

**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>

**JULY 26, 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

2:00 p.m. - City Council Meeting

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Certificate Of Recognition For Price, Postel & Parma's 160th Anniversary (120.08)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of May 24, 2011.

CONSENT CALENDAR (CONT'D)

3. Subject: Adoption Of Ordinance For General Unit Memorandum Of Understanding Extension And Fiscal Year 2012 Furlough

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the 2008-2010 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Employees' Association (General Unit), Ordinance No. 5477, to Extend the Term of the Agreement Through September 30, 2012, and to Include a Supplemental Agreement on Labor Concessions.

4. Subject: Hazardous Materials Response Memorandum Of Understanding (520.02)

Recommendation: That Council authorize the Fire Chief to execute a Memorandum of Understanding between the City, Montecito Fire Protection District, and the Carpinteria-Summerland Fire Protection District.

5. Subject: Safe Surrender Of Newborn Infants Program Resolution (520.03)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating Fire Stations as Safe Surrender Sites for Newborn Infants.

6. Subject: Agreement For Franceschi Park Resident Caretaker (570.05)

Recommendation: That Council authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Franceschi Park with Jeffery Miller through July 31, 2012.

7. Subject: Donation For Graffiti Tracker Program (520.04)

Recommendation: That Council appropriate \$4,414 in the Fiscal Year 2012 Police Department from General Fund reserves generated from a donation received from Allied Waste in Fiscal Year 2011 for the Graffiti Tracker Program.

CONSENT CALENDAR (CONT'D)

8. Subject: Easements At The Airport (330.03)

Recommendation: That Council approve and authorize the City Administrator to execute an Addendum to Amendment of Avigation, Noise, and Runway Protection and Navigational Aids Easement, as Amended, between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, and Santa Barbara Realty Development, LLC, a Delaware limited liability company, as Grantor, to clarify building restrictions in the Runway Protection Zone.

NOTICES

9. The City Clerk has on Thursday, July 21, 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.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

COMMUNITY DEVELOPMENT DEPARTMENT

10. Subject: *Plan Santa Barbara (PlanSB)* General Plan Update (650.05)

Recommendation: That Council consider the Council Ad Hoc Subcommittee recommended amendments to the draft *PlanSB* General Plan Update Elements, including the Open Space and Recreation, Environmental Resources, Economy and Fiscal Health, and Public Services and Safety Elements, and provide direction to staff.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

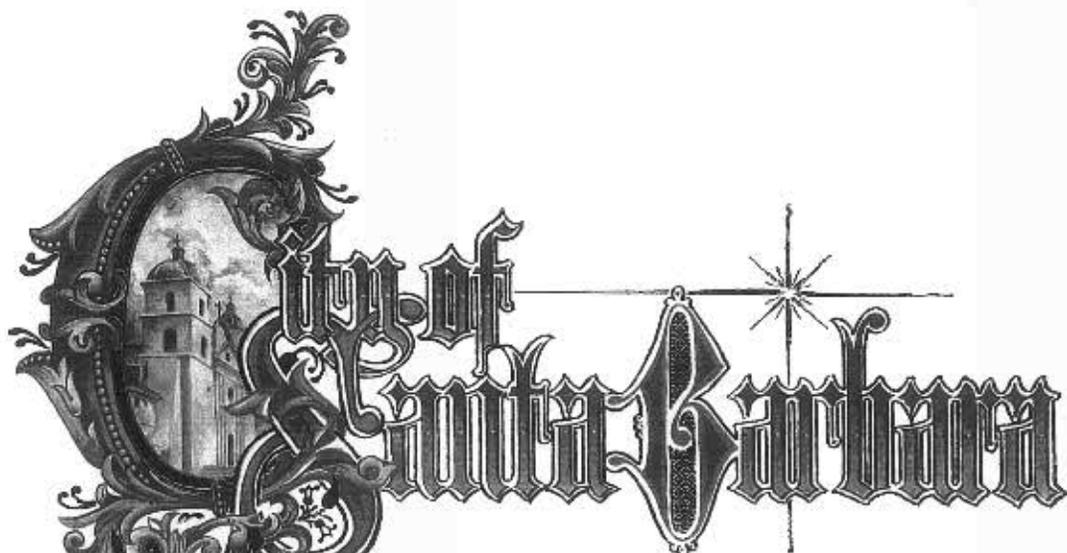
11. Subject: Conference With Labor Negotiator (440.05)

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 and Supervisory bargaining units, and regarding discussions with unrepresented management and confidential employees about salaries and fringe benefits.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

ADJOURNMENT



CERTIFICATE OF RECOGNITION
City of Santa Barbara
Price, Postel & Parma's 160th Anniversary

WHEREAS, Price, Postel & Parma was founded in this City on June 30, 1852, when attorney and argonaut Charles Fernald arrived and opened a law office; and

WHEREAS, Charles Fernald served the community faithfully as Sheriff, District Attorney, County Judge, and Mayor; brought order to the City and eradicated the lawlessness which was rampant therein in the aftermath of the Gold Rush; and

WHEREAS, Jarrett T. Richards joined Charles Fernald's firm in 1867 and served as the president of many civic organizations, founded a daily newspaper, The Santa Barbara Times, and, like Judge Fernald, served as Mayor of the City, in 1876; and

WHEREAS, Francis Price joined the firm in 1918 and engaged in many activities to benefit the City including the founding of Old Spanish Days Fiesta, the Santa Barbara Foundation, Montecito Water District, and Santa Barbara's harbor; and

WHEREAS, A. C. Postel joined the firm in 1917 and likewise devoted himself to activities benefitting the City, in recognition of which the Mission rose garden was renamed the "A. C. Postel Rose Garden" in 1985; and

WHEREAS, Harold A. Parma joined the firm in 1935 and played a leading role in the creation of Lake Cachuma, and, with his brother, John Parma, donated the land that today forms Parma Park; and

WHEREAS, Price, Postel & Parma has been in operation since 1852, is recognized to be California's oldest law firm as well as the oldest continuously-run business in Santa Barbara, and advances the practice established by its forebearers of quality service through its attorneys who remain active in civic pursuits that further the interests of the City of Santa Barbara.

NOW, THEREFORE, I, HELENE SCHNEIDER, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, do hereby congratulate Price, Postel & Parma on the commencement of its 160th year and recognize the many services of its members for the betterment of the citizens of this City.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California, to be affixed this 30th day of June 2011.

A handwritten signature in cursive script, appearing to read 'H. Schneider', written in black ink over a horizontal line.

HELENE SCHNEIDER
MAYOR



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING May 24, 2011 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 2:02 p.m. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets 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, Mayor Schneider.
Councilmembers Absent: Bendy White.
Staff Present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, City Clerk Services Manager Cynthia M. Rodriguez.

CHANGES TO THE AGENDA

By consensus, the Council agreed to hear Item No. 14 after the Report from the Finance Committee.

PUBLIC COMMENT

Speakers: Pat Love; Wayne Scoles; Robert Burke; AIE, the person.

ITEM REMOVED FROM CONSENT CALENDAR

Councilmembers Hotchkiss and House stated they would abstain from voting on the following item due to a conflict of interest relating to ownership of/residency at real property located near the subject of the agenda item.

8. Subject: Set A Date For Public Hearing Regarding Renewal Of Levy For Fiscal Year 2012 For The Wildland Fire Suppression Assessment (290.00)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Declaring its Intention to Renew the Wildland Fire Suppression Assessment Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Preliminarily Approving the Updated Engineer's Report; Stating Intention to Continue Assessments for Fiscal Year 2012; Establishing a Time of 2:00 P.M. on Tuesday, June 7, 2011, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment; and Rescinding Resolution No. 11-025.

Documents:

- May 24, 2011, report from the Fire Chief.
- Proposed Resolution.

The title of the resolution was read.

Motion:

Councilmembers Francisco/Rowse to approve the recommendation; Resolution No. 11-030.

Vote:

Unanimous roll call vote (Abstentions: Councilmembers Hotchkiss, House; Absent: Councilmember White).

CONSENT CALENDAR (Item Nos. 1 – 7 and 9 – 12)

The titles of the ordinances related to the Consent Calendar were read.

Motion:

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

Vote:

Unanimous roll call vote (Absent: Councilmember White).

1. Subject: Minutes

Recommendation: That Council waive the reading and approve the minutes of the regular meeting of May 3, and the special meeting of May 5, 2011.

Action: Approved the recommendation.

2. Subject: Adoption Of Ordinance Amending Plumbing Code (640.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Section 22.04.030 of Chapter 22.04 of Title 22 of the Santa Barbara Municipal Code Concerning Local Amendments to the California Plumbing Code.

Action: Approved the recommendation; Ordinance No. 5550.

3. Subject: Approval Of Final Map And Execution Of Agreements For 101 West Canon Perdido Street (640.08)

Recommendation: That Council approve and authorize the City Administrator to execute and record Final Map Number 20,792 (Map) and other standard agreements relating to the approved subdivision at 101 West Canon Perdido Street, and authorize the City Engineer to record a removal document for the Land Development Agreement when the public improvements are complete.

Action: Approved the recommendation; Agreement Nos. 23,782 - 23,784 (May 24, 2011, report from the Public Works Director).

4. Subject: Contract For Scanning Support Services For The El Estero Scanning And Document Management Project (540.13)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services Contract with MNS Engineers, Inc., in the amount of \$55,350 for scanning support services for the El Estero Wastewater Treatment Plant Scanning and Document Management Project, and authorize the Public Works Director to approve expenditures of up to \$5,535 for extra services that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,785 (May 24, 2011, report from the Public Works Director).

5. Subject: Contract For Design For The Las Canoas Water Main Replacement (540.06)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services Contract with O'Brien & Wall (Wall) in the amount of \$99,528 for design services for the Las Canoas Water Main Replacement Project (Project), and authorize the Public Works Director to approve expenditures of up to \$9,950 for extra services of Wall that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Contract No. 23,786 (May 24, 2011, report from the Public Works Director).

6. Subject: Amend Airline Terminal Public Arts Program Agreements (560.04)

Recommendation: That Council:

- A. Approve and authorize the Airport Director to execute, subject to approval as to form by the City Attorney, an amendment to Agreement No. 23,496 between the City and Vidya Gauci for design and installation of decorative stenciling associated with the Airline Terminal Project to increase the contract amount by \$2,994 for a total not-to-exceed amount of \$14,994; and
- B. Approve and authorize the Airport Director to execute, subject to approval as to form by the City Attorney, an amendment to Agreement No. 23,168 between the City and the Santa Barbara County Arts Commission for the long-term loan of the "Fiesta" Mural by artist Channing Peake to increase the reimbursement amount by \$2,000 for a total not-to-exceed amount of \$10,000.

Action: Approved the recommendations; Agreement Nos. 23,496.1 and 23,168.1 (May 24, 2011, report from Airport Director).

7. Subject: April 2011 Investment Report (260.02)

Recommendation: That Council accept the April 2011 Investment Report.

Action: Approved the recommendation (May 24, 2011, report from the Finance Director).

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

Recommendation: That Council adopt, by ready 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.

Action: Approved the recommendation; Ordinance No. 5551.

NOTICES

10. The City Clerk has on Thursday, May 19, 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.
11. The public hearing scheduled for May 24, 2011, at 2:00 p.m. regarding the Wildland Fire Suppression Assessment District has been postponed to June 7, 2011, at 2:00 p.m. (See Agenda Item No. 8)

12. Cancellation of the special City Council meeting of May 26, 2011, at 1:30 p.m. for consideration of Recommended Operating and Capital Budget for Fiscal Year 2012-2013, and the regular City Council meeting of May 31, 2011.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Dale Francisco reported that the Committee met to hear a report from Staff on minor revisions to the Proposed Two-Year Financial Plan for Fiscal Years 2012 and 2013.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PARKS AND RECREATION DEPARTMENT

14. Subject: Interview And Appointment Of Youth Intern Applicant To Creeks Advisory Committee (140.05)

Recommendation: That Council:

- A. Interview applicant Annie Marroquin for the position of Youth Intern on the Creeks Advisory Committee; and
- B. Appoint Annie Marroquin to the position of Youth Intern on the Creeks Advisory Committee.

Documents:

May 24, 2011, report from the Parks and Recreation Director.

Speakers:

- Staff: Neighborhood and Outreach Services Supervisor I Susan Young.
- Members of the Public: Applicant Annie Marroquin.

Motion:

Councilmembers House/Hotchkiss to appoint Annie Marroquin to the position of Youth Intern on the Creeks Advisory Committee.

Vote:

Unanimous voice vote (Absent: Councilmember White).

COMMUNITY DEVELOPMENT DEPARTMENT

13. Subject: Sign Ordinance Revisions (640.02)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Sections 22.70.020 and 22.70.030 of the Santa Barbara Municipal Code Relating to Sign Regulations.

(Cont'd)

13. (Cont'd)

Documents:

- May 24, 2011, report from the Assistant City Administrator/Community Development Director.
- Proposed Ordinance.
- PowerPoint presentation prepared and made by Staff.
- May 24, 2011, list of requested revisions by Pumpflix, submitted by Doug Fell.

The title of the ordinance was read.

Speakers:

- Staff: Zoning & Enforcement Supervisor Renee Brooke, City Planner Bettie Weiss.
- Members of the Public: Doug Fell, representing Pumpflix.

Motion:

Councilmembers House/Hotchkiss to approve the recommendation, including the revisions requested by Pumpflix, revised by the City Attorney:

- g. No digital display shall be installed within twenty-five (25) feet of any property zoned exclusively for residential uses. ~~residentially zoned property. (Define to exclude mixed use.)~~

Vote:

Unanimous voice vote (Absent: Councilmember White).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Francisco reported that the Cachuma Operation and Maintenance Board met yesterday to review the budget for the upcoming fiscal year, and discussed the hiring of a new general manager. He also reported that the General Plan Update Ad Hoc Subcommittee met and would like to hold another meeting regarding the density issue prior to bringing this item to the full Council.
- Mayor Schneider reported that today she attended the Jake Boysel Bike Path ribbon cutting event.

RECESS

Mayor Schneider recessed the meeting at 3:11 p.m. in order for the Council to reconvene in closed session for Agenda Item Nos. 15 - 18, and she stated that no reportable action is anticipated.

CLOSED SESSIONS

17. 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

Documents:

May 24, 2011, report from the City Attorney.

Time:

3:15 p.m. - 3:37 p.m. Councilmember White was absent, and Councilmember Rowse left the meeting at 3:25 p.m.

