

CITY OF SANTA BARBARA CITY COUNCIL

Helene Schneider
Mayor
Bendy White
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Randy Rowse
Ordinance Committee Chair
Gregg Hart
Finance Committee Chair
Jason Dominguez
Frank Hotchkiss
Cathy Murillo



Paul Casey
City Administrator

Ariel Pierre Calonne
City Attorney

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

OCTOBER 4, 2016 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: If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, please contact the City Administrator's Office at 564-5305. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

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.santabarbaraca.gov/citytv for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. Subject: Employee Recognition - Service Award Pins (410.01)

Recommendation: That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through October 31, 2016.

2. Subject: Proclamation Declaring October As National Community Planning Month (120.04)

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

3. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of September 20, 2016.

CONSENT CALENDAR (CONT'D)

4. **Subject: Introduction Of Ordinance For A License Agreement With Southern California Gas Company For Meter Data Collector Units On Streetlights (530.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a 20-Year License Agreement with Southern California Gas Company, for the Operation of Advanced Meter Data Collector Units on City Street Lights at Nine Separate Locations Throughout the City.

5. **Subject: Introduction Of An Ordinance For A Lease Agreement With Nature's Own Gallery, Inc. (570.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute a Lease Agreement with Nature's Own Gallery Inc., Located at 217 Stearns Wharf, Suite C, Commencing Upon the Effective Date of the Enabling Ordinance.

6. **Subject: Introduction Of An Ordinance To Approve An Amendment To The Lease Agreement With West Marine Products, Inc. (570.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute an Amendment to Lease Agreement No. 22,237 with West Marine Products, Inc., Located at 132-C Harbor Way Commencing Upon the Effective Date of the Enabling Ordinance.

7. **Subject: Approval Of Purchase Order Increase For Automatic Gate And Overhead Door Maintenance At Various City Fire Stations (700.08)**

Recommendation: That Council approve an increase of the City's Purchase Order with Vortex Industries, Inc., by \$15,000, for a total Purchase Order amount of \$50,000, to pay for emergency work done on City gates and overhead doors.

CONSENT CALENDAR (CONT'D)

8. Subject: Contract For Design Of Runway 7-25 Rehabilitation (560.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Tartaglia Engineering in the amount of \$385,334 for design services of the Runway 7-25 Rehabilitation project, and authorize the Public Works Director to approve expenditures of up to \$38,000 for extra services of Tartaglia Engineering that may result from necessary changes in the scope of work.

9. Subject: Contract For Construction For ADA Compliant Gangway At Sea Landing (570.03)

Recommendation: That Council:

- A. Award a contract with Hanley General Engineering Corporation, in their low bid amount of \$140,790 for construction of an ADA Compliant Gangway at Sea Landing, Bid No. 3832; and authorize the Waterfront Director to execute the contract and approve expenditures up to \$14,100 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment; and
- B. Authorize the appropriation of an additional \$41,000 from Waterfront Capital Fund reserves for an ADA Compliant Gangway at Sea Landing.

10. Subject: Appropriation Of Asset Forfeiture Funds For The Purchase Of Equipment For Narcotics Enforcement (520.04)

Recommendation: That Council appropriate \$20,000 in the Fiscal Year 2017 Police Department Police Asset Forfeiture and Grants Fund that is available from asset forfeiture reserves for the purchase of equipment for narcotics enforcement.

11. Subject: Donation Of Equipment From The Santa Barbara Police Foundation (520.04)

Recommendation: That Council accept a donation of fifty (50) fire retardant brush jackets valued at \$9,200 from the Santa Barbara Police Foundation to be used in wild-land fire incidents.

CONSENT CALENDAR (CONT'D)

NOTICES

12. The City Clerk has on Thursday, September 29, 2016, 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

CITY ADMINISTRATOR

13. **Subject: Options To Update Smoking Ordinances Regarding Prohibited Smoking Areas And Tobacco Retailing (800.07)**

Recommendation: That Council provide direction to staff on whether to work with the Ordinance Committee to prepare amendments to the smoking ordinance to expand areas where smoking is prohibited under Municipal Code Section 9.20 on Smoking Prohibited in Certain Public Areas and Section 9.21 on Regulation of Tobacco Retailers.

POLICE DEPARTMENT

14. **Subject: Police Department Update (520.04)**

Recommendation: That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

PUBLIC COMMENT (IF NECESSARY)

ADJOURNMENT



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016
TO: Mayor and Councilmembers
FROM: City Administrator's Office
SUBJECT: Employee Recognition – Service Award Pins

RECOMMENDATION:

That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through October 31, 2016.

DISCUSSION:

The City appreciates the loyalty to the community and the dedication to public service that are demonstrated by City employees throughout the organization every day. Since 1980, the City Employees' Recognition Program has recognized length of City Service. Service award pins are presented to employees for every five years of service. Those employees achieving 25 years of service or more are eligible to receive their pins in front of the City Council.

Attached is a list of those employees who will be awarded pins for their service through October 31, 2016.

ATTACHMENT: October 2016 Service Awards
PREPARED BY: Nicole Grisanti, City Administrator's Office Supervisor
SUBMITTED BY: Kristine Schmidt, Administrative Services Director
APPROVED BY: City Administrator's Office

October 2016 SERVICE AWARDS

October 4, 2016 Council Meeting

5 YEARS

Eric Davis, Police Officer, Police Department

Joseph Velasquez, Water Distribution Operator in Training, Public Works Department

10 YEARS

Justin Cruz, Police Officer, Police Department

Hammurabi "Rabi" Days, Water Distribution Supervisor, Public Works Department

Michael Hollis, Police Officer, Police Department

Todd Montag, Police Officer, Police Department

Ethan Ragsdale, Police Officer, Police Department

Margaret Styczynski, Parking Enforcement Officer, Police Department

Richard Washington, Police Officer, Police Department

15 YEARS

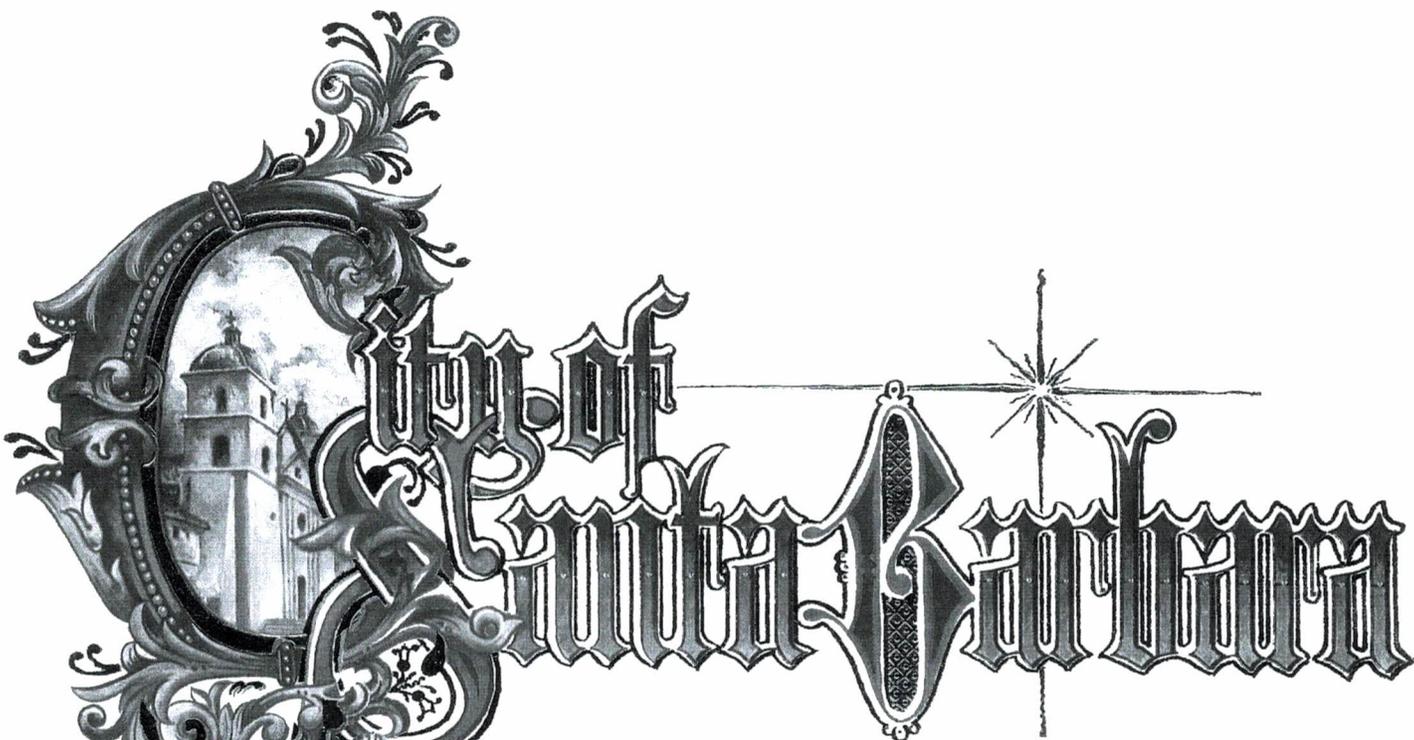
John Bull, Network Analyst, Administrative Services Department

