planning requirements that many projects face from conception through actual construction. Projects are proposed based on the City's long-range plans, goals, and policies. The CIP is generally updated every two years to coincide with the City's two-year Financial Plan. It is a key element for developing the City's annual Capital budget.

The City Planner, the City Engineer, the City Boards and Commissions governing each program area, and the Finance Committee have reviewed the Six-Year Capital Improvement Program for Fiscal Year 2012 through 2017 and have forwarded the document to Council. The capital projects listed in the CIP document, along with the currently funded Capital Program, will form the basis for the capital projects proposed for City Council approval as part of the Fiscal Year 2012 – 2013 Financial Plan.

The six-year total for the CIP exceeds \$468 million (M), and includes the General Fund, Enterprise funds and Special funds, with most funded projects in the Enterprise and Special funds. The table below summarizes the total amount of funded and unfunded projects and totals of funded projects by City and Non-City sources:

Six-Year Total for the CIP	\$468 M
Funded projects:	\$152 M
City Source	\$117 M
Non-City Source	\$ 35 M
Unfunded Projects	\$316 M

Each department representative is prepared to discuss the department's Capital Program, including the projects that will be submitted as part of the Two-Year Financial Plan for Fiscal Year 2012 - 2013, and to address major capital project needs that are unfunded.

SUSTAINABILITY IMPACT:

The CIP includes projects that promote the goals of the City's Sustainability Plan. Many of the upgrades and maintenance projects for City facilities included in the CIP will enhance energy efficiency, use recyclable materials, and promote a longer maintenance cycle.

The Capital Improvement Program 2012 - 2017 is available for review in the City Clerk's Office.

PREPARED BY: Kathleen Kefauver, Administrative Analyst III/mh

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011
TO: Mayor and Councilmembers
FROM: City Attorney's Office
SUBJECT: Conference With Legal Counsel - Anticipated Litigation

RECOMMENDATION:

That Council hold a closed session to consider significant exposure to litigation (one potential case) pursuant to subsection (b)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

SCHEDULING:

Duration: 20 minutes; anytime

REPORT:

None anticipated

SUBMITTED BY: Stephen P. Wiley, City Attorney

APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. **440.05**

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Conference With Labor Negotiator

RECOMMENDATION:

That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristy Schmidt, Employee Relations Manager, regarding negotiations with General, Treatment and Patrol, and Supervisory bargaining units and regarding discussions with unrepresented management about salaries and fringe benefits.

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

PREPARED BY: Kristy Schmidt, Employee Relations Manager

SUBMITTED BY: Marcelo López, Assistant City Administrator

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: March 22, 2011

TO: Mayor and Councilmembers

FROM: Housing and Redevelopment Division, Community Development Department

SUBJECT: Community Development And Human Services Committee Funding Recommendations For Fiscal Year 2012, Policy Amendment, And Housing And Urban Development 2011 Action Plan

RECOMMENDATION: That Council:

- A. Approve the Fiscal Year 2012 funding recommendations of the Community Development and Human Services Committee (CDHSC) for use of Community Development Block Grant (CDBG) and Human Services funds;
- B. Approve the CDHSC funding contingency plan;
- C. Authorize the CDHSC to adjust funding as per the approved contingency plan without further Council action upon receipt of the actual entitlement amount awarded;
- D. Authorize the Community Development Director to negotiate and execute agreements implementing the funding recommendations, subject to the review and approval of the City Attorney;
- E. Authorize the City Administrator to sign all necessary documents to submit the City's 2011 Action Plan to the Department of Housing and Urban Development (HUD); and
- F. Authorize staff to amend CDBG and Human Services grant applications, program applications, policies, and agreements as necessary to implement regulations under the Federal Funding Accountability and Transparency Act of 2006 (FFATA) that became effective as of October 1, 2010, subject to the review and approval of the City Attorney.

EXECUTIVE SUMMARY:

The CDHSC is recommending funding for 72 proposals out of the 78 applications received, which is the highest number of applications ever received at a time when the CDBG program is facing steep cuts. The U.S. House of Representatives last month voted to cut the CDBG program by 62.5 percent for Fiscal Year 2011-12. The Senate has not taken action on the budget at this time. The recommendations for use of CDBG and Human Services funds for Fiscal Year 2012 are based on an estimated 8.5 percent reduction from last year's CDBG entitlement. The recommendations are based on the

priorities previously approved by Council. A review of the process, recommendations, policy changes and contingency plans follow.