No report made.

16. Subject: Conference With Real Property Negotiators - 423 W. Victoria Street (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code §54956.8 to provide direction to the City Administrator and to the City Attorney regarding the possible City disposition of the real property known as 423 W. Victoria Street. Property: Westside Community Center - 423 W. Victoria Street (Youth CineMedia). City Negotiators: Nancy Rapp, Parks and Recreation Director; Scott Vincent, Assistant City Attorney. Negotiating Party: Youth CineMedia - Osiris Castaneda, Co-Director; Regina Ruiz, Co-Director. Under Negotiation: Rent and terms of lease.

Scheduling: Duration, 20 minutes; anytime

Report: None anticipated

Documents:

May 24, 2011, report from the City Attorney.

Time:

3:38 p.m. - 3:55 p.m. Councilmembers Rowse and White were absent.

No report made.

15. Subject: Conference With Real Property Negotiators - 500 Ninos Drive (330.03)

Recommendation: That Council hold a closed session pursuant to the authority of Government Code §54956.8 to provide direction to the City Administrator and to the City Attorney regarding the possible City disposition of the real property known as 500 Ninos Drive. Property: Santa Barbara Zoo - 500 Ninos Drive. City Negotiators: Nancy Rapp, Parks and Recreation Director; Paul Casey, Assistant City Administrator; Scott Vincent, Assistant City Attorney. Negotiating Party: Santa Barbara Zoological Foundation - Rich Block, Zoo CEO; Glenn Miller, Foundation Boardmember; and Greg Faulkner, Foundation Boardmember. Under Negotiation: Terms of Lease.

Scheduling: Duration, 20 minutes; anytime
Report: None anticipated

Documents:

May 24, 2011, report from the City Attorney.

Time:

3:55 p.m. - 4:18 p.m. Councilmembers Rowse and White were absent.

No report made.

18. Subject: Conference With Labor Negotiator (440.05)

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

Scheduling: Duration, 30 minutes; anytime
Report: None anticipated

Documents:

May 24, 2011, report from the Assistant City Administrator/Administrative Services Director.

Time:

4:20 p.m. - 4:27 p.m. Councilmembers Rowse and White were absent.

No report made.

RECESS

4:27 p.m. - 6:00 p.m.

Mayor Schneider presiding.

Councilmembers present: Francisco, Hotchkiss, House, Rowse, Self, Mayor Schneider.

Councilmembers absent: White.

Staff present: City Administrator Armstrong, City Attorney Wiley, City Clerk Services Manager Rodriguez.

PUBLIC COMMENT

No one wished to speak.

MAYOR AND COUNCIL REPORTS

19. Subject: Interviews For City Advisory Groups (140.05)

Recommendation: That Council:

- A. Hold interviews of applicants to various City Advisory Groups; and
- B. Continue interviews of applicants to June 7, and June 14, 2011.

Documents:

- May 24, 2011, report from the Assistant City Administrator/Administrative Services Director.
- May 22, 2011, email communications from Ellen P. Bildsten, Bildsten + Sherwin Design Studio, Inc.; Karen Phillips, Cielito Restaurant.
- May 23, 2011, email communications from Celeste Varner, Loop & Leaf; Alan and Cindy Macy.
- May 23, 2011, letter from Dana F. Longo.
- May 24, 2011, email communications from Paul and Barbara Primeau; Laura M. Bridley; S. Timothy Buynak, Buynak & Fauver, LLP; Sam Chesluk; Carl Hightower.

Speakers:

The following applicants were interviewed:

Access Advisory Committee:

Mary Ellen Bangs

Creeks Advisory Committee:

Stephen MacIntosh

Jeremy Lyter

Housing Authority Commission:

David K. Hughes

Living Wage Advisory Committee:

Allen Williams

Parks and Recreation Commission:

Desmond O'Neill

Rental Housing Mediation Task Force:

Michael Petretta

David M. Brainard

Single Family Design Board:

Barry Winick

By consensus, the Council continued the interviews to June 7, 2011.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 6:30 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST:

CYNTHIA M. RODRIGUEZ, CMC
CITY CLERK SERVICES MANAGER

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE 2008-2010 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA BARBARA AND THE SANTA BARBARA CITY EMPLOYEES' ASSOCIATION (GENERAL UNIT), ORD NO. 5477, TO EXTEND THE TERM OF THE AGREEMENT THROUGH SEPTEMBER 30, 2012, AND TO INCLUDE A SUPPLEMENTAL AGREEMENT ON LABOR CONCESSIONS

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

SECTION 1. The Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Employees' Association, Local 620, Service Employees' International Union, adopted by Ordinance No. 5477 is hereby amended to include the supplemental agreement dated July 12, 2011, and attached hereto and incorporated herein by reference as Exhibit A.

SECTION 2. The City Administrator is authorized to apply the changes to salaries and benefits contained in this supplemental agreement to the City's Confidential employees.

SUPPLEMENTAL AGREEMENT BETWEEN THE CITY AND THE GENERAL BARGAINING UNIT REGARDING FURLOUGH AND OTHER LAYOFF AVOIDANCE MEASURES

Pursuant to Section 3.12 of the Municipal Code of the City of Santa Barbara and Section 3500 et. seq. of the Government Code, the duly authorized representatives of the City Of Santa Barbara ("The City") and the Santa Barbara City Employees' Association, Local 620 Service Employees' International Union, ("The Union"), having met and conferred in good faith, agree that the existing 2008-2010 Memorandum of Understanding (MOU), Ord No. 5477 (which was supplemented by Ordinance No. 5492 adopted on June 30, 2009, and by Ord. No. 5527 adopted on June 29, 2010), shall be supplemented with the following additional agreement:

1. **TERM:** The term of the existing Memorandum of Understanding will be extended through June 30, 2012.
2. **FISCAL YEAR 2012 LABOR SAVINGS**
 - a. **Furlough:**
 - i. Each General Unit employee will be subject to an unpaid furlough of **98** hours (prorated for part-time employees) during Fiscal Year 2011-2012. The furlough will be accomplished under the furlough plan attached as **Attachment 1**. Payroll deductions for the furlough will begin on June 18, 2011.
 - b. **Vacation Cash Out:** The vacation cash-out provision outlined in Article 61(c) and 61(d) of the current M.O.U. will be suspended for the remaining term of the Memorandum of Understanding, subject to the following:
 - i. While the vacation cash-out is suspended, it is the intent of the City to allow employees who are near the maximum vacation accrual cap to take at least an amount of vacation time off in the fiscal year equivalent to the full amount of vacation accrual the employee will receive during the same period.
 - ii. For purposes of this section "near" means the employee is within one year of normal vacation accrual from exceeding the maximum vacation accrual cap.
 - iii. So long as the employee notifies management of the need to take such vacation in order to avoid reaching the vacation accrual cap prior to July 31st, 2011, management will make every reasonable effort to schedule time off for the employee to avoid the loss of vacation.
3. **REOPENER ON NON-ECONOMIC ISSUES:** The Union may request to reopen negotiations during the term of this agreement to consider no more than ten non-economic conditions of employment. Such request will be made by a single written notice served to the City no sooner than September 1, 2011 and no later than September 30, 2011 identifying the issues with specificity. Such

General Unit Supplemental Agreement - Furlough

negotiations will commence within 30 days of the written notice. The parties will use the interest based bargaining process.

4. **REOPENER IN THE EVENT OF LAYOFFS:** Nothing in this Supplemental Agreement shall restrict the right of the City Council to make further permanent reductions in workforce for economic reasons if the City's financial position has significantly changed, as authorized under the Santa Barbara City Charter, including but not limited to Sections 1007 and 1008, and the Santa Barbara Municipal Code. However, prior to the implementation of any additional layoffs proposed during the remaining term of the MOU, the City will provide the Union with a minimum of 60 days notice and the immediate opportunity to meet and confer over any negotiable impacts of such layoffs not contained in the current MOU. The parties will use the interest based bargaining process.
5. **SEVERABILITY-** If any provision of this Supplemental Agreement is held unenforceable, then such provision will be modified to reflect the intention of the parties. All remaining provisions of the Supplemental Agreement shall remain in full force and effect.

Dated: July 12, 2011

For the City

For the Union

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I. Purpose

The purpose of this mandatory unpaid work furlough plan (“the plan”) is to:

- Allow the City to address anticipated revenue shortfalls and increased expenses in Fiscal Year 2012 while minimizing the need for service cuts and staff layoffs; and
- Establish, in advance, a clear and understandable method to mitigate the impacts of a work furlough on affected employees.

II. Definitions

"Work furlough" refers to one or more hours of required unpaid leave taken on a consecutive or intermittent basis.

III. Application

This policy applies to all employees in the General Bargaining Unit.

IV. Declaration and Scheduling of Mandatory Work Furlough

1. Implementation: This Mandatory Furlough Plan may be implemented without any further duty to meet and confer, subject to the following conditions:
 - a) The City Council has made a declaration by Resolution that a reduction in workforce is necessary for economic reasons and that a mandatory unpaid work furlough should be implemented.
 - b) The mandatory unpaid furlough time does not exceed 98 hours for any affected full-time employee, prorated for part-time employees.

2. Scheduling of Furlough:

a) General Furlough Closure: The City will observe a General Furlough Closure, during which many City offices and operations will be closed. General Furlough Closure periods are tentatively planned to be observed on the dates reflected in the Fiscal Year 2012 Furlough Closure Schedule (see attachment 1A).

Many employees in operations that are subject to the General Furlough Closure, and in other operations, will be scheduled to take furlough time off during these furlough closure dates. However, some employees will be scheduled to work during such closure periods based on City operational needs, or by mutual agreement between the employee and the employee's supervisor.

The City stipulates that employees in the Airport Maintenance Division, Waterfront Maintenance Division, and Motor Pool will not be subject to the General Furlough Closure.

b) Furlough Time Off Bank: Any furlough hours not scheduled to be taken as part of a General Furlough Closure shall become part of an employee's furlough time off bank. Employees will take the furlough time off before June 15, 2012. Such time off shall be scheduled on the same terms as vacation under Article 61(b) of the current MOU.

Provided requests to take furlough time off are received at least 2 weeks in advance and prior to September 30, 2011, management will make good faith efforts to accommodate employee choice whenever practicable.

Groups of employees (not individual employees) who have issues emanating from the furlough may request that the issue be reviewed by a panel consisting of one City representative and one Union representative who shall issue a non-binding advisory opinion to the Department Head.

Management may require employees to use furlough banks before paid vacation or personal leave is taken off. Management reserves the right to schedule an employee to take any unscheduled furlough hours remaining in an employees bank on or after March 30, 2012 based solely on operational need.

c) Rescheduling Furlough Time Off: If an employee is not able to take furlough time off as originally scheduled, the furlough hours will become part of the employee's Furlough Time Off Bank and will be rescheduled as provided in subsection "b" above. Supervisors will be encouraged,

where practicable, to make reasonable efforts to avoid disruption to employees if scheduled furlough time off must be rescheduled (e.g. by finding qualified volunteers). However, this may not always be possible.

3. Application to Voluntary Hours Reduction Requests: Once this plan is implemented for Fiscal Year 2012, employees who offered to voluntarily reduce their hours to part-time under the "Part-Time Work" Policy or to take an unpaid leave of absence under the "Leave of Absence Without Pay, Non-Medical Reasons" Policy during Fiscal Year 2012 will be provided an opportunity to rescind their voluntary part-time schedule or unpaid leave request.
4. Work During Furlough: No employee may perform work for the City when scheduled to be off of work on furlough period unless authorized by management.

V. Effect of Mandatory Work Furlough on Employee Pay

1. Pay Reduction: The period of furlough time off will be unpaid. Furlough time off will be tracked under a separate unpaid hours code.
2. Non Exempt Employees- Pay Mitigation Plan:
 - a) For non-exempt employees, the wage loss from the mandatory furlough will be distributed evenly over the full fiscal year. Effective the first full pay period in Fiscal Year 2012, beginning on June 18, 2011, a deduction will be made from employee compensation in an amount equivalent to 1/26th of the total unpaid mandatory furloughed time through the end of the last pay period of Fiscal Year 2011, ending on June 15, 2012.
 - b) Mutual Reimbursement:
 - (1) For employees in active paid status as of the beginning of the fiscal year who terminate employment within the fiscal year:
 - (a) If, at the time of termination, the reduction in pay exceeds the furlough time off taken, the employee will be entitled to pay for the difference.
 - (b) If, at the time of termination, furlough time off taken exceeds the reduction in pay, the employee will need to reimburse the City for the difference in pay.
 - (2) An employee who is hired or otherwise enters active paid status after the beginning of the fiscal year will be scheduled for furlough time off and will have

his or her pay reduced by an amount equivalent to 1/26th of the total furloughed time for the first 26 pay periods of employment. The employee will be subject to the same mutual reimbursement provisions in Section (1) above, if the employee terminates employment before the 26 pay periods are complete.

(3) An employee who is on unpaid status for any other reason at any point during the fiscal year will, upon return to active paid status, be scheduled to make up any furlough hours not taken and will continue to have his or her pay reduced by an amount equivalent to 1/26th of the total furloughed time until 26 full pay periods of reduction have been achieved. The employee will be subject to the same mutual reimbursement provisions in Section (a) above, if the employee terminates employment before the 26 pay periods are complete.

3. Exempt Employees

a) Exempt employees will be considered non-exempt employees under the Fair Labor Standards Act (FLSA) guidelines in any FLSA workweek in which one or more hours of unpaid furlough time off occurs (See 29 CFR 541.710(b)). Such employees will be eligible for hourly pay for any work performed during that FLSA workweek, just as non-exempt employees would be. Such employees may also be eligible for overtime compensation during any such FLSA workweek according to applicable FLSA guidelines. For purposes of this provision only, the FLSA workweek of an otherwise exempt employee will be the City's standard FLSA work week, beginning and ending at midnight on Friday night, regardless of the employee's regular work schedule.

b) Exempt Employees - Pay Mitigation Plan: Exempt employee pay will be reduced under the same Pay Mitigation Plan outlined for non-exempt employees in Section V.2, above.

(a) The City and the Union agree that is our mutual good faith interpretation of 29 CFR 541.710(b) that the City may implement a pay mitigation plan for exempt employees without affecting the exempt status of such employees under the FLSA to a greater degree than expressed in Section V.3(a), above.