Ramon Perez, Custodian, Parks and Recreation Department

25 YEARS

John Ewasiuk, Principal Engineer, Public Works Department

Robert Dayton, Principal Transportation Planner, Public Works Department



PROCLAMATION

NATIONAL COMMUNITY PLANNING MONTH

October 2016

*WHEREAS, the American Planning Association (APA) and its professional institute, the American Institute of Certified Planners, celebrate **National Community Planning Month** each October; and*

WHEREAS, the City of Santa Barbara has a long history of protecting and preserving its special qualities, beautiful views, architectural character, sense of place, and environment; and

WHEREAS, the City of Santa Barbara is widely recognized as a desirable place to live, work and visit; and

WHEREAS, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of our community, while respecting the past; and

WHEREAS, the full benefits of community planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

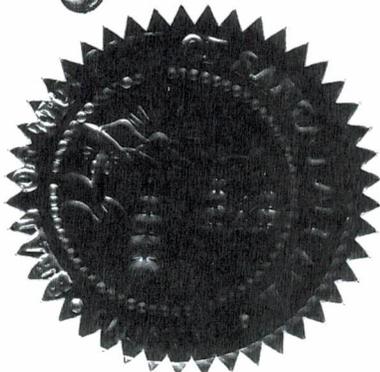
*AND WHEREAS, the celebration of **National Community Planning Month** gives us the opportunity to publicly recognize the participation and dedication of the professional planning community, members of the Planning Commission and other resident professional planners who have contributed their time and expertise to the improvement 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, California, do hereby declare October as **National Community Planning Month** in Santa Barbara.*

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 4 day of October 2016.

HELENE SCHNEIDER

Mayor





CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING September 20, 2016 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Jason Dominguez, Gregg Hart, Frank Hotchkiss, Cathy Murillo, Randy Rowse, Bendy White, Mayor Schneider.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Pierre Calonne, Deputy City Clerk Deborah L. Applegate.

CHANGES TO THE AGENDA

City Administrator Casey stated that the following item was being removed from the Agenda:

Item Removed From Agenda

1. **Subject: Minutes**

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of September 6, 2016.

PUBLIC COMMENT

Speakers: Phil Walker; Philip Marteney; Bryan Stephenson; Michael Cordero, Casmali Lopez; Marcus Lopez, Baibaveno Chumash Council; Nancy Caponi, Standing Rock Coalition; Alicia Cordero, Wishtoyo Chumash Foundation; Solange Aguilar, Santa Barbara Standing Rock Coalition; Charisse Cordero, Santa Barbara Standing Rock Coalition.

CONSENT CALENDAR (Items 2 – 12)

The title of the ordinance and resolutions related to the Consent Calendar items were read.

Motion:

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

Vote:

Unanimous roll call vote.

2. Subject: Adoption of Ordinance For Advertising Concession Agreement With Clear Channel Airports (330.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Airport Director to Execute a Concession Agreement With Interspace Services Inc., dba Clear Channel Airports, Effective Upon the Adoption of the Enabling Ordinance, to Manage Advertising Sales at Santa Barbara Airport.

Action: Approved the recommendation; Ordinance No. 5768; Agreement No. 25,704.

3. Subject: Statement Of Investment Policy And Delegation Of Investment Authority For Fiscal Year 2017 (260.01)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the Investment Policy for the City and Rescinding Resolution No. 15-075.

Action: Approved the recommendation; Resolution No. 16-058 (September 20, 2016, report from the Finance Director).

4. Subject: Funding Recommendations For Community Events And Festivals And Annual Contract With The Santa Barbara County Arts Commission (230.02)

Recommendation: That Council:

- A. Review and approve the City of Santa Barbara Arts Advisory Committee and Community Events and Festivals Committee funding recommendations for Fiscal Year 2017; and
- B. Authorize the City Administrator to execute an agreement with the Santa Barbara County Arts Commission in the amount of \$475,000 as approved in the Fiscal Year 2017 budget.

Action: Approved the recommendations; Agreement No. 25,696 (September 20, 2016, report from the Assistant to the City Administrator).

5. Subject: Mills Act Historic Property Contracts For The Charles Pressley House, The Olives House, And The Anderson House (640.06)

Recommendation: That Council:

- A. Grant exceptions to Mills Act contract limits for assessed property valuation, pursuant to Santa Barbara Municipal Code §22.22.160.C.4.m. for a designated City Landmark at 2210 Hudson Drive (APN 041-316-006), a designated City Landmark at 2121 Garden Street (APN 025-252-003), and a designated Structure of Merit at 1919 Santa Barbara Street (APN 025-381-007); and
- B. Authorize the Community Development Director to execute the three Mills Act historic property contracts.

Action: Approved the recommendations; Agreements Nos. 25,697; 25,698; and 25,699. (September 20, 2016, report from the Community Development Director).

6. Subject: Contract For Design Of Light Industrial Buildings On 6100 Hollister Avenue (560.04)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a City Professional Services contract with Kupiec Architects PC in the amount of \$266,025 for final design services of the 6100 Hollister Avenue Development Project, and authorize the Public Works Director to approve expenditures of up to \$27,000 for extra services of Kupiec Architects PC that may result from necessary changes in the scope of work;
- B. Increase revenues and appropriations by \$8,683,341 in the Airport Development Fund for Commercial/Industrial Area Development to be funded from the net proceeds of the sale of 7.99 acres of Airport property to Direct Relief; and

(Cont'd)

6. (Cont'd)

- C. Transfer \$691,505 from the Airport Development Fund to the Airport Operating Fund, and authorize the necessary budget adjustments necessary for this transfer, for reimbursement of Commercial/Industrial Area Development expenditures incurred prior to the sale of Airport property.

Action: Approved the recommendations; Agreement No. 25,700 (September 20, 2016, report from the Public Works Director).

7. Subject: Contract For Design Of El Estero Wastewater Treatment Plant Solids Handling Process Improvements Project (540.13)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Carollo Engineers, Inc., in the amount of \$299,940 for design services of the El Estero Wastewater Treatment Plant Solids Handling Process Improvements Project, and authorize the Public Works Director to approve expenditures of up to \$29,994 for extra services of Carollo Engineers, Inc., that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 25,701 (September 20, 2016, report from the Public Works Director).

8. Subject: Resolution To Formally Dedicate A Public Street Easement For La Vista Del Oceano Drive (530.04)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Dedicating an Easement for Public Street Purposes Covering Portions of City-Owned Real Property Underlying the Improved Street Known as "La Vista Del Oceano Drive" Northerly of Cliff Drive and Northerly and Easterly of Ricardo Avenue.

Documents:

- September 20, 2016, report from the Public Works Director.
- Proposed resolution.

The title of the resolution was read.

Speakers:

Members of the Public: Oceano Property Owners, Inc.: Barbara Levi, Gary Elkins.

