

**CITY OF SANTA BARBARA
CITY COUNCIL**

Helene Schneider
Mayor
Cathy Murillo
Mayor Pro Tempore
Randy Rowse
Ordinance Committee Chair
Dale Francisco
Finance Committee Chair
Gregg Hart
Frank Hotchkiss
Bendy White



James L. Armstrong
City Administrator

Ariel Pierre Calonne
City Attorney

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

**JULY 22, 2014
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.

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

1. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of July 1, 2014 and the regular meeting (cancelled) of July 8, 2014.

2. Subject: Adoption of Ordinance for 2014-2017 Fire Association Memorandum of Understanding (440.02)

Recommendation: That Council adopt, by reading of title only, an Ordinance of the City of Santa Barbara Adopting the 2014-2017 Memorandum of Understanding Between the City of Santa Barbara and the Santa Barbara City Firefighters' Association.

3. Subject: Fiscal Year 2014 Interim Financial Statements For The Eleven Months Ended May 31, 2014 (250.02)

Recommendation: That Council accept the Fiscal Year 2014 Interim Financial Statements for the Eleven Months ended May 31, 2014.

CONSENT CALENDAR (CONT'D)

4. Subject: County Of Santa Barbara Strategic Prevention Framework State Incentive Grant (520.04)

Recommendation: That Council:

- A. Accept \$35,400 from the County of Santa Barbara Alcohol, Drug & Mental Health Services ("ADMHS") Strategic Prevention Framework State Incentive Grant to address underage and excessive drinking, and alcohol related motor vehicle accidents for Fiscal Year 2015; and
- B. Increase appropriations and estimated revenues by \$35,400 in the Police Miscellaneous Grants Fund for Fiscal Year 2015.

5. Subject: Contract For Design Of The Airfield Electrical Rehabilitation Project (560.04)

Recommendation: That Council authorize the Public Works Director to execute a Professional Services contract with Mead & Hunt, Inc., in the amount of \$119,500 for design services of the Airfield Electrical Rehabilitation Project, and authorize the Public Works Director to approve expenditures of up to \$12,000 for extra services of Mead & Hunt, Inc., that may result from necessary changes in the scope of work.

6. Subject: Contract For Design For Influent Pump Station Variable Frequency Drive And Programmable Logic Controller Replacement Project (540.06)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Brown & Caldwell in the amount of \$74,154 for design services for the Influent Pump Station Variable Frequency Drive and Programmable Logic Controller Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$7,415 for extra services of Brown & Caldwell that may result from necessary changes in the scope of work.

7. Subject: Contract For Construction Of The Marina One Replacement Project Phases 5-8 (570.03)

Recommendation: That Council:

- A. Award a contract with Bellingham Marine Industries, Inc., in their low bid amount of \$6,851,250 for construction of the Marina One Replacement Project Phases 5-8, Bid No. 3723; and authorize the Public Works Director to execute the contract and approve expenditures up to \$342,563 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 (Cont'd)

CONSENT CALENDAR (CONT'D)

7. (Cont'd)

- B. Authorize the Waterfront Director to execute a contract with URS in the amount of \$64,150 for construction support services, and approve expenditures of up to \$6,400 for extra services of URS that may result from necessary changes in the scope of work.

NOTICES

- 8. The City Clerk has on Thursday, July 17, 2014, 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 ATTORNEY

- 9. **Subject: California Voting Rights Act And District Elections Presentation From National Demographics Corporation (110.03)**

Recommendation: That Council consider a presentation concerning District Elections and the California Voting Rights Act, receive public comment, and provide direction to staff regarding possible Charter amendments.

PUBLIC HEARINGS

- 10. **Subject: Municipal Code Amendments For Implementation Of Senate Bill 2 Related To Emergency Shelter Zoning (640.09)**

Recommendation: That Council:

- A. Continue the Public Hearing opened on July 15, 2014, to further consider proposed amendments to the Santa Barbara Municipal Code establishing regulations for Emergency Shelters; and
- B. Introduce, and subsequently adopt, by reading of title only, either:
 - 1. An Ordinance of the Council of the City of Santa Barbara Establishing Regulations for Emergency Shelters As a Permitted Use in the R-4, C-P, C-L, C-1, C-2 and C-M Zones (Option 1), or
 - 2. An Ordinance of the Council of the City of Santa Barbara Establishing Regulations for Emergency Shelters As a Permitted Use in the C-M Zone (Option 2).

Continued from July 15, 2014, Item No. 23

MAYOR AND COUNCIL REPORTS

11. Subject: Request From Mayor Schneider And Councilmember Murillo Regarding 2020 A Year Without War Proclamation (120.04)

Recommendation: That Council consider the request from Mayor Schneider and Councilmember Murillo regarding a proposal from the Santa Barbara based 2020 A Year Without War organization.

12. Subject: Appointment Of Ad Hoc City Administrator Recruitment Committee (170.01)

Recommendation: That Council authorize appointment of an ad hoc Council committee to evaluate options and prepare recommendations to the full Council concerning recruitment processes for the interim and permanent City Administrator.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

13. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Unit.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

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

Recommendation: That Council hold a closed session to consider significant exposure to litigation (one potential case) arising out of the United States Supreme Court's decision in *McCullen v. Coakley*, SBMC Chapter 9.99, and a threat made by the Life Legal Defense Foundation. pursuant to Government Code sections 54956.9(d)(2) & (e)(2)/(3) and take appropriate action as needed.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

15. Subject: Conference with City Attorney - Existing Litigation (160.03)

Recommendation: That Council hold a closed session to confer with the City Attorney regarding existing litigation pursuant to Government Code section 54956.9(d)(1), and take appropriate action as needed.

The existing litigation is:

Carter, Camille v. City of Santa Barbara, SBSC Case No. 1438672

Cotledge, Brittney v. City of Santa Barbara, USDC Case No. CV12-08623

Davydova, Svetlana v. City of Santa Barbara, SBSC Case No. 1418380

Delgadillo, Lucio Ramirez v. City of Santa Barbara, SBSC Case No. 1439502

Denunzio, Tony v. City of Santa Barbara, et. al., USDC Case No. CV13-06542
GW(MANx)

Gosztyla, Richard v. City of Santa Barbara, SBSC Case No. 1440151

Hicks, Joseph M. v. City of Santa Barbara, USDC Case No. CV13-9016 FMO-
RZx

Holland, Michael J. v. City of Santa Barbara, USDC Case No. CV13-1711
AG(SP)

Martinez, Joseph v. City of Santa Barbara, SBSC Case No. 1438811

Miller, Richard v. City of Santa Barbara, SBSC Case No. 1440331

Moore, Passion v. City of Santa Barbara, USDC Case No. CV13-7354 BRO-RZx

Reyes, Toni M. v. City of Santa Barbara, SBSC Case No. 1416050

Thomas, Michael F. v. SBPD, et al., USDC Case No. CV13-06659

Wager, Sarelyn v. City of Santa Barbara, SBSC Case No. 1415112

Wikman, Monika v. City of Santa Barbara, SBSC Case No. 1467345

Yang, Jun v. City of Santa Barbara, SBSC Case No. 1467569

Berenstein, Boris v. City of Santa Barbara, et. al., SBSC Case No. 1466244

Glover, Anthony v. City of Santa Barbara, et. al., SBSC Case No. 14738882

Environmental Const., Inc., v. City of Santa Barbara, SBSC Case No. 1415695

Corral, Debra A., et al. v. City of Santa Barbara, SBSC Case No. 1466439

Sipple v. City of Santa Barbara, LASC BC 462270

McKee, Jonathan v. City of Santa Barbara, et al., SBSC Case No. 1440173

Brost, Luke, etc. et al. v. City of Santa Barbara, et al., SBSC Case No. 1342979

Jacks, Rolland, et al., v. City of Santa Barbara, SBSC Case No. 1383959

Josfan, Drew v. City of Santa Barbara, et al., USDC Case No. CV09-7904-
AHM(PLAx)

Scheduling: Duration, 60 minutes; anytime

Report: None anticipated

ADJOURNMENT



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

REGULAR MEETING July 1, 2014 COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

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

Councilmembers absent: None.

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

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 July 31, 2014.

Documents:

July 1, 2014, report from the City Administrator.

Speakers:

Staff: City Administrator James Armstrong.

By consensus, the Council approved the recommendation. The following employees were recognized:

(Cont'd)

1. (Cont'd)

10 YEARS

Philip Nevarez, Maintenance Crew Leader, Public Works Department
Craig Hove, Electrician, Public Works Department
Robert Garcia, Custodian, Public Works Department
Esteban Zambrano, Wastewater Collection System Lead, Public Works Department
David De Ponce, Custodial Supervisor, Airport Department

15 YEARS

Christopher Bell, City TV Production Specialist, City Administrator's Office

20 YEARS

Marylinda Arroyo, Police Sergeant, Police Department
Alexander Cruz, Police Officer, Police Department
John Stoney, Police Lieutenant, Police Department

25 YEARS

Larry Doria, Streets Maintenance Crew Leader, Public Works Department
Chito Macario, Treatment Plant Technician, Public Works Department

Mayor Schneider recognized Officer J. Kattai for his long time service to the City of Santa Barbara and congratulated him on his upcoming retirement.

PUBLIC COMMENT

Speakers: Clint Orr, The California Country Dance Foundation; Phil Walker; Kenneth Loch.

CONSENT CALENDAR (Item Nos. 2 – 14)

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

Motion:

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

Vote:

Unanimous roll call vote.

CITY COUNCIL

2. Subject: Minutes

Recommendation: That Council waive further reading and approve the minutes of the regular meeting of June 24, 2014.

Action: Approved the recommendation.

3. Subject: Adoption of Ordinance For Unrepresented Safety Managers Salary Plan Amendment (440.02)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Ordinance No. 5587, the 2012-2015 Salary Plan Applicable to Certain Unrepresented Safety Managers, To Provide for Employee Payment of PERS Member Contributions and Offsetting Salary Increases.

Action: Approved the recommendation; Ordinance No. 5658.

4. Subject: Community Action Commission CalGrip Grant Funding For Youth Employment (460.08)

Recommendation: That Council:

- A. Accept a disbursement from the Community Action Commission (CAC) in the amount of \$26,304 for Parks and Recreation Department programs; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2015 Parks and Recreation Department Miscellaneous Grants Fund in the amount of \$26,304.

Action: Approved the recommendations; Agreement No. 24,884 (July 1, 2014, report from the Parks and Recreation Director).

5. Subject: Designation Of Voting Delegate For The League Of California Cities Annual Conference (180.01)

Recommendation: That Council designate Mayor Helene Schneider as the voting delegate for the League of California Cities Annual Conference.

Action: Approved the recommendation.

6. Subject: Introduction Of Ordinance For Lease Agreement With Goleta Building Materials, Inc. (330.04)

Recommendation: That Council introduce and subsequently adopt by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Airport Director to Execute a 10-year Lease Agreement, With One 5-year Option, With Goleta Building Materials, Inc., a California Corporation, Effective August 7, 2014, For a Monthly Rental of \$10,698, Exclusive of Utilities.

Action: Approved the recommendation; (July 1, 2014, report from the Airport Director; proposed ordinance).

7. Subject: Goleta Slough Ecosystem Management Plan Update And Estuary Inlet Modeling (560.01)

Recommendation: That Council:

- A. Accept and authorize the Airport Director to execute a grant, subject to approval as to form by the City Attorney, in the amount of \$30,000 from the County of Santa Barbara Coastal Resource Enhancement Fund (CREF) for estuary inlet modeling for the Goleta Slough Ecosystem Management Plan sea-level rise study;
- B. Accept a US Fish and Wildlife Service Coastal Program grant, subject to approval as to form by the City Attorney, in the amount of \$16,480 to contribute to the preparation of an update to the Goleta Slough Ecosystem Management Plan;
- C. Increase appropriations and estimated revenues in the Airport Capital Fund by \$46,480, of which \$30,000 will be funded from the CREF grant, and \$16,480 from the US Fish and Wildlife Service grant; and
- D. Approve and authorize the Airport Director to execute a Contract Amendment with ESA PWA for preparation of additional modeling as a part of the update to the Goleta Slough Ecosystem Management Plan in a total contract amount not to exceed \$141,494.

Action: Approved the recommendations; Agreement Nos. 24,885, 24,886, and 24,247.1 (July 1, 2014, report from the Airport Director).

8. Subject: Used Oil Collection and Recycling Program Grant (570.03)

Recommendation: That Council:

- A. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Authorizing the Waterfront Director to Submit an Application to the California Department of Resources Recycling and Recovery (CalRecycle) for the Fiscal Year 2015 Used Oil Payment Program Grant (OPP Grant), in the Amount of \$25,600; and
- B. Increase appropriations and estimated revenues in the Waterfront Operating Fund by \$25,600, for Fiscal Year 2015 based on the fact that the funds have already been allocated and receipt of the funds is only awaiting adoption of the required resolution and submittal of the grant application.

Action: Approved the recommendations; Resolution No. 14-050 (July 1, 2014, report from the Waterfront Director; proposed resolution).

9. Subject: Integrated Regional Water Management Drought Grant Application For Recycled Water Plant Replacement (540.13)

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Public Works Director 1) to Prepare and File an Application to Obtain a 2014 Integrated Regional Water Management Drought Grant of up to \$2 Million for the City of Santa Barbara's Recycled Water Enhancement Project, and 2) to Enter Into an Agreement with the State of California, and Any Amendments Thereto, Subject to Approval as to Form by the City Attorney, to Receive a Grant for the City of Santa Barbara Recycled Water Enhancement Project.

Action: Approved the recommendation; Resolution No. 14-051; Agreement No. 24,887 (July 1, 2014, report from the Public Works Director; proposed resolution).

10. Subject: Authorization For Agreement For Legal Services (540.10)

Recommendation: That Council authorize the Public Works Director to execute a professional services agreement with the law firm of Best, Best & Krieger, LLP, in a form acceptable to the City Attorney, in an amount not to exceed \$200,000 for special legal services to the City on matters related to the renewal of the National Pollutant Discharge Elimination System Permit for the Desalination Plant.

Action: Approved the recommendation; Agreement No. 24,888 (July 1, 2014, report from the Public Works Director).

11. Subject: Adoption Of Ordinance On Second Amendment To Montecito Library Site Lease (570.04)

Recommendation: That Council adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Library Director to Execute the Second Amendment to the Montecito Hall Lease Agreement with the County of Santa Barbara and the Montecito Association for the Operation of the Montecito Branch of the Santa Barbara Public Library System.

Action: Approved the recommendation; Ordinance No. 5660; Agreement No. 24,889.

SUCCESSOR AGENCY

12. Subject: Increase In Construction Change Order Authority For The Temporary Relocation Of The 9-1-1 Call Center (520.04)

Recommendation: That the Successor Agency authorize an increase in the Executive Director's Change Order Authority to approve expenditures for extra work for the Temporary Relocation of the 9-1-1 Call Center Project, Contract No. 24,699 in the amount of \$200,000, for a total Change Order expenditure authority of \$292,711.

Action: Approved the recommendation; Agreement No. 24,699.01 (July 1, 2014, report from the Public Works Director).

NOTICES

13. The City Clerk has on Thursday, June 26, 2014, 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.
14. Receipt of communication advising of vacancy created on the Sister Cities Board with the resignation of Barbara Ellis. The vacancy will be part of the next City Advisory Groups Recruitment.

This concluded the Consent Calendar.

ITEM REMOVED FROM CONSENT CALENDAR

5. Subject: Designation Of Voting Delegate For The League Of California Cities Annual Conference (180.01)

Recommendation: That Council designate Mayor Helene Schneider as the voting delegate for the League of California Cities Annual Conference.