(b) If the City receives an opinion from the U.S. Department of Labor or other binding legal

authority that indicates that the pay mitigation plan for exempt employees further affects the exempt status of such employees, the City will promptly notify the affected represented bargaining units and the parties will reopen negotiations within 30 days of such notice to determine an alternate method of furlough pay deductions that will preserve such employees' exempt status.

VI. Benefits During a Mandatory Work Furlough

1. **Health, Life, and Cafeteria Plan Benefits:** An employee shall receive continued medical, dental, vision, life insurance, and cafeteria plan benefits, including any City contribution, at the level the employee would have received absent the work furlough. Employees will be responsible for the same employee contributions to these benefits that they would have made absent the work furlough.
2. **Retirement:** To the extent allowable by CalPERS, and in compliance with any restrictions imposed by CalPERS, the City will ensure that retirement benefits will not be adversely impacted as a result of the furlough and related reduction in hours and/or salary.
3. **Other Benefits:** Other benefits may be reduced as required under normal benefit rules related to work schedule or unpaid leave. Such benefits include, but are not limited to: disability insurance or SDI/PFL contributions, Medicare contributions, etc.
4. **Paid Leave Accrual:** Employees will receive the same vacation, sick leave, and personal leave accruals they would have received absent the work furlough.
5. **Legal Holidays:** Employees on a work furlough shall receive legal holiday pay as follows:
 - a) Employees in classifications entitled to accrue holiday credit will continue to receive the same holiday credit.
 - b) For employees who do not accrue credit, where a legal holiday is observed during a period of work furlough, the employee will be paid hours for that holiday at the same level employee would have received absent the work furlough. In other words, that holiday will not count as an unpaid furlough day. For employees on a 9/80 or 4/10 schedule, the employee may be required to use accrued paid leave banks to make up the full paid holiday, as usual.
6. **Use of Paid Leave:** An employee will not be permitted to use accrued paid leave banks (vacation, sick leave, compensatory time, personal or management leave) during the unpaid furloughed hours.

7. Vacation Accruals: Management will make every reasonable effort to work with employees to avoid loss of vacation accruals or personal leave due to encroachment on accrual caps or time limits for use.
8. Standby and Call-back: An employee may be assigned to call-back or standby during a work furlough as provided under the applicable labor agreement or City policy. An employee called-back to active paid work during the unpaid furlough period will be required to take equivalent additional unpaid furlough during the remainder of the fiscal year.
9. Service & Seniority: Furlough shall not count as a break in City service and shall not affect seniority or eligibility for merit increases.
10. Schedule Changes: While an employee is on a furlough, schedule changes will be subject to the requirements of the applicable labor agreement
11. Overtime: Employees will only be eligible for overtime premium that they would have received absent the reduction in work hours. (i.e., for over 40 hours worked in a workweek)
12. Probationary Period: Probationary periods shall not be affected by a mandatory furlough.
13. Limits on Benefit Continuation: Special benefit continuation under this furlough plan is available only to employees during their mandatory unpaid furlough period(s). Otherwise, employees are covered by benefit continuation under other City policies, including the City's applicable Leave Without Pay policies.

CITY OF SANTA BARBARA FY 2012 FURLOUGH CLOSURE SCHEDULE

Attachment 1A to Furlough Plan

FACILITY	OFFICES	DECEMBER HOLIDAY CLOSURE DATES	OTHER CLOSURE DATES
City Hall 735 Anacapa Street	Administration Mayor & Council Offices City Clerk & Human Resources Finance Administration Billing, Licenses/Permits Payroll & Risk Management Information Systems	<u>Standard Holiday Closure</u> • Monday, December 20th, 2011 through Monday, January 1, 2012	<u>Standard Additional Closure Dates</u> • Wednesday November 23, 2011
Airport Administration Bldg 601 Firestone Road	Airport Administration	Standard Holiday Closure Dates	Standard Additional Closure Dates
Fire Station 1 121 W. Carrillo Street	Fire Administrative Office	Standard Holiday Closure Dates	Standard Additional Closure Dates
Parks & Recreation Office 620 Laguna Street	Department Administration	Standard Holiday Closure Dates	Standard Additional Closure Dates
Parks Office 402 Ortega Street	Parks Office	Standard Holiday Closure Dates	Standard Additional Closure Dates
P.W. and C.D. Bldg. 630 Garden Street	Community Development Counters Public Works Counters	Standard Holiday Closure Dates	Standard Additional Closure Dates
City Attorney's Office 740 State #201	City Attorney Administration	Standard Holiday Closure Dates	Standard Additional Closure Dates
Downtown Parking 1221 Anacapa Street	Downtown Parking Admin. Office Environmental Services	Standard Holiday Closure Dates	Standard Additional Closure Dates
City Libraries 40 E. Anapamu Street	Library Administration Central Library Eastside Library	<u>Modified Holiday Closure:</u> Saturday December 24 and Sunday, December 25, 2011; Saturday December 31, 2011 and Sunday, January 1, 2012 (already closed Mondays)	Standard Additional Closure Dates
County Libraries	Carpinteria, Goleta, Montecito and Solvang Libraries	Offices Open as Usual	Offices Open as Usual
Police Department 215 E. Figueroa Street	Police Chief's Offices Police Counters	Offices Open as Usual	Offices Open as Usual
Waterfront Admin. Bldg 132 #A Harbor Way	Waterfront Administration (Harbor Patrol Counter 24 hrs.)	Offices Open as Usual	Offices Open as Usual
Carrillo Recreation Center 100 E. Carrillo Street	Active Adults, Youth Activities, Teen Programs	Standard Holiday Closure Dates [Except as rented or special programs]	Standard Additional Closure Dates [Except as rented or special programs]
Franklin Community Center 1136 E. Montecito Street	Community Center Programs	Standard Holiday Closure Dates [Except as rented or special programs]	Standard Additional Closure Dates [Except as rented or special programs]
Westside Community Center 423 W. Victoria Street	Community Center Programs	Standard Holiday Closure Dates [Except as rented or special programs]	Standard Additional Closure Dates [Except as rented or special programs]

**CITY OF SANTA BARBARA
FY 2012 FURLOUGH CLOSURE SCHEDULE**

Attachment 1A to Furlough Plan

FACILITY	OFFICES	DECEMBER HOLIDAY CLOSURE DATES	OTHER CLOSURE DATES
Louise Lowry Davis Center 1232 De La Vina Street	Community Center Programs	Standard Holiday Closure Dates [Except as rented]	Standard Additional Closure Dates [Except as rented]
Cabrillo Pavilion/Bathhouse 1118 East Cabrillo Blvd.	Cultural Arts/Facilities Aquatics/Sports/Adaptive Program	Standard Holiday Closure Dates [Except as rented]	Standard Additional Closure Dates [Except as rented]

Closure dates subject to change based on operational needs.

For additional Counter, Office, and Operations Hours: Visit our website at: www.santabarbaraca.gov , or call (805) 564-0611.

Date: June 23, 2011

DRAFT



Agenda Item No. _____

File Code No. 520.02

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 26, 2011

TO: Mayor and Councilmembers

FROM: Administrative Division, Fire Department

SUBJECT: Hazardous Materials Response Memorandum Of Understanding

RECOMMENDATION:

That Council authorize the Fire Chief to execute a Memorandum of Understanding between the City, Montecito Fire Protection District, and the Carpinteria-Summerland Fire Protection District.

DISCUSSION:

The Fire Department has responded to hazardous materials emergencies for over 25 years as part of a combined agencies team. The Department supports a response vehicle, equipment and a crew of specially trained firefighters, to respond to emergencies in the South Coast region of Santa Barbara County. Carpinteria-Summerland Fire District and Montecito Fire District provide additional trained responders that are required by state and federal law to safely respond to and mitigate these events. All agencies share training and equipment costs. The team coordinates with other local, state and federal agencies and would also respond in the event of a homeland security, or potential terrorist event. Sharing manpower, training and equipment costs provides for maximum efficiency when responding to infrequent, but potentially very high risk, events.

This Memorandum of Understanding provides a formalized framework which defines the purpose, scope and responsibilities of the joint effort. The three participating fire agencies executed a Memorandum of Understanding on March 23, 2011.

PREPARED BY: Andrew DiMizio, Fire Chief

SUBMITTED BY: Andrew DiMizio, Fire Chief

APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. 520.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 26, 2011

TO: Mayor and Councilmembers

FROM: Administration Division, Fire Department

SUBJECT: Safe Surrender Of Newborn Infants Program Resolution

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Designating Fire Stations as Safe Surrender Sites for Newborn Infants.

DISCUSSION:

The 2001 California Safe Haven Law (SB 1368) allows a person to surrender a minor child, less than 72 hours old to a person at any designated fire station or emergency room without fear of arrest or prosecution, provided that the infant has not been abused or neglected. Related legislation is contained within Health and Safety Code Section 1255.7, Penal Code Section 271.5 and Welfare and Institutions Code Section 14005.24. Currently, only Cottage Hospital Emergency Room is designated as a Safe-Surrender Site within the City of Santa Barbara. Adoption of this resolution will expand the number of sites to include all eight City Fire Stations. The Fire Department will follow the policy of the Santa Barbara County Public Health Emergency Medical Services Agency for Safely Surrendered babies and ensure that the infant is protected and medically cared for until being delivered to the closest hospital by emergency medical personnel.

BUDGET/FINANCIAL INFORMATION:

The estimated total cost to implement this program is under \$200, which includes signage at each Fire Station, and 10 newborn identification kits.

PREPARED BY: Andrew J. DiMizio, Fire Chief

SUBMITTED BY: Andrew J. DiMizio, Fire Chief

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA DESIGNATING FIRE STATIONS AS
SAFE SURRENDER SITES FOR NEWBORN INFANTS

WHEREAS, the Health and Safety Code Section 1255.7; Penal Code Section 271.5 and Welfare and Institutions Code Section 14005.24 allow a person to surrender a minor child, defined as being less than 72 hours old, to designated personnel at a hospital and any safe surrender site designated by local government without fear of arrest or prosecution, provided the infant has not been abused or neglected;

WHEREAS, pursuant to the Health and Safety Code Section 1255.7, the Council has the authority to designate fire stations as Safe Surrender Sites within the City of Santa Barbara; and

WHEREAS, a provision of the law grants immunity to safe surrender sites and the personnel of safe surrender sites that accept and care for an infant in the good faith belief that action is required or authorized pursuant to Health and Safety Code section 1255.7, including, but not limited to, instances where the child is older than 72 hours or the person surrendering the child did not have lawful physical custody of the child.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT all City of Santa Barbara fire stations be designated as Safe Surrender Sites under Health and Safety Code Section 1255.7, and that the Fire Department implement policies and procedures to comply with the Safe Surrender Site program.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 26, 2011

TO: Mayor and Councilmembers

FROM: Parks Division, Parks and Recreation Department

SUBJECT: Agreement For Franceschi Park Resident Caretaker

RECOMMENDATION: That Council authorize the Parks and Recreation Director to execute a Caretaker Rental Agreement for Franceschi Park with Jeffery Miller through July 31, 2012.

DISCUSSION:

The Parks and Recreation Department administers two resident caretaker agreements in City parks: Skofield Park and Franceschi Park. Jeffery Miller has been the resident caretaker at Franceschi Park for the last six years. This agreement is for one year.

The Department recommends approval of a rental agreement with Jeffery Miller, effective August 1, 2011, through July 31, 2012, for caretaker services at Franceschi Park.

The proposed caretaker agreement is consistent with the provisions of the side letter agreement between the Santa Barbara City Employees Association, Local 620 Service Employees International Union, and the City of Santa Barbara regarding compensation of resident parks caretakers. The side letter specifies the compensation and working terms for resident caretakers. The proposed caretaker agreement specifies the rental terms for the caretaker residence consistent with provisions of California Wage Order 4-2001 and the side letter agreement, which limit the amount of rent that the City may charge for the caretaker residences (currently \$381.20 per month).

The caretaker agreement and side letter agreement provide that the value of services performed by the Caretaker for the City by virtue of his presence at Franceschi Park will serve as the in lieu payment of rent (\$381.20 per month) for the premises. Services identified in the side letter include:

- a. Opening and closing the park gates, custodial services in the park restrooms, park monitoring, and special event monitoring;
- b. Responding to security violations by observing and reporting incidents of fire, accidents, vandalism, illegal dumping, unauthorized camping, or other illegal or unauthorized activity;

- c. Protecting park property from damage and receiving comments and complaints from park users; and
- d. Maintaining a log of all time spent on caretaker services.

BUDGET/FINANCIAL INFORMATION:

No rent will be received as revenue, as tenant services are performed in lieu of rent. The caretaker will be compensated for services performed above the \$381.20 per month out of the existing Parks Division operating budget.

PREPARED BY: Santos Escobar, Parks Manager

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

APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. 520.04

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 26, 2011

TO: Mayor and Councilmembers

FROM: Chief's Staff, Police Department

SUBJECT: Donation For Graffiti Tracker Program

RECOMMENDATION:

That Council appropriate \$4,414 in the Fiscal Year 2012 Police Department from General Fund reserves generated from a donation received from Allied Waste in Fiscal Year 2011 for the Graffiti Tracker Program.

DISCUSSION:

Graffiti has been and continues to be a problem in our community. In Fiscal Year 2011, the Police Department received a donation from Allied Waste in November 2010 for the Graffiti Tracker Program (Program). The Program allows police officers to use cameras in order to photograph graffiti throughout the City. The camera records the graffiti location using GPS coordinates, which are then uploaded into a database system that allows the graffiti to be analyzed. When an arrest is made for a graffiti-related crime, the system assists in locating similar graffiti throughout the City. The Program enables the Police Department to charge a defendant with multiple cases of vandalism based on graffiti program analysis. The Program results in an enhanced level of investigation, prosecution and restitution for victims of graffiti related crime. The Police Department pays an annual subscription of \$3,000 to participate in the Program.

The donation funds received in Fiscal Year 2011 were not appropriated and therefore will fall into reserves with the close of that fiscal year. The appropriation of these funds in Fiscal Year 2012 from reserves will allow for the use of these donated funds as intended.

PREPARED BY: Alex Altavilla, Investigative Division Captain

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrators Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 26, 2011
TO: Mayor and Councilmembers
FROM: Airport Administration, Airport Department
SUBJECT: Easements At The Airport

RECOMMENDATION:

That Council approve and authorize the City Administrator to execute an Addendum to Amendment of Avigation, Noise, and Runway Protection and Navigational Aids Easement, As Amended, between the City, as Grantee, and Santa Barbara Realty Holding Company, LLC, a Delaware limited liability company, and Santa Barbara Realty Development, LLC, a Delaware limited liability company, as Grantor, to clarify building restrictions in the Runway Protection Zone.