Action: Approved the recommendation; Resolution No. 16-059 (September 20, 2016, report from the Public Works Director).

9. Subject: Amendment To Professional Service Agreements Associated With El Estero Wastewater Tertiary Filtration Plant (540.13)

Recommendation: That Council:

- A. Authorize the Public Works Director to execute an amendment to Professional Service Agreement No. 21600223 with Trussell Technologies, Inc., to increase services for operational support for recycled water facility modifications, and increase the contract by \$149,524, for a total not to exceed amount of \$184,480;
- B. Authorize the City Attorney to execute an amendment to Legal Services Agreement No. 21600241 with Morris Polich & Purdy, LLP, to increase the contract amount by \$165,000 for a total not to exceed amount of \$200,000, for provision of legal services for potential litigation associated with the El Estero Wastewater Tertiary Filtration Project; and
- C. Approve a transfer of funds from Water Fund reserves to the Water Capital Fund in the amount of \$314,524, and amend the budgets in each funds accordingly, to cover the additional costs associated with the amended professional service agreements for the El Estero Wastewater Tertiary Filtration Plant.

Action: Approved the recommendations; Agreement Nos. 25,702 and 25,703 (September 20, 2016, report from the Public Works Director).

10. Subject: Funding For The Chase Palm Park Restroom Renovation Project (570.05)

Recommendation: That Council allocate \$48,647 from the Park Infrastructure and Safety Capital Improvement Program (CIP) Project to the Park Restroom Renovation Program in the Capital Outlay Fund.

Action: Approved the recommendation. (September 20, 2016, report from the Parks and Recreation Director).

NOTICES

- 11. The City Clerk has on Thursday, September 15, 2016, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
- 12. Receipt of communication advising of vacancies created on the Neighborhood Advisory Council with the resignation of Abbey Fragosa and on the Community Development and Human Services Committee with the resignation of Zahra Nahar-Moore. These vacancies will be part of the current recruitment.

This concluded the Consent Calendar.

REPORT FROM THE FINANCE COMMITTEE

Finance Committee Chair Hart reported that the Finance Committee met to hear a report on the investment policy and delegation of investment authority for Fiscal Year 2017. The Finance Committee recommended forwarding the ordinance to the City Council for introduction and subsequent adoption. The Committee also reviewed a report on the City's Retirement Policy.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

PUBLIC WORKS DEPARTMENT

13. Subject: Stage Three Drought Update And Council Input On Potential New Regulations And Development Restrictions (540.05)

Recommendation: That Council receive an update on the status of the current drought, ongoing drought-response Capital Improvement Projects, projected supply shortages, and provide input on potential additional water use and development restrictions.

Documents:

- September 20, 2016, report from the Public Works Director and Community Development Director.
- PowerPoint presentation prepared and made by Staff.
- September 20, 2016, letter from John A. Norwood.
- September 20, 2016, letter from Anna Marie Grott.

Speakers:

- Staff: Water Resources Manager Joshua Haggmark; City Planner Renee Brooke; Water Conservation Supervisor Madeline Ward; Public Works Director Rebecca Bjork.
- Members of the Public: Lindsey Baker; Phil Walker; Tom Williams; Sheila Lodge; Anna Marie Grott, Allied Neighborhood Association; Art Ludwig.

Discussion:

Staff's presentation included status on Lake Cachuma water supply, the current water supply strategy, a proposed water supply strategy, and proposed demand management strategy. Staff addressed the need for further conservation and revenue impacts. Other water saving measures discussed included rationing, other water use restrictions, drought impact fees, and continuation of rebates for replacement of turfgrass with water wise landscaping. Councilmembers' gave direction to staff to return with more details on rationing, drought impact fee, and a turf watering moratorium.

13. (Cont'd)

Motion: Councilmember Murillo brought a motion to direct staff to develop a Drought Impact Fee Program.

Vote: Motion died for lack of a second.

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Murillo reported on her attendance at: 1) the Westside Community Groups where they are starting a Neighborhood Watch Program and addressing parking concerns; 2) the recent Neighborhood Advisory Council meeting; and 3) the Latino Elder Outreach Network (LEON) event, Dia De Los Abuelos ("The Day of the Grandparent") Luncheon.
- Councilmember White reported on his attendance at the recent meeting of the Cachuma Operation and Maintenance Board where the discussion focused on looking at the management of Lake Cachuma over the next fifty (50) years.
- Councilmember Hotchkiss reported on his attendance at the Santa Barbara Airport (SBA) Triennial Full-Scale Disaster Drill exercise. He stated the purpose of the drill was for mutual aid partners and emergency response organizations to gain practice and preparedness for a response in the event of a major aircraft disaster. The live exercise was conducted in compliance with Federal Aviation Administration requirements.
- Councilmember Dominguez reported on his attendance at Latino Elder Outreach Network (LEON) event, Dia De Los Abuelos Luncheon and the recent meeting of Path Neighborhood Partnership (formerly known as Milpas Action Task Force).
- Mayor Schneider reported she attended the rededication ceremony of the Crescent Crossing where the landmark train station site was chosen as the new location for the art structure. She also reported her attendance at the recent Los Angeles-San Diego Rail Corridor Agency (LOSSAN) meeting, as the Santa Barbara County Association of Governments representative. She also congratulated El Carrillo, a permanent and affordable living facility created by the Housing Authority of the City of Santa Barbara and PathPoint, on its ten (10) year anniversary.

CLOSED SESSIONS

14. **Subject: Conference with City Attorney - Pending Litigation (160.03)**

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Herrera, Jesus Reyes v. COSB, et al.*, USDC Case No. 2:15-CV-08402 DMG(PLAx)

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

(Cont'd)

14. **(Cont'd)**

Documents:

September 20, 2016, report from the City Attorney.

Time:

5:00 p.m. – 5:10 p.m. Councilmember Hart was absent.

No report was made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 5:10 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
DEBORAH L. APPEGATE
DEPUTY CITY CLERK



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Introduction Of Ordinance For A License Agreement With Southern California Gas Company For Meter Data Collector Units On Streetlights

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving a 20-Year License Agreement with Southern California Gas Company, for the Operation of Advanced Meter Data Collector Units on City Street Lights at Nine Separate Locations Throughout the City.

DISCUSSION:

Southern California Gas Company (The Gas Company) is currently implementing its Advanced Meter Program which includes network communications devices called Data Collector Units (DCUs). These DCUs are necessary to wirelessly transmit gas meter data as authorized by the Public Utilities Commission and the City of Santa Barbara Franchise Agreement. The Gas Company is currently in the final stages of permitting for construction to take place later this year. The locations that will have DCUs were approved at the Architectural Board of Review between November 10, 2014, and February 16, 2016.

In order to reduce the number of new pole installations in the City's Public right of way, some of The Gas Company's Advanced Meter Facilities (AMFs) will be installed on City-owned street light poles. The Gas Company's AMFs consist of network communication devices, including DCUs, antennae, and/or radio frequency local area network devices for extended data signal range. The DCUs themselves are relatively small, approximately two square feet, and the antennae need to be placed up in the air. An example DCU and associated antennae installation is shown in photographs on Attachment 1. The Gas Company has identified nine locations to provide network coverage throughout the City (see Attachment 2).

Since the License Agreement (Agreement) allowing DCUs on City street light poles exceeds a 5 year period, the adoption of an Ordinance is necessary.

Certain conditions are proposed in the Agreement which include the following:

- The term of this Agreement shall be for a period of 20 years from the date the Agreement is fully executed, unless terminated earlier by either party. The Gas Company shall remove all of the AMFs within 180 days after termination, at its sole expense.
- The Gas Company shall pay a one-time fee of \$780 per location to the City, prior to issuance of the permit to construct or install any of the AMFs on any City street light location. This fee is primarily for City staff time for processing and managing the Agreement.
- The City will need to enter into a separate agreement with Southern California Edison (SCE) for the unmetered electric service to the AMFs. The Gas Company will be responsible for paying a one-time fee to the City as reimbursement for the electricity usage and associated billings from SCE. The fee is calculated using an estimated power consumption times SCE's wireless technology rate applicable to the energy usage. The final fee is currently being calculated by SCE but is estimated to be around \$200 per location for the full term of the Agreement.
- The City shall not bear any cost to repair or move the AMFs due to maintenance, replacement, removal, or relocation of its street light poles.