DISCUSSION:

The City of Santa Barbara is an entitlement jurisdiction for federal CDBG funds through HUD. Each year since 1975 the City has applied for, and received, CDBG funds to undertake specific eligible projects and programs that develop a viable urban community by providing decent housing and a suitable living environment. In particular, these funds are required to be used for programs that principally benefit low- to moderate-income persons.

The City also makes available additional monies from the General Fund to support human services programs that provide direct social services to low-income City residents.

Community Development and Human Services Committee Funding Recommendations

The recommendations in this report are for CDBG and Human Services funding for Fiscal Year 2012.

The combined application for CDBG and Human Services funds was made available to the public on November 11, 2010. An announcement was mailed to all agencies that expressed an interest in applying during the past year or had applied for funding in the past two years. Current grant recipients also received a funding announcement via e-mail. In addition, advertisements appeared in the *Daily Sound* and the *Santa Barbara News Press*, a news release was disseminated to the local media, and an announcement and the application were posted on the City of Santa Barbara's website informing the public of the availability of applications and the orientation workshop. A mandatory Application Orientation/Technical Assistance workshop was held for all prospective applicants on November 16, 2010.

Seventy-nine applications were submitted by the deadline of December 16, 2010, which was the highest number ever submitted. One application was subsequently withdrawn. The 78 remaining applicants requested a total of \$2,875,421, which exceeds the estimated available funding by approximately \$1,007,121.

Staff and the CDHSC reviewed all of the applications and the Committee interviewed each applicant. In all, the CDHSC invested over 30 hours interviewing and deliberating on this year's applications. This figure does not include the number of hours each committee member spent individually reading and rating each application.

The CDHSC developed their funding recommendations on the basis of each applicant's written application, program presentation and interview. They deliberated as a group before submitting their individual rankings and proposals. The CDHSC gave significant consideration to the Funding Criteria and Priorities adopted by Council on November 9, 2010.

The 1st Priority programs consist of those programs that help meet basic human needs and programs that directly relate to City-initiated collaborative efforts, such as the South Coast Gang Task Force and the Strategies to Address Community Issues Related to Homelessness in the City of Santa Barbara. The 2nd Priority programs are preventative in nature and/or promote the highest degree of functioning the individual is capable of achieving. Detailed descriptions of the combined funding application criteria, as well as funding priorities for both CDBG and Human Services, can be found on pages four through six of the CDHSC Report on Funding Recommendations FY 2011-2012. This report is available for public review on the City's web page (www.SantaBarbaraCa.gov) and in the office of the City Clerk, Main Public Library and the Community Development Department. The Draft HUD 2011 Annual Action Plan is also available for public review at the above locations.

With the large number of applications this year, the CDHSC had to make some difficult decisions. They were able to recommend funding for 57 of the 62 applications in the Public/Human Services category including 14 new programs. Only one applicant received their full funding request, which was \$2,000, the amount needed to obtain a matching grant. Three programs that demonstrated either an extraordinary need or expansion of services were recommended for moderate increases. Decreased funding was recommended for all other previously funded programs: some of the decreases were small; some significant. No funding was recommended for five programs, including two that received funding last year.

Twelve of the 15 applications in the Capital category were recommended for funding. These include six projects that are part of the City's Neighborhood Improvement Program. This program targets those neighborhoods in the City with the highest proportion of low-income households, population density, over-crowding, renter occupancy ratio, crime rates and sub-standard structures. Three applications in the administrative category are also recommended for funding. Applicant agencies have been notified of their individual recommendations.

Housing And Urban Development 2011 Action Plan:

Every five years the City of Santa Barbara prepares a HUD-mandated document, the Consolidated Plan (CP), which is a comprehensive planning tool that outlines the City's strategic vision for housing and community development for a five-year period. Annually, an Action Plan (AP) is submitted to HUD and acts as the City's application for both Community Development Block Grant and HOME Investment Partnership Program funds. The City's 2011 Action Plan proposes specific identifiable benchmarks for measuring progress in realizing the goals outlined in the previously adopted 2010-2014 Consolidated Plan, including the CDBG funding recommendations.

Federal Funding Accountability and Transparency Act of 2006 (FFATA)

In accordance with the FFATA or Transparency Act, recipients and subrecipients of individual Federal grants that are equal to or greater than \$25,000 awarded on or after October 1, 2010, are required to report on data related to executive compensation. With approval today, Staff will incorporate into CDBG and Human Services grant applications, program policies, and contracts the appropriate language to enable compliance with the Act. It should be noted that although Human Services funds are technically not subject to the Act because they are funded by the City, the CDHSC has expressed its desire to include similar provisions of the Act for all CDBG and Human Service grants, even those for amounts less than \$25,000.