DISCUSSION:

Background

In 1998, the Sares-Regis Group, doing business as Santa Barbara Realty Holding Company, LLC, purchased 92.3 acres of property comprised of the former Delco property located immediately west of the Airport. The property, when purchased by Sares-Regis was encumbered with an easement for navigation equipment and an easement for avigation and noise. An avigation easement grants the right to use the airspace directly above a parcel of real property located in close proximity to an airport, allows for aircraft operation above the property, and restricts or prohibits objects or improvements that create a flight safety hazard.

With the implementation of the Runway Safety Area project, a shift of the main runway 800 feet to the west and construction of a 500 foot by 1000 foot safety overrun area, certain Federal Aviation Administration (FAA) navigation aids required relocation to the Sares-Regis property and a runway protection zone was created on the property. On May 22, 2001, Council adopted an ordinance approving a binding Memorandum of Understanding (MOU) and accepting the grant of the Amendment of Avigation and Noise Easement, and Runway Protection Zone and Navigational Aids Easement ("2001 Easement") with Santa Barbara Realty Holding Company, LLC. The easements were purchased by the City for the amount of \$4,925,000 and funded with FAA Airport Improvement Program grants.

The MOU and 2001 Easement provided for the existing 1972 and 1986 Avigation easement on the property to remain in place and granted restrictions on land uses in the area of the future Runway Protection Zone. It also established an 800 foot wide object free area on the extended runway centerline on the property for FAA to relocate, construct, maintain and repair the navigation aids and access road.

Additionally, the 2001 Easement insured mutual compatibility between the Runway Safety Area project and Sares-Regis's proposed Cabrillo Business Park project which involved redevelopment of the property to create a modern research and development park.

When the Runway Safety Area project and relocation of FAA navigation was completed, a Second Amendment to the 2001 Easement was approved by Council on April 21, 2009 to more accurately reflect the location and maintenance of the improvements.

Addendum to Amendment of Avigation, Noise and Runway Protection Zone and Navigational Aids Easement, As Amended.

Sares-Regis submitted an application to amend its land use development plan for the property which was approved by the City of Goleta. The amended plan permitted Sares-Regis to pursue development of four proposed buildings within a portion of its property. One of the buildings (Building 3) is proposed to be constructed in the Runway Protection Zone and is therefore governed by the terms of the 2001 Easement.

Building 3 is proposed for warehouse use, a use that is permitted under the terms of the 2001 Easement, subject to restrictions. In order to insure that the construction of Building 3 is consistent with the purposes of the 2001 Easement, certain additional restrictions and permissions must be added to the 2001 Easement. The proposed Addendum to the 2001 Easement includes the following restrictions to Building 3:

- 1) Permanent occupancy is limited to 25 persons
- 2) No public assembly is allowed
- 3) Interior space shall not exceed 33,000 square feet of which no more than 6,000 square feet shall be used as administrative office or support space
- 4) Roof mounted equipment shall not exceed 30 feet above finished grade
- 5) Plants or trees within the RPZ area shall not exceed 25 feet in height
- 6) If required by FAA regulations, Sares-Regis shall submit a Form 7460 Notice of Proposed Construction.

These new limitations do not contain any monetary requirements.

SUBMITTED BY: Karen Ramsdell, Airport Director

APPROVED BY: City Administrator's Office



Agenda Item No. _____

File Code No. 650.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 26, 2011

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: *Plan Santa Barbara (PlanSB) General Plan Update*

RECOMMENDATION: That Council consider the Council Ad Hoc Subcommittee recommended amendments to the draft *PlanSB* General Plan Update Elements, including the Open Space and Recreation, Environmental Resources, Economy and Fiscal Health, and Public Services and Safety Elements, and provide direction to staff.

DISCUSSION:

Background

The Council directed the *PlanSB* Ad Hoc Subcommittee (Subcommittee) to develop a set of recommended amendments to the September 2010 draft of the *PlanSB* General Plan Update document. Since late 2010, the Subcommittee has met 15 times, concluding their work on June 16, 2011. Much of the Subcommittee's discussion has focused on residential density and design policies. The Subcommittee has also reviewed in detail all the Goals, Policies and Implementation Actions from each of the respective elements of the document.

In addition, the Subcommittee recommended that the preparation of the Historic Resources Element be initiated and a Task Force created to include two members of the Historic Landmarks Commission, a Planning Commissioner, and members of the public. This recommendation was approved at the Council meeting of June 28, 2011. The Subcommittee has also supported the American Institute of Architects (AIA) offer to conduct a design charrette to illustrate the most recently discussed residential densities. The charrettes were held on two Saturdays on July 16 and 23, 2011, and the results of the charrette will be presented to the Council on August 2, 2011.

On July 26th, the Subcommittee recommended amendments to the Goals, Policies and Implementation Actions for the Open Space, Parks & Recreation; Economy & Fiscal Health; Environmental Resources; and Public Services & Safety Elements will be presented for Council discussion and direction. The Subcommittee's recommendations on the Historic Resources Element are now under review by the Task Force and

therefore will not be considered at this time. On September 8th, Council will consider the remaining elements, including Land Use, Housing, and Circulation.

The Subcommittee also agreed to incorporate all of the Recommended Final Environmental Impact Report (FEIR) Mitigation Measures into their respective elements (Attachment 2).

Subcommittee Recommendations

The Subcommittee recommended amendments to the draft Goals, Policies and Implementation Actions are either reflected in the most recent ~~strikeout~~ and underline version (see Attachment 1) or they have been identified below for Council discussion.

Open Space, Parks & Recreation

The Subcommittee recommended one minor change to Policy OP2 related to acquisition and maintenance funding.

Economy & Fiscal Health

The Subcommittee generally supported the Goals and Policies in this element, however, they directed that the preamble acknowledge that these policies would be carried out working with community partners, such as businesses and large employers. They felt clarification was needed on what programs are supported by the City and which are run by the City; for example, the City has a limited role in education compared to the School District, yet some programs offered by the City do support green business practices (i.e. Clean Creeks Business Certificate Program and various creek education programs). See Attachment 1 for preamble language and minor clarifications.

Environmental Resources

Councilmember Hotchkiss questioned the premise of the Goals related to greenhouse gases, reduction in fossil fuel use, and climate change adaptation. The Subcommittee identified policies that could warrant additional discussion in this element to include: Policy ER7 on Highway 101 Set-Back and Policy ER9 on Low-Emission Vehicles and Equipment.

The initial Subcommittee positions on the interim Highway 101 setback policy were reported to Council in April. With further discussion, the Subcommittee majority supports a 250-foot setback. Councilmember Hotchkiss does not support Possible Implementation Action to Be Considered ER9.1 that could require non-residential developments to install facilities for electric fleet vehicles.

Public Services & Safety

The Subcommittee recommended changes to proposed Policy PS10 Noise Policies for Residential Uses. The draft policy is not promoting additional noise in neighborhoods, but rather acknowledging that in some areas, average noise levels from highway traffic

already exceed 60 DbA, and undue restrictions can be placed on residential projects in an inconsistent manner under the existing Noise Element policies.

The proposed amendments provide that for most new residential uses, the maximum level for average ambient noise is generally 65 DbA, but in new single family zoned subdivisions, the standard for outdoor living areas will remain 60 DbA. The proposed amendments also provide for review of special or institutional uses in residential zones.

The Subcommittee also recommended a minor edit to Policy PS14 Fire Prevention and Creek Restoration, to better coordinate these efforts in habitats beyond simply creeks.

Next Steps

July 16 & July 23

- Design Charrette sponsored by American Institute of Architects (AIA)

August 2

- AIA presentation to City Council

September 8

- Council to review and provide final direction to staff on remaining Elements: Land Use, Housing, and Circulation.

The primary and essential Land Use issues covered in these elements have been the focus of extensive discussion and most recently as part of the design charrette. Staff will provide a summary proposal similar to that which was reviewed at the last Subcommittee meeting. This concept includes maintaining the existing base density and establishing the Average Unit Density Incentive Program for both market housing and then higher densities for rental, employer or equity coop housing projects.

The discussion and policies in the Housing Element are also of interest with respect to the Secondary Unit policy, affordable housing programs, and Inclusionary Housing. The proposed policies to be added to the Circulation Element have been discussed numerous times and the Subcommittee has a few additional edits to recommend with respect to parking.

Adoption Schedule

Staff preparation time for final documents and the required findings will be approximately eight weeks following final direction from Council. This includes two weeks for public review of the documents and associated maps prior to the final Council adoption hearing.

ATTACHMENTS: 1. Subcommittee Recommended Amendments to September 2010 General Plan Document
2. Recommended Final EIR Mitigation Measures

PREPARED BY: John Ledbetter, Principal Planner

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

APPROVED BY: City Administrator's Office

**AdHoc Subcommittee Recommended Amendments
to September 2010 General Plan Document**

(Includes "Per AdHoc Subcommittee" changes along with other edits made per
Planning Commission or Council direction, or public input)

Open Space, Parks and Recreation
Goals and Policies and Implementation

GOAL

- *Open Space Opportunities.* Protect and enhance the city's livability, accessibility and character, and the community's health, through the generous provision of a variety of accessible public open space opportunities.

Open Space, Parks and Recreation Policies

(Numbering corresponds with March 2010 Draft General Plan. Numbering to be finalized after plan adoption.)

- OP1. **Variety and Abundance.** Provide ample open space through a variety of types, including nature reserves, parks, beaches, sports fields, trails, urban walkways, plazas, paseos, pocket parks, play areas, gardens, and view points, consistent with standards established for this city.

Possible Implementation Actions to be Considered

- OP1.1 Park and Open Space Standards and Planning. Establish or update standards for:
- The number of acres for each type of open space per increment of population (e.g., 1,000 residents) appropriate for Santa Barbara;
 - Optimal walking distances to parks, recreational areas and gardens, including pocket parks and small play areas; and
 - Types of open space, parks or recreational facilities to satisfy different needs, or appropriate in different locations (e.g., multi-purpose pocket park for infill vs. tot lot in single family residential neighborhood) suitable for the demographics of each neighborhood.

Using these service ratio standards, develop accessibility goals, identify facility deficiencies, establish priorities, and determine options for addressing needs, such as through joint use (and funding) of school districts' recreational facilities.

- OP1.2 Remaining Key Open Space. Use the information in the Master Environmental Assessment Visual Resource Maps and other data to identify key areas within the City and its sphere of influence that merit long-term protection, and take appropriate actions to preserve such areas as passive open space. Focus on larger areas of contiguous open space including areas in the Las Positas Valley, Elings Park, El Presidio de Santa Barbara State Historic Park, east slopes of Hope Ranch, north Mesa hillsides, the Riviera, and throughout the foothills, particularly in lower Mission Canyon and the watersheds of Arroyo Burro and Barger Canyon creeks, as well as the Atascadero and Cieneguitas creek watersheds adjacent to the San Marcos Foothills Preserve. [MM VIS-1]

- OP1.3 Protect Contiguous Open Land. All new development within identified key open space areas shall be sited and designed to preserve contiguous tracts of open space and connectivity with open space on adjacent parcels. Connectivity includes connected habitats and wildlife corridors. [MM VIS-1]
- OP1.4 Public Lands. As part of the next Recreation Facilities Master Plan Update and/or in each Sustainable Neighborhood Plan, identify all publicly owned vacant or underutilized property (e.g., parking lots, road rights of way, etc.) and assess the potential for conversion of all or a portion of these properties for park, open space, and recreational use, such as pocket or neighborhood park, play area, plaza, public seating area, trail or community garden, habitat restoration, and/or other publicly accessible green space as well as water quality improvement projects.
- OP1.5 Community Gardens on Vacant Land. Establish a program for use of vacant or under-utilized properties for temporary community gardens throughout the City, to enable residents who do not have access to land to grow food, orchards or other crops. Community gardens shall not be sited within a creek setback.

OP2. **Open Space, Park, Recreation and Trails Acquisition and Maintenance Funding.** The City shall develop a variety of ways and options to support acquisition and maintenance of public open space, and new development and re-development shall contribute commensurate with the incremental need generated. Access and connectivity between open spaces shall be considered in future acquisition and maintenance funding.

Possible Implementation Actions to be Considered

- OP2.1 Acquisition Funding. Establish funding mechanisms (e.g., conservation easements, assessment districts) for preservation of key open space areas including Quimby Act and Park Development Fees to reflect the actual costs of providing such facilities, and actively pursue state, federal, and private grants to enable acquisition. [MM VIS-1]
- OP2.2 Maintenance Funding. Develop funding mechanisms for maintaining public parks, recreational facilities and/or usable open space in the urban center. Require a contribution by all larger projects, towards public parks, recreational facilities, and/or other usable open space on site, off site, or through in lieu fees, to offset the impact of increased density/intensity of use.
- OP2.3 [Merged with 2.4]
- OP2.4 Preservation of Regional Open Space. Coordinate with the County, School District, recreational service providers of Goleta and Carpinteria on regional open space protection in the Las Positas Valley, foothills, and other areas determined to be appropriate by the City. In particular, work with the County to consider options for:
 - Expanding the San Marcos Foothills Preserve by siting and clustering any new development south of the Preserve to set aside steep hillsides and creek corridors as additions to the Preserve. Consider potential options to expand the Preserve northward during any future proposed subdivisions of larger adjacent ranches by considering use of agricultural clustered development or other techniques to permit preservation of larger areas of contiguous open space while permitting reasonable development of such properties.

- Coordinating with the County and private property owners to restore foothills and other lands degraded by past inappropriate grading or agricultural activities.
- Recreational facilities including ball fields, sport courts, trails and bike paths.
- -Providing linked open space and trail corridors through incorporated and unincorporated areas of the Las Positas Valley and eastern Hope Ranch. [MM VIS-2]

OP2.5 Acquisition of Existing Buildings for Community Use. Establish funding mechanisms for acquisition of existing buildings and property (e.g. ~~Clark Estate~~, Army Reserve National Guard Armory) for community use or establishment of a new community center.