ENVIRONMENTAL REVIEW

Given the relatively small volume of the DCUs, the installation of new DCUs on existing City street lights is considered a minor alteration to existing public structures. The addition of these units to existing street lights has been determined to be a negligible expansion of the existing use. Therefore, the proposed installation of nine (9) DCUs on existing City street lights at separate locations throughout the City has been deemed exempt from further environmental review pursuant to Section 15301 of the California Environmental Quality Act Guidelines.

Council approval of this Ordinance will authorize the Public Works Director to execute this Agreement.

ATTACHMENTS: 1. Pictures of Example Data Collector Unit
2. Data Collector Unit Network Deployment Map

PREPARED BY: Adam Hendel, Principal Civil Engineer/MJC/kts

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office

Data Collector Units



Installation Sites

April 18, 2016

SoCalGas Site ID	Pole Tag Number	Site Location	Latitude	Longitude
PI035-B	2047	<ul style="list-style-type: none"> • On State Street, North of 3939 State Street • 193 feet East of East curb face of Calle Real • 2 feet South of South curb face of State Street 	34.44028935	-119.75341
PI3029-C	2029	<ul style="list-style-type: none"> • On W. Carrillo Street. South side of intersection of Carrillo and Chino Street • 35 feet West of East curb face of Chino Street • 2 feet South of South edge of pavement of Carrillo Street 	34.414451	-119.712756
PI3030-B	00353	<ul style="list-style-type: none"> • On Cota Street. • 208 feet North of the North curb face of Anacapa Street • 1 foot East of the East curb face of Cota Street 	34.41928	-119.69509
PI3032-B	817	<ul style="list-style-type: none"> • On Milpas Street. South of 826 Milpas Street. • 110 feet East of East curb face of Canon Perdido • 2 feet North of North curb face of Milpas Street 	34.429873	-119.69004
PI5053-A	1761	<ul style="list-style-type: none"> • On San Nicholas Avenue. East of 113 San Nicholas Avenue • 225 feet North of North curb face of Shorline Drive • 2 feet West of West curb face of San Nicholas Avenue 	34.397214	-119.708381
PI5060-B	1734	<ul style="list-style-type: none"> • On Cliff Drive. West of 2938 Cliff Drive • 1170 feet West of West edge of pavement of Las Positas Road • 2 feet North of North curb face of Cliff Drive 	34.40310185	-119.723519
PI5210-B	1335	<ul style="list-style-type: none"> • On Augusta Lane. North of 5 Augusta Lane • 37 feet South of South edge of pavement of Alston Road • 2 feet East of East curb face of Augusta Lane 	34.430897	-119.662168
PIx001-D	1973	<ul style="list-style-type: none"> • On Portesuello Avenue. 23 feet North of the North curb face of Vista Del Campo • 115 feet South of the South curb face of Monterey Street • 1 foot West of the West curb face of Portesuello Avenue 	34.42235	-119.72888
PIx0691_01_N-C	N/A	<ul style="list-style-type: none"> • On Santa Barbara Street. Southeast of 1501 Santa Barbara Street • 23 feet Southeast of the Southeast curb face Micheltorina Street • 2 feet Southwest of the Southwest curb face of Santa Barbara Street 	34.42819444	-119.705975



Legend

Planned Attachments

City

County



Advanced Meter - GIS
 Southern California Gas Co.
 Created by: Miriam Navarro

City of Santa Barbara
Data Collector Units
Network Deployment

0 0.25 0.5 Miles

Disclaimer: Southern California Gas Company (SCG) is providing this map as a courtesy and for general information purposes only. It does not represent that the information contained herein is accurate for any particular purpose, and therefore disclaims all warranties, expressed or implied, including the warranty of fitness for a particular purpose. Independent verification from experts is necessary for the time of any specific use. Recipient accepts full responsibility for any consequences associated with use of this information. These maps only indicate the general location of pipelines and should never be used as a substitute for calling Underground Service Alert at 811 at least two business days before digging and complying with the provisions of Govt. Code §4216, et seq.

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING A 20-YEAR LICENSE AGREEMENT WITH SOUTHERN CALIFORNIA GAS COMPANY, FOR THE OPERATION OF ADVANCED METER DATA COLLECTOR UNITS ON CITY STREET LIGHTS AT NINE SEPARATE LOCATIONS THROUGHOUT THE CITY

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara approving a 20-Year License Agreement with Southern California Gas Company, for the operation of advance meter data collector units on City street lights at nine separate locations throughout the City, effective for a period of 20 years from the date the License Agreement is fully executed, unless sooner terminated by either party.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Introduction Of An Ordinance For A Lease Agreement With Nature's Own Gallery, Inc.

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute a Lease Agreement with Nature's Own Gallery Inc., Located at 217 Stearns Wharf, Suite C, Commencing Upon the Effective of the Enabling Ordinance.

DISCUSSION:

The Marshall family has owned Nature's Own through their family corporation since 1981. The business is managed by Jon Marshall, who staffs the store on a daily basis.

The business terms of the proposed lease are as follows:

- **Term:** Five-year term, with one five-year option
- **Base Rent:** An average of \$ 2,221 per month (\$5.25 p.s.f.), adjusted seasonally
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI)
- **Permitted Uses:** Primary Specialty: Tenant shall use the Premises as a store carrying shells, minerals, fossils and related products. Secondary Specialty: Tenant shall also use the Premises for the sale of gifts that are found in nature-related stores, such as nature rocks, science-related items, environmental items and prehistoric to modern day sculptures of animals, birds and fish made of wood, plastic and metal, jewelry with shell, rock and mineral content, and souvenirs, limited to a maximum of twenty percent (20%) of inventory display area. Tenant may carry one model of T-shirt and sweatshirt that carries a design/logo featuring the name of the shop.
- **Percentage Rent:** 10% of Tenant's Gross Receipts

Nature's Own is considered by the Department to be a tenant in good standing as they are always prompt with rent payments, are active members of the Stearns Wharf Business Association, and have no lease compliance problems on file.

The Harbor Commission recommended approval of the lease agreement for Nature's Own at the August 18, 2016, meeting.