Documents:

July 1, 2014, report from the City Administrator.

Motion:

Councilmembers Rowse/White to reconsider the action approved for Item No. 5.

Vote:

Unanimous voice vote.

(Cont'd)

5. (Cont'd)

Motion:

Councilmembers White/Rowse to add Councilmember Murillo as an alternate voting delegate for the League of California Cities Annual Conference if Mayor Schneider is unable to attend.

Vote:

Unanimous voice vote.

PUBLIC HEARINGS

15. Subject: Update On Municipal Code Amendments Related To Fences, Screens, Walls And Hedges (640.02)

Recommendation: That Council:

- A. Receive an update from staff on three items following the adoption of Municipal Code amendments related to fences, screens, walls and hedges; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara to Approve Fences, Screens, Walls and Hedges Guidelines Consistent with Santa Barbara Municipal Code Section 28.87.170.

Documents:

- July 1, 2014, report from the Community Development Director.
- Proposed resolution.
- Letter dated June 30, 2014 from Florence J. Sanchez.
- PowerPoint presentation prepared and made by Staff.

The title of the proposed resolution was read.

Public Comment Opened:

2:38 p.m.

Speakers:

- Staff: Senior Planner Renee Brooke.
- Members of the Public: Florence Sanchez; Phil Walker; Lisa Burnes; Upper East Association; Lynda Courtney.

Public Comment Closed:

2:45 p.m.

(Cont'd)

15. (Cont'd)

Motion:

Councilmembers Francisco/Hart to approve Recommendation B;
Resolution No. 14-052.

Vote:

Majority roll call vote (Noes: Councilmembers Murillo, Rowse).

Motion:

Councilmembers White/Francisco to direct staff to prioritize complaints received from parties located within a 300 foot radius of the affected hedge.

Vote:

Majority voice vote (Noes: Councilmember Murillo).

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

Information:

- Councilmember Hart reported on the recent Police and Fire Commission meeting he attended and spoke regarding the Commission's review of the City Charter and their role pertaining to the Charter.
- Councilmember Murillo reported on her attendance at the Senior Community Outreach Committee, where they met to coordinate existing events and programs for senior citizens and assess what services might still be needed.
- Councilmember Hotchkiss commended the Music Academy of the West for their Public Master Classes, where audiences can observe the Academy's instructional process firsthand for free or at a reduced cost.
- Mayor Schneider spoke regarding her attendance at the California African-American Museum in Los Angeles where Attorney General Kamala D. Harris commemorated the 50th anniversary of the signing of the Civil Rights Act of 1964. The event featured a diverse group of civil rights leaders who discussed the significance of the Act and the challenges we still face today. She also reported on the memorial service being held tonight by the Santa Barbara Jewish Foundation mourning the tragic loss of the three Israeli teens abducted and killed last month.

CLOSED SESSIONS

16. Subject: Conference With Labor Negotiator (440.05)

Recommendation: That Council hold a closed session, per Government Code Section 54957.6, to consider instructions to City negotiator Kristine Schmidt, Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Unit.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

(Cont'd)

16. (Cont'd)

Documents:

July 1, 2014, report from the Administrative Services Director.

Time:

3:35 p.m. – 3:50 p.m. All Councilmembers were present.

No report made.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 3:34 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
DEBORAH L. APPLGATE
DEPUTY CITY CLERK



**CITY OF SANTA BARBARA
CITY COUNCIL MINUTES**

**REGULAR MEETING
JULY 8, 2014
COUNCIL CHAMBER, 735 ANACAPA STREET**

The regular meeting of the City Council, scheduled for 2:00 p.m. on July 8, 2014, was cancelled by the Council on November 12, 2013.

The next regular meeting of the City Council is scheduled for July 15, 2014, at 2:00 p.m. in the Council Chamber.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

HELENE SCHNEIDER
MAYOR

ATTEST: _____
GWEN PEIRCE, CMC
CITY CLERK SERVICES MANAGER

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF
SANTA BARBARA ADOPTING THE 2014-2017
MEMORANDUM OF UNDERSTANDING BETWEEN THE
CITY OF SANTA BARBARA AND THE SANTA BARBARA
CITY FIREFIGHTERS' ASSOCIATION

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

SECTION 1. The Memorandum of Understanding between the City of Santa Barbara and the Santa Barbara City Firefighters' Association entered into as of July 1, 2014 and attached hereto and incorporated herein by reference as Exhibit "A" is hereby adopted.

2014- 2017 MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY OF SANTA BARBARA
AND
SANTA BARBARA
CITY FIREFIGHTERS ASSOCIATION, INC.

THIS AGREEMENT, SIGNED ON _____, IS ENTERED INTO AS OF JULY 1, 2014 BETWEEN THE CITY OF SANTA BARBARA (HEREINAFTER REFERRED TO AS "CITY") AND THE SANTA BARBARA CITY FIREFIGHTERS ASSOCIATION, INC. (HEREINAFTER REFERRED TO AS "SBCFA" OR "ASSOCIATION").

Pursuant to Section 3500 et seq. of the Government Code of the State of California, the duly authorized representatives of the City and SBCFA, having met and conferred in good faith over the issues of wages, hours, and terms and conditions of employment as herein set forth, declare their agreement to the provisions of this Memorandum of Understanding.

FOR THE CITY:

FOR SBCFA:

Kristine Schmidt, Employee Relations Mgr.

Tony Pighetti, President, Fire Captain

Jim Bryden, Deputy Fire Chief

Kevin Hokom, Fire Captain

Michael Pease, Budget Manager

Bob Kendall, Fire Captain

Jon Turner, Fire Captain

Jeremy Denton, Fire Engineer

Stuart Adams, Counsel

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TABLE OF CONTENTS
Alphabetical by Article Title

ARTICLE- TITLE	PAGE
1- BENEFITS DURING SICK LEAVE OR AUTHORIZED LEAVE WITHOUT PAY	1
2- BENEFITS - PART-TIME EMPLOYEES	1
3- BENEFITS - DOMESTIC PARTNERS	1
4- BEREAVEMENT LEAVE	1
5- BIWEEKLY PAY PERIOD	2
6- CAFETERIA PLAN	2
7- CALL BACK	2
8- CERTIFICATE OF ILLNESS	3
9- CONFERENCE ATTENDANCE	3
10- DEPENDENT CARE	3
11- DISABILITY RETIREMENT	3
12- DISCIPLINARY ACTION	3
13- DRIVER'S LICENSE	3
14- DRUG AND ALCOHOL TESTING POLICY	4
15- EDUCATIONAL REIMBURSEMENT	4
16- GRIEVANCE PROCEDURE	4
17- HAZARDOUS MATERIALS TEAM ASSIGNMENT	6
18- HEALTH INSURANCE FOR UNIT MEMBERS' SURVIVORS	6
19- HOLIDAY COMPENSATION	6
20- HOLIDAY- ILLNESS OR INJURY	7
21- IMPLEMENTATION OF MOU	7
22- INDUSTRIAL LEAVE	7
23- LAYOFF PROCEDURE	8
24- LEAD CAPTAIN AND LEAD FIREFIGHTER ASSIGNMENT	8
25- LIFE INSURANCE	8
26- LOSS CONTROL SUPPORT (SAFETY)	8
27- MAINTENANCE OF BENEFITS	9
28- MANAGEMENT RIGHTS	9
29- MATERNITY/PARENTAL LEAVE	10
30- MEAL CONTRIBUTION	10

31- MEDICAL AND DENTAL INSURANCE	10
32- MEDICAL AND FITNESS EXAMINATIONS	11
33- MEETING AND CONFERRING	12
34- MINIMUM STAFFING	12
35- MODIFIED DUTY	13
36- MUNICIPAL CODE CHANGES	14
37- NO STRIKE OR LOCKOUT	14
38- NON-DISCRIMINATION	15
39- OUT-OF-CLASSIFICATION WORK	15
40- OVERTIME/FAIR LABOR STANDARDS ACT (FLSA)	17
41- PAYROLL DEDUCTIONS	18
42- PREMIUM PAY FOR USE OF SPANISH LANGUAGE SKILLS	18
43- PROBATIONARY PERIOD	19
44- RETIREE MEDICAL INSURANCE CONTRIBUTION	19
45- SALARIES	21
46- SBCFA ACCESS TO WORK LOCATIONS	21
47- SBCFA BULLETIN BOARDS	22
48- SCOPE OF THE BARGAINING UNIT	22
49- SERVICE BETTERMENT PAY (EDUCATION)	22
50- SHIFT TRADES	22
51- SICK LEAVE	22
52- STANDBY PAY	23
53- STATION MAINTENANCE	23
54- STEP INCREASE PLAN	23
55- TERM OF AGREEMENT	23
56- UNAUTHORIZED LEAVE/SUSPENSION	24
57- UNIFORM ALLOWANCE	24
58- VACATION	24
59- WAIVER	26
60- WORK SCHEDULES	26
APPENDIX A	28
APPENDIX B	35

1- BENEFITS DURING SICK LEAVE OR AUTHORIZED LEAVE WITHOUT PAY

No sick leave, vacation, or holidays shall accrue to any employee during any full biweekly pay period in which the employee is on authorized leave without pay. Employee on leave without pay shall also be responsible for full payment of insurance premiums.

2- BENEFITS - PART-TIME EMPLOYEES

Employees filling positions authorized by City Council in the official Position and Salary Control Resolution at more than 20 hours per week on a less-than-full time basis shall receive benefits as follows:

- i. Cafeteria plan contribution, medical contribution, dental contribution, vision contribution, holiday and other benefits under this Agreement equal to the percent of time regularly scheduled versus a regular full-time (40 hour or 56 hour) schedule rounded up to the nearest ten percent (10%).
- ii. Vacation and sick leave equal to the percent of time actually worked versus a regular full-time (40 hour or 56 hour) schedule rounded up to the nearest ten percent (10%).

3- BENEFITS - DOMESTIC PARTNERS

The City shall allow same sex and opposite sex domestic partners dependent coverage under the medical, dental, and vision plans. In order to receive this benefit, domestic partners must be registered with the City Clerk's office or the Secretary of State. The affected employee(s) shall be responsible for all tax consequences of this benefit.

4- BEREAVEMENT LEAVE

In case of death of a member of an employee's immediate family, a 40-hour employee shall be granted three (3) working days (24 hours) with pay, up to a maximum of five (5) days (40 hours), subject to the approval of the Department Head.

Employees of the Fire Department assigned to shift work shall be granted leave not to exceed two (2) shifts (48 hours) off with pay.

Immediate family is defined as mother, father, brother, sister, spouse, registered domestic partner, child, grandparents by blood or marriage, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, grandchildren by blood or marriage, step family members, or person standing in loco parentis. "In-

law” and “step” relationships shall include the immediate family of a registered domestic partner on the same basis as that of a spouse.

The intent of bereavement leave is to provide employees with adequate time to be with their immediate family during a period of anguish, whether it be at the time of death, preparation of funeral arrangements, and/or to attend a funeral.

Responsibility for proper administration of this section shall rest with the Fire Chief.

5- BIWEEKLY PAY PERIOD

All references to "hours, shifts, or days" may be considered on the basis of "hours per biweekly pay period" through conversion factors providing substantially equal employee benefits.

6- CAFETERIA PLAN

- a. A flexible benefits plan known as a "125 Cafeteria Plan" and the "pre-tax advantage" provisions related to an employee's eligible insurance premium contributions within the meaning of Section 125(d) of the Internal Revenue Code, shall be provided to employees.
- b. Each employee shall be eligible to allocate a discretionary amount of \$232.84 per month.
- c. If medical and dental insurance selections exceed the cafeteria plan allocation in "b" above, the City will pay the difference of these respective insurance premiums up to the amounts in the Medical and Dental Insurance article of this MOU; said excess premium payments cannot be applied to any other element of the cafeteria plan.

7- CALL BACK

- a. 40 hour per week employees called back to work from an off-duty status shall be compensated in accordance with the overtime provision of this Agreement.
- b. If an employee is called back to duty on an overtime basis, such employee shall be compensated for no less than two hours overtime.
- c. Call back time commences upon the employee's receipt of the City's request for the employee to return to duty provided the employee promptly departs for his/her designated duty location.

- d. The Fire Chief retains the right to set administrative criteria governing when a fire investigator call-out, or other call back, is warranted and authorized.

8- CERTIFICATE OF ILLNESS

Section 3.08.170 of the Municipal Code regarding presentation of a physician's statement as proof of illness or sick leave absences, if for more than three consecutive working days, shall be interpreted to mean that such a physician's statement shall be required for absences of more than two consecutive shifts for shift personnel.

9- CONFERENCE ATTENDANCE

SBCFA representatives shall be permitted not more than an aggregate total of eight (8) shifts (192 hours) of time off with pay to attend conferences or seminars related to SBCFA activities for each fiscal year (July 1 - June 30). Such attendance is subject to approval of the Fire Chief.

10- DEPENDENT CARE

The City will provide a pre-tax salary reduction plan for employee dependent care needs in accordance with Section 129 of the Internal Revenue Code.

11- DISABILITY RETIREMENT

An employee found physically or mentally incompetent to perform his/her regular duties, even with a reasonable accommodation of a disability, shall be terminated pursuant to City Charter Section 1007 or retired, if eligible, pursuant to State law and City regulations. An employee eligible to retire for non-industrial disability shall be entitled to use a maximum of 180 days (2,160 hours for shift personnel and 1,440 hours for 40-hour per week employees) sick leave benefits prior to the date the employee is eligible for retirement benefits. In no case shall an industrially injured employee be entitled to use sick leave benefits.

12- DISCIPLINARY ACTION

The City may provide the option of forfeiture of vacation time in lieu of taking other disciplinary action pursuant to Charter Section 1007 and enabling ordinances.

13- DRIVER'S LICENSE

Employees shall perform all activities necessary to maintain a Class 'C' or equivalent driver's license on their own time and at their own expense. The cost of any additional required driver's licenses, or the certificates or examinations necessary to obtain such licenses, shall be paid by the City. On-duty time, at the

Fire Department's convenience, shall be provided for required testing and/or examinations.

14- DRUG AND ALCOHOL TESTING POLICY

Employees in the job classifications of Administrative Fire Captain, Fire Captain, Fire Engineer, Firefighter, and Fire Inspector I, II and II are covered by the "City of Santa Barbara Drug and Alcohol Testing Policy for Fire Unit Employees" dated September 2000.

15- EDUCATIONAL REIMBURSEMENT

- a. Educational Reimbursement Program: Employees shall be eligible for tuition reimbursement through the City of Santa Barbara's Educational Reimbursement Program.
- b. Fire Service Education Travel Expenses and Promotional Study List Materials: The Fire Department will provide up to a \$400 reimbursement per fiscal year for the costs of lodging, meals, and mileage for fire service related courses, as outlined in the Standard Operating Procedures Manual, that are satisfactorily completed and receive the prior written reimbursement approval of the Fire Chief. Reimbursement for the costs of books on the current Fire Engineer and Fire Captain promotional study list, but not eligible for reimbursement under the Educational Reimbursement Program, will also be permitted. The policies regarding reimbursement under this section shall be established by the Fire Chief and become part of the Santa Barbara City Fire Department's Standard Operating Procedures Manual. Reimbursement for lodging, meals and mileage shall be based upon the City of Santa Barbara Travel and Expense Reimbursement Policy for City Employees. The \$400 per year available under this section will be accrued on July 1st of each fiscal year, up to a maximum ongoing accrual of \$800."