OP2.6 Citizen Involvement. Coordinate with interested citizen groups on appropriate conservation and passive recreational activities that should occur in existing and newly acquired open space areas. [MM VIS-1]

OP2.7 Youth Involvement. Work with local education institutions (e.g. high schools, colleges) and community organizations to foster youth appreciation for and participation in open space protection and management. [MM VIS-1]

OP2.8 Private Open Space. Coordinate with private landowners on the management and restoration of private hillside lands so that such lands are managed to preserve open space values of significant stands of native vegetation and mature trees. Explore costs and benefits of transfer of such lands to public ownership with willing property owners. [MM VIS-1]

AdHoc Subcommittee Edits to September 2010 General Plan
(Includes “Per AdHoc Subcommittee” changes along with other edits made per
Planning Commission or Council direction, or public input)

Economy and Fiscal Health
Goals and Policies and Implementation

GOALS:

- *Strong, Diverse Economy.* Ensure a strong economy with a diversity of business sizes and types that provide a stable long-term revenue base necessary to support essential services and community enhancements, as well as diverse job opportunities.
- *Local Opportunities.* Enhance educational opportunities for local residents to meet local employment needs.
- *Green Businesses.* Encourage more “green” businesses.
- *Tourism.* Continue to support tourism and related support services for visitors to Santa Barbara.
- *Interconnected Regional Economy.* Recognize that commerce is intertwined with transportation, natural resources and housing, and together are key elements of a healthy economy that is regional in scope.
- *Minimize Impacts and Costs.* Internalize impacts to the environment of new development and redevelopment, and avoid costs to the community.

Local Economic Policies

(Numbering corresponds with March 2010 Draft General Plan. Numbering to be finalized after plan adoption.)

Promote Economy and Fiscal Health goals and policy direction working with non-profits and businesses. (Per Ad Hoc Subcommittee)

- EF1. Integral Parts of Economic Development. Promote energy efficiency, innovation, public health, and arts and culture as integral parts of economic development.
- EF2. Environmental Effects of Commercial Growth. Manage commercial growth to protect the City’s environment and unique qualities.
- EF3. Economic Development Plan and Special Studies. Prepare and implement an economic development plan to focus economic development activities in desired areas to further implement economic policies. Initiate special area studies, zoning policies, or specific plans for small businesses, start-up businesses and green/sustainable businesses in the commercial areas identified in Sustainable Neighborhood Plans.
- EF4. Existing Businesses. Give priority to retaining existing enterprises as the best source of business expansion and local job growth, and encourage government, businesses and residents to patronize local businesses and contractors, by working with local businesses to initiate a “Buy Local” program, with the City setting the example.
- EF5. Green/Sustainable Businesses. Provide where practicable a green promotional and economic development program, to support businesses that:

- Develop or provide “green/sustainable” products, such as recycled building materials, alternative transportation vehicles, alternate energy sources, organic agriculture, etc.; ~~and/or~~
- Enhance the natural environment, conserve energy, water or materials, prevent pollution, reduce waste; ~~and/or~~
- Provide green environmental education to the community about City programs. (Per Ad Hoc Subcommittee)

Continue to support the *Green Business Program Santa Barbara County* by publicly recognizing businesses that promote environmental responsibility and community concern.

- EF6. Minority Businesses. Support minority-owned/operated businesses to assist in preserving cultural diversity through focused promotional programs.
- EF7. Eco-Tourism. ~~Promote~~Support eco-tourism, such as bicycle tours, that takes advantage of existing hotels and resources such as the beach, ocean, and foothill trails, ~~etc.~~ (Per Ad Hoc Subcommittee)
- EF8. Livable Wages. Recruit or retain businesses which provide livable wage employment as defined by the City, and provide support through promotional programs.
- EF9. Infrastructure Improvements. Identify, evaluate and prioritize capital improvements that would assist in business retention or expansion, such as increased public transit, a rail/transit transfer center, city-wide wi-fi, sidewalk improvements, or consolidated customer parking facilities.
- EF Incentivize Business Development. Work with business organizations such as the Downtown Organization to develop specific strategies to provide incentives for business development and recruitment to the area.
- EF10. Technology. Encourage the use of and investment in technology that supports local enterprises and attracts new businesses to the City.
- EF11. Re-Use of Commercial Space. Provide incentives for adaptive re-use of vacant commercial buildings.
- EF12. Partnerships. Encourage public/private joint venture partnerships as an economic development tool.
- EF13. Local Needs. Encourage enterprises that serve the needs of existing local residents, workers, and businesses.
- EF14. Protect Industrial Zoned Areas. Preserve the industrial zones as a resource for the service trades, product development companies, and other industrial businesses.
- EF16. Connect College Students and Employers. Advocate for and support a program to link UCSB and Santa Barbara City College graduating students with local employers.
- EF17. Arts, Crafts, and Culture. Recognize the contribution to the City’s economy played by the arts, crafts, and cultural events, and continue to support and promote these endeavors.

Possible Implementation Actions to be Considered

- EF17.1 Arts District. Continue to support venues, facilities, events, and public artwork within the cultural arts district informally recognized as the area bound by

Carrillo, Micheltorena, Anacapa and Chapala streets as well as surrounding areas within the Downtown.

EF17.2 Master Plan. Develop and implement a Public Art and Cultural Arts Master Plan. Work with the private and non-profit sector to develop the Public Arts, Crafts, and Cultural Arts Master Plan.

EF18. Coordinate with SBCC. Encourage closer ties with SBCC, recognizing its role in providing a skilled and knowledgeable labor pool and contemporary concepts or ideas for business and government.

EF19. Child and Senior Care for Working Families. Recognize and promote the provision of child and senior care as a necessary complement of employment.

EF20. Small Businesses. ~~Continue to The City~~ recognizes the economic importance of small business in the community and ~~shall~~ promote programs to encourage their continued economic vitality and flexibility in future expansion.

Regional Economic Policies

EF21. Regional Economic Strategy. The City shall pursue an economic development strategy that sets a regional jobs/housing balance as a goal, and recognizes the need for affordable housing to support a diverse and healthy local economy.

Possible Implementation Action to be Considered

EF21.1 Cooperative Strategy. In cooperation with other area governments, prepare an economic strategy to define regional economic needs, and a practical and realistic regional goal for a jobs/housing balance. Identify actions that can be taken:

- By each jurisdiction toward achieving the job/housing goal;
- By each jurisdiction toward addressing other regional economic needs; and
- By several jurisdictions together.

EF22. **Coordinate with UCSB.** ~~Develop~~Encourage closer ties with UCSB, recognizing its role as a major source of stimulus for growth on the South Coast and as an employment base and source of start-up businesses.

EF23. **Jobs within the Region for Local Residents.** Recruit and retain businesses in the City that employ local residents, and encourage South Coast Region employers to recruit local residents to reduce commuting and increase local purchasing power.

EF24 [Deleted]

Fiscal Health Policy

EF25. Development Impact Fees. To the extent applicable, in order for the community to function more sustainably, new commercial and market-rate residential development and redevelopment shall either avoid impacts on community services and facilities, or contribute financially to the City or other community organizations to mitigate such impacts and costs of providing increased services and facilities.

AdHoc Subcommittee Edits to September 2010 General Plan
(Includes "Per AdHoc Subcommittee" changes along with other edits made per
Planning Commission or Council direction, or public input)

Environmental Resources
Goals and Policies and Implementation

GOALS

- *Sustainable Resource Use.* Protect and use natural resources wisely to sustain their quantity and quality, minimize hazards to people and property, and meet present and future service, health and environmental needs.
- *Reduce Greenhouse Gases.* Reduce where practicable greenhouse gas emissions contributions to climate change, and to air pollution and related health risks.
- *Reduce Fossil Fuel Use.* Reduce fossil fuel use through increased efficiency and conservation, and by developing renewable energy sources.
- *Climate Change Adaptation.* If applicable, incorporate adaptation to climate change in proposals for new development, redevelopment and public infrastructure.

Climate Change Policies

(Numbering corresponds with March 2010 Draft General Plan. Numbering to be finalized after plan adoption.)

- ER1. **Climate Change.** As applicable, private development and public facilities and services may be required to incorporate measures to minimize contributions to climate change and to adapt to climate changes anticipated to occur within the life of each project.

Possible Implementation Actions to be Considered

- ER1.1 Comprehensive Climate Change Action Plan. Prepare a comprehensive climate action plan, toward compliance with AB32, to address climate change concerns including reducing green-house gas emissions, green-house gas absorption, and adaptation to climate change. The climate action plan will include evaluation of community energy use (i.e., energy used by buildings and infrastructure); waste and recycling; water and wastewater systems; transportation; and community design. Include objectives and indicators to monitor greenhouse gas emissions, and natural phenomena related to climate change, such as oil seeps, sea-level rise, weather patterns, and wildlife behavior.

All elements of the General Plan will identify which specific policies contribute towards the reduction of green house gases. (Green house gases include carbon dioxide, methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons and perfluorocarbons, among many others.)

- ER1.2 Greenhouse Gas Emission (GHG) Reduction. Require new development, redevelopment and substantial remodels to demonstrate how the project will support the City in attaining the goal/requirement of AB32 target for the Santa Barbara region to reduce of a zero net increase in regional GHG emissions from associated vehicular traffic to 1990 levels by 2030 by 2020. The regional target was adopted in 2010 by the Santa Barbara County Association of Governments

(SBCAG) and the California Air Resources Board (CARB) pursuant to SB375.
(Per Ad Hoc Subcommittee & Staff)

- ER1.3 Urban Heat Island Effect. Improve carbon sequestration and reduce the urban heat island effect by:
- a. Amending the Zoning Ordinance to establish standards that decrease impermeable surfaces and building areas relative to lot size;
 - b. [Deleted]
 - c. Providing incentives such as expedited permitting for building projects that incorporate green roofs; and
 - d. Exploring possibilities for reducing standards for impermeable surfacing required by the Transportation Division and Fire Department.

ER2. **Emergency Response Strategies and Climate Change.** The City shall incorporate into its response strategies for emergency preparations, the potential effects of climate change, including from extreme weather, sea level rise, or epidemics, on humans, and the built and natural environments.

ER3. **Decrease City's Global Footprint.** In addition to promoting reduced unit size, building footprints and GHG emissions, and energy conservation, promote the use of more sustainable building and landscaping materials and methods.

Possible Implementation Action to be Considered

ER3.1 Locally-Harvested Renewable Materials. Establish additional green building incentives for the use of locally harvested, renewable building or manufacturing materials. (ER11)

ER4. **Incorporation of Adaptation in Development.** New public and private development or substantial redevelopment or reuse projects shall estimate the useful life of proposed structures, and, in conjunction with available information about established hazard potential attributable to climate change, incorporate adaptation measures in the design, siting and location of the structures.

Possible Implementation Action to be Considered

ER4.1 Adaptation Guidelines. The City shall prepare adaptation guidelines for development projects, and to the extent of information available to the City, provide information about potential climate change hazards to developers. (See also Public Services and Safety Element, Hazard Avoidance.)

ER4.2 Sea Level Rise. Identify policy options, costs, and consequences for addressing sea level rise issues, including:

- Techniques to minimize wave energy and damage from storm surges, while minimizing disruption of coastal activities and habitats.
- Review of City public improvements and utilities for potential consequences of sea level rise, and consideration of means of adaptation such as measures to protect in place, raising facilities above projected flood heights, and managed retreat or relocation of facilities.
- Coordination with private property owners along the waterfront on techniques for structural adaptation and new design. [MM HYDRO-1-1.a.]

Energy Conservation Policies

ER5. **Energy Efficiency and Conservation.** As part of the City’s strategy for addressing climate change, minimizing pollution of air and water, depleting nonrenewable resources and insulating from volatility of fossil fuel prices, dependence on energy derived from fossil fuels shall be reduced through increased efficiency, conservation, and conversion to renewable energy sources when practicable and financially warranted.

Possible Implementation Actions to be Considered

ER5.1 Energy Efficient Buildings. Encourage all new construction to be designed and built consistent with City green programs, the California Green Building Code, policies, and the goal of achieving “carbon neutrality” by 2030 in all buildings.

Further reduce energy consumption over time to “carbon neutrality” by 2030 in new building and through suggested retrofits. Establish a voluntary program and time line for increasing the energy efficiency and carbon neutrality of new buildings or additions, and of existing building stock. Provide:

- a. Information on current energy use and conservation options;
- b. Incentives for voluntary upgrades;
- c. Voluntary incremental upgrades may be encouraged at time of sale, and/or other methods for greening the existing building stock; and
- d. Tools for self-assessment financing for energy efficiency upgrades and on-site solar and wind power generation through property taxes (in conjunction with AB 811).

ER5.2 Retrofitting of Systems. Continue to implement programs through Sustainable Santa Barbara for retrofitting of municipal systems with energy efficient equipment, systems, and programs.

ER6. **Local and Regional Renewable Energy Resources.** Provide both within the city, and regionally through working with the County and other local jurisdictions or parties, opportunities to preserve, promote and participate in the development of local renewable energy resources such as solar, wind, geothermal, wave, hydro, methane and waste conversion.

Possible Implementation Actions to be Considered

ER6.1 Community Choice Aggregation. Conduct a feasibility study for a Community Choice Aggregation arrangement as either a bulk purchaser or producer of energy from alternative resources. Change codes to support and promote examining the feasibility of Community Choice Aggregation.

ER6.2 Alternative/Advanced Fuels. Support and implement the California Energy Commission and State Air Resources Board goal for alternative/advanced fuels set forth in AB1007 for non-petroleum fuel use of 20% by 2020 and 30% by 2030.

ER6.3 Incentives for Alternative/Advanced Fuel Infrastructure. Give priority through expedited processing to projects providing infrastructure for alternative/advanced fuels.

ER6.4 Obstacles for Small Wind Generators. Identify and study regulatory obstacles to installing small individual or community wind generators, and prepare standards

for siting, design, maintenance and operation to ensure compatibility with adjoining land uses and protect environmental resources.

- ER6.5 Facilitate Renewable Energy Technologies. Promote flexible design review standards and facilitate use of renewable energy technologies through streamlined planning and development rules, codes, processing, and other incentives.
- ER6.6 Solar Energy. Encourage the use of solar photo-voltaic arrays on new construction, redevelopment, and significant remodel projects, as appropriate, taking into consideration project scale and budget, building size, orientation, roof type, and current energy use.
- a. For multi-residential projects of more than 4 units, require 1 kw of solar photo-voltaic panels per unit consistent with the City's Solar Energy System Design Guidelines, if physically feasible.
 - b. For multi-residential projects of 3 to 4 units, require provision of a minimum 2 kw system consistent with the City's Solar Energy System Design Guidelines, if physically feasible.
 - c. For 1 or 2-unit residential projects require provision of 300 sq. ft. rectangular unobstructed roof area free of mechanical equipment and vents facing south, east or west in a manner that future photovoltaic installation would be consistent with the City's Solar Energy System Design Guidelines, if physically feasible.
 - d. For commercial and industrial projects provide a minimum of 5 watts of photovoltaic panel systems for every new square foot of building net floor area; or a photovoltaic system sized to meet a minimum of 30% of the average projected energy demand for the structure, whichever is lower.