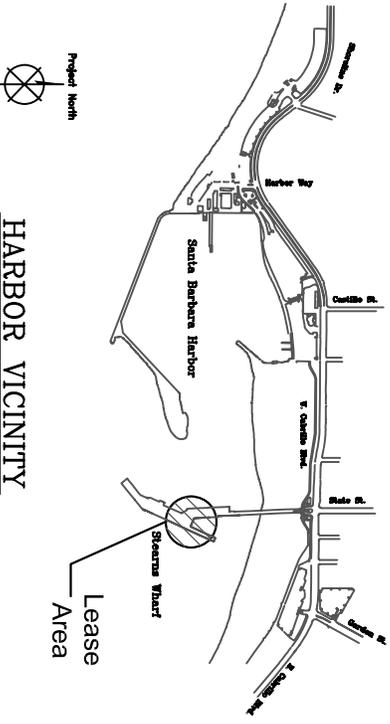
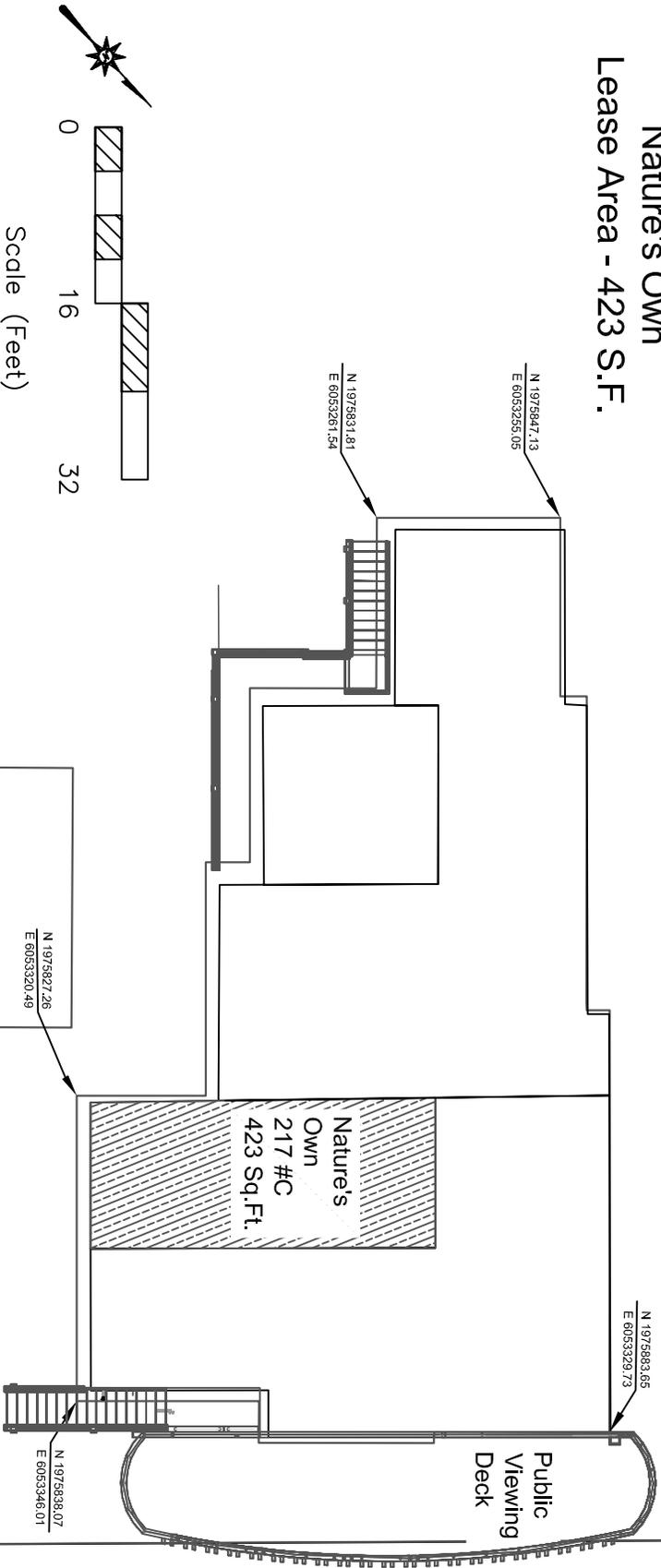
ATTACHMENT: Site Plan

PREPARED BY: Brian Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

First Floor Plan
 Old Wharf Building
 217 #C Stearns Wharf
 Nature's Own
 Lease Area - 423 S.F.



HARBOR VICINITY

NTS

Exhibit A: Lease Area

Nature's Own

REVISIONS

DATE:	04/11/06	APPROVED BY:	S. Roldman	DRAWN BY:	J.L.
ADDRESS:	217 #C Stearns Wharf			SHEET NO.	1 of 1
				DRAWING NO.	2170-012

City of Santa Barbara
 Waterfront Department

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AND AUTHORIZING THE WATERFRONT DIRECTOR TO EXECUTE A LEASE AGREEMENT WITH NATURE'S OWN GALLERY, INC., LOCATED AT 217 STEARNS WHARF, SUITE C, COMMENCING UPON THE EFFECTIVE DATE OF THE ENABLING ORDINANCE

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara Approving and authorizing execution of a 5-Year Lease and one 5-year option with Nature's Own Gallery, Inc., doing business as Nature's Own, Effective November 11, 2016, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016

TO: Mayor and Councilmembers

FROM: Business Services Division, Waterfront Department

SUBJECT: Introduction Of An Ordinance To Approve An Amendment To The Lease Agreement With West Marine Products, Inc.

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute an Amendment to Lease Agreement No. 22,237 with West Marine Products, Inc., Located at 132-C Harbor Way Commencing Upon the Effective Date of the Enabling Ordinance.

DISCUSSION:

West Marine Products, Inc. (West Marine) bought the Chandlery business and assumed control of the lease through the lease assignment process in June 2002. West Marine then entered into the current lease, Lease Agreement 22,237, in November 2006. The current option is due to expire in November 2016.

West Marine is committed to maintaining a presence at the Harbor and recently approached the Waterfront Department with a request to amend their current lease to extend the lease term. Staff believes it is important to maintain a retail boat supplies dealer in the Harbor as an 'anchor' tenant and West Marine fits that role.

The basic lease terms of the proposed amendment to the West Marine lease are as follows:

- **Term:** Ten-year initial term with two, five-year options
- **Base Rent:** Average base rent of \$8,303 per month (\$1.94 p.s.f.).
- **Annual Rent Adjustment:** Cost of Living increases based on the Consumer Price Index (CPI).

All other provisions of Lease Agreement 22,237 remain the same.

Council Agenda Report
Introduction Of An Ordinance To Approve An Amendment To The Lease Agreement
With West Marine Products, Inc.
October 4, 2016
Page 2

The Harbor Commission recommended that City Council approve an amendment to the lease agreement, at their September 15, 2016, meeting.