16- GRIEVANCE PROCEDURE

- a. Grievances shall be defined as an alleged violation of this Agreement or dispute regarding interpretations, application or enforcement of this Agreement or the City Charter, City ordinances, resolutions, and written policies related to personnel practices and working conditions. Grievances shall not include disagreements regarding employment (including promotional) exams, disciplinary action, performance evaluations, probationary terminations, and items subject to meet and confer.
- b. Employees shall be assured freedom from reprisal for using the grievance procedure.

- c. Grievances shall be invalid unless filed within thirty (30) calendar days of the date the alleged grievable activity occurred or the employee could reasonably have known of its occurrence.
- d. Step One - Immediate Supervisor. Any employee who has a grievance shall first try to get it settled through discussion with his immediate supervisor without undue delay. Every effort shall be made to find an acceptable solution at the lowest possible level of supervision.
- e. Step Two - Fire Chief. If after such discussion the employee does not believe the grievance has been satisfactorily resolved, he may file a formal appeal in writing to the Fire Chief within ten (10) calendar days after receiving the informal decision of his immediate supervisor. Fire Chief shall render his written decision and comment to the employee within ten (10) calendar days after receiving the appeal.
- f. Step Three - Mediator. If, within fifteen (15) calendar days after receipt of the written decision of the Fire Chief the employee is still dissatisfied, he or she may request the services of a mediator from the State Mediation and Conciliation Service.
- g. Step Four - City Administrator. If within fifteen (15) calendar days after the mediation process has been completed, or if mediation was not requested within fifteen (15) calendar days after receipt of the written decision of the Fire Chief, and the employee is still dissatisfied, he may appeal the decision to the City Administrator. Such appeal shall be made by filing a written appeal with the City Administrator. The City Administrator shall review the decision of the Fire Chief, and his/her decision, which shall be rendered within twenty-five (25) working days after the appeal is made, shall be final. The City Administrator may request the advice of the Board of Civil Service Commissioners in any grievance proceeding, but he/she shall not be bound to follow any recommendation of the Board.
- h. The time limitations for filing and responding to grievances may be waived or extended by mutual agreement of the parties. If either party to the grievance so requests, an informal hearing shall be conducted at the Fire Chief or City Administrator appeal levels. Employees may be represented by counsel or other person at any stage in the grievance process. For purposes of this Article "working days" refers to days in which the City Hall is open for business.
- i. Grievances which are general in character and which involve interpretation or application of this MOU or City policies or which involve matters requiring resolution outside the authority of the Fire Chief shall be filed directly with

the Administrative Services Director who shall provide a written response within ten (10) working days.

An employee may appeal the response of the Administrative Services Director. The employee's appeal shall be handled in accordance with the procedures in steps three and four above.

- j. Complaints regarding performance evaluation (non-grievable) may be discussed with next highest level of supervision above the individual initiating the evaluation and taken to Fire Chief for final review.
- k. Examinations for employment and promotions shall not be grievable but shall be protested in accordance with approved administrative policy. City will consult with SBCFA prior to adopting and amending said policy.

17- HAZARDOUS MATERIALS TEAM ASSIGNMENT

Any employee holding the rank of Firefighter, Fire Engineer, or Fire Captain who holds either a Hazardous Materials Technician Certificate or a Hazardous Materials Specialist Certificate from the State of California shall be paid in addition to his/her salary range an increase of either five percent (5%) for a Hazardous Materials Technician Certificate or seven percent (7%) for a Hazardous Materials Specialist Certificate while assigned to the Hazardous Materials Team.

18- HEALTH INSURANCE FOR UNIT MEMBERS' SURVIVORS

The City shall maintain and pay for the existing level of insurance benefits for up to twelve (12) months for the surviving family of a unit member who dies in the line of duty, or for such greater period of time required by state or federal law.

19- HOLIDAY COMPENSATION

Employees shall be eligible to receive holiday time at the general employee holiday and personal leave schedule for 40-hour employees, and six and one-half (6-1/2) twenty-four hour shifts (156 hours) per year for shift personnel.

Each employee will have the option to receive holiday compensation earned during the payroll year in time off or cash, or any combination thereof. Cash-out will be at the straight time rate of pay at the same time and in the same manner as the vacation cash-out process. Cash-out must be taken at the end of the same payroll year in which the holiday time was accrued. An employee who does not cash-out holiday pay accrued during the year must bid to take the time off in the next year, and will not later be eligible to cash-out this time in lieu of taking time off.

Holiday time for suppression personnel shall be taken annually only in conjunction with vacation unless otherwise authorized by the Fire Chief.

20- HOLIDAY- ILLNESS OR INJURY

When an employee is assigned to work on a day which is a holiday for said employee and by reason of illness or job-related illness or injury is unable to work as assigned, such employee shall not be charged with a loss of holiday time in addition to sick leave or injury leave.

An employee unable to work due to extended illness or injury may cash-out holiday time through the holiday/vacation cash-out process at the end of the payroll year by notifying the department of the employee's desire to do so in writing prior to December 15 of the payroll year. Cash-out must be taken at the end of the same payroll year in which the holiday time was accrued. An employee who does not cash-out holiday pay accrued during the year must bid to take the time off in the next year, and will not later be eligible to cash-out this time in lieu of taking time off.

21- IMPLEMENTATION OF MOU

City shall implement the provisions of this Memorandum of Understanding by adopting appropriate resolutions, ordinances, and administrative policies.

An employee will be eligible for any increases to salaries and benefits that were effective prior to adoption of this Agreement, retroactive to the effective dates specified, if the employee was an active City employee and bargaining unit member on the date that the City Council ratified the Agreement.

22- INDUSTRIAL LEAVE

The City shall not deduct either State or Federal withholding taxes from Labor Code Section 4850 payments as long as that practice remains in accordance with the law and the employee is receiving 4850 payments for the entire biweekly pay period. Employees will hold harmless the City of Santa Barbara for any tax or other consequences that may arise from not deducting taxes in accordance with this provision.

23- LAYOFF PROCEDURE

In cases of abolition of positions which result in layoff of personnel or reduction in force, the following seniority policy shall apply to sworn members of the bargaining unit:

- a. The individual with the least time in rank shall be first reduced. Where equal time in rank is the case, total time with the Fire Department shall be used to determine seniority.
- b. The individual affected shall have the right to "bump" downward to the next lower sworn rank formerly held by the affected employee such that the last hired employee in the lowest sworn rank shall be the first employee laid off. Rehiring shall be accomplished pursuant to Section 3.16.350 of the Municipal Code.

24- LEAD CAPTAIN AND LEAD FIREFIGHTER ASSIGNMENT

Any employee holding the rank of Fire Captain and assigned responsibility as Fire Station #1 Lead Captain shall be paid in addition to his/her salary range an increase in pay equal to ten percent (10%).

Any employee holding the rank of Firefighter and assigned responsibility as Fire Rescue Truck Lead Firefighter shall be paid in addition to his/her salary range an increase of seven and one-half percent (7.5%).

25- LIFE INSURANCE

The City will provide a term life insurance policy in the amount of \$75,000 covering the employees only, with equal accidental death and dismemberment coverage.

26- LOSS CONTROL SUPPORT (SAFETY)

- a. The City and SBCFA will abide by all provisions of the California Plan approved in accordance with the provisions of the Federal Occupational Safety & Health Act of 1970, and any applicable legislation as may be passed by the State of California to implement that plan.
- b. Any safety courses the employees are required to take will be provided on City time with pay.
- c. The City will conduct a Safety Program on City time for the purpose of educating the employees concerning the provisions of the Occupational Safety & Health Act as well as the City safety policies.

- d. SBCFA will support without qualification the City's Safety Program and will encourage its members to attend safety courses if required by the City and made available on City time.
- e. Both the City and SBCFA recognize the need and will strive to reduce the number of industrial injuries among the employees.
- f. The City will either provide all safety equipment or will reimburse the employee for purchasing the equipment, whenever such equipment has been required by the City as necessary for the job. Such equipment may include, but not be limited to, safety shoes, safety glasses, helmets, gloves, safety boots, life jackets, and all related safety items. The City will purchase wildland boots for new employees only. The City shall retain the right to determine the minimum specifications of the safety equipment, procurement, procedures, and limitations and exclusions.

27- MAINTENANCE OF BENEFITS

- a. All benefits (other than direct wages) as provided by ordinances, resolutions, and City Charter, in existence at the commencement of this Agreement, shall not be diminished, lessened, altered or reduced except as may be herein provided for the duration of the Agreement.
- b. Wage adjustments as provided for from time to time by ordinance, resolution, or City Charter, as such may be amended in accordance with this Agreement, shall also continue for the duration of this Agreement.
- c. The City has the right and prerogative to assign duties to and direct employees in accordance with applicable job specifications and Section 3.12 of the Santa Barbara Municipal Code.

28- MANAGEMENT RIGHTS

This section is to be interpreted in a manner consistent with applicable laws and with due regard for the provisions of this Agreement.

The City has an exclusive right to manage and direct the performance of services and the work force performing such services unless the City has specifically delegated, abridged, or modified any such rights in this Agreement. Such rights shall include but not be limited to the sole right to determine the organizational structure of the City, establish levels and types of services to be provided, determine the methods, means, and number of personnel by which operations are to be conducted including sole authority to contract or subcontract for municipal services, and to exercise complete control and discretion over the technology of performing the City's work.

The City retains complete authority over the policies and direction and administration of the Fire Department, including but not limited to standards and methods of selection for employment, promotion and performance evaluation, disciplinary action; relief of employees from duty because of lack of work or other legitimate reasons; maintenance of the efficiency of government operations; establishment of the work week and work schedules; and determination of the content of job classifications.

29- MATERNITY/PARENTAL LEAVE

An employee may request to take pregnancy and/or parental leave as provided under the City's "FMLA/CFRA Family Care and Medical Leave Policy", "Maternity Leave Policy", and/or "Parental Leave Policy, or as provided under state or federal law.

30- MEAL CONTRIBUTION

Employees are required by the City as a condition of employment to contribute financially to meals in the Fire Station at a charge equal to the value of the meal, irrespective of whether the employee chooses to eat the meal. Employees shall be solely responsible for any financial or tax liability regarding this provision. Accordingly, the City shall be held harmless from any such liability. The City also shall not be responsible for maintaining any records or providing administration regarding this provision.

31- MEDICAL AND DENTAL INSURANCE

For the length of this Agreement the City will pay 100% of the premium for medical insurance for the employee only up to a maximum monthly amount of \$1412.70.

Should the amount of "employee only" premium be less than the dollar limits herein described, the difference between the "employee only" premium and said dollar amount limits shall be applied to employee dependent medical coverage, if any.

Effective January 1, 2015, for an employee enrolled in a PPO plan that is coordinated with a Health Savings Account (HSA), the City will match the employee's contribution to the HSA on a dollar-for-dollar basis, not to exceed a maximum City contribution of \$50.00 per month, provided however that the total combined employer and employee amount will not exceed the annual indexed allowable HSA contribution limits. Effective January 1, 2016, this amount will be increased to a match not to exceed \$75.00 per month.

For the length of this Agreement the City shall pay 100% of the premium for dental insurance coverage for the employee only up to a maximum monthly amount of \$52.00.

The dental insurance shall provide for payments based upon 100% of reasonable and customary charges. The City will update dental schedule to reflect current, usual, customary, and reasonable charges in the Santa Barbara area.

The City retains full and complete control over the selection, approval, and administration of insurance programs to include selection of the carrier, insurance contract renewal, and changes in program specifications. However, the City may not modify the benefits if such modification results in an increased cost to employees or reduces current benefits, without agreement by the Association.

The City will administer the medical plans option and the City will provide a vision care option for unit employees.

32- MEDICAL AND FITNESS EXAMINATIONS

The City shall continue to provide a program of annual medical exams for unit employees regularly assigned to the Hazardous Materials Response Team (HAZMAT); as well as, continuing a program of periodic fitness exams for all unit employees. The City retains full and complete control over these programs.

The City will provide up to \$250 for members under 45 years old and \$350 for members 45 years and older for employees' medical examinations (upon receipt of invoice) for unit members who do not receive annual HAZMAT examinations based on the following schedule:

- 25-34 years old -- every 4 years;
- 35-44 years old -- every 3 years;
- 45 + years old -- every 2 years.

The parties will reopen negotiations, upon either party's 30 day prior written notice to the other, with regard to implementing a health and/or fitness maintenance program, which may establish requirements to demonstrate minimum job-related levels of health and/or fitness, and/or establish a program to reward employees for achieving and maintaining such level of fitness.

33- MEETING AND CONFERRING

Meeting and conferring over the renewal or continuation of this Agreement shall be initiated at the request of either party after September 1 of the last year of this Agreement, but not later than October 1 of the last year of this Agreement. Every effort will be made to reach an agreement prior to the expiration of this Agreement.

34- MINIMUM STAFFING

For the duration of the Agreement, subject to the requirements of Article X, Section 1008 of the City Charter, the City agrees to initially maintain the following minimum staffing levels:

- a. The minimum staffing requirements of the Department shall be as follows:
 - (1) For Non-ARFF suppression, 25 sworn fire suppression personnel per shift within the City, not including sworn management, consisting of 7 engine companies and 1 truck company. Each engine company shall be comprised of one Fire Captain, one Fire Engineer and one Firefighter. The truck company shall be staffed with one Fire Captain, one Fire Engineer, and two Firefighters.
 - (2) For the Aircraft Rescue and Fire Fighting (ARFF) Suppression Company, there will be 3 sworn fire suppression personnel per shift, comprised of one Fire Captain and two Fire Engineers.
 - (3) Staff on mutual aid of a duration of 12 hours or less will be included in the above numbers, in which case back filling shall be at the discretion of the Fire Chief.
 - (4) Employee assigned and paid in an "acting" capacity on a shift will be included in the above numbers at the acting rank. As provided under the department's Standard Operating Procedure "Overtime/Mandate", acting employees will only be assigned where not enough personnel of the needed rank have made themselves available to work. City acknowledges that it is not its intent to permanently staff vacancies at the Engineer or Captain rank with acting employees. Out of classification work shall not exceed ten (10) consecutive shifts unless operational needs require a longer duration. The ten (10) consecutive shifts may be extended if operational needs require an extension and after the City has met and consulted with the Association.
 - (5) For the Prevention Bureau there shall be a minimum of 6 authorized positions on the official list of authorized positions. The City Council may direct that these positions, if vacated by the incumbent employee for reasons other than an involuntary termination, remain unfunded and unfilled without violating this section.
 - (6) There shall also remain a Training Captain position on the official list of authorized positions. The City Council may direct that this

position, if vacated by the incumbent employee for reasons other than an involuntary termination, remain unfunded and unfilled without violating this section, however it is the intent of this section for the Training Captain position remain funded and filled if fiscal conditions permit.

b. If the City Council exercises its rights under Article X, Section 1008 of the City Charter, or otherwise discontinues the minimum staffing levels in Section 3(a), as outlined above, without the express written consent of the Association:

- (1) The City will give the Association a minimum of 60 days written notice prior to the effective date of the change to minimum staffing (the "change date"), and
- (2) In the event the Association believes that such intended action will affect the safety or workload of affected employees, it shall so advise the City, whereupon the City and the Association shall meet and confer in good faith over the impacts of the change, Such meeting and conferring, however, shall not prevent the City from implementing the staffing change on an interim basis not less than 60 days after notice to the Association, but prior to the conclusion of negotiations over the impacts of the change.

c. Prior to making a decision to "contract out" work currently being performed by ARFF Suppression staff, the City will provide notice to the Association and the opportunity to meet and confer over both the decision and the effects of such decision.

d. If the City Council exercises its rights under Article X, Section 1008 of the City Charter, or otherwise discontinues the minimum staffing levels in Section 34(a)(ii) Non-ARFF Suppression, Section 34(a)(v) Prevention, or Section 34(a)(vi) Training Captain, without the express written consent of the Association the City will prospectively increase salaries across-the-board by 3%. This subsection "d" shall not apply to a reduction in ARFF Suppression staffing.