BUDGET/FINANCIAL INFORMATION:

Due to a delay in the receipt of our CDBG Funding Allocation for HUD Fiscal Year 2011, the CDHSC approved their funding recommendations based on an estimated 8.5 percent decrease in new CDBG entitlement funds to \$1,065,002. There will also be \$100,043 of reprogrammed funds available which, when added to the entitlement, provides an estimated total of \$1,165,045 for the City's Fiscal Year 2012 CDBG program, \$159,750 of which will be available for Public Services.

The City of Santa Barbara has also provided funds for local agencies to provide essential social services for many years. On November 9, 2010 Council established a funding commitment from the Fiscal Year 2012 General Fund in the amount of \$703,256 for the Human Services Program , which is the same as the last three fiscal years.

Under the combined funding process, the City's Human Services funds of \$703,256 are combined with the CDBG Public Service funds in the amount of \$159,750, for a total of \$863,006 in the Public/Human Services category. The CDBG funds available for Capital Projects total \$742,294. The remaining CDBG funds are allocated for administration/fair housing and the Rental Housing Mediation Task Force.

As of this date, the City has not received an official CDBG funding announcement from the Department of HUD; therefore, all CDBG funding recommendations are contingent upon HUD funding. The CDHSC added contingencies to their recommendations should CDBG funds be less than anticipated which is probable based upon recent reporting from Congress that the U.S. House of Representatives passed a 62.5 percent reduction to the CDBG program. Should this bill be confirmed by the Senate, the following amounts would be available:

- \$769,582 Public Service funds. The amount is not as drastically reduced due to the availability of City Human Services funds and the fact that only 15 percent of the CDBG entitlement goes toward Public Service.
- \$337,454 Capital

Contingency Plan

In anticipation of a decrease in CDBG funding, the CDHSC added a funding contingency plan to their recommendations. This plan will be applied in the event of any reduction to the City's estimated FY 11-12 CDBG funding, regardless of the amount decreased.

- Public/Human Services – Reduce/eliminate funding for lowest rated 2nd priority programs, as necessary.
- Capital – Eliminate/reduce, as necessary, funding from the lowest rated projects up to the Jewish Federation project. If excess allocated funds remain after these cuts are made, the Jewish Federation recommendation would be reduced by up to 50 percent, if necessary, then each remaining higher-ranked project would be reduced by an equal percentage. Women's Economic Ventures would be excluded with their funding intact.

Upon receipt of the actual entitlement amount awarded, the subcommittee will reconvene to fine tune the funding adjustments and will present these to the full CDHSC for approval.

****The Community Development and Human Services Committee (CDHSC) Report on Funding Recommendations FY 2011-2012 and the City's Draft 2011 Action Plan are available for public review on the City's web page (www.SantaBarbaraCa.gov) and in the office of the City Clerk, Main Public Library and the Community Development Department.****

ATTACHMENT: Community Development and Human Services Committee FY 2012 Funding Recommendations by Priority and Rating