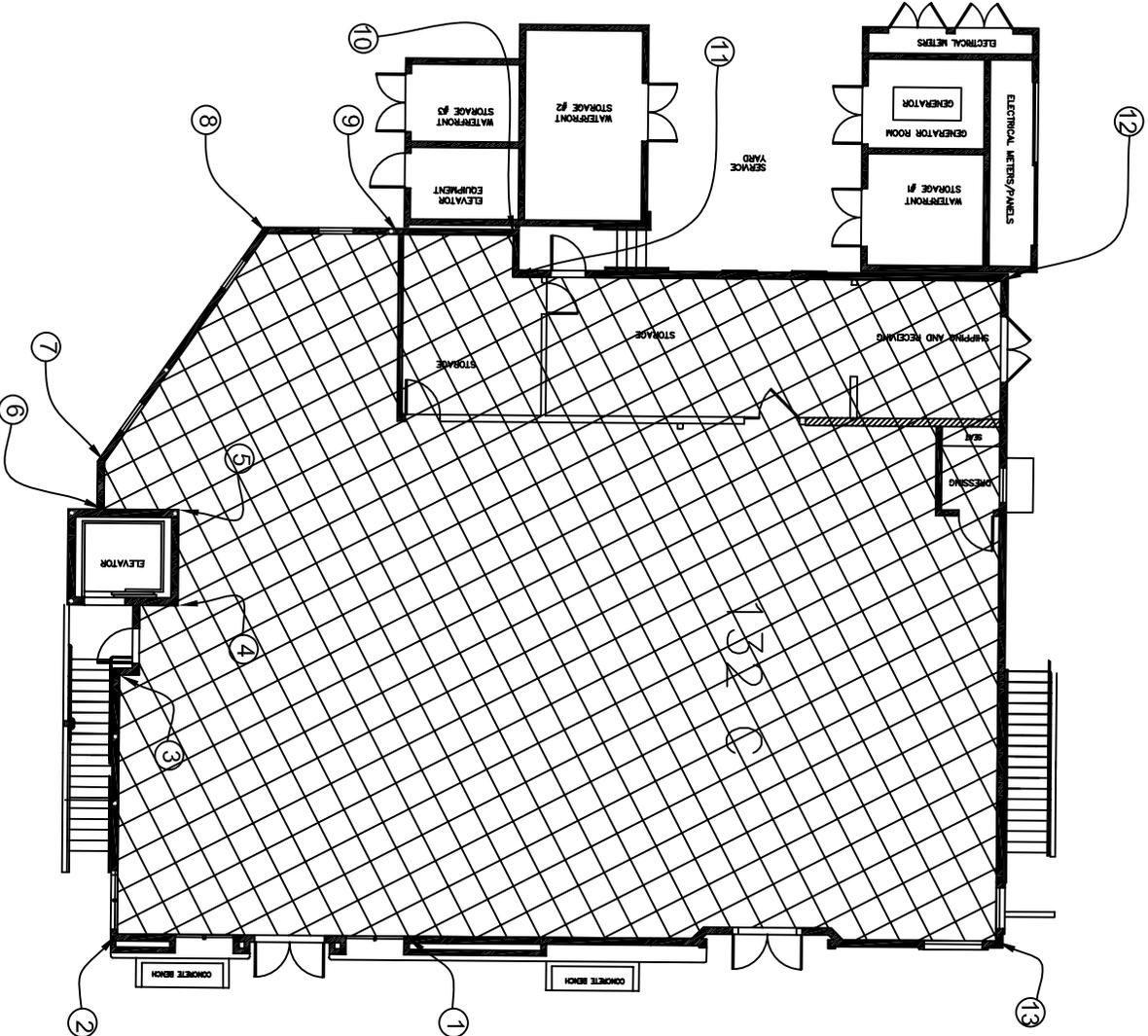
ATTACHMENT: Site Plan

PREPARED BY: Brian Bosse, Business Services Manager

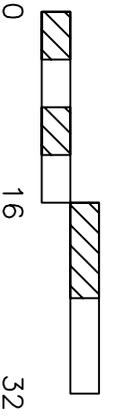
SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

132 "C" Harbor Way
 Lease Area = 4,258 S.F.



Corner #	Coordinate
1	N 1973588.3874 E 6051070.1306
2	N 1973571.5572 E 6051088.5196
3	N 1973555.0846 E 6051073.4432
4	N 1973554.0244 E 6051065.7079
5	N 1973547.9319 E 6051060.1318
6	N 1973543.5950 E 6051064.8704
7	N 1973540.5668 E 6051062.0989
8	N 1973535.3255 E 6051038.5231
9	N 1973542.9682 E 6051030.1727
10	N 1973549.6285 E 6051022.8956
11	N 1973552.2478 E 6051025.3175
12	N 1973580.6621 E 6050994.3013
13	N 1973622.6324 E 6051032.7142



Scale (Feet)

REVISIONS		DATE		APPROVED BY:		DRAWN BY:	
		5/4/04				L. Nelson	
		ADDRESS		132 Harbor Way		SHEET NO.	
		City of Santa Barbara		Waterfront Department		DRAWING NO.	
						1320-032	

Lease Area
 Exhibit A

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AND AUTHORIZING THE WATERFRONT DIRECTOR TO EXECUTE AN AMENDMENT TO LEASE AGREEMENT NO. 22,237 WITH WEST MARINE PRODUCTS, INC. LOCATED AT 132-C HARBOR WAY COMMENCING UPON THE EFFECTIVE DATE OF THE ENABLING ORDINANCE

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, an amendment to Lease Agreement #22,237, with West Marine Products, Inc., for the 4,258 square-foot retail location at 132-C Harbor Way, at a rate of \$8,303 per month, subject to annual Cost of Living increases, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016

TO: Mayor and Councilmembers

FROM: Facilities Division, Public Works Department

SUBJECT: Approval Of Purchase Order Increase For Automatic Gate And Overhead Door Maintenance At Various City Fire Stations

RECOMMENDATION:

That Council approve an increase of the City's Purchase Order with Vortex Industries, Inc., by \$15,000, for a total Purchase Order amount of \$50,000, to pay for emergency work done on City gates and overhead doors.

DISCUSSION:

In September of 2015, the City issued a Purchase Order (PO) to Vortex Industries, Inc., (Vortex) in the amount of \$10,000 for the maintenance of overhead doors and automatic gates at City facilities. Due to an unanticipated high frequency of failures this year, the PO had to be increased several times, to a total of \$35,000, which has been fully expended.

The Facilities Division is currently going out to bid for these maintenance services. During the bid process, several emergency failures of overhead doors occurred at various City fire stations, which have required immediate attention. Facilities staff had Vortex perform these emergency repairs and now has an outstanding balance of \$9,975.70. Staff is asking that Council approve the increase of the PO with Vortex by \$15,000, to cover the outstanding amount, as well as any future unexpected emergencies that might arise before the next PO is issued, for a total PO amount of \$50,000.

BUDGET/FINANCIAL INFORMATION:

There are sufficient appropriated funds in Facilities Maintenance Fund to cover this increase.

PREPARED BY: Jim Dewey, Facilities & Energy Manager/AP/mh
SUBMITTED BY: Rebecca Bjork, Public Works Director
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Design Of Runway 7-25 Rehabilitation

RECOMMENDATION:

That Council authorize the Public Works Director to execute a City Professional Services contract with Tartaglia Engineering in the amount of \$385,334 for design services of the Runway 7-25 Rehabilitation project, and authorize the Public Works Director to approve expenditures of up to \$38,000 for extra services of Tartaglia Engineering that may result from necessary changes in the scope of work.

DISCUSSION:

Project Description

The work consists of pavement and associated rehabilitation for the Airport's primary commercial runway. The surface of Runway 7-25 is beginning to deteriorate and is in need of rehabilitation to maintain the runway in good serviceable condition. The runway was last resurfaced in 2007. The rehabilitation effort is expected to include:

- Removal of the existing grooved surface by pavement grinding.
- Localized removal and reconstruction of failed areas.
- Crack fill and seal.
- Surface grade correction through variable depth surface grind.
- Construction of a variable thickness asphalt pavement overlay.
- Construction of a uniform thickness asphalt pavement surface course.
- Construct surface grade acceptable transitions at all connecting runways and taxiways.
- Creating a surface friction element through grooving of the completed surface.
- Applying new precision approach pavement markings.
- Installation of new runway edge light conduits, conductors, base cans, and fixtures.
- Adjustment of existing guidance signs to new grades.

Design Phase Consultant Engineering Services

Staff recommends that Council authorize the Public Works Director to execute a contract with Tartaglia Engineering (Tartaglia) in the amount of \$385,334 for design, and \$38,000 for potential extra services, for a total amount of \$423,334. Tartaglia is experienced in this type of work, and was selected as part of a Request for Proposals process.

Funding

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

	FAA GRANT	CITY SHARE	TOTAL
Design (by Contract)	\$393,701	\$29,633	\$423,334
<i>Design Subtotal</i>	\$393,701	\$29,633	\$423,334
Construction Contract	\$3,373,110	\$253,890	\$3,627,000
Construction Change Order Allowance	253,890	19,110	273,000
<i>Subtotal</i>	\$3,627,000	\$273,000	\$3,900,000
Construction Management/Inspection	\$186,000	\$20,000	\$206,000
<i>Subtotal</i>	\$186,000	\$20,000	\$206,000
<i>Construction Subtotal</i>	\$3,813,000	\$293,000	\$4,106,000
TOTAL PROJECT COST	\$4,206,701	\$322,633	\$4,529,334

The project is funded through a Federal Aviation Administration (FAA) grant with approximately 9% in local matching funds. There are sufficient appropriated funds in the Airport Operating Fund to cover the design cost of this contract.

A copy of the contract is available for public review at the City Clerk's Office.

PREPARED BY: Brian D'Amour, P.E., City Engineer/OT/sk

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016

TO: Mayor and Councilmembers

FROM: Facilities Division, Waterfront Department

SUBJECT: Contract For Construction For ADA Compliant Gangway at Sea Landing

RECOMMENDATION: That Council:

- A. Award a contract with Hanley General Engineering Corporation, in their low bid amount of \$140,790 for construction of an ADA Compliant Gangway at Sea Landing, Bid No. 3832; and authorize the Waterfront Director to execute the contract and approve expenditures up to \$14,100 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment; and
- B. Authorize the appropriation of an additional \$41,000 from Waterfront Capital Fund reserves for an ADA Compliant Gangway at Sea Landing.