35- MODIFIED DUTY

a. The City's Modified Work Program, which can be found in Chapter 4 and in Appendix 20 of the Injury and Illness Prevention Program (IIPP), shall apply to members of the Association.

b. The following provisions will apply to temporary modified duty assignments at the Fire department.

- (1) Industrial Injury/Illness
 - i. The Deputy Fire Chief will coordinate all modified duty assignments for industrial injury or illness.
 - ii. An employee unable to work due to an industrial injury or

illness shall immediately notify the on-duty Battalion Chief whenever there is a change to the employee's work restrictions.

iii. An employee shall immediately make himself or herself available to return to available modified duty upon authorization by the treating physician.

iv. Refusal by an employee with a job related injury or illness to accept a modified duty assignment under the work restrictions approved by the treating physician may result in loss of compensation and benefits under California Worker's Compensation law and/or Labor Code §4850, consistent with applicable law.

v. An employee on modified duty will not be denied normal promotional or training opportunities based on his or her modified duty status.

vi. Modified duty assignments will be scheduled as follows, unless otherwise scheduled by the Fire Chief:

A. Short term: For modified duty of less than three weeks (21 consecutive calendar days) the employee will work 8:00 a.m. to 5:00 p.m. on the regularly assigned shift.

B. Long term: For modified duty of more than three weeks, the employee will be converted to a 40-hour work week (typically four 10-hour days).

(2) Non-Industrial Injury/Illness

i. The Fire Chief may consider requests for a voluntary modified duty assignment from an employee who sustains a non-industrial injury/illness.

ii. If approved, a fire department employee will work a modified duty assignment in lieu of using sick leave or other disability benefits.

iii. For all non-industrial injury or illness the employee will be converted to a 40-hour work week (typically four 10-hour days).

iv. The Fire Chief may end any such modified duty assignment at his or her sole discretion.

36- MUNICIPAL CODE CHANGES

During the term of this Agreement the City and the SBCFA shall meet and confer with regard to any City proposed updates to Municipal Code Title 3 to reflect current practices.

37- NO STRIKE OR LOCKOUT

a. During the term of this Agreement, the City will not lockout employees and SBCFA will not engage in labor practices detrimental to providing services to the citizens of Santa Barbara or detrimental to the interests of the City; nor will SBCFA sanction, support, condone, approve, or engage in any

strike, sick-in, slow-down, work stoppage, or speed-up. All matters of controversy coming within the scope of this Agreement will be settled by established grievance procedures.

- b. Violation of the above shall be just cause for disciplinary action including termination.
- c. City and SBCFA will not breach the terms of this Memorandum of Understanding or commit any unfair labor practices during the term of this Agreement.

38- NON-DISCRIMINATION

- a. The provisions of this Agreement shall be applied equally to all employees covered herein without favor or discrimination because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, pregnancy, age, sexual orientation, political or religious affiliations, union membership, or military and veteran status..
- b. The City and SBCFA will commit themselves to the goal of equal employment opportunity in all City services.
- c. The taking of FMLA leave, or other leaves of absence protected under state and federal law, will not be used as a negative factor in employment actions, such as hiring, promotions, or disciplinary actions, nor will such leave be counted as a negative factor under attendance policies, provided that the employee has complied with any and all notice and proof requirements applicable to such leave.

39- OUT-OF-CLASSIFICATION WORK

- a. Suppression Employees. When a certified employee has worked out-of-classification, the certified employee shall be compensated at the rate of the higher classification while the out-of-classification work continues.

Compensation for working out-of-class shall be as follows:

- (1) Firefighters working as Acting Engineer, and Engineers working as Acting Captain:

The lowest salary step of the higher classification that is at least 5% above the employee's current base pay.

(2) Firefighters working as Acting Captain:

The lowest salary step of the higher classification that is at least 10% above the employee's current base salary.

For the purposes of this subsection, an out-of-classification assignment is defined as the full-time performance of all the duties of an authorized, funded, permanent, full-time position in one classification by an employee in a position in another classification. Credit or pay for out-of-classification work shall accrue in half or full shift increments only.

- b. An employee assigned to work as a Battalion Chief shall be compensated at the greater of either minimum base salary assigned to that class or at least receive a 15% (fifteen percent) increase in base salary (up to maximum of range) for each full shift or day the employee is assigned such work.
- c. Prevention Employees. Working a Fire Prevention employee out-of-classification that is not certified as an Inspector II or III will occur only to meet the work requirements within the City and that such out-of-classification work will terminate fifteen (15) consecutive work days or thirty (30) work days in any one calendar year, or if extended beyond fifteen (15) consecutive or thirty (30) work days, the employee shall be compensated at the rate of the higher classification while the out-of-classification work continues. When an employee with certification has worked out-of-classification, the certified employee shall be compensated at the rate of the higher classification while the out-of-classification work continues.

For purposes of this subsection, an out-of-classification assignment is defined as assignment by the Fire Chief or designee of the full-time performance of the significant duties of an authorized, funded, permanent, full-time position in one or more higher classification(s) by an employee in a position in another classification. "Significant duties" shall be as defined on the appropriate class specification.

When an employee works out-of-classification continuously for fifteen (15) working days or more, the City shall place a letter in the employee's personnel file acknowledging the out-of-classification work.

It is the intent of this subsection to compensate employees for assigned out-of-class work which extends beyond fifteen (15) consecutive or thirty (30) work days in any one calendar year.

40- OVERTIME/FAIR LABOR STANDARDS ACT (FLSA)

- a. All unit members are exempt under the provisions of the 7K exemption of the Fair Labor Standards Act (FLSA).
- b. Suppression employees shall be on a 27-day work period unless the City implements a 24-day cycle, such as that included in the "Policy Regarding 48/96 Schedule" reflected in Appendix B to this Agreement, at which time there shall be a 24-day work period.
- c. Overtime compensation for employees shall be as follows:
 - (1) Suppression Employees. Suppression employees shall be compensated at time and one-half their regular rate of pay for all hours worked in excess of 204 hours in a 27-day work period. Upon implementation of a 24-day work period, suppression employees shall be compensated at time plus one-half for all hours worked in excess of 182 hours in a 24-day work period. Paid leave time shall count as time worked for purposes of this section. All emergency call back and hold over time shall be compensated at time and one-half.
 - (2) Prevention Employees. Prevention employees shall be compensated at one and one-half times their regular rate of pay for all hours worked in excess of their regularly scheduled shift and/or in excess of 40 hours per week. Paid leave time shall count as time worked for purposes of this section.
- d. Hourly rates for suppression employees shall be based on the established biweekly salary divided by 112 hours.
- e. Employees assigned to fire watch overtime hours (e.g. movie sets, concerts) will be paid at time plus one-half.
- f. Emergency callback overtime is paid from time of notification to time of departure from the station or other assigned reporting site. Other overtime, including but not limited to scheduled and mandated overtime, is paid from arrival to until departure from the station or other assigned reporting site.
- g. Employees shall have the option to be compensated by CTO for any portion of overtime worked at a time and one-half CTO rate, subject to a CTO accrual limit of 108 hours for suppression employees and 60 hours for prevention employees. Unless employees specifically designate CTO compensation for overtime worked, employees will receive monetary compensation for such overtime. CTO shall be taken off under the same

policies and procedures that govern vacation including the ability to utilize when an employee attends fire-related training. An employee may also request, in the same manner as vacation time, to utilize CTO beyond the maximum five employees per shift if sufficient staffing will be available. The availability of sufficient staffing will be determined by the department at 0630 hours on the day of intended use. The employee requesting the CTO will be responsible for calling the department between 0630 and 0700 hours on the day of intended use to see if the CTO request is granted.

If approved by the department, suppression employees may accrue up to 144 CTO hours for use to attend scheduled, fire-related training and classes or for use by an employee who has had to deplete his/her vacation time to extend a recovery period due to sickness or off-duty injury.

41- PAYROLL DEDUCTIONS

The City will continue deducting monies from payroll and remit same to SBCFA as authorized by employee payroll deduction authorizations in accordance with present policy. Any changes in dues deductions shall be subject to indemnification of the City by SBCFA.

SBCFA will meet and confer at the City's request regarding the addition or deletion of other payroll deductions.

42- PREMIUM PAY FOR USE OF SPANISH LANGUAGE SKILLS

For all employees designated by the Fire Chief, who establish to the satisfaction of the Chief and the Human Resources Manager proficiency in conversing and reading skills in Spanish as demonstrated by appropriate testing, the City will pay premium pay of \$51.20 each biweekly pay period.

Employees receiving such premium pay may be required to show continued proficiency as demonstrated by an annual recertification exam that is the same as the initial qualifying exam.

Employees who are off-duty for an extended period of time due to illness or injury (including industrial-related illness or injury) and are designated by the Fire Chief to take the exam, may take the test to establish proficiency in Spanish language skills; however, he or she will not begin receiving the premium pay until they return to active duty.

43- PROBATIONARY PERIOD

The City may extend the probationary period upon written agreement of the employee. A consecutive period of time served by an employee in an acting capacity immediately prior to his/her regular appointment to the position shall be applied to the one year probationary period.

In addition, any period of ten (10) or more shifts served by an employee in an acting capacity within the six (6) months immediately prior to promotion shall be credited to the employee's probationary period.

44- RETIREE MEDICAL INSURANCE CONTRIBUTION

- a. This provision is applicable to employees who retire from City service on or after July 1, 1994, and
 1. Have 15 or more years of classified or unclassified service; or
 2. Retire from City with an industrial disability.
- b. For employees who retire on or after the date this Agreement is ratified by the City Council, the City shall contribute \$10.00 per month, per year of service up to a maximum of 35 years (i.e., \$350.00/month) towards the purchase of medical insurance for the retiree and his/her spouse or registered domestic partner, if applicable.

Employees who retire from the City with an industrial disability shall receive a minimum contribution based upon 15 years of service, or actual years of service, whichever is greater.

- c. The retiree is not limited to purchase of a City sponsored plan, provided however, that if the retiree purchases another insurance plan, the retiree must supply the City with adequate proof of insurance coverage prior to any contribution from the City. Proof of such coverage shall be provided to the City on a periodic basis, as reasonably determined by the City.
- d. The City shall continue to make its contribution until the retiree reaches age 65 or dies, whichever occurs first, provided however, that if the retiree dies before reaching the age of 65 and there is a surviving spouse or registered domestic partner, the City's contribution shall cease when the retiree would have reached age 65. Thereafter, the spouse or registered domestic partner may remain on the insurance plan, at his/her own cost, subject to the conditions set forth by the insurance company.
- e. In the event Health Care legislation is passed which affects the nature of the benefit described above, the parties will reopen negotiations and modify

this benefit, if necessary, so as to maintain their original intent (e.g., eligibility, scope, cost).

42. RETIREMENT

a. For employees who are “Classic” employees under the Public Employees Retirement System (PERS):

- (1) The City shall provide the 3% at age 50 PERS retirement formula for Fire safety employees.
- (2) The City will pay 6.02% of the 9.00% employee's member contribution, which amount will be reduced as follows:

	Current	Effective 1/10/2015	Effective 1/9/2016
<u>Employee</u> Paid Member Contribution	2.98%	6.00%	9.00%
<u>City</u> Paid Member Contribution (EPMC)	6.02%	3.00%	0%
Total Member Contribution	9.00%	9.00%	9.00%

- (3) The City shall report to PERS the value of Employer Paid Member Contributions as compensation earnable pursuant to Government Code Section 20636(c)(4) through enabling City resolution. This provision will be discontinued as of January 1, 2016 when the City no longer makes Employer Paid Member Contributions.
- (4) The City shall provide One-Year Highest Compensation pursuant to Section 20042 of the California Government Code.

b. Effective January 1, 2013, “New” Fire Safety members as defined by California Public Employees’ Pension Reform Act of 2013 (hereinafter “AB 340”) will be covered under the 2.7% at 57 Safety retirement formula, with a final compensation measurement period of the average of the highest three (3) consecutive years, as well as all other statutory requirements of AB 340. Effective January 1, 2013, new employees and/or members as defined by AB 340 shall contribute half the normal cost for benefits, as defined by AB 340; the City will not pay any portion of these employees’ required contributions.

c. For both “Classic” and “New” PERS members:

- (1) The City shall provide Post-Retirement Survivor Allowance to Continue After Remarriage pursuant to Section 21635 of the California Government Code. This provides that if the surviving spouse remarries on or after January 1, 1985, the Post-Retirement Survivor Continuance will not cease. This section will apply on account of remarriages that occur on and after the contract inclusion date for survivors or contracting agency members.

- (2) The City shall provide Increased Level of 1959 Survivor Benefits pursuant to Section 21572 of the California Government Code. This benefit allows the City to provide 25% higher levels of 1959 Survivor Benefits than the level one benefits provided under section 21571 of the California Government Code.
- (3) Suppression employees will have fifty-six (56) hours of regular salary reported to PERS.
- (4) The City shall provide for employees to convert unused accumulated sick leave to additional PERS service credit at the time of retirement. (Government Code Section 20965).
- (5) The City's contract with PERS shall provide that Fire Inspectors I, II and III shall be designated as safety employees for purposes of retirement. (Government Code Section 20433).

45- SALARIES

- a. The compensation which shall be paid to fire personnel shall be in accordance with Section 1211 (b) of the City Charter as amended.
- b. Further, the City agrees to provide employees with a minimum 5% increase in base salary upon promotion up to the maximum of the salary provided in the salary range for the position.
- c. The following across-the-board increases will go into effect as indicated:

Effective Date	Base Salary Increase
January 10, 2015	4.0%
January 9, 2016	4.0%
January 7, 2017	1.0%
July 7, 2017	1.5%

46- SBCFA ACCESS TO WORK LOCATIONS

- a. SBCFA officers or employees shall be permitted reasonable access to work locations for the purpose of processing grievances or contacting members concerning issues of wages, hours, or terms and conditions of employment. Work locations will not be entered without the knowledge and consent of the Chief Officer on duty. Access shall not interfere with normal department operations or established safety or security requirements.
- b. Solicitation of membership and activities concerning SBCFA internal management shall not be conducted during working hours without the consent of the Fire Chief. The right to solicit members and conduct SBCFA activities shall not be unreasonably withheld if said activities are conducted

during non-scheduled activity hours.

- c. SBCFA shall submit requests to the Chief or his designee at least twenty-four (24) hours in advance of its desire to conduct a SBCFA meeting on City property. The Fire Chief or his designee has the discretion to approve any request but may not withhold approval unreasonably. The Fire Chief's response to SBCFA will be made within a reasonable time so that SBCFA can make other arrangements if necessary.

47- SBCFA BULLETIN BOARDS

The Association may furnish a bulletin board at each main work location for the conduct of Association business. The size and location of the boards must be approved by the City. All materials to be posted on such bulletin board shall be non-defamatory, must be approved and signed by an Association official and shall be used only for information related to the following subjects: Association recreational, social and related news bulletins, meeting notices, election notices and results, and other official Association business such as Committee reports.

48- SCOPE OF THE BARGAINING UNIT

The bargaining unit will represent all employees in the classifications of Firefighter, Fire Engineer, Fire Captain, Fire Inspector I, Fire Inspector II and Fire Inspector III.