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

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office

**COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE
FY 2011-2012 FUNDING RECOMMENDATIONS
BY PRIORITY AND RATING**

ATTACHMENT

AGENCY	PROGRAM	2010-2011 ALLOCATION	2011-2012 REQUEST	AVG. RATING	2011-2012 RECOMMENDATIONS		
					CDBG	HUMAN SERVICES	TOTAL
PUBLIC/HUMAN SERVICE:							
1st Priority							
Casa Esperanza Homeless Center	Homeless Day Program	\$54,000	\$60,000	24.0	\$52,250		\$52,250
Casa Esperanza (Fiscal Umbrella)	Bringing Our Community Home	\$15,000	\$15,000	23.7		\$14,250	\$14,250
Casa Esperanza Homeless Center	Community Kitchen	\$50,000	\$60,000	23.7		\$48,156	\$48,156
Aids Housing Santa Barbara	Sarah House	\$25,000	\$25,000	23.3		\$24,250	\$24,250
Foodbank	SB Warehouse	\$25,000	\$25,000	22.9		\$23,250	\$23,250
Channel Islands YMCA	Noah's Anchorage	\$22,000	\$25,000	22.9	\$21,000		\$21,000
Pacific Pride Foundation	Necessities of Life	\$19,000	\$25,000	22.8		\$22,000	\$22,000
S.B. Rape Crisis Center	Same	\$25,000	\$35,000	22.8		\$24,000	\$24,000
S.B. Neighborhood Clinics	Dental Care for the Homeless	\$26,000	\$30,000	22.7		\$25,000	\$25,000
Transition House	Comprehensive Homeless Services	\$43,873	\$43,000	22.4	\$39,000		\$39,000
S.B. Community Housing Corp.	New Faulding Htl Coordinator	\$15,000	\$15,000	22.2		\$14,000	\$14,000
Domestic Violence Solutions	Emergency Shelter	\$50,000	\$50,000	22.0	\$36,500	\$7,500	\$44,000
Domestic Violence Solutions	Second Stage	\$7,000	\$7,000	21.9		\$6,750	\$6,750
S.B. Community Housing Corp.	Riviera Dual Diagnosis Prog.	\$20,000	\$24,000	21.9		\$19,000	\$19,000
New Beginnings Counseling Center	Homeless Outreach	\$15,000	\$22,500	21.7		\$14,750	\$14,750
WillBridge	WillBridge	\$22,000	\$31,779	21.7		\$21,750	\$21,750
Legal Aid Foundation	Emergency Legal Services	\$20,000	\$40,000	21.5		\$21,000	\$21,000
Foodbank	Brown Bag	\$8,000	\$10,000	21.1		\$7,750	\$7,750
CADA	Project Recovery Detox	\$20,000	\$20,000	21.0		\$17,000	\$17,000
St. Vincent's	PATHS	\$9,000	\$15,000	20.5		\$8,750	\$8,750
Unity Shoppe, Inc	Central Distribution Facility	n/a	\$75,000	20.5		\$22,000	\$22,000
People's Self Help Housing	Supportive Housing Program	\$9,000	\$20,000	20.1		\$7,000	\$7,000
Community Action Commission	Senior Nutrition	\$9,000	\$19,000	19.8		\$11,000	\$11,000
Catholic Charities	Emergency Services	\$12,000	\$15,000	19.7	\$11,000		\$11,000
Unitarian Society (Fiscal Umbrella)	Freedom Warming Centers	n/a	\$10,000	19.0		\$6,000	\$6,000
Channel Islands YMCA	Transitional- Youth Housing	n/a	\$30,000	18.4		\$16,000	\$16,000
Casa Serena	Scholarship Program	\$15,000	\$30,000	18.1		\$8,000	\$8,000
Community Action Commission	So. Coast Taskforce on Gangs	n/a	\$52,728	17.3		\$15,000	\$15,000
Food From The Heart	Food From The Heart	n/a	\$10,000	17.2		\$3,500	\$3,500
2nd Priority							
Family Service Agency	Big Brothers/Big Sisters	\$8,000	\$10,000	23.4		\$7,500	\$7,500
S.B. Co. DA - Victim Witness Assistance	S.A.R.T.	\$8,000	\$8,000	23.3		\$7,500	\$7,500
Friendship Center	Adult Day Services	\$22,000	\$24,000	22.9		\$20,000	\$20,000
CALM	Biling. Child Abuse Treatment	\$21,000	\$25,000	22.5		\$19,000	\$19,000
Transition House	Homelessness Prevention	\$8,000	\$12,000	22.5		\$7,500	\$7,500
City At Peace	City At Peace	\$8,000	\$10,000	22.1		\$7,500	\$7,500
Planned Parenthood	Peer Advocates/ Education	\$8,000	\$12,000	22.0		\$7,500	\$7,500
S.B. Police Activities League	PAL Jr. High After School Program	\$18,000	\$23,000	22.0		\$16,000	\$16,000
Family Service Agency	2-1-1/HelpLine	\$23,000	\$30,000	21.8		\$19,000	\$19,000
Long Term Care Ombudsman	Ombudsman Services	\$23,000	\$25,000	21.7		\$21,000	\$21,000
Family Service Agency	Caregiver Mental Health	n/a	\$2,000	21.5		\$2,000	\$2,000
Storyteller Children's Center	Same	\$30,000	\$30,000	21.5		\$22,000	\$22,000
Rental Housing Mediation TaskForce	City CD	\$23,000	\$30,000	21.4		\$22,000	\$22,000
Family Service Agency	Family Resource Centers	\$0	\$20,000	21.2		\$9,000	\$9,000
United Boys & Girls Club (Westside)	Teen Programs	\$14,000	\$33,280	21.1		\$13,500	\$13,500
Future Leaders of America	Equality in Education	\$0	\$15,000	21.1		\$8,000	\$8,000
Mental Health Association in S.B.	Fellowship Club	\$10,500	\$12,000	20.9		\$9,000	\$9,000
Independent Living Resource Ctr.	Independent Living Services	\$23,000	\$26,568	20.4		\$18,000	\$18,000
AHA! Academy of Healing Arts	AHA! Academy of Healing Arts	\$10,000	\$25,000	20.0		\$9,500	\$9,500
Boys & Girls Club of SB	Power Hr Homework Club	\$7,924	\$15,000	20.0		\$7,000	\$7,000
S.B. Arts Alliance City of SB - P & R	SB Arts Alliance	n/a	\$15,000	19.6		\$7,000	\$7,000
Jewish Federation of Greater S.B.	Portraits of Survival	\$0	\$18,000	18.7		\$5,000	\$5,000
CADA	CORE	n/a	\$20,000	18.6		\$5,000	\$5,000
Job Apprenticeship City of SB - P & R	Job Apprenticeship Program	\$0	\$25,000	18.1		\$9,000	\$9,000
People's Self Help Housing	Gang Prevention through Ed.	\$5,000	\$20,000	17.4		\$4,000	\$4,000
Alzheimer's Assc	Family Services Program SB	n/a	\$25,000	17.3		\$4,000	\$4,000
Visiting Nurse & Hospice Care	Homemaker Program	n/a	\$7,500	17.2		\$3,600	\$3,600
Primo Boxing Club	Say Yes to Kids	\$23,000	\$28,000	17.1		\$5,500	\$5,500
S.B. Family Care Center	Family Child Care Steps	n/a	\$30,000	16.7		\$0	\$0
Dyslexia Awareness	ID, Ed., Accomodation	n/a	\$10,000	16.5		\$0	\$0
ySTRIVE for Youth	Excellence in Education	\$8,000	\$30,000	16.0		\$0	\$0
ySTRIVE for Youth	ySTRIVE for Youth	\$5,000	\$25,000	15.6		\$0	\$0
Youth CineMedia	Youth CineMedia	\$10,000	\$30,000	15.4		\$0	\$0
\$1,511,355					\$159,750	\$703,256	\$863,006