Air Quality Policies

- ER7. **Highway 101 Set-Back.** New development of residential or other sensitive receptors (excluding minor additions or remodels of existing homes or one unit on vacant property) on lots of record within 250 feet of U.S. Hwy 101 will be prohibited in the interim period until California Air Resources Board (CARB) phased diesel emissions regulations are implemented and/or until the City determines that diesel emission risks can be satisfactorily reduced. The City will monitor the progress of CARB efforts and progress on other potential efforts or measures to address diesel emissions risks. [MM AQ-1]

Possible Implementation Actions to be Considered

- ER7.1 Review Criteria. Prepare project review criteria for the set-back area.
- ER7.2 Barriers and Sound Walls. Pursue funding and installation of sound walls, trees and shrubs along unprotected areas of U.S. Hwy 101 to create a barrier to reduce particulate transmissions. Barriers and sound walls to be consistent with the Highway Santa Barbara Coastal Parkway Design Guidelines. [MM AQ-1]
- ER8. [Deleted]
- ER9. **Low-Emission Vehicles and Equipment.** Expand infrastructure and establish incentives for use of lower emission vehicles and equipment (e.g., parking priority, electric vehicle

plug-ins). Support the amendment of speed limit restrictions to permit the wider use of electric vehicles.

Possible Implementation Actions to be Considered

ER9.1 **Electric Vehicles.** Monitor electric car development, including the projected availability of new vehicles and the types of charging stations that will serve those vehicles. Require the installation of the most commonly used types of electric charging stations in all major new non-residential development and remodels as appropriate, based on increases in the electric vehicle fleet and the availability of suitable charging technology. Provide expedited permitting for installation of electric vehicle charging infrastructure in residential, commercial, and industrial development. Consider changing the Building Code to require pre-wiring for electric vehicle charging infrastructure in new and substantial remodels of residential units.

ER10. **Marine Shipping Emissions.** Support regional and State efforts to reduce marine shipping emissions.

ER11. **Development Mitigation.** Establish ordinance requirements to apply standard air-quality mitigation measures for new development and construction projects. These include measures to minimize construction dust and vehicle emissions; provide landscaping; conserve energy and reduce vehicle trips.

Biological Resources Policies

ER12. **Native and Other Trees and Landscaping.** Protect and maintain native and other urban trees, and landscaped spaces, and promote the use of native or Mediterranean drought-tolerant species in landscaping to save energy and water, incorporate habitat, and provide shade.

Possible Implementation Actions to be Considered

ER12.1 **Tree Protection Ordinance.** Update ordinance provisions to protect native oaks and other native or exotic trees.

- New development shall be sited and designed to preserve existing mature healthy native and non-native trees to the maximum extent feasible.

ER12.2 **Urban Tree Protection and Enhancement.** Create a City-wide enforcement and mitigation program for removal, severe pruning without a permit, or neglect, of protected trees (street trees, trees in front yards, and historic or otherwise designated trees).

ER13. **Wildlife and Native Plant Habitat Protection and Enhancement.** Protect, maintain, and to the extent reasonably possible, expand the City's remaining diverse native plant and wildlife habitats, including ocean, wetland, coastal, creek, foothill, and urban-adapted habitats.

Possible Implementation Actions to be Considered

ER13.1 **Designate Habitats.** Map and designate important City upland habitats and wildlife corridors that merit long term protection, enhancement, and preservation for habitat and wildlife values. Include criteria and monitoring objectives such as large areas of contiguous coastal sage scrub (generally five acres or greater), oak

woodlands (generally one-half acre or greater), perennial grasslands (generally 0.25 acres or greater), annual grasslands (generally five acres or greater), and important wildlife movement corridors. [MM BIO-1 a]

ER13.2 Multi-Use Plan for Coast. Develop updated multi-use plans and monitoring guidelines for beaches and other coastal areas to provide for both recreational uses and protection of coastal habitats and wildlife/native plant species.

ER13.3 Native Species Habitat Planning. Protect and restore habitat areas for native flora and fauna, and wildlife corridors within the City, including for chaparral, oak woodland, and riparian areas. In particular, provide land use/design guidelines to:

- Require buildings and other elements of the built environment, and landscaping to be designed to enhance the wildlife corridor network as habitat.
- Ensure that the City and new development preserve existing trees within identified wildlife corridors, and promote planting new trees, and installing and maintaining appropriate native landscaping in new developments within or adjacent to important upland wildlife corridors and all streams. [MM BIO-1.b]
- Ensure that efforts are made to minimize disturbance to understory vegetation, soils, and any aquatic habitats that are present below the trees in order to provide movement of species that utilize the habitat. [MM BIO-1.b.]
- Ensure that new development and redevelopment projects will not result in a net reduction or loss in size and value of native riparian habitats. [MM BIO-2.b.]
- Increase riparian habitat within the City and / or its sphere of influence by 20 acres or more, and 1 linear mile or more, over the 20 year life of Plan Santa Barbara. Priorities for restoration include perennial reaches of the major streams, reaches of creek on publicly-owned land, and degraded areas of the City's three major creeks. [MM BIO-2.b.]

ER14. **Trail Management**. Existing and future trails along creeks or in other natural settings shall be managed for both passive recreational use and as native species habitat and corridors.

ER15. **Integrated Pest Management Program**. To the extent allowable under state health and safety laws, establish ordinance provisions to apply integrated pest management requirements to development permits.

Hydrology, Water Quality and Flooding Policies

ER16. **Creek Resources and Water Quality**. Encourage development and infrastructure that is consistent with City policies and programs for comprehensive watershed planning, creeks restoration, water quality protection, open space enhancement, storm water management, and public creek and water awareness programs.

Possible Implementation Actions to be Considered

ER16.1 [Deleted]

ER16.2 Comprehensive Creek Action Plan. Prepare a comprehensive long term action plan for protecting and enhancing creek water quality, riparian area, and steelhead use, and maintaining or enhancing flood management.

ER16.3 Master Drainage Plan. In coordination with watershed planning, develop a comprehensive drainage plan that identifies the existing system, policies and development standards to better address drainage and water quality issues, areas appropriate for drainage retention/detention, future capital improvements, and funding plan to finance the projects.

ER17. **Storm Water Management Policies.** The City's Storm Water Management Program's policies, standards and other requirements for low impact development to reduce storm water run-off, volumes, rates, and water pollutants are hereby incorporated into the General Plan Environmental Resources Element.

Possible Implementation Actions to be Considered

ER17.1 Storm Water Guidelines. The City's Storm Water Management Guidelines provide information on implementation measures such as ground water recharge, pervious surfacing, bioswales, detention basins, and green roofs. Update measures for street sweeping, storm-drain stenciling, and public outreach for inclusion in conditions of approval or as mitigation measures. Encourage the conversion of excess street paving between sidewalks and streets to bioswales.

ER17.2 Wash-Down Policies. Prepare or update regulations to limit the practice of hosing down driveways, to conserve water and reduce pollutants carried through urban run-off and conserve water per State Water Resources Control Board regulatory guidelines for storm water management.

ER17.3 Floodplain Mapping Update. Update the Flood Insurance Maps (FIRM) floodplain boundaries for Special Flood Hazard Areas such as the Mission and Sycamore creek drainages and Area A near the Estero.

ER18. **Creek Setbacks and Restoration.** Protection and restoration of creeks and their riparian corridors is a priority for improving biological values, water quality, open space and flood control in conjunction with adaptation planning for climate change.

Possible Implementation Actions to be Considered

ER18.1 Setback Standards. Establish updated creek setback and restoration standards for new development and redevelopment along all creeks, and prepare or update guidelines for restoration, increase of pervious surfaces and appropriate land uses within designated creek side buffers.

- Develop setback standards of greater than 25 feet from the top of bank for new structures and hard surfaces adjacent to creeks and wetlands. [MM BIO – 2.c.]

ER18.2 Creekside Development Guidelines. Establish design guidelines for development and redevelopment near creeks, such as measures to orient development toward creeks, and better incorporate creeks as part of landscape and open space design. Utilize native riparian palettes for landscaping along creeks, and prohibit the use of non-native invasive plants. Encourage public creekside pedestrian paths

where appropriate to increase connectivity and provide pocket parks and signage to improve public awareness and enjoyment of the City's creeks.

ER18.3 **Creek Naturalization.** Prohibit the placement of concrete or other impervious material into, or piping of, major creeks and primary tributaries except for water supply projects or flood control projects that are necessary for public safety, or to maintain or repair a structure that protects existing development. These protection measures shall only be used for water supply or flood control purposes where no other less environmentally damaging method is available and the project has been designed to minimize damage to creeks, wetlands, water quality, and riparian habitats. Whenever feasible, existing concrete lining shall be removed from creek channels, and reaches of drainages that have been previously under-grounded shall be "daylighted." [MM BIO-2.a.]

ER18.4 **Surface Water Drainage Restoration.** Set a goal to restore or daylight a total of at least .5 miles of surface water drainages over the life of Plan Santa Barbara. Priority areas for restoration include segments of Mission Creek consistent with sound flood control practices, the reach of Arroyo Hondo Creek through City College, the tributary to Arroyo Burro Creek west of Las Positas Road, and the segment of Arroyo Burro Creek adjacent to La Cumbre Plaza. [MM BIO-2.a.]

Food and Agriculture Policies

ER19. **Farmers Markets.** Continue to support local farmers markets, and expand locations to include neighborhood locations consistent with Sustainable Neighborhood Plans, expand infrastructure to support them, and expand hours of operations.

ER20. **Gardener Education.** Continue to support the City/County/SBCC Green Gardener training program, and expand community and school educational programs for producing gardens year-round using sustainable gardening practices. Encourage the use of fruit trees in landscaping where appropriate.

ER21. **Food Scrap Recovery and Composting Program.** Continue and expand the City program for diversion of food scraps from landfill disposal, to be composted for use as soil amendments.

ER22. **Public and Private Food Gardens.** Provide for infrastructure to support local community gardens. With neighborhood support, develop publicly-available edible landscaping in existing and new parks. Reserve space for public gardening within the urban core area to be maintained by the community. Design for green roofs and urban rooftop gardens in residential development Downtown.

ER23. **Food Gardens for Schools.** Work with the Santa Barbara School Districts to develop organic gardens at schools and a healthy and waste-free lunch program:

- To educate students about where food comes from, and the nutrient and energy cycles from garden to table and back again;
- To encourage the development of healthy eating habits, and;
- To provide healthy local food.

ER24. **Regional Agriculture.** Support regional coordination toward expanding local sustainable food sources. Support incentives for maintaining and establishing additional

agricultural farms and farm stands within the City, the South Coast, and tri-county areas. Support directing local food to our schools, cafeterias, groceries, convenience stores, and restaurants.

Aesthetics and Visual Resources Policies

ER25. **Visual Resources Protection.** New development or redevelopment shall preserve or enhance important public views and viewpoints for public enjoyment, where such protection would not preclude reasonable development of a property.

Possible Implementation Actions to be Considered

ER25.1 Document Public Views. Conduct a study to identify and document important public views of the ocean, the mountains or other highly-valued views, establish a list of important public view points, and provide a photo record. Prepare related development standards to protect the views seen from the public view points.

ER25.2 Evaluation criteria. In evaluating public scenic views and development impacts at a particular location, the City shall consider:

- a. The importance of the existing view (i.e., whether a view contains one or more important visual resources, has scenic qualities, and is viewed from a heavily used public viewpoint, such as public gathering area, major public transportation corridor or area of intensive pedestrian and bicycle use);
- b. Whether a proposed change in the existing view would be individually or cumulatively significant (i.e., substantially degrade or obstruct existing important public scenic views, or impair the visual context of the Waterfront area or designated historic resource);
- c. Whether changes in the proposed action could be avoided or adequately reduced through project design changes (such as site lay-out, building design, and landscape design).

ER25.3 Site-Specific Coastal Bluff Analysis. Any mapped illustration, description of, or reference to, a “coastal bluff” in the Plan Santa Barbara planning, background, or environmental documents should trigger the requirement for professional site-specific coastal bluff location analysis as part of the application for development on a parcel, rather than to be a conclusive determination that a “coastal bluff” now exists, or at any time during the historic record has existed, on that parcel. (Per Ad Hoc Subcommittee)

ER25.34 Vegetation Protection. Prepare guidelines and standards for removal of significant trees and for planting replacement or additional trees, and protect significant natural vegetated areas from inappropriate development.

ER25.45 Scenic View Protection. Further protect public scenic views of the coast, hillsides, open spaces, creeks and historic resources by incorporating guidelines as part of Form-Based Codes, project design guidelines, and environmental review guidelines.

ER27. **Enhance Visual Quality.** Not only retain, but improve visual quality of the city wherever practicable.

Possible Implementation Action to be Considered

ER27.1 Underground Utilities. Cooperate with developers and utility companies to underground as many as possible overhead utilities in the city by 2030. Establish a listing of priority street segments with realistic target dates in the capital improvements program and continue to support neighborhood efforts for undergrounding.

AdHoc Subcommittee Edits to September 2010 General Plan
(Includes “Per AdHoc Subcommittee” changes along with other edits made per
Planning Commission or Council direction, or public input)

Public Services and Safety
Goals, Policies and Implementation

GOALS

- *Present and Future Service Needs.* Ensure that public infrastructure and services are planned, sited, upgraded and maintained to meet present and future service needs efficiently, economically and in a manner consistent with a sustainable community and climate change.
- *Safety and Preparedness.* Emphasize safety and emergency preparedness as an integral part of land use planning.

City Infrastructure Policies

(Numbering corresponds with March 2010 Draft General Plan. Numbering to be finalized after plan adoption.)

PS1. City Services and Facilities. City services and facilities shall be built, maintained and operated in a manner to provide adequate services to all residents and coexist compatibly with surrounding land uses.

Possible Implementation Action to be Considered

PS1.1 Service and Facility Performance. Monitor services and facilities and report status regularly to the Planning Commission.

PS2. Financing Capital Improvements. The City shall pursue a variety of financing sources for the maintenance and enhancement of capital improvement projects.