49- SERVICE BETTERMENT PAY (EDUCATION)

The former City Service Betterment Pay Plan was eliminated January 1, 1977..

50- SHIFT TRADES

Employees may voluntarily exchange work shifts or any portion of a shift with 24 hours advance notice and approval from the Fire Chief or designated representative. Employees exchanging shift time shall be of equal rank.

The City and Fire Department are not responsible for shift exchange arrangements made between employees. Outstanding shift exchange paybacks are the responsibility of the individual employee.

51- SICK LEAVE

Employees shall be eligible to accrue sick leave at the rate of 12 days (144 hours for shift personnel and 96 hours for 40-hour per week employees) per year. Sick leave may be accumulated up to a maximum of 180 days (2,160 hours for shift personnel and 1,440 hours for 40-hour per week employees). In no case shall sick leave be used in lieu of or in addition to vacation or industrial injury/illness leave.

52- STANDBY PAY

When department management assigns 40 hour per week prevention employees to be on standby duty, the employees shall be compensated and governed by the following:

- a. Employees shall be ready to respond to calls for their services.
- b. Employees shall be readily reachable by telephone or paging device.
- c. Employees shall remain within sixty minutes travel time from Santa Barbara City.
- d. Employees shall refrain from activities which might impair their ability to perform their assigned duties.

The hourly standby pay amount will be \$5.41 per hour.

Employees shall not accrue standby pay simultaneously with overtime pay.

53- STATION MAINTENANCE

Employees shall be responsible for interior and exterior day-to-day routine maintenance necessary to maintain cleanliness of fire stations, related buildings and appurtenant grounds. Any additional work other than that which is necessary to maintain cleanliness shall not be required unless mutually agreed by the Association and the City.

54- STEP INCREASE PLAN

- a. Entry Level Firefighters shall be appointed at the A step. Entry level personnel shall be eligible for a salary step increase to the B step upon satisfactory completion of a probationary period of one year and a "probationary firefighters examination."
- b. Further step increases through the salary range shall require, in addition to satisfactory performance, a period of one year of actual service in each step.

55- TERM OF AGREEMENT

The term of this Memorandum of Understanding is for three and one half (3.5) years commencing on July 1, 2014 and expiring on December 31, 2017.

56- UNAUTHORIZED LEAVE/SUSPENSION

No sick leave, vacation, or holiday time shall accrue or be paid during any period of unauthorized leave or suspension. Should the suspension later be overturned, employee shall receive "back" pay and benefits that would have accrued to the employee as if the suspension had not taken place.

57- UNIFORM ALLOWANCE

- a. The City shall provide employees in the bargaining unit an annual uniform allowance of \$595 per full year that provides the entire City contribution for maintenance, cleaning and replacement of any authorized uniforms. Payment of the uniform allowance will be paid to employees who are on the payroll during the pay period ending two (2) weeks prior to the payday on which the uniform allowance is paid in June or December of each year. Payment will be made in a separate check, one-half (\$297.50) in December and one-half (\$297.50) in June, per the following schedule:

December 12, 2014 and June 10, 2015
December 11, 2015 and June 10, 2016
December 9, 2016 and June 9, 2017
December 8, 2017

- b. Newly hired employees will receive the full annual uniform allowance upon their commencement of employment with the City. Following twelve (12) months of employment, employees will receive their uniform allowance pursuant to the provisions of paragraph 'a' above.
- c. The Fire Department's dress, fatigue and physical fitness exercise uniforms are for official on-duty use only and are not to be mixed with personal clothing or worn off-duty. Any use of fire equipment or the wearing of the Fire Department uniform by fire personnel not on duty will only occur with the express permission of the Fire Chief or designee.
- d. The Fire Department will exchange uniforms destroyed in the line of duty.
- e. The City will clean employee turnouts as needed.

58- VACATION

- a. The following vacation schedule shall apply to shift personnel:
- 0 - 9 years continuous service accrues at 11 days (132 hours) per year.
 - 10 years continuous service & over accrues at 17 days (204 hours) per year.

- b. Employees assigned to 40-hour work week prevention function shall receive the general employees vacation schedule.
- c. Vacation hours bid in any vacation year must be taken by the end of that vacation year or the employee will cease accruing vacation, unless the employee elects to cash-out "unscheduled" vacation time pursuant to paragraph "e" below. It shall be the employees' responsibility to monitor their vacation accrual and schedule their unbid vacation days. Said limitation on accumulation of vacation hours shall not apply if scheduled vacations are canceled by the City for emergencies or canceled due to illness, injury or personal emergencies of employees. All vacation hours carried over due to the cancellation of a scheduled vacation shall either be taken or cashed in by the end of the following vacation year.
- d. Employees may maintain a bank of unbid vacation hours not to exceed their previous year's accrual. These unbid vacation hours may be taken with prior scheduling and approval by the City consistent with the staffing needs of the department.

Each year an employee must bid sufficient vacation hours so that his/her unbid hours do not exceed an amount equal to his/her previous year's vacation accrual.

- e. If a 40-hour employee takes a minimum of 80 hours of vacation during a payroll year, that employee is eligible to cash out any remaining vacation time. If a 56-hour employee takes a minimum of 96 hours of vacation during a payroll year, the employee is eligible to cash out any remaining "unscheduled" vacation time. Cash-outs of vacation time shall occur annually in conjunction with the vacation scheduling process.
- f. Vacations shall be scheduled in accordance with Municipal Code Chapter 3.08. A maximum of four (4) employees per shift may schedule vacation, holiday, or compensatory time off during any vacation year.

Effective with the 2008 vacation year, a 5th employee may be scheduled for vacation, holiday, or compensatory time off during any shift. The 5th slot will be available for bid during the normal 2008 vacation bid process. Once the vacation bid period is complete, an employee may request to use unbid vacation for an available 5th slot, provided he/she arranges to cover his/her own shift under the practice commonly referred to as a "wild card process".

Beginning with the normal 2009 vacation bid process, based on unforeseen operational impacts of the new 5th vacation slot and following informal consultation with the Association to explore alternatives, the Fire Chief may require that an employee requesting to take vacation in the 5th slot during

the annual bid process must arrange to cover his/her own shift under the wild card process.

- g. The City retains the right to cancel scheduled time off during emergencies.

59- WAIVER

Except as otherwise provided in this Agreement, each party voluntarily and unqualifiably waives the right and each agrees that the other party shall not be obligated to meet and confer with respect to any subject or matter pertaining to or covered by this Agreement. Nothing in the foregoing however, shall preclude the parties from meeting and consult during the term of this Agreement on matters of mutual concern. Such meeting and consulting shall be by mutual consent only.

Nothing in this Agreement shall in any way diminish the rights of the employees, the City, or the SBCFA as established by the Meyers-Milias-Brown Act of the State of California and all amendments thereto, or Santa Barbara Municipal Code, Chapter 3.12, except as herein provided.

60- WORK SCHEDULES

a. Suppression Employees

(1) Suppression employees shall be regularly scheduled to work a 48/96 schedule, subject to the City's right to discontinue this schedule and return to the 3-4 schedule, as provided under the "Policy Regarding 48/96 Schedule" reflected in Appendix B to this Agreement.

(2) City shall designate the employee's work week and may change an employee to a 40-hour week by providing 90 calendar days advance notice unless mutually agreed by employee and City or unless unanticipated circumstances, other than discipline or retraining, necessitate lesser notice in order to maintain service levels and normal activities. The 90 calendar day notice will not apply to an employee whose schedule changes when starting or ending a temporary modified duty assignment.

(3) Any firefighter, fire engineer, or fire captain that is either:

- i. Assigned by the Fire Chief or Deputy Chief to a 40-hour work schedule while on mandatory temporary modified duty due to an industrial illness or injury; or
- ii. Designated by the Fire Chief to work in an administrative capacity on a schedule of 40 hours a week to meet the needs of the City,

will receive a biweekly "administrative assignment pay". The biweekly amount will be approximately equal to 3 hours at the straight time hourly

rate of pay for an employee in the same job classification, but assigned to a 56-hours per week schedule.

The purpose of this pay will be to maintain a salary for the employee on a 40-hour per week administrative assignment that is approximately equal to that of an employee assigned to a 56-hour per week schedule. Any previous practice designed to achieve this salary equivalency will be discontinued. An employee assigned to a 40-hour schedule at his or her own request (e.g., due to a non-industrial illness or injury) will not be eligible for administrative assignment pay.

(4) If the City desires to change the regular work schedule, other than returning to the 3-4 schedule as provided under the "Policy Regarding 48/96 Schedule" reflected in Appendix B to this Agreement, it shall notify the Association and provide it the opportunity to meet and confer.

b. Prevention/Investigation Employees

Employees shall be regularly scheduled to work an average 40-hour work week and shall receive a minimum of two (2) consecutive days off subject to emergency call back, overtime or standby. The City shall designate the employees' work week.

c. Moving from 40-hour to 56-hour shift

When an employee moves from a 40 hour shift to a 56 hour shift, and vice versa, no conversion shall be made to the hours in the employee's accrued leave banks. An employee may use previously accrued vacation on an hour-for-hour basis. However, the employee will begin accruing leave at the new rate applicable to that new schedule.

APPENDIX A

CITY OF SANTA BARBARA

CATASTROPHIC LEAVE POLICY

- I. **PURPOSE:** To establish a program whereby City employees can donate vacation, unscheduled holiday and/or compensatory time to the sick leave banks of permanent full-time and permanent part-time employees who are incapacitated due to a catastrophic off-duty illness or injury.

- II. **DEFINITION:** A catastrophic illness or injury is a severe illness or injury which is unusual, unexpected, or immediate in nature; and which is expected to preclude an employee from returning to work for an extended period of time, during which the employee will exhaust all of his/her accumulated leave balances.

- III. **POLICY:** City employees may donate vacation, unscheduled holiday and/or compensatory time to a permanent full-time or permanent part-time employee if:
 - A. An employee experiences a catastrophic illness or injury which requires him/her to be absent from work for an extended period of time;
 - B. The employee has nearly exhausted all leave balances (sick, vacation, personal leave, holiday, compensatory time); and
 - C. The employee or if incapacitated, the legally recognized representative has agreed to accept the donation if approved by the Department Head and the City Administrator.
 - D. The Department Head will take action to help ensure that each employee's decision to donate or not donate to a Personal Catastrophic Leave Account is kept confidential and that the donor and recipient employees are not pressured to participate.
 - E. State and Federal income tax on the value of vacation, unscheduled holiday and/or compensatory time donated shall be deducted from the recipient employee's pay at the time the hours are used.

- IV. **PROCEDURES:**
 - A. A request is made by the recipient employee or if incapacitated, the legally recognized representative to the Department Head for the establishment of a Personal Catastrophic Leave Account. This request may be made prior to the employee exhausting all of his/her paid leave balances so that time

donated may be utilized immediately upon exhaustion of the employee's leave balances, but not before.

- B. Upon approval of the Department Head and the City Administrator, and upon agreement of the recipient employee, a Personal Catastrophic Leave Account will be established. The employee or if incapacitated, the legally recognized representative will sign the "Request to Receive Donation(s)" form allowing publication and distribution of information regarding his/her situation.
- C. The employee or if incapacitated, the legally recognized representative will be required to provide verification of the illness or injury from an attending physician before and while using time donated under this program. All information provided by the employee's physician will remain confidential.
- D. The request for donations shall occur in three month intervals and may be extended up to a maximum of twelve (12) continuous months for any one catastrophic illness/injury, based upon approval of the Department Head and City Administrator.
- E. Donated vacation, unscheduled holiday and/or compensatory time shall be converted and credited to the recipient in equivalent hours of sick leave at the recipient's base hourly rate. (e.g., employee A makes \$20/hour and donates 1 hour of vacation time to employee B who earns \$10/hour. B's sick leave bank is increased by 2 hours for each hour donated by A.)
- F. Employees will use the "Donation of Vacation, Unscheduled Holiday and/or Compensatory Time" form to submit donations of vacation, unscheduled holiday and/or compensatory time directly to Human Resources. All donations will be reviewed for compliance with this policy. After review, the form will be forwarded to Payroll for action and adjustment to the donor's and recipient's paid leave balances.
- G. All donations of vacation, unscheduled holiday and/or compensatory time shall be in increments of 4 hours or more (e.g. 4, 8, 12 hours) and shall be made in three month increments. An employee may not donate vacation, unscheduled holiday or compensatory time which would reduce his or her total accrued combined balance of vacation, compensatory time, personal leave, holiday and sick leave to less than 120 hours after the donation.
- H. The donation of vacation, unscheduled holiday and/or compensatory time is irreversible. Should the recipient employee not use all the donated time for the catastrophic illness or injury, any balance will revert to a City-wide "Catastrophic Leave Bank" for future use by employees with need for that donated time pursuant to the provisions of this Catastrophic Leave Policy.

- I. A report on the usage of Personal Catastrophic Leave Accounts and status of the City-wide "Catastrophic Leave Bank" will be available to recognized labor organizations and others with a need to know. The report will include the identity of the recipient(s), hours donated, hours used and the remaining balance(s).

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**CITY OF SANTA BARBARA
CATASTROPHIC LEAVE POLICY (FIRE)
REQUEST TO RECEIVE DONATION(S)**

This form is for those City employees who are incapacitated due to a catastrophic illness or injury and wish to benefit from a City-established employee-donated Personal Catastrophic Leave Account. To be eligible to participate in the program, it is foreseen that an employee will use all of his/her accumulated leave balances because of a catastrophic illness or injury; however, any hours donated may not be utilized until the employee's leave balances are actually exhausted.

The purpose of this form is not to be intrusive into the personal life of any employee. The goal is to obtain enough information so that the decision to establish a Personal Catastrophic Leave Account for any given employee will be based on appropriate considerations. The intent is to establish a Personal Catastrophic Leave Account for those employees truly in need.

Name: _____ Date: _____

Job Title: _____ Department: _____

Please describe why you are requesting use of a Personal Catastrophic Leave Account including information such as the nature of the catastrophe. (A doctor's Certificate of Disability will be required. Other pertinent information may be required by the City. All information provided by your physician will remain confidential.)

How much donated time do you estimate you may need?

I agree to allow this information to be released to those employees wishing to donate their vacation, unscheduled holiday and/or compensatory time to me, as well as those people involved in the administration of the program.

Signed by the Requesting Employee or, if incapacitated,
the Legally Recognized Representative

Date

Signed by the Department Head

Date

Signed by the City Administrator

Date

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CITY OF SANTA BARBARA
CATASTROPHIC LEAVE POLICY (FIRE)

DONATION OF VACATION, UNSCHEDULED HOLIDAY
AND/OR COMPENSATORY TIME

CONFIDENTIAL

TO: Human Resources

FROM: _____
(Employee Name and Department)

DATE:

I understand that this donation of my vacation, unscheduled holiday and/or compensatory time is irrevocable. Should the employee receiving the donation not use all of the donated time for the catastrophic illness or injury, the balance will remain with the Catastrophic Leave Bank for future use by other employees with need for the donated time.

I understand that I may only donate vacation, unscheduled holiday and/or compensatory time may only be donated in increments of four hours or more (e.g. 4, 8, 12 hours).

I understand that I cannot donate vacation, unscheduled holiday, and/or compensatory time which would reduce my total accumulated vacation, compensatory time, personal leave, holiday and sick leave to less than 120 hours after my donation.

I have read and understand all of the above and I freely and without restraint elect to donate ___ vacation hours; ___ unscheduled holiday hours; ___ compensatory time to a Personal Catastrophic Leave Account established for the benefit of _____ (employee's name).