**COMMUNITY DEVELOPMENT AND HUMAN SERVICES COMMITTEE
FY 2011-2012 FUNDING RECOMMENDATIONS
BY PRIORITY AND RATING**

ATTACHMENT

AGENCY	PROGRAM	2010-2011 ALLOCATION	2011-2012 REQUEST	AVG. RATING	2011-2012 RECOMMENDATIONS		
					CDBG	HUMAN SERVICES	TOTAL
CAPITAL:							
SB Neighborhood Clinics	Westside Clinic Flooring	\$47,330	\$34,833	23.1	\$34,833		\$34,833
CADA	Project Recovery Capital	N/A	\$5,375	23.0	\$5,375		\$5,375
City of S.B. – NITF	Access Ramps	\$50,000	\$50,000	22.4	\$50,000		\$50,000
Girls Inc. of Santa Barbara	Kitchen remodel	\$26,590	\$60,100	22.1	\$55,000		\$55,000
City of S.B. – NITF	Sidewalk Infill	N/A	\$200,000	22.1	\$155,086		\$155,086
Casa Esperanza Homeless Center	Bathroom and Floor Replace	N/A	\$97,170	22.0	\$90,000		\$90,000
Women's Economic Ventures	Microenterprise Development	\$25,000	\$35,000	21.9	\$25,000		\$25,000
Jewish Federation	Community Ctr. Rehab	N/A	\$178,707	21.3	\$110,000		\$110,000
City of S.B. – NITF	Ortega Park Security Lighting	N/A	\$73,000	20.1	\$60,000		\$60,000
City of S.B. – NITF	Westside Ctr. Cameras	N/A	\$52,500	19.9	\$47,000		\$47,000
City of S.B. – NITF	Bus Shelters	N/A	\$125,000	19.7	\$75,000		\$75,000
City of S.B. – NITF	Euclid Street Improvements	N/A	\$50,000	19.6	\$35,000		\$35,000
City of S.B. – NITF	Central Library Cameras	N/A	\$43,000	16.9	\$0		\$0
Girls Inc. of Santa Barbara	Landscape for SB Center	\$26,590	\$6,660	16.3	\$0		\$0
City of S.B. – NITF	Neighborhood Enhancement	\$0	\$70,000	14.4	\$0		\$0
\$1,081,345					\$742,294	\$0	\$742,294
ADMIN:							
City of SB - Comm. Development	RHMTF	\$104,697	\$108,410	23.9	\$89,632		\$89,632
City of SB - Comm. Development	CDBG Admin	\$169,125	\$165,595	23.9	\$165,595		\$165,595
City of SB - Comm. Development	Fair Housing	\$8,901	\$8,716	23.9	\$7,773		\$7,773
\$282,721					\$263,000		\$263,000

GRAND TOTAL			
REQUESTS	CDBG	HUMAN SERVICES	RECOMMENDATIONS
\$2,875,421	\$1,165,044	\$703,256	\$1,868,300