DISCUSSION:

Tens of thousands of people visit Sea Landing every year. Access to the docks at Sea Landing is provided by a single, 35' long gangway. This gangway does not meet Americans with Disabilities Act (ADA) standards for access. The existing gangway is very steep at low tide making it difficult for some passengers to access the facility. In addition, the sidewalk is fenced off during cruise ship visits, requiring people interested in accessing the Rock Groin to walk on the sand around the fencing. Staff has recently completed designs for an additional ADA compliant gangway and an at-grade walkway placed on the sand east of Sea Landing to provide improved access during cruise ship visits.

ADA compliant gangways must be at least 80' long. Staff contracted with Moffat & Nichol Engineers to develop plans and specifications for a new gangway while allowing for possible expansion of the Sea Landing building and/or deck. The proposed location would be accessible from within the secured (fenced) area and land on a new dock to be constructed adjacent to the existing dock. This would allow for the separation of

cruise ship passengers using the new gangway and regular Sea Landing customers using the existing gangway.

Despite considerable interest from many contractors at the pre-bid job walk, only two bids were received. Hanley General Engineering Corporation submitted a low bid of \$140,790. Hanley's bid exceeds the engineer's estimate of \$122,000 but is still considered reasonable and adequate funds are available to proceed. Hanley is an experienced local contractor who has completed several marine related construction projects at the Waterfront.

A. Contract Bids

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

<u>Bidder</u>	<u>Bid amount</u>
Hanley General Engineering Corporation	\$140,790
Bellingham Marine Industries	\$206,618

The low bid of \$140,790, submitted by Hanley General Engineering Corporation is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

B. Funding

This project was funded as part of the Fiscal Year 2016 Capital Improvement Plan and subsequent budget adoption for \$125,000. After expenses related to project design, \$114,000 was carried over into Fiscal Year 2017 for construction. An additional \$41,000 is necessary to fully fund project construction. These funds are available in the Waterfront Capital Fund reserves.

The following summarizes the expenditures recommended in this report:

Construction contract funding summary

	Basic Contract	Change Funds	Total
Hanley	\$140,790	\$14,100	\$154,890
TOTAL RECOMMENDED AUTHORIZATION			\$154,890

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

Estimated Total Project Cost

Design (by Contract)	\$19,000
Subtotal	\$19,000
Construction Contract	\$140,790
Construction Change Order Allowance	\$14,100
Subtotal	\$154,890
Other Construction Costs (Permits, etc.)	\$1,500
Construction Management/Inspection (by Contract)	\$10,000
Subtotal	\$11,500
TOTAL PROJECT COST	\$185,390

PREPARED BY: Karl Treiberg, Waterfront Facilities Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016

TO: Mayor and Councilmembers

FROM: Investigative Division, Police Department

SUBJECT: Appropriation Of Asset Forfeiture Funds For The Purchase Of Equipment For Narcotics Enforcement

RECOMMENDATION:

That Council appropriate \$20,000 in the Fiscal Year 2017 Police Department Police Asset Forfeiture and Grants Fund that is available from asset forfeiture reserves for the purchase of equipment for narcotics enforcement.

DISCUSSION:

The Police Department uses nondescript vehicles as a tool in assisting in narcotics enforcement. One of the vehicles needs replacing due to mechanical failure. The estimated cost of a replacement vehicle is \$20,000. The Fire Department will use the old vehicle in their training.

The law permits law enforcement agencies to use the proceeds of asset forfeitures to purchase safe, more effective, equipment that they otherwise could not afford. The Police Department seeks to utilize asset forfeiture funds to purchase a necessary surveillance vehicle.

BUDGET/FINANCIAL INFORMATION:

The Police Asset Forfeiture and Grants Fund has sufficient reserve funds available for this purchase. No General Fund monies will be used in this purchase.

PREPARED BY: Alex Altavilla, Police Captain/LSP

SUBMITTED BY: Lori Luhnnow, Chief of Police

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016

TO: Mayor and Councilmembers

FROM: Patrol Division, Police Department

SUBJECT: Donation Of Equipment From The Santa Barbara Police Foundation

RECOMMENDATION:

That Council accept a donation of fifty (50) fire retardant brush jackets valued at \$9,200 from the Santa Barbara Police Foundation to be used in wild-land fire incidents.

DISCUSSION:

One of the important missions of the Santa Barbara Police Department is the protection and preservation of life in incidents of a critical or high-risk nature. One of the high-risk incidents that is common in the Santa Barbara area is wild-land fires. While suppression and structure protection duties fall to the City of Santa Barbara and County of Santa Barbara Fire Departments, police officers are often called on to assist with citizen evacuation, road blocks, and looting prevention.

The Santa Barbara Police Foundation is pleased to offer to purchase this life-saving equipment that will aid public safety during wild-land fire events.

BUDGET/FINANCIAL INFORMATION:

These items are being donated to the City of Santa Barbara and no City funds will be necessary.

PREPARED BY: William Marazita, Captain/LSP

SUBMITTED BY: Lori Luhnaw, Chief of Police

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Options to Update Smoking Ordinances Regarding Prohibited Smoking Areas and Tobacco Retailing

RECOMMENDATION:

That Council provide direction to staff on whether to work with the Ordinance Committee to prepare amendments to the smoking ordinance to expand areas where smoking is prohibited under Municipal Code Section 9.20 on Smoking Prohibited in Certain Public Areas and Section 9.21 on Regulation of Tobacco Retailers.

DISCUSSION:

During recent budget review hearings, Councilmembers expressed interest in expanding the public areas where smoking is prohibited. Last updated in 2002, the City's smoking ordinance is no longer consistent with State laws that now include more areas where smoking is prohibited and address electronic smoking devices and medical marijuana.

In 2002, the City updated its smoking laws to expand the number of outdoor areas where smoking is prohibited with a specific focus on restricting smoking in outdoor restaurant and bar seating areas. Smoking was further prohibited in service lines and boarding areas of public transit depots and bus stops. These amendments involved significant public input from the County Tobacco Prevention Control Program, Downtown Santa Barbara, the Old Town Bar and Restaurant Association, the California Restaurant Association, the California License and Beverage Association, the Metropolitan Transit District, and the Amtrak Railroad Depot. At that time, Council updated its smoking areas to achieve a balance between encouraging a smoke-free environment for the public and not posing a significant burden to the smoking public and businesses impacted by the ordinance.

In conjunction with the smoking ordinance update, a tobacco retail license was introduced to require businesses selling tobacco products to obtain an annual license. If a business was cited for selling tobacco products to minors, businesses would receive a warning letter initially and face suspension of the license for subsequent violations. There are currently 119 licensed tobacco retailers in the City, ranging from convenience stores to gas stations, paying a \$30 license fee on annual basis.

Options to Expand Smoking Restrictions

Many cities are updating their smoking laws to expand smoke-free areas and include emerging smoking issues. The American Lung Association releases grades each year on leadership in adopting policies to protect and improve community health. Santa Barbara received a “D” grade in this annual review. The Santa Barbara County Public Health Department recently prepared a summary of tobacco control restrictions in Santa Barbara County that shows different approaches by city (see Attachment). Based on a review of the Lung Association guidelines and laws in comparable or nearby cities, the following areas could be designated as smoke-free.

Area	Possible Areas to Prohibit Smoking	State Law
Dining Areas	All outdoor restaurant and bar seating areas at all times. Current ordinance allows smoking on 25% of outdoor seating for restaurants and bars and 100% of these areas after 10 p.m.	No restrictions on outdoor dining areas (indoor smoking is prohibited).
Entryways	Places within a certain distance of doors, windows, and other openings into enclosed areas where smoking is not allowed.	Smoking prohibited within 20 feet of entrances or windows of public buildings.
Public Events	Festivals, farmer’s markets, parades, concerts, and other events open to the public.	No restrictions.
Recreation Areas	Beaches, parks, sports fields, and recreation and library facilities. Current ordinance prohibits smoking in wildland urban interface areas. Through administrative authority, smoking is not allowed in library facilities or open space parks, including Franceschi, Hale, and Parma. Smoking is not allowed in the Douglas Family Preserve by Council-adopted Management Plan.	Smoking prohibited within 25 feet of playgrounds.
Waterfront Areas	Stearns Wharf and Harbor.	No restrictions.
Parking Structures and Lots	Parking structures and lots.	Smoking is prohibited in enclosed parking structures.
Sidewalks in Commercial Areas	Sidewalks in the downtown area, commercial corridors, and outdoor shopping centers.	No restrictions.
Worksites	Outdoor places of employment such as construction sites.	No restrictions.