NAME: (please print)

SIGNATURE:

DATE:

APPENDIX B

FIRE SUPPRESSION POLICY REGARDING 48/96 SCHEDULE

1. **APPLICATION:** This agreement will apply to Fire Suppression employees on a 24-hour shift schedule.
2. **EFFECTIVE DATE:** The new 48/96 work schedule will be effective on January 6, 2007 and continue for a trial period ending on June 20, 2008.
3. **TERMINATION OF 48/96 SCHEDULE:** With 90 days advanced written notice, the City may, at its sole option, discontinue the 48/96 work schedule for failure to meet the objectives of the 48/96 work schedule (e.g., the items listed in Section 9, "Objectives of 48/96 Schedule", below). The 48/96 schedule may also be discontinued by mutual agreement between the City and the Association, however this section shall not create an obligation for either party to meet and confer on this matter prior to discontinuing the work schedule.
4. **EXPIRATION OF TRIAL PERIOD:** Either the City or the Association may exercise the right to return to the previous "3-4" work schedule (also called a "Kelly" schedule) following the trial period by submitting a request in writing to the other party at least 60 days prior to the expiration of the trial period. The schedule change will be accomplished as soon as practicable after the expiration of the trial period without incurring additional City overtime costs. If neither party exercises this right, the 48/96 schedule will continue, subject to the cancellation options as provided in Section 3 ("Termination of 48/96 Schedule"), above.
5. **FLSA WORK PERIOD:** The work period will be defined as a 24-day work period, as permitted by the current Memorandum of understanding (MOU) and the Fair Labor Standards Act (FLSA), in order to accommodate the 48/96 schedule. Overtime will be paid in accordance with Section 39(c)(1) of the M.O.U. ("Overtime/Fair Labor Standards Act (FLSA)")
6. **DESCRIPTION OF 48/96 WORK SCHEDULE:** A duty shift will be a period of 24 consecutive hours, starting at 0800 hours one day and continuing to 0800 hours the next day. A scheduled rotation will occur after 2 shifts (48 hours), followed by 96 hours off. This will result in 10 hours of scheduled overtime per 24-day FLSA work period.
7. **HOLIDAY BLACK- OUT PERIOD:** During the month of December annually, a "holiday black-out period" will be imposed wherein no vacation time off will be authorized between December 22nd and December 25th. However, a supervisor may approve an employee's use of vacation time off during this period if the employee arranges his or her own relief coverage.
8. **MAXIMUM CONTINUOUS DUTY:** The maximum allowable continuous duty hours are capped at 96 hours (mandatory and/or voluntary), with a minimum 12-hour period thereafter before the employee returns to any duty. For off-district

assignments through mutual aid or unusual circumstances, such as a local disaster, an exception the maximum continuous duty may be approved by the Fire Chief or his/her designee.

9. **MINIMUM TIME OFF:** Vacation, comp-time, holiday, and sick leave may be scheduled only in blocks of 12 or 24 hours, except as required by state, local or federal law.
10. **OBJECTIVES OF 48/96 SCHEDULE:** It shall be the goal of the 48/96 schedule change to enhance employee morale and job satisfaction, increase productivity and training opportunities, improve continuity in the management of collateral assignments, and reduce commuter trips by 50% for all Suppression staff without negative impacts on the City including, but not limited to, the following areas:
 - Sick leave use
 - Number of injuries/worker's compensations claims
 - Number of vehicle accidents
 - Training hours completed (including required LEAP training)
 - Number of fire inspections performed
 - Compliance with P3 objectives for the Operations Division
 - Employee fatigue
 - Resulting operational difficulties/challenges
 - Compliance with new and existing policies
 - Overtime costs
 - Representation of protected classes in the fire service.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014

TO: Mayor and Councilmembers

FROM: Accounting Division, Finance Department

SUBJECT: Fiscal Year 2014 Interim Financial Statements For The Eleven Months Ended May 31, 2014

RECOMMENDATION:

That Council accept the Fiscal Year 2014 Interim Financial Statements for the Eleven Months ended May 31, 2014.

DISCUSSION:

The interim financial statements for the eleven months ended May 31, 2014 (91.7% of the fiscal year) are attached. The interim financial statements include budgetary activity in comparison to actual activity for the General Fund, Enterprise Funds, Internal Service Funds, and select Special Revenue Funds.

ATTACHMENT: Interim Financial Statements for the Eleven Months Ended May 31, 2014

PREPARED BY: Julie Nemes, Accounting Manager

SUBMITTED BY: Robert Samario, Finance Director

APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
GENERAL FUND					
Revenue	111,817,552	104,741,056	-	7,076,496	93.7%
Expenditures	<u>112,053,431</u>	<u>100,387,904</u>	<u>1,091,970</u>	10,573,556	90.6%
<i>Addition to / (use of) reserves</i>	<u>(235,879)</u>	<u>4,353,152</u>	<u>(1,091,970)</u>		
SOLID WASTE FUND					
Revenue	20,127,443	18,617,536	-	1,509,907	92.5%
Expenditures	<u>20,247,668</u>	<u>18,213,850</u>	<u>150,753</u>	1,883,064	90.7%
<i>Addition to / (use of) reserves</i>	<u>(120,225)</u>	<u>403,686</u>	<u>(150,753)</u>		
WATER OPERATING FUND					
Revenue	36,709,435	34,379,578	-	2,329,857	93.7%
Expenditures	<u>45,179,425</u>	<u>36,369,284</u>	<u>1,817,924</u>	6,992,217	84.5%
<i>Addition to / (use of) reserves</i>	<u>(8,469,990)</u>	<u>(1,989,706)</u>	<u>(1,817,924)</u>		
WASTEWATER OPERATING FUND					
Revenue	17,907,479	16,760,160	-	1,147,319	93.6%
Expenditures	<u>19,048,005</u>	<u>15,475,597</u>	<u>1,124,748</u>	2,447,660	87.2%
<i>Addition to / (use of) reserves</i>	<u>(1,140,526)</u>	<u>1,284,563</u>	<u>(1,124,748)</u>		
DOWNTOWN PARKING					
Revenue	7,420,709	7,484,779	-	(64,070)	100.9%
Expenditures	<u>8,601,079</u>	<u>7,472,512</u>	<u>150,812</u>	977,755	88.6%
<i>Addition to / (use of) reserves</i>	<u>(1,180,370)</u>	<u>12,266</u>	<u>(150,812)</u>		
AIRPORT OPERATING FUND					
Revenue	15,751,093	14,142,688	-	1,608,405	89.8%
Expenditures	<u>16,571,531</u>	<u>13,881,680</u>	<u>570,895</u>	2,118,956	87.2%
<i>Addition to / (use of) reserves</i>	<u>(820,438)</u>	<u>261,008</u>	<u>(570,895)</u>		
GOLF COURSE FUND					
Revenue	2,108,459	1,865,503	-	242,956	88.5%
Expenditures	<u>2,106,923</u>	<u>1,855,742</u>	-	251,181	88.1%
<i>Addition to / (use of) reserves</i>	<u>1,536</u>	<u>9,761</u>	-		
INTRA-CITY SERVICE FUND					
Revenue	5,604,962	4,610,874	-	994,088	82.3%
Expenditures	<u>5,911,688</u>	<u>5,125,326</u>	<u>161,017</u>	625,345	89.4%
<i>Addition to / (use of) reserves</i>	<u>(306,726)</u>	<u>(514,452)</u>	<u>(161,017)</u>		

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Summary by Fund
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
FLEET REPLACEMENT FUND					
Revenue	2,758,201	2,461,273	-	296,928	89.2%
Expenditures	<u>5,134,991</u>	<u>1,353,488</u>	<u>2,171,422</u>	1,610,081	68.6%
<i>Addition to / (use of) reserves</i>	<u>(2,376,790)</u>	<u>1,107,785</u>	<u>(2,171,422)</u>		
FLEET MAINTENANCE FUND					
Revenue	2,576,502	2,401,831	-	174,671	93.2%
Expenditures	<u>2,650,738</u>	<u>2,124,760</u>	<u>146,795</u>	379,183	85.7%
<i>Addition to / (use of) reserves</i>	<u>(74,236)</u>	<u>277,071</u>	<u>(146,795)</u>		
SELF INSURANCE TRUST FUND					
Revenue	5,960,947	5,492,832	-	468,115	92.1%
Expenditures	<u>6,022,747</u>	<u>5,671,659</u>	<u>322,951</u>	28,137	99.5%
<i>Addition to / (use of) reserves</i>	<u>(61,800)</u>	<u>(178,827)</u>	<u>(322,951)</u>		
INFORMATION SYSTEMS ICS FUND					
Revenue	2,514,997	2,305,414	-	209,583	91.7%
Expenditures	<u>2,965,594</u>	<u>2,532,022</u>	<u>141,645</u>	291,928	90.2%
<i>Addition to / (use of) reserves</i>	<u>(450,597)</u>	<u>(226,608)</u>	<u>(141,645)</u>		
WATERFRONT FUND					
Revenue	12,445,067	12,512,875	-	(67,808)	100.5%
Expenditures	<u>13,558,989</u>	<u>11,751,314</u>	<u>402,419</u>	1,405,257	89.6%
<i>Addition to / (use of) reserves</i>	<u>(1,113,922)</u>	<u>761,561</u>	<u>(402,419)</u>		
TOTAL FOR ALL FUNDS					
Revenue	243,702,846	227,776,400	-	15,926,447	93.5%
Expenditures	<u>260,052,810</u>	<u>222,215,139</u>	<u>8,253,351</u>	29,584,320	88.6%
<i>Addition to / (use of) reserves</i>	<u>(16,349,964)</u>	<u>5,561,261</u>	<u>(8,253,351)</u>		

*** It is City policy to adopt a balanced budget. In most cases, encumbrance balances exist at year-end. These encumbrance balances are obligations of each fund and must be reported at the beginning of each fiscal year. In addition, a corresponding appropriations entry must be made in order to accommodate the 'carried-over' encumbrance amount. Most differences between budgeted annual revenues and expenses are due to these encumbrance carryovers.*

CITY OF SANTA BARBARA
General Fund
Interim Statement of Budgeted and Actual Revenues
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Remaining Balance</u>	<u>Percent Received</u>	<u>Previous YTD</u>
TAXES					
Sales and Use	21,084,894	19,583,025	1,501,869	92.9%	16,350,737
Property Taxes	25,475,500	25,148,892	326,608	98.7%	28,728,071
Utility Users Tax	6,975,300	6,444,206	531,094	92.4%	6,378,328
Transient Occupancy Tax	16,202,000	15,200,638	1,001,362	93.8%	13,206,761
Business License	2,415,000	2,357,277	57,723	97.6%	2,338,610
Real Property Transfer Tax	537,900	598,563	(60,663)	111.3%	573,006
<i>Total</i>	<u>72,690,594</u>	<u>69,332,601</u>	<u>3,357,993</u>	95.4%	<u>67,575,513</u>
LICENSES & PERMITS					
Licenses & Permits	219,180	170,374	48,806	77.7%	187,744
<i>Total</i>	<u>219,180</u>	<u>170,374</u>	<u>48,806</u>	77.7%	<u>187,744</u>
FINES & FORFEITURES					
Parking Violations	2,628,967	2,441,053	187,914	92.9%	2,256,742
Library Fines	135,000	124,818	10,182	92.5%	120,346
Municipal Court Fines	120,000	75,619	44,381	63.0%	83,714
Other Fines & Forfeitures	250,000	323,862	(73,862)	129.5%	259,226
<i>Total</i>	<u>3,133,967</u>	<u>2,965,350</u>	<u>168,617</u>	94.6%	<u>2,720,028</u>
USE OF MONEY & PROPERTY					
Investment Income	676,267	538,772	137,496	79.7%	681,831
Rents & Concessions	396,322	338,528	57,794	85.4%	390,165
<i>Total</i>	<u>1,072,589</u>	<u>877,299</u>	<u>195,290</u>	81.8%	<u>1,071,996</u>
INTERGOVERNMENTAL					
Grants	306,016	206,722	99,294	67.6%	126,973
Vehicle License Fees	-	39,945	(39,945)	100.0%	48,265
Reimbursements	414,320	1,090,141	(675,821)	263.1%	754,394
<i>Total</i>	<u>720,336</u>	<u>1,336,808</u>	<u>(616,472)</u>	185.6%	<u>929,632</u>
FEES & SERVICE CHARGES					
Finance	926,598	859,192	67,406	92.7%	804,524
Community Development	4,480,075	3,783,269	696,806	84.4%	3,911,906
Recreation	2,951,818	2,660,265	291,553	90.1%	2,499,490
Public Safety	631,938	520,516	111,422	82.4%	521,070
Public Works	5,661,288	5,176,953	484,335	91.4%	5,124,163
Library	753,839	717,381	36,459	95.2%	629,282
Reimbursements	4,293,383	3,864,441	428,942	90.0%	3,972,794
<i>Total</i>	<u>19,698,939</u>	<u>17,582,017</u>	<u>2,116,922</u>	89.3%	<u>17,463,229</u>
OTHER REVENUES					
Miscellaneous	1,624,751	1,591,720	33,031	98.0%	3,250,812
Franchise Fees	3,660,300	3,659,279	1,021	100.0%	3,436,230
Indirect Allocations	6,292,740	5,768,345	524,395	91.7%	5,355,031
Operating Transfers-In	2,704,156	1,457,262	1,246,894	53.9%	2,912,067
<i>Total</i>	<u>14,281,947</u>	<u>12,476,606</u>	<u>1,805,341</u>	87.4%	<u>14,954,140</u>
TOTAL REVENUES	<u>111,817,552</u>	<u>104,741,056</u>	<u>7,076,496</u>	93.7%	<u>104,902,282</u>