Possible Implementation Actions to be Considered

PS2.1 Fees. Investigate increasing fees to finance the cost of capital improvements.

PS2.2 Bonds. Pursue voter approval of general obligation bonds for major capital improvements.

PS2.3 Impacts to City-Wide Service. Individual projects shall be evaluated for their impacts on the City’s ability to provide adequate services and facilities.

PS2.4 Timing. Services and facilities shall be available for developments prior to approving projects and/or issuing occupancy or use certificates.

PS3. Planning for Climate Change Adaptation. The City shall include in the Climate Action Plan an estimated timeline of anticipated potential climate changes over the next 100 years to the extent information is available. This timeline will be periodically updated as part of the Adaptive Management Program and will be considered in all City capital projects.

Water Supply and Wastewater

PS4. Long-Term Water Supply Program. The City shall update and maintain the currency of the City Long-Term Water Supply Program to accommodate needs for the next 20-year period, including all of the following measures:

1. State Water Project (SWP)SWP Reliability: The State is updating its reliability analysis on ~~State Water Project~~ deliveries. The completed document should be reviewed as a part of updating assumptions on the City's expected SWP deliveries. Particular attention should be given to estimates of SWP delivery impacts from sea level rise, as this aspect of climate change was not included in the previous reliability analysis. A conservative assessment of the likelihood, timing, costs, and benefits of Delta improvements should be included. Opportunities to increase the delivery reliability of existing SWP Table A amounts should continue to be explored.
2. Groundwater Banking: Opportunities for groundwater banking exist on the local, regional, and inter-regional level. With reduced snowpack related to climate change, and the potential that replacement capacity in proposed new reservoirs will fall short of replacing this lost storage capacity, banking can provide a valuable means of firming up SWP deliveries and improving the reliability of the City's overall water supply. Legal, technical, and financial issues will need to be considered.
3. Sedimentation Projections and Management Opportunities: Gibraltar Reservoir and Lake Cachuma will continue to experience sedimentation, with potential accelerated sedimentation resulting from wildfires. Periodic bathymetric surveys should continue. Methods for minimizing sedimentation should be assessed, including sedimentation trapping measures and a controlled burn program in conjunction with the U.S. Forest Service and local fire agencies. The City should work with other affected agencies to consider options for removal of sediment from reservoirs, including the potential to implement passage of sediment downstream to preserve reservoir capacity while providing sediment flow to mimic natural river conditions and contribute to beach nourishment.
4. Gibraltar Yield Under Pass Through Agreement: Operations under "pass through" mode have not occurred and there is uncertainty as to the level of deliveries that can be expected. Modeling currently underway should be integrated with overall supply estimates to give a firmer estimate of long term availability.
5. Desalination: The future role of desalination should be evaluated, considering issues such as: State policy encouraging development of desalination capacity, reliability, rate impacts and capital cost for reactivation, energy use, environmental impacts, and value during extended drought and other water supply emergencies.
6. Groundwater Management Analysis: A more sophisticated modeling of groundwater resources should be used to evaluate new opportunities for optimizing the conjunctive use of groundwater. Improved tools for tracking the current state of groundwater basins should be developed, particularly with regard to managing seawater intrusion. Local groundwater recharge, including direct and in-lieu recharge, should be assessed for economic, regulatory, and technical feasibility.

7. Additional Conservation Opportunities: Ongoing efforts to assess the technical and economic merits of the next generation of conservation measures should be used to identify an updated target for demand reduction under the new plan. A rate study should be conducted to identify opportunities to improve conservation pricing signals and update revenue requirements. Existing City ordinances should be reviewed for appropriate updates given changes in technology and statewide water supply conditions.
8. Recycled Water Expansion Opportunities: Opportunities exist to expand recycled water use ranging from increased irrigation uses to industrial uses of recycled water and implementation of broader use of recycled water for toilet flushing. Economic issues and available capacity should be assessed to identify an optimal target for expanded recycled water use under the new plan. Opportunities to partner with neighboring agencies should be explored.
9. Climate Change Monitoring: The LTWSP update process should assess and plan for potential water supply effects of climate change and identify feasible means of tracking the development of such impacts.

PS As part of the Long Term Water Supply Program update, perform a comprehensive analysis of water savings from specific conservation measures, including a cost benefit analysis, to determine which potential new water conservation measures will be most feasible and cost effective for the City to pursue. The City shall incorporate identified measures into the water conservation component of the LTWSP update. [MM HYDRO-1.b.]

PS5. Water Conservation Program. The use of water conservation practices shall be both encouraged and required, as appropriate, for all development projects.

Possible Implementation Actions to be Considered

PS5.1 Water Conservation Programs. Continue and expand the City programs to require, or encourage water conservation measures, such as services to water customers (e.g., free water check-ups, smart irrigation controller program, rain sensor rebate); public information and education, ~~(measures to water customers, web site, elementary students, elementary students, and Green Gardener training, and public brochures, videos, and advertising);~~ water-conserving landscape design standards, City building conservation standards, and inverted block rate billing to promote conservation. ~~;~~ ~~and w~~Work with the County and other jurisdictions to develop regional water conservation programs and projects as appropriate.

PS5.2 Recycled Water. Expand existing programs for use of recycled water for irrigation at parks, schools, golf courses and new development near supplies. Evaluate methods to optimize the feasible use of recycled water in place of potable water, including potential system extensions, and additional uses such as toilet flushing in major commercial, industrial and recreational facilities.

- Evaluate, and implement as feasible, a requirement for dual plumbing to provide recycled water for flushing all toilets and urinals in new commercial and industrial buildings in proximity to existing or planned recycled water lines.
- Investigate incentives for all new development and major remodels adjacent to existing recycled water lines to install dual plumbing and utilize recycled water for toilet flushing.

- PS5.3 On-Site Storage and Reuse. Identify more detailed guidelines for use of cisterns and grey water in new development and retrofitting existing development.
- PS6. Regional Cooperation on Water Supply Reliability. Work with the County and other jurisdictions to develop regional programs and projects to improve water supply reliability.

Possible Implementation Actions to be Considered

- PS6.1 Gibraltar and Cachuma Reservoirs. Work with the County and other jurisdictions to investigate watershed management plans with the purpose of protecting and extending the useful life of the Gibraltar and Cachuma reservoirs.
- PS6.2. Groundwater Banking. Investigate agreements with other water purveyors that have available groundwater storage capacity to store surplus water for later use during drought.
- PS6.3 Dry Weather Purchase Agreements. Work with the County and/or other jurisdictions on a regional approach to agreements with the agricultural industry or other potential sellers of water in times of drought.
- PS6.4 Montecito Water District. Pursue establishing a process to coordinate with the Montecito Water District on the availability of water to service new development and redevelopment on Coast Village Road, ensuring adequate supplies to that portion of the City until such a time as the Montecito Water District can more readily provide additional service.

Waste Management, Recycling and Disposal Policies

- PS7. Solid Waste Management Programs. Continue and expand City recycling programs for resource reduction, reuse, and recycling of solid waste.

Possible Implementation Actions to be Considered

- PS7.1 Construction/Demolition Materials Reuse and Recycling. Upgrade standard development requirements for recycling of construction/demolition debris or architectural salvage and incentives for use of renewable, or reused or recycled materials.
- PS7.2 Local Recycled Materials. Promote the use of recycled carpeting, furnishings, wall coverings, and architectural salvage or other building materials – per LEED or comparable standards – in new construction and major renovations. Promote and/or support local stores for reusable and recycled building materials.
- PS7.3 Design and Space Requirements for Waste Management for Private Development. Provide more detailed guidance on space needs and designs for recycling in both new development and to retrofit existing development.
- PS7.4 Methane Conversion Facilities. Continue to coordinate with and provide support to the County in its existing partnership with other South Coast agencies to facilitate construction of a waste-to-energy facility at the Tajiguas Landfill. [MM PU-1]
- Monitor progress on the waste-to-energy facility and provide annual reports to the City Council to permit prompt action to move this project forward expeditiously. If a new waste-to-energy facility is not anticipated to be

operational by 2015, coordinate with other South Coast agencies or proceed independently to identify and implement an alternative waste disposal strategy.

- Continue to coordinate with the County of Santa Barbara on efforts to identify and establish additional replacement landfill capacity, including potential increased permitted level at Tajiguas.
- Explore and quantify options for disposal at alternative nearby regional waste disposal facilities, including sites in the North County and Ventura County. Several regionally located landfills exist with additional capacity to handle most or all of Santa Barbara's waste. [MM PU-1-1.a.]

PS7. Increase Diversion. Continue to work with businesses to recycle, reduce or eliminate waste.

Waste Reduction.

- Business Processes: Initiate a program for businesses to optimize business processes that focus on reducing or eliminating waste, which may include City program development and outreach to business, and support of non-profit and community-centered efforts.
- Packaging and Disposable Items: Enact programs to discourage single-use items or eliminate packaging. Such efforts currently include voluntary industry-supported reduction efforts coupled with access to reusable bags.

Expanded Recycling and Organics Programs.

- Textiles, Wood, Film Plastics. Explore the feasibility of adding textiles, wood, film plastics and other materials to recycling or organics stream. This would largely stem from reinitiating recommendations from the South Coast Material Recovery Facility Feasibility Study, providing local control of recycled materials and ensuring that a greater percentage of collected materials would be recovered.
- Shingles and Carpet. Provide market development assistance for recycling of asphalt shingles and carpet by local construction waste recycling operations. Increase capture rate of currently divertable materials
- Unscheduled Hauling. Monitor compliance to the Unscheduled Hauling Ordinance to ensure that the vast majority of construction debris is recycled.
- Increased Sorting. Include a requirement for increased sorting of residual materials through recyclables processing contracts, allowing for increased diversion capture.
- Education and Incentives. Implement an enhanced education and outreach program to maximize the use of existing curbside recycling and organics containers and to convey economic incentives to separate greenwaste, recycling, and construction debris from trash for self-haul customers.

Increase number of customers using diversion services.

- Curbside Rate Structures. Implement progressive rate structures for curbside services to encourage diversion through low cost recycling and composting.
- Directives and Fines. Increase recycling and composting through mandatory ordinances, fines, and/or directives.

- Residential Composting. Extend food scraps composting program to the residential sectors where substantial additional material for composting is available.

Reduce Waste Through Reuse.

- Support Reuse Enterprises. Encourage the patronage of current reuse enterprises through education, outreach, and promotion.
- Education and Promotion. Adjust all educational material to promote reuse before recycling, and promote reuse as part of a waste reduction program for businesses.

Protect Recycling Markets.

- City Purchases. Implement a City procurement plan to buy items made from recycled and composted materials.
- Business Purchases. Develop a waste reduction program for businesses to purchase items made from recycled and or composted materials. [MM PU-1-1.b.]

Hazards Avoidance Policies

PS8. Hazardous Materials Exposure. Seek to provide facilities and guidance so that new development and redevelopment projects avoid exposure to hazardous materials and provide for their safe disposal.

Possible Implementation Action to be Considered

PS8.1 Household Hazardous Materials and Wastes. Coordinate with other South Coast jurisdictions and the waste management industry to develop additional household hazardous waste collection facilities on the South Coast. [MM HAZ-1]

PS9. Bluff Retreat. All development and redevelopment, renovations and additions on bluff-top parcels shall consider the potential effects of climate change on bluff retreat for the life of the project.

Possible Implementation Actions to be Considered

PS9.1 Bluff Retreat Formula. Update the existing Seismic Safety Element bluff retreat formula to reflect updated information for the 75-year bluff setback line. Once updated, monitor bluff retreat rates and update as needed. [MM GEO-1.a]

PS9.2 Shoreline Management Plan. Develop a comprehensive Shoreline Management Plan to identify, manage and to the extent feasible mitigate or reduce climate change-induced sea level rise impacts upon public facilities and private property along the City shoreline. The City should continue coordination with the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON), the County, other South Coast cities, and UCSB to manage coastal issues including: Protection/restoration of natural sand transport and sand supply replenishment projects;

1. Natural bluff restoration, stabilization and erosion control measures;

2. Non-intrusive methods to slow sand transport and retain sand along the beaches that front the City's bluffs; and
3. Funding mechanisms to implement beach replenishment and methods to reduce bluff retreat. [MM GEO-1.a.]

Noise Policies

PS10. Noise Guidelines Policies -for New Residential UsesZones. Take into consideration the surrounding existing and future legal land uses in establishing exterior noise policies standards for new residential uses.

Possible Implementation Actions to be Considered

~~PS10.1 Noise Levels. Update the General Plan Noise Element Land Use Compatibility Guidelines including establishing 65 dB(A) CNEL as the appropriate maximum outdoor noise level for residential land uses. This ambient noise guideline for residential building construction shall assure indoor noise levels meet building code requirements of 45 dB(A) level.~~

Residential Exterior Ambient Noise Levels in Non-Residential and Multi-Family Zones. An average ambient outdoor noise level of 65 dBA Ldn or CNEL or less is established as the level considered normally acceptable for required outdoor living areas of residential units located within non-residential and multi-family zones. This policy amends the General Plan Noise Element Land Use Compatibility Guidelines for residential units in non-residential and multi-family zones. California construction and insulation codes establish required average interior noise standards for residential structures. (Per Ad Hoc Subcommittee)

PS10.2. Residential Exterior Ambient Noise Levels in Single Family Zones. An average ambient outdoor noise level of 60 dBA Ldn or CNEL or less is established as the level considered normally acceptable for required outdoor living areas of residential units located within single-family zones except for areas subject to higher ambient noise levels, for which a 65 dBA Ldn or CNEL standard is established. This policy amends the General Plan Noise Element Land Use Compatibility Guidelines for residential units in single-family zones that already experience average ambient noise levels above 60 dBA. California construction and insulation codes establish required average interior noise standards for residential structures. (Per Ad Hoc Subcommittee)

PS10.3 Subdivisions in Single-Family Zones. Subdivisions may be permitted in areas where the existing average ambient noise level exceeds 60 dBA Ldn or CNEL only if it is demonstrated that required outdoor living areas can be provided with an exterior noise level of 60 dBA Ldn or CNEL or less. (Per AdHoc Subcommittee)

PS10.24 Construction Noise. Establish different construction noise standards for mixed-use urban and suburban residential areas, including standards for days, hours, and types of construction.

PS10.5 Non-Residential Noise Affecting Residential Neighborhoods. To further General Plan policies for maintaining quiet, high quality neighborhoods, require more detailed noise assessments for proposed special, conditional, and institutional uses with episodic activities and events that may cause noise effects to residential neighborhoods.