Multi-unit Housing	Multi-unit apartment buildings and condominiums. Indoor and outdoor common areas of multi-unit housing. By Housing Authority policy, all multi-unit low income or senior housing units under the control of the Housing Authority, except El Carrillo are designated non-smoking.	Smoking prohibited in indoor common areas if considered places of employment.
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Options to Reduce Access to Tobacco Products

While Santa Barbara has an annual tobacco retail license fee of \$30 per establishment, Council can consider whether to update the license fee. Other communities have adopted higher tobacco retail license fees that help cover the cost of license administration, enforcement efforts, and compliance checks to ensure tobacco products are not sold to minors.

Council may also wish to consider other tobacco retail restrictions to prevent youth and other new users from accessing tobacco products, including but not limited to the following:

- Sale of tobacco products at pharmacies where health products are sold;
- Sale of individual cigars;
- Sale of flavored tobacco products; and
- Location of tobacco retailers within a designated distance from schools, youth centers, and parks.

Based on Council direction, staff will prepare appropriate amendments to smoking ordinances for review by the Ordinance Committee and return to Council to adopt ordinance amendments.

ATTACHMENT: Table of Tobacco Control Ordinances in Santa Barbara County, prepared by the Santa Barbara County Public Health Department, September 2016

PREPARED BY: Nina Johnson, Senior Assistant to the City Administrator

SUBMITTED BY: Paul Casey, City Administrator

APPROVED BY: City Administrator's Office



Table of Tobacco Control Ordinances in Santa Barbara County—September 2016

The table shows local laws restricting smoking/tobacco or electronic smoking device (ESD) use, sales or circumstances.

Legend: X = strong prohibition × = restriction has exceptions ~ = Only at Housing Authorities Exceptions are detailed on next page.

Jurisdiction	Effective Date	Products Restricted	Secondhand Smoke and/or Electronic Smoking Device (ESD) Emissions <i>Outdoor Areas Only</i>								Sales & Distribution of Tobacco/ESD Products			Other		Grades ALA Report Card	
			Dining Areas	Entryways (20 ft. or more)	Public Events	Recreation Areas	Service Areas	Sidewalks	Worksites	Multi-Unit Housing	Self-Service Display	Tobacco/ESD Shops	Tobacco Retail License	Smoke Drift	Nuisance		
										Inside Units	Outside Common Areas	State law 06/16 X if local		X = zoning near schools (1000 ft.)		The American Lung Association grades states and counties on tobacco control policies yearly.	
Carpinteria	2011	Tobacco	X	X	X	X	X	×	X		X	X	X	X	×	X	B
Santa Barbara City	2002	Smoking	×				X			~		X		×			D
Goleta	2014	Tobacco/ESD	×	×		×	X		X			X	X	X			C
Santa Barbara County (Unincorporated Areas)	2015	Tobacco/ESD	×	X	X	×	X			~	X	X	X	X	X		B
Buellton	2012	Tobacco/ESD	×	×		×	×					X					D
Solvang	2014											X					F
Lompoc	2014	Tobacco/ESD				×						X					F
Santa Maria	2014	Smoking/ESD		X		X						X					F
Guadalupe												X					F

Federal & state laws apply in all jurisdictions and as of June 6, 2016, these laws restrict or regulate all tobacco products, including electronic smoking devices (ESD).

Laws can be referenced at <https://www.cdph.ca.gov/programs/tobacco> & <http://sbcphd.org/tobacco> or contact (805)-681-5407 or phdtobacco@sbcphd.org.

Definitions

Dining Areas—defined as outdoor seating at restaurants, restaurant/bar combinations, stand-alone bars, etc.

- × **SB City:** Exempts bars; allows smoking at 25% of outdoor seating at restaurants & after 10 PM
- × **Goleta:** Exempts bars; allows tobacco and ESD use at 25% of outdoor seating at restaurants & after 10 PM
- × **SB County:** Except at bars, unless there is smoke or ESD emission drift to adjacent businesses and residences
- × **Buellton:** Exempts bars; allows smoking at 25% of outdoor seating at restaurants

Entryways—defined as within a certain distance of doors, windows, & openings into enclosed areas.

- × **SB City:** Employees may not smoke within a “reasonable distance” of doors/windows
- × **Goleta & Buellton:** No smoking, tobacco, or ESD use or ashtrays within 20 feet of places of employment and specific public places
- × **Santa Maria:** No smoking, tobacco or ESD use within 20 feet of public places & City parking areas, except by conditional use permit

Recreation Areas—defined as parks, beaches, trails, sports fields, etc.

- × **SB County & Goleta:** Smoking, tobacco, and ESD use is prohibited, except at camping parks (*Lake Cachuma and Jalama Beach*) and within 30 feet of ranger’s residences at these camping parks
- × **Buellton:** Smoking, tobacco, and ESD use prohibited at parks
- × **Lompoc:** Smoking, tobacco, and ESD use is prohibited, but the City Administrator can allow smoking in designated areas for events
- × **Santa Maria:** Smoking, tobacco and ESD use prohibitions at recreations areas and plazas.

Service Areas—defined as bus stops, transit centers, ATM, or retail lines, etc. *SB City law does not apply to free-standing benches.*

Public Events—defined as farmer’s markets, fairs, parades, festivals, etc.

Worksites—defined as outdoor working area, such as construction sites, etc.

Multi-Unit Housing—defined as shared air space in residential settings, like apartments or condos, etc. Smoke drift can be from inside neighboring units or adjoining balconies and/or from outdoor common areas, like pools or playgrounds, etc.

- ~ **SB City Housing Authority:** Smoking prohibited in publicly owned/operated housing, inside and out, except in designated areas & at a few exempted properties. Some of the exempted sites have opted to go smoke-free voluntarily. Vaporizing products are not regulated.
- ~ **SB County Housing Authority:** Smoking prohibited in publicly owned/operated units, but existing smokers are “grandfathered” in.
- Private Housing:** Numerous private properties have instituted smoke-free requirements, local examples are available.

Tobacco Retail License (TRL)—a local permit issued to a business owner that retails tobacco products. Local governments set fees for this permit and the conditions for its annual renewal, along with penalties for violating local or state tobacco-related laws. These can also be used to limit location of sites (i.e., ban near schools, youth centers, etc.), further define tobacco use inside, etc.

- × **SB City:** The TRL ordinance does not meet the criteria for an effective TRL. Its main shortfall is that the \$30 annual fee does not cover the cost of administering and enforcing it, thus it is not enforced. It does not regulate “vape” shops as written. *Note:* Other local TRL fees range from \$379 to \$543 per year, with TRL programming handled for \$379 per retailer by County Public Health Department.

Sources: [Comprehensive Outdoor Secondhand Smoke Ordinances](#), American Lung Association’s Center for Tobacco Policy & Organizing, June 2016
[Matrix of Strong Local Smokefree Multi-Unit Housing Ordinances](#), American Lung Association’s Center for Tobacco Policy & Organizing, June, 2015



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 4, 2016
TO: Mayor and Councilmembers
FROM: Chief's Staff, Police Department
SUBJECT: Police Department Update

RECOMMENDATION:

That Council receive an oral presentation from the Police Chief regarding the Santa Barbara Police Department.

DISCUSSION:

As requested by the Mayor and City Council, Police Chief Lori Luhnnow will provide an oral presentation to Council regarding the status of the Police Department and its operations. This presentation is part of a series of updates and will occur on a periodic basis. The following are some of the topics that will be covered:

- Department Reorganization
- Staffing and Recruitment Update
- Crime Trends/Case Management & Strategies
- Student Neighborhood Assistance Program (SNAP)
- Community Engagement/Training

SUBMITTED BY: Lori Luhnnow, Police Chief
APPROVED BY: City Administrator's Office