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>YTD Expended and Encumbered</u>	<u>Previous YTD</u>
GENERAL GOVERNMENT						
<u>Mayor & City Council</u>						
MAYOR & CITY COUNCIL	770,723	678,294	3,300	89,129	88.4%	
<i>Total</i>	<u>770,723</u>	<u>678,294</u>	<u>3,300</u>	<u>89,129</u>	88.4%	<u>667,621</u>
<u>City Attorney</u>						
CITY ATTORNEY	2,129,254	1,891,719	16,989	220,546	89.6%	
<i>Total</i>	<u>2,129,254</u>	<u>1,891,719</u>	<u>16,989</u>	<u>220,546</u>	89.6%	<u>1,880,703</u>
<u>Administration</u>						
CITY ADMINISTRATOR	1,587,391	1,405,893	109	181,389	88.6%	
CITY TV	558,637	475,807	17,862	64,969	88.4%	
<i>Total</i>	<u>2,146,028</u>	<u>1,881,700</u>	<u>17,970</u>	<u>246,358</u>	88.5%	<u>1,781,301</u>
<u>Administrative Services</u>						
CITY CLERK	475,090	430,989	2,133	41,968	91.2%	
ELECTIONS	300,000	200,284	3,200	96,516	67.8%	
HUMAN RESOURCES	1,412,691	1,103,105	10,531	299,056	78.8%	
EMPLOYEE DEVELOPMENT	14,447	11,098	-	3,349	76.8%	
<i>Total</i>	<u>2,202,228</u>	<u>1,745,475</u>	<u>15,864</u>	<u>440,889</u>	80.0%	<u>1,489,837</u>
<u>Finance</u>						
ADMINISTRATION	221,336	221,773	4,186	(4,623)	102.1%	
REVENUE & CASH MANAGEMENT	510,731	407,129	34,600	69,002	86.5%	
CASHIERING & COLLECTION	458,460	420,992	-	37,468	91.8%	
LICENSES & PERMITS	469,695	434,208	11,767	23,720	94.9%	
BUDGET MANAGEMENT	430,198	386,423	-	43,775	89.8%	
ACCOUNTING	622,461	534,051	23,057	65,353	89.5%	
PAYROLL	294,274	265,201	-	29,073	90.1%	
ACCOUNTS PAYABLE	226,149	205,592	-	20,557	90.9%	
CITY BILLING & CUSTOMER SERVICE	683,988	563,996	79,475	40,517	94.1%	
PURCHASING	639,289	543,379	580	95,330	85.1%	
CENTRAL WAREHOUSE	170,978	154,178	241	16,560	90.3%	
MAIL SERVICES	109,740	99,625	241	9,874	91.0%	
<i>Total</i>	<u>4,837,299</u>	<u>4,236,546</u>	<u>154,147</u>	<u>446,606</u>	90.8%	<u>4,072,607</u>
TOTAL GENERAL GOVERNMENT	<u>12,085,532</u>	<u>10,433,734</u>	<u>208,270</u>	<u>1,443,528</u>	88.1%	<u>9,892,069</u>
PUBLIC SAFETY						
<u>Police</u>						
CHIEF'S STAFF	1,035,400	1,029,990	-	5,410	99.5%	
SUPPORT SERVICES	723,647	640,324	31,002	52,321	92.8%	
RECORDS BUREAU	1,293,046	1,134,841	13,168	145,038	88.8%	
ADMIN SERVICES	1,035,807	930,821	2,374	102,612	90.1%	
PROPERTY ROOM	213,001	169,472	389	43,140	79.7%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>YTD Expended and Encumbered</u>	<u>Previous YTD</u>
PUBLIC SAFETY						
<u>Police</u>						
TRAINING/RECRUITMENT	483,113	411,132	19,115	52,866	89.1%	
RANGE	1,243,968	1,172,538	23,911	47,519	96.2%	
COMMUNITY & MEDIA RELATIONS	858,553	831,026	-	27,527	96.8%	
INFORMATION TECHNOLOGY	1,185,630	1,081,495	15,310	88,825	92.5%	
INVESTIGATIVE DIVISION	4,994,432	4,778,703	-	215,729	95.7%	
CRIME LAB	155,092	130,522	-	24,570	84.2%	
PATROL DIVISION	15,795,703	14,471,248	50,977	1,273,477	91.9%	
TRAFFIC	1,415,405	1,285,404	559	129,442	90.9%	
SPECIAL EVENTS	831,095	917,304	-	(86,209)	110.4%	
TACTICAL PATROL FORCE	1,497,838	1,224,221	-	273,617	81.7%	
STREET SWEEPING ENFORCEMENT	340,916	310,572	-	30,344	91.1%	
NIGHT LIFE ENFORCEMENT	301,944	314,311	-	(12,367)	104.1%	
PARKING ENFORCEMENT	989,866	921,020	7,623	61,223	93.8%	
COMBINED COMMAND CENTER	2,462,970	2,022,552	-	440,418	82.1%	
ANIMAL CONTROL	665,510	542,001	-	123,509	81.4%	
<i>Total</i>	<u>37,522,935</u>	<u>34,319,497</u>	<u>164,427</u>	<u>3,039,011</u>	91.9%	<u>32,819,064</u>
<u>Fire</u>						
ADMINISTRATION	816,274	740,079	7,115	69,079	91.5%	
EMERGENCY SERVICES AND PUBLIC ED	294,891	263,293	-	31,598	89.3%	
PREVENTION	1,118,386	1,059,951	-	58,435	94.8%	
WILDLAND FIRE MITIGATION PROGRAM	199,013	164,210	6,916	27,888	86.0%	
OPERATIONS	18,064,121	17,016,165	78,673	969,283	94.6%	
ARFF	1,860,354	1,639,911	-	220,443	88.2%	
<i>Total</i>	<u>22,353,039</u>	<u>20,883,610</u>	<u>92,704</u>	<u>1,376,725</u>	93.8%	<u>20,186,346</u>
TOTAL PUBLIC SAFETY	<u>59,875,974</u>	<u>55,203,106</u>	<u>257,131</u>	<u>4,415,736</u>	92.6%	<u>53,005,410</u>
PUBLIC WORKS						
<u>Public Works</u>						
ADMINISTRATION	1,049,511	815,385	8,785	225,341	78.5%	
ENGINEERING SVCS	4,871,823	4,313,534	3,864	554,425	88.6%	
PUBLIC RT OF WAY MGMT	1,042,862	932,871	746	109,245	89.5%	
ENVIRONMENTAL PROGRAMS	507,253	297,835	125,444	83,974	83.4%	
<i>Total</i>	<u>7,471,449</u>	<u>6,359,625</u>	<u>138,840</u>	<u>972,985</u>	87.0%	<u>6,415,254</u>
TOTAL PUBLIC WORKS	<u>7,471,449</u>	<u>6,359,625</u>	<u>138,840</u>	<u>972,985</u>	87.0%	<u>6,415,254</u>
COMMUNITY SERVICES						
<u>Parks & Recreation</u>						
REC PROGRAM MGMT	699,131	619,599	875	78,657	88.7%	
FACILITIES & SPECIAL EVENTS	778,579	681,815	2,724	94,040	87.9%	
YOUTH ACTIVITIES	954,403	898,996	9,945	45,462	95.2%	
ACTIVE ADULTS	696,667	622,865	1,834	71,968	89.7%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>YTD Expended and Encumbered</u>	<u>Previous YTD</u>
COMMUNITY SERVICES						
<u>Parks & Recreation</u>						
AQUATICS	1,251,951	1,076,405	26,156	149,390	88.1%	
SPORTS	537,090	545,783	5,290	(13,983)	102.6%	
TENNIS	274,749	247,463	-	27,286	90.1%	
NEIGHBORHOOD & OUTREACH SERV	1,027,181	1,008,298	-	18,883	98.2%	
ADMINISTRATION	642,767	601,497	11,297	29,973	95.3%	
PROJECT MANAGEMENT TEAM	376,272	275,170	76	101,025	73.2%	
BUSINESS SERVICES	6,082	3,886	-	2,196	63.9%	
PARK OPERATIONS MANAGEMENT	953,835	814,411	419	139,004	85.4%	
GROUND & FACILITIES MAINTENANCE	4,729,123	3,894,950	191,817	642,356	86.4%	
FORESTRY	1,243,687	1,019,586	98,929	125,172	89.9%	
BEACH MAINTENANCE	157,332	126,505	13,831	16,996	89.2%	
<i>Total</i>	<u>14,328,850</u>	<u>12,437,229</u>	<u>363,194</u>	<u>1,528,427</u>	89.3%	<u>11,878,635</u>
<u>Library</u>						
ADMINISTRATION	460,433	419,000	-	41,433	91.0%	
PUBLIC SERVICES	2,607,620	2,272,161	-	335,459	87.1%	
SUPPORT SERVICES	1,617,031	1,492,002	25,672	99,357	93.9%	
<i>Total</i>	<u>4,685,085</u>	<u>4,183,164</u>	<u>25,672</u>	<u>476,248</u>	89.8%	<u>3,997,829</u>
TOTAL COMMUNITY SERVICES	<u>19,013,934</u>	<u>16,620,393</u>	<u>388,866</u>	<u>2,004,675</u>	89.5%	<u>15,876,464</u>
COMMUNITY DEVELOPMENT						
<u>Community Development</u>						
ADMINISTRATION	551,107	454,638	67	96,402	82.5%	
ECONOMIC DEVELOPMENT	48,420	33,214	-	15,206	68.6%	
CITY ARTS ADVISORY PROGRAM	437,260	437,260	-	-	100.0%	
RENTAL HOUSING MEDIATION	249,060	179,713	-	69,346	72.2%	
HUMAN SERVICES	821,025	779,424	13,457	28,143	96.6%	
HOUSING PRESERVATION AND DEV	59,645	19,402	40,244	(1)	100.0%	
LONG RANGE PLAN & SPEC STUDY	905,914	751,155	20,081	134,678	85.1%	
DEVEL & ENVIRONMENTAL REVIEW	1,350,777	1,166,414	7,143	177,219	86.9%	
ZONING INFO & ENFORCEMENT	1,264,867	1,115,828	2,241	146,798	88.4%	
DESIGN REV & HIST PRESERVATION	1,100,803	942,873	3,356	154,574	86.0%	
BLDG INSP & CODE ENFORCEMENT	1,147,440	985,550	150	161,741	85.9%	
RECORDS ARCHIVES & CLER SVCS	563,562	479,694	7,004	76,863	86.4%	
BLDG COUNTER & PLAN REV SVCS	1,302,478	1,151,451	5,120	145,907	88.8%	
<i>Total</i>	<u>9,802,357</u>	<u>8,496,617</u>	<u>98,863</u>	<u>1,206,877</u>	87.7%	<u>8,135,249</u>
TOTAL COMMUNITY DEVELOPMENT	<u>9,802,357</u>	<u>8,496,617</u>	<u>98,863</u>	<u>1,206,877</u>	87.7%	<u>8,135,249</u>
NON-DEPARTMENTAL						
<u>Non-Departmental</u>						
DUES, MEMBERSHIPS, & LICENSES	22,272	23,940	-	(1,668)	107.5%	
TRANSFERS OUT	43,500	39,875	-	3,625	91.7%	

CITY OF SANTA BARBARA
General Fund
Interim Statement of Appropriations, Expenditures and Encumbrances
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>YTD Expended and Encumbered</u>	<u>Previous YTD</u>
NON-DEPARTMENTAL						
<i>Non-Departmental</i>						
DEBT SERVICE TRANSFERS	350,746	322,078	-	28,668	91.8%	
CAPITAL OUTLAY TRANSFER	1,000,000	916,666	-	83,334	91.7%	
APPROP.RESERVE	359,658	-	-	359,658	0.0%	
NON-DEPT - COMMUNITY PROMOTIONS	2,028,008	1,971,869	-	56,139	97.2%	
<i>Total</i>	<u>3,804,184</u>	<u>3,274,428</u>	<u>-</u>	<u>529,756</u>	86.1%	<u>6,283,811</u>
TOTAL NON-DEPARTMENTAL	<u>3,804,184</u>	<u>3,274,428</u>	<u>-</u>	<u>529,756</u>	86.1%	<u>6,283,811</u>
 TOTAL EXPENDITURES	 <u>112,053,431</u>	 <u>100,387,904</u>	 <u>1,091,970</u>	 <u>10,573,556</u>	 90.6%	 <u>99,608,257</u>

*** The legal level of budgetary control is at the department level for the General Fund. Therefore, as long as the department as a whole is within budget, budgetary compliance has been achieved. The City actively monitors the budget status of each department and takes measures to address potential over budget situations before they occur.*

For Enterprise and Internal Service Funds, the level of budgetary control is at the fund level. The City also monitors and addresses these fund types for potential over budget situations.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
Special Revenue Funds
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>
TRAFFIC SAFETY FUND					
Revenue	506,204	499,896	-	6,308	98.8%
Expenditures	<u>506,204</u>	<u>501,786</u>	-	<u>4,418</u>	99.1%
<i>Revenue Less Expenditures</i>	<u>-</u>	<u>(1,890)</u>	-	<u>1,890</u>	
CREEK RESTORATION/WATER QUALITY IMPRVMT					
Revenue	3,367,572	3,047,099	-	320,473	90.5%
Expenditures	<u>5,433,182</u>	<u>4,299,771</u>	<u>267,894</u>	<u>865,517</u>	84.1%
<i>Revenue Less Expenditures</i>	<u>(2,065,610)</u>	<u>(1,252,673)</u>	<u>(267,894)</u>	<u>(545,044)</u>	
COMMUNITY DEVELOPMENT BLOCK GRANT					
Revenue	1,853,369	521,086	-	1,332,283	28.1%
Expenditures	<u>2,167,813</u>	<u>900,534</u>	<u>84,112</u>	<u>1,183,167</u>	45.4%
<i>Revenue Less Expenditures</i>	<u>(314,444)</u>	<u>(379,448)</u>	<u>(84,112)</u>	<u>149,116</u>	
COUNTY LIBRARY					
Revenue	2,017,383	1,462,573	-	554,810	72.5%
Expenditures	<u>2,234,214</u>	<u>1,841,789</u>	<u>7,988</u>	<u>384,437</u>	82.8%
<i>Revenue Less Expenditures</i>	<u>(216,831)</u>	<u>(379,216)</u>	<u>(7,988)</u>	<u>170,373</u>	
STREETS FUND					
Revenue	14,746,123	13,602,978	-	1,143,144	92.2%
Expenditures	<u>19,205,075</u>	<u>10,152,894</u>	<u>1,035,455</u>	<u>8,016,726</u>	58.3%
<i>Revenue Less Expenditures</i>	<u>(4,458,952)</u>	<u>3,450,085</u>	<u>(1,035,455)</u>	<u>(6,873,582)</u>	
MEASURE A					
Revenue	3,411,416	2,822,585	-	588,831	82.7%
Expenditures	<u>4,761,898</u>	<u>2,916,956</u>	<u>342,463</u>	<u>1,502,479</u>	68.4%
<i>Revenue Less Expenditures</i>	<u>(1,350,482)</u>	<u>(94,371)</u>	<u>(342,463)</u>	<u>(913,648)</u>	

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

SOLID WASTE FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Service charges	19,399,527	18,166,332	-	1,233,195	93.6%	16,904,168
Other Fees & Charges	474,816	224,908	-	249,908	47.4%	134,237
Grants	20,000	-	-	20,000	0.0%	11,208
Miscellaneous	233,100	226,296	-	6,804	97.1%	208,458
TOTAL REVENUES	<u>20,127,443</u>	<u>18,617,536</u>	<u>-</u>	<u>1,509,907</u>	92.5%	<u>17,258,071</u>
EXPENSES						
Salaries & Benefits	979,288	745,243	-	234,045	76.1%	744,791
Materials, Supplies & Services	18,458,021	16,838,423	149,153	1,470,445	92.0%	15,665,795
Special Projects	585,988	557,697	1,600	26,691	95.4%	542,623
Transfers-Out	50,000	45,833	-	4,167	91.7%	45,833
Capital Outlay Transfers	17,556	16,093	-	1,463	91.7%	10,698
Equipment	13,709	10,561	-	3,148	77.0%	5,084
Capitalized Fixed Assets	10,000	-	-	10,000	0.0%	811
Other	100,000	-	-	100,000	0.0%	-
Appropriated Reserve	33,106	-	-	33,106	0.0%	-
TOTAL EXPENSES	<u>20,247,668</u>	<u>18,213,850</u>	<u>150,753</u>	<u>1,883,064</u>	90.7%	<u>17,015,635</u>