PS11. Sound Barriers. The City supports and will assist in the provision of sound barriers along the Hwy 101 transportation corridor.

Possible Implementation Actions to be Considered

PS11.1 Local Share Funding. The City should pursue funding toward the extension and connection of the sound attenuation wall along the entire U.S. Hwy 101 and Union Pacific Railroad corridor within City boundaries. Barriers and sound walls to be consistent with the Highway Santa Barbara Coastal Parkway Design Guidelines.

PS11.2 Interagency Coordination. The City shall periodically monitor freeway noise levels increases through the year 2030 and if necessary work with neighborhoods, the California Department of Transportation, and Union Pacific Railroad to identify and implement specific measures to reduce future freeway noise increases affecting expanded areas of existing residential neighborhoods with noise levels of 65 dBA or more. Noise attenuation measures may include added sound walls along portions of the freeway and/or local measures. [MM NOISE-1]

Emergency Preparedness Policies

PS12. Emergency Workforce. Work cooperatively with other jurisdictions in the South Coast Region to ensure in the event of a disaster, essential workers are available and ready to respond adequately and with timeliness.

PS12.1 City Disaster Service Workers. Encourage city employees to have personal and family disaster plans and understand their role and responsibility as a disaster service worker.

PS12.2 Public Education. Promote public education on emergency and disaster preparedness to enhance community resilience.

PS13. Consideration of People with Disabilities in Emergency Planning. Update evacuation plans and other emergency or contingency plans with provisions addressing the special needs and measures required to ensure the safety of people with disabilities.

PS14. Fire Prevention and Creek Restoration. Coordinate fire prevention and creek protection planning through the development of a set of best practices within and adjacent to creek corridors or other habitat. (Per AdHoc Subcommittee).

**Recommended FEIR Mitigation Measures to Incorporate
In General Plan Policy or Implementation Actions
(Recommended by Council AdHoc Subcommittee on June 16, 2011 & Planning
Commission on September 29, 2010)**

RECOMMENDED FEIR MITIGATION MEASURE	General Plan Policy Location
<p>UPLAND HABITAT AND SPECIES PROTECTION (RM BIO-1)</p> <ul style="list-style-type: none"> • Oak Woodland Protection. Site new development outside of oak woodlands to the maximum extent feasible. Within and adjacent to oak woodlands: (1) avoid removal of specimen oak trees; (2) preserve and protect oak saplings and native understory vegetation within areas planned to remain in open space; (3) provide landscaping compatible with the continuation and enhancement of the habitat area, consisting primarily of native species and excluding use of invasive non-native species; (4) include conditions of approval for habitat restoration of degraded oak woodlands where such development creates direct or indirect impacts to the affected habitat; 5) minimize or avoid installation of high water use landscaping (e.g., lawn) under the drip-line of oak trees. 	<p>Policy ER12 would include the following implementation action as ER12.3.</p>
<p>CREEKS, WETLAND, AND RIPARIAN HABITAT AND SPECIES PROTECTION (RM BIO-2)</p> <p>2.a. Riparian Woodland Protection Policies</p> <ul style="list-style-type: none"> • Riparian Woodland Protection. Site new development outside of riparian woodlands to the extent feasible. Within and adjacent to riparian woodlands: (1) avoid removal of mature native trees; (2) preserve and protect native tree saplings and understory vegetation; (3) provide landscaping within creek setback compatible with the continuation and enhancement of the habitat area, consisting primarily of appropriate native species and excluding use of invasive non-native species; (4) include conditions of approval for habitat restoration of degraded oak woodlands where such development creates direct or indirect impacts to the affected habitat; (5) include water quality protection and enhancement measures consistent with the adopted City Storm Water Management Plan. 	<p>Implementation Action ER13.3 would be amended to include this measure.</p>
<p>COASTAL HABITATS AND SPECIES PROTECTION (RM BIO-3)</p> <p>3.a. Waterfront Habitat and Wildlife Management</p> <ul style="list-style-type: none"> • Native Habitat Restoration. Incorporate as part of the Multi-Use Plan, a Waterfront habitat and wildlife management program that provides measures to improve the extent and quality of native coastal habitats within the City Waterfront, with the following goals: -Restoration of a line of coastal sand dune habitat along the City Waterfront, including the removal of non-native and/or invasive plants. 	<p>Implementation action ER13.2 and ER13.4 would be amended to include these measures.</p>

RECOMMENDED FEIR MITIGATION MEASURE	General Plan Policy Location
<p>-Restoration and enhancement of the estuaries of Mission and Sycamore creeks and the Laguna Channel, including appropriate revegetation and removal and control of invasive species. Measures should be considered to improve these estuaries where feasible to maximize biological productivity and ecological function taking into consideration the dynamics of ocean waves and currents and ongoing movement of sand along the City coast.</p> <p>-A public access management plan that maintains public access to and along the shoreline, but channels the public to appropriate access locations as needed through sensitive habitat areas of the beach.</p> <p>3.b. Coastal Bluff Habitat Restoration Program and Protection Policy</p> <ul style="list-style-type: none"> • Coastal Bluff Scrub Protection. Site and design new development or major remodels/expansions along the City coastal bluffs (including access, drainage, and landscape improvements) to: (1) minimize impacts to coastal bluff scrub habitat; (2) include provisions for habitat restoration of coastal bluff scrub habitats where development creates direct or indirect impacts to the affected habitat; (3) provide compatible landscaping within 10 feet of the edge of the bluff or on the bluff face, consisting of appropriate native coastal bluff scrub species. • Coastal Bluff Restoration. Establish a goal to restore 5.0 acres of coastal bluff habitat over the 20-year life of Plan Santa Barbara. Work to increase the acreage of coastal bluff scrub through restoration projects on publicly-owned lands along Shoreline Park and the Douglas Family Preserve, and through providing education and assistance to private land owners to encourage the restoration of such habitats. 	
<p>SEA LEVEL RISE AND COASTAL BLUFF RETREAT (RM GEO-1)</p> <p>1.a. Siting of Development and Public Facilities</p> <p>Modify the Local Coastal Plan “Sea Cliff Retreat # 1” to read:</p> <ul style="list-style-type: none"> • Sea Cliff Retreat. “Bluff setbacks shall be adequate to address long-term erosion and slope stability issues. New development on top of a cliff shall be placed at a distance away from the edge of the cliff, such that potential accelerated rates of erosion and cliff material loss associated with climate change-induced sea level rise as projected by the State of California, or a site-specific geologic investigation that accounts for climate change, will minimize sea cliff-related impacts, and not seriously affect the structure during the expected lifetime. The design life of new structures is presumed to be a minimum of 75 years. Exact future rates of accelerated sea cliff retreat are unknown, but are currently projected to be 12 inches per year, potentially accelerating to 1 to 3 feet per year if sea level rise progresses. 	<p>Policy PS9 would include this measure as Implementation Action PS9.3.</p>

RECOMMENDED FEIR MITIGATION MEASURE	General Plan Policy Location
<p>The City recognizes the need for owners of threatened coastal properties to perform maintenance and modest improvements to threatened coastal homes and other facilities. The City’s goal is to minimize exposure of substantial new improvements to hazards of bluff retreat and avoid the need for installation of environmentally harmful coastal protection structures that could be requested to protect such improvements. To meet these goals, the following guidelines apply:</p> <ul style="list-style-type: none"> - Protection for existing structures shall first focus on techniques that avoid use of coastal protection structures including use of non-intrusive techniques such as drainage control, installation of drought tolerant landscaping, construction of cantilevered grade beam foundations, removal of threatened outbuildings, etc. - Relocation of threatened structures further inland on parcels shall be favored over installation of coastal protection structures. - The siting of new major improvements shall consider accelerated rates of sea cliff retreat associated with climate change-induced sea level rise as projected by the State of California, or a site-specific geologic investigation that accounts for climate change.” 	
<p>ACCIDENT RISKS (RM HAZ-1)</p> <ul style="list-style-type: none"> • EMF Development Setbacks. Continue application of prudent avoidance policy in siting development near transmission lines with adequate setbacks. • Monitor EMF Study. Continue to monitor scientific study of electromagnetic fields and update development policies as necessary. <p>HAZARDOUS MATERIALS (RM HAZ-2)</p> <ul style="list-style-type: none"> • Hazardous Materials Exposure Vapor Barrier Study. Conduct an engineering study on the use of vapor barriers as part of site development on properties next to sites with past contamination for further protection against potential vapor intrusion. Identify guidelines for the type and thickness of materials for specified foundation types, proper installation and construction techniques, and general area distances for application. 	<p>Policy PS8 would include this measure as implementation action PS8.2.</p>
<p>WILDFIRE HAZARDS (RM HAZ- 3)</p> <ul style="list-style-type: none"> • Water System Improvements for Fire Fighting. Evaluate the potential for additional water system improvements to assist in emergency preparedness and incorporate feasible measures into the City Capital Improvement Plan (partially implements Objective PS1). • Private Water Supplies for Fire Fighting. Encourage and assist homeowners in High Fire Hazard Areas to install their own emergency water supplies for fire fighting operations. Assistance could include expedited permit review. 	<p>These measures would be included as Policies PS15 and PS16.</p>

RECOMMENDED FEIR MITIGATION MEASURE	General Plan Policy Location
<p>FLOOD HAZARDS (RM HYDRO-1)</p> <ul style="list-style-type: none"> • Considerations for Creek Setback Standards. <ol style="list-style-type: none"> 1) At a given site, creek buffers should be adequate for protection from flood, erosion, and geologic hazards, and to provide habitat support. 2) In developing Creek setback and restoration standards, consider applicable creek standards in surrounding jurisdictions and the Santa Barbara County Flood Control District general recommendation for new development setbacks of 50 feet from the top of bank of major creeks with natural creek banks, with a reduction up to 25 feet where “hard bank” protection is present. • Creek Setbacks and Bank Stabilization. Consider a stated policy to codify the following existing general practices: <ol style="list-style-type: none"> 1) For new development that is closer than 50 feet to the top of the bank of any major stream, creek bank stabilization shall be provided through planting of native trees and shrubs on creek banks and along the top of banks to minimize erosion and the potential for bank failure. 2) When the City determines that a structure must be constructed within proposed creek setbacks or where a project would be exposed to unusually high risk of bank erosion or collapse, non-intrusive bank stabilization methods such as bio-engineering techniques (e.g., revegetation, tree revetment, native material revetment, etc.) shall be used where feasible rather than hard bank solutions such as rip-rap or concrete. 	<p>Implementation Action ER18.1 would be amended to include this measure.</p>
<p>IMPROVE WATER QUALITY AT AREA BEACHES (RM HYDRO-2)</p> <ul style="list-style-type: none"> • Pharmaceutical Waste Education and Collection. Continue coordination with the County of Santa Barbara and other agencies to establish and maintain an ongoing public education campaign and periodic drop-off collection days, focusing on proper disposal of pharmaceutical materials and other emergent contaminants of concern, to reduce the contaminants entering wastewater, storm drain, and solid waste systems. • Beach Water Quality Improvement. Consider actions for further improving water quality at East Beach, which could include: (1) a restoration plan for Lower Mission Creek/Laguna Channel, including the potential for a constructed wetland at the creek/ocean interface (refer also to Recommended Biological Resources measure RM BIO-3 for waterfront habitat and wildlife management); and/or (2) an ultraviolet treatment system to disinfect the flow within Laguna Creek during low flow periods (e.g., May-September) prior to entering the channel and discharging to the beach. • Watershed Action Plans. Continue work toward completion of Watershed Action Plans for Mission Creek, Sycamore Creek, Arroyo Burro Creek, and Laguna Watersheds. 	<p>Policy ER16 would include the following implementation actions as ER16.4, ER16.5, and ER16.6.:</p>

RECOMMENDED FEIR MITIGATION MEASURE	General Plan Policy Location
<p>MINIMIZE DEBRIS AND TRASH (RM HYDRO-3)</p> <ul style="list-style-type: none"> • Restrictions on Retailers’ Plastic Bags. The City shall implement a ban on the use of plastic bags for large retail establishments; such a ban could be modeled upon the regulation in San Francisco. 	<p>Policy ER16 would include the following implementation action as ER16.7.</p>
<p>COMMUNITY CHARACTER (RM VIS-2)</p> <ul style="list-style-type: none"> • Development Monitoring. Monitor the scale and pace of development within the City; take action to where transformative developments may occur along a block or corridor to guide development along that corridor. • Community Character Preservation: As part of any major new in-fill development or remodel, consider the context of the proposed structure in relation to surrounding uses and parcels along the entire block; ensure that the proposed development will not eliminate or preclude preservation of the key visual assets of the particular block or corridor, including landmark structures, structures of merit, potentially historic structures, key scenic view points that provide unique or important views to the surrounding hills, and specimen trees and other important visual resources. Require building design modifications as needed to preserve essential elements of the community character along that block or corridor. 	<p>Policy LG13 would include the following implementation actions as 13.2c and 13.2d.</p>
<p>IMPROVED JOBS/HOUSING BALANCE (RM POP-1)</p> <p>1.b. Job Creation</p> <ul style="list-style-type: none"> • Creation of Higher Wage Jobs. Emphasize programs, incentives, and land use changes that would prioritize creation of high-wage jobs in order to improve the balance between low-, middle-, and high-income wage employment opportunities. <p>IMPROVED JOBS/HOUSING BALANCE (RM POP-1)</p> <p>1.c. Locations for Affordable Housing</p> <ul style="list-style-type: none"> • Regional Coordination on Affordable Housing. Continue to coordinate with other South Coast agencies to identify available land for residential development and consider partnerships between local agencies to develop housing for the South Coast workforce. Inventory and consider publicly-owned sites throughout the South Coast’s urban areas with good transit accessibility for such development. 	<p>Add the following as Policy EF21.</p> <p>Policy H22 would include the following implementation action as H22.10:</p>
<p>INTERIOR NOISE REDUCTION HOME IMPROVEMENT PROGRAM (RM SOCIO-1)</p> <ul style="list-style-type: none"> • Financial incentive for environmental justice populations. The City should establish a financial incentive program designed to provide low-interest loans to allow environmental justice populations located in high noise areas to construct noise control improvements to reduce indoor noise levels below 45 dBA CNEL. 	<p>Policy PS11 would include the following implementation action as PS11.3.</p>



Agenda Item No. _____

File Code No. 440.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 26, 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 and Supervisory bargaining units, and regarding discussions with unrepresented management and confidential employees 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