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

WATER OPERATING FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Water Sales- Metered	32,300,000	30,473,428	-	1,826,572	94.3%	28,609,921
Service Charges	506,500	605,097	-	(98,597)	119.5%	813,176
Cater JPA Treatment Charges	2,467,510	2,071,799	-	395,711	84.0%	1,636,759
Investment Income	534,400	502,150	-	32,250	94.0%	546,945
Rents & Concessions	22,872	20,966	-	1,906	91.7%	20,966
Reimbursements	673,153	421,965	-	251,188	62.7%	765,869
Miscellaneous	20,000	99,172	-	(79,172)	495.9%	128,422
Operating Transfers-In	185,000	185,000	-	-	100.0%	2,600,000
TOTAL REVENUES	<u>36,709,435</u>	<u>34,379,578</u>	<u>-</u>	<u>2,329,857</u>	93.7%	<u>35,122,058</u>
EXPENSES						
Salaries & Benefits	8,318,512	7,182,326	-	1,136,186	86.3%	6,852,677
Materials, Supplies & Services	10,521,198	6,837,844	1,505,289	2,178,065	79.3%	6,537,997
Special Projects	1,105,856	304,227	138,592	663,037	40.0%	575,195
Water Purchases	8,016,230	8,660,712	133,141	(777,623)	109.7%	6,684,552
Debt Service	5,566,589	2,993,090	-	2,573,499	53.8%	3,704,199
Capital Outlay Transfers	11,189,231	10,256,795	-	932,436	91.7%	3,141,095
Equipment	146,195	47,612	32,273	66,311	54.6%	57,289
Capitalized Fixed Assets	132,839	61,721	8,629	62,489	53.0%	94,619
Other	32,775	24,957	-	7,818	76.1%	29,740
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
TOTAL EXPENSES	<u>45,179,425</u>	<u>36,369,284</u>	<u>1,817,924</u>	<u>6,992,217</u>	84.5%	<u>27,677,363</u>

NOTE-These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

WASTEWATER OPERATING FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Service Charges	16,997,000	15,828,201	-	1,168,799	93.1%	14,833,235
Fees	692,579	759,850	-	(67,271)	109.7%	727,377
Investment Income	150,900	148,152	-	2,748	98.2%	155,673
Rents & Concessions	32,000	15,650	-	16,350	48.9%	44,877
Miscellaneous	35,000	8,306	-	26,694	23.7%	38,722
Operating Transfers-In	-	-	-	-	0.0%	3,050,000
TOTAL REVENUES	<u>17,907,479</u>	<u>16,760,160</u>	<u>-</u>	<u>1,147,319</u>	93.6%	<u>18,849,884</u>
EXPENSES						
Salaries & Benefits	5,630,999	4,744,926	-	886,073	84.3%	4,805,898
Materials, Supplies & Services	6,852,640	5,503,871	1,092,400	256,369	96.3%	5,387,606
Special Projects	465,500	66,054	20,000	379,446	18.5%	5,591
Debt Service	1,668,096	1,282,394	-	385,702	76.9%	1,284,248
Capital Outlay Transfers	4,154,727	3,808,500	-	346,227	91.7%	2,750,111
Equipment	97,044	44,893	11,594	40,557	58.2%	39,866
Capitalized Fixed Assets	26,000	23,960	754	1,286	95.1%	7,130
Other	3,000	1,000	-	2,000	33.3%	1,000
Appropriated Reserve	150,000	-	-	150,000	0.0%	-
TOTAL EXPENSES	<u>19,048,005</u>	<u>15,475,597</u>	<u>1,124,748</u>	<u>2,447,660</u>	87.2%	<u>14,281,450</u>

NOTE-These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

DOWNTOWN PARKING FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Improvement Tax	875,000	999,608	-	(124,608)	114.2%	960,443
Parking Fees	6,313,084	6,234,077	-	79,007	98.7%	5,955,126
Other Fees & Charges	1,000	3,348	-	(2,348)	334.8%	-
Investment Income	98,200	93,898	-	4,302	95.6%	101,279
Rents & Concessions	88,925	71,873	-	17,052	80.8%	37,515
Miscellaneous	1,000	42,100	-	(41,100)	4210.0%	(590)
Operating Transfers-In	43,500	39,875	-	3,625	91.7%	407,523
TOTAL REVENUES	<u>7,420,709</u>	<u>7,484,779</u>	<u>-</u>	<u>(64,070)</u>	<u>100.9%</u>	<u>7,461,296</u>
EXPENSES						
Salaries & Benefits	4,049,433	3,665,752	-	383,681	90.5%	3,507,217
Materials, Supplies & Services	2,108,134	1,689,580	70,709	347,844	83.5%	1,572,442
Special Projects	531,852	429,122	76,104	26,626	95.0%	501,153
Transfer-Out	328,908	303,653	-	25,255	92.3%	272,361
Capital Outlay Transfers	1,507,753	1,382,107	-	125,646	91.7%	1,019,283
Equipment	25,000	2,298	4,000	18,702	25.2%	2,341
Appropriated Reserve	50,000	-	-	50,000	0.0%	-
TOTAL EXPENSES	<u>8,601,079</u>	<u>7,472,512</u>	<u>150,812</u>	<u>977,755</u>	<u>88.6%</u>	<u>6,874,797</u>

NOTE-These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

AIRPORT OPERATING FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Leases-Commercial/Industrial	4,472,500	3,860,309	-	612,191	86.3%	4,023,443
Leases-Terminal	5,189,964	4,557,594	-	632,370	87.8%	4,393,890
Leases-Non-Commercial Aviation	1,895,929	1,569,687	-	326,242	82.8%	1,488,478
Leases-Commercial Aviation	3,939,000	3,923,749	-	15,251	99.6%	3,632,371
Investment Income	111,100	109,972	-	1,128	99.0%	117,220
Miscellaneous	142,600	121,378	-	21,222	85.1%	145,616
TOTAL REVENUES	<u>15,751,093</u>	<u>14,142,688</u>	<u>-</u>	<u>1,608,405</u>	<u>89.8%</u>	<u>13,801,018</u>
EXPENSES						
Salaries & Benefits	5,509,998	4,621,350	-	888,648	83.9%	4,482,753
Materials, Supplies & Services	7,692,870	6,331,730	558,219	802,921	89.6%	5,896,393
Special Projects	613,000	464,050	-	148,950	75.7%	541,278
Transfer-Out	19,728	18,084	-	1,644	91.7%	16,770
Debt Service	1,817,106	1,672,480	-	144,627	92.0%	571,869
Capital Outlay Transfers	744,632	734,271	-	10,361	98.6%	1,460,292
Equipment	78,358	39,716	12,675	25,967	66.9%	22,874
Other	-	-	-	-	0.0%	1,161
Appropriated Reserve	95,839	-	-	95,839	0.0%	-
TOTAL EXPENSES	<u>16,571,531</u>	<u>13,881,680</u>	<u>570,895</u>	<u>2,118,956</u>	<u>87.2%</u>	<u>12,993,390</u>

NOTE-These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

GOLF COURSE FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Fees & Card Sales	1,739,239	1,517,735	-	221,504	87.3%	1,360,663
Investment Income	8,800	8,836	-	(36)	100.4%	9,020
Rents & Concessions	332,520	300,964	-	31,556	90.5%	276,719
Miscellaneous	27,900	37,968	-	(10,068)	136.1%	2,700
TOTAL REVENUES	<u>2,108,459</u>	<u>1,865,503</u>	<u>-</u>	<u>242,956</u>	<u>88.5%</u>	<u>1,649,102</u>
EXPENSES						
Salaries & Benefits	1,022,332	961,750	-	60,582	94.1%	933,027
Materials, Supplies & Services	620,507	511,045	-	109,462	82.4%	453,744
Special Projects	-	-	-	-	0.0%	363
Debt Service	245,698	180,687	-	65,011	73.5%	179,852
Capital Outlay Transfers	214,486	201,395	-	13,091	93.9%	145,175
Equipment	3,000	-	-	3,000	0.0%	26,180
Other	900	864	-	36	96.0%	847
TOTAL EXPENSES	<u>2,106,923</u>	<u>1,855,742</u>	<u>-</u>	<u>251,181</u>	<u>88.1%</u>	<u>1,739,188</u>

NOTE-These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

INTRA-CITY SERVICE FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Service Charges	2,530,773	2,319,875	-	210,898	91.7%	1,976,989
Work Orders - Bldg Maint.	2,592,140	2,155,926	-	436,214	83.2%	2,815,326
Grants	120,449	92,922	-	27,527	77.1%	128,095
Miscellaneous	361,600	42,151	-	319,449	11.7%	64,507
TOTAL REVENUES	<u>5,604,962</u>	<u>4,610,874</u>	<u>-</u>	<u>994,088</u>	<u>82.3%</u>	<u>4,984,917</u>
EXPENSES						
Salaries & Benefits	3,462,955	3,045,898	-	417,057	88.0%	2,938,519
Materials, Supplies & Services	1,440,873	1,291,250	80,787	68,836	95.2%	1,046,301
Special Projects	940,978	780,266	62,200	98,513	89.5%	998,624
Equipment	15,000	3,000	-	12,000	20.0%	4,292
Capitalized Fixed Assets	51,882	4,912	18,031	28,939	44.2%	210,484
TOTAL EXPENSES	<u>5,911,688</u>	<u>5,125,326</u>	<u>161,017</u>	<u>625,345</u>	<u>89.4%</u>	<u>5,198,220</u>

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

FLEET REPLACEMENT FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Vehicle Rental Charges	2,228,805	2,043,071	-	185,734	91.7%	1,967,365
Investment Income	122,300	112,723	-	9,577	92.2%	127,204
Rents & Concessions	233,978	214,480	-	19,498	91.7%	205,701
Miscellaneous	173,118	90,999	-	82,119	52.6%	93,003
TOTAL REVENUES	<u>2,758,201</u>	<u>2,461,273</u>	<u>-</u>	<u>296,928</u>	<u>89.2%</u>	<u>2,393,273</u>
EXPENSES						
Salaries & Benefits	193,629	170,859	-	22,770	88.2%	169,979
Materials, Supplies & Services	3,061	2,824	-	237	92.3%	2,289
Special Projects	1,161,400	29,543	-	1,131,857	2.5%	-
Capital Outlay Transfers	-	-	-	-	0.0%	275,000
Capitalized Fixed Assets	3,776,901	1,150,262	2,171,422	455,217	87.9%	1,120,366
TOTAL EXPENSES	<u>5,134,991</u>	<u>1,353,488</u>	<u>2,171,422</u>	<u>1,610,081</u>	<u>68.6%</u>	<u>1,567,634</u>

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

FLEET MAINTENANCE FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Vehicle Maintenance Charges	2,463,432	2,258,146	-	205,286	91.7%	2,174,258
Reimbursements	10,000	9,167	-	833	91.7%	9,167
Miscellaneous	103,070	134,519	-	(31,449)	130.5%	83,653
TOTAL REVENUES	<u>2,576,502</u>	<u>2,401,831</u>	<u>-</u>	<u>174,671</u>	93.2%	<u>2,267,078</u>
EXPENSES						
Salaries & Benefits	1,280,067	1,114,993	-	165,074	87.1%	1,115,776
Materials, Supplies & Services	1,181,623	908,343	134,169	139,111	88.2%	1,051,925
Special Projects	64,663	23,588	7,010	34,065	47.3%	43,122
Debt Service	43,070	39,479	-	3,591	91.7%	-
Equipment	15,800	9,990	-	5,810	63.2%	190
Capitalized Fixed Assets	48,623	28,367	5,616	14,639	69.9%	-
Appropriated Reserve	16,893	-	-	16,893	0.0%	-
TOTAL EXPENSES	<u>2,650,738</u>	<u>2,124,760</u>	<u>146,795</u>	<u>379,183</u>	85.7%	<u>2,211,013</u>

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

SELF INSURANCE TRUST FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Insurance Premiums	2,756,112	2,526,436	-	229,676	91.7%	2,381,523
Workers' Compensation Premiums	2,950,702	2,704,810	-	245,892	91.7%	2,383,333
OSH Charges	193,833	177,680	-	16,153	91.7%	-
Investment Income	60,300	44,177	-	16,123	73.3%	64,704
Miscellaneous	-	39,728	-	(39,728)	100.0%	4,458
Accel-Return of Premium	-	-	-	-	0.0%	600,000
TOTAL REVENUES	<u>5,960,947</u>	<u>5,492,832</u>	<u>-</u>	<u>468,115</u>	92.1%	<u>5,434,018</u>
EXPENSES						
Salaries & Benefits	538,662	425,678	-	112,984	79.0%	448,809
Materials, Supplies & Services	5,483,919	5,245,915	322,951	(84,947)	101.5%	4,530,584
Special Projects	100	-	-	100	0.0%	121
Transfers-Out	-	-	-	-	0.0%	326,340
Equipment	66	66	-	-	100.0%	-
TOTAL EXPENSES	<u>6,022,747</u>	<u>5,671,659</u>	<u>322,951</u>	<u>28,137</u>	99.5%	<u>5,305,854</u>

The Self Insurance Trust Fund is an internal service fund of the City, which accounts for the cost of providing workers' compensation, property and liability insurance as well as unemployment insurance and certain self-insured employee benefits on a city-wide basis. Internal Service Funds charge other funds for the cost of providing their specific services.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

INFORMATION SYSTEMS ICS FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Service charges	2,514,997	2,305,414	-	209,583	91.7%	2,160,571
Miscellaneous	-	-	-	-	0.0%	1,138
TOTAL REVENUES	<u>2,514,997</u>	<u>2,305,414</u>	<u>-</u>	<u>209,583</u>	91.7%	<u>2,161,709</u>
EXPENSES						
Salaries & Benefits	1,591,218	1,457,530	-	133,688	91.6%	1,505,481
Materials, Supplies & Services	984,806	736,675	131,623	116,508	88.2%	634,039
Special Projects	18,500	305	2,500	15,695	15.2%	4,788
Transfers-Out	-	-	-	-	0.0%	43,000
Capital Outlay Transfers	212,000	194,333	-	17,667	91.7%	-
Equipment	23,484	21,833	7,521	(5,871)	125.0%	101,188
Capital Fixed Assets	123,000	121,345	-	1,655	98.7%	-
Appropriated Reserve	12,586	-	-	12,586	0.0%	-
TOTAL EXPENSES	<u>2,965,594</u>	<u>2,532,022</u>	<u>141,645</u>	<u>291,928</u>	90.2%	<u>2,288,496</u>

NOTE-These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.

CITY OF SANTA BARBARA
Interim Statement of Revenues and Expenditures
For the Eleven Months Ended May 31, 2014 (91.7% of Fiscal Year)

WATERFRONT FUND

	<u>Annual Budget</u>	<u>YTD Actual</u>	<u>Encum- brances</u>	<u>Remaining Balance</u>	<u>Percent of Budget</u>	<u>Previous YTD</u>
REVENUES						
Leases - Commercial	1,373,772	1,341,379	-	32,393	97.6%	1,651,709
Leases - Food Service	2,641,800	2,694,673	-	(52,873)	102.0%	2,460,093
Slip Rental Fees	4,122,293	3,804,988	-	317,305	92.3%	3,729,631
Visitors Fees	450,000	399,808	-	50,192	88.8%	375,266
Slip Transfer Fees	525,000	618,200	-	(93,200)	117.8%	547,125
Parking Revenue	2,009,800	2,221,501	-	(211,701)	110.5%	1,798,841
Wharf Parking	250,000	248,782	-	1,218	99.5%	228,041
Other Fees & Charges	236,435	233,121	-	3,314	98.6%	217,461
Investment Income	137,700	135,713	-	1,987	98.6%	145,553
Rents & Concessions	306,267	291,773	-	14,494	95.3%	290,197
Reimbursements	-	-	-	-	0.0%	10,830
Miscellaneous	392,000	522,939	-	(130,939)	133.4%	243,561
TOTAL REVENUES	12,445,067	12,512,875	-	(67,808)	100.5%	11,698,308
EXPENSES						
Salaries & Benefits	5,866,308	5,207,732	-	658,576	88.8%	5,125,512
Materials, Supplies & Services	3,947,598	3,337,518	382,007	228,074	94.2%	3,161,065
Special Projects	190,438	153,130	-	37,308	80.4%	116,844
Debt Service	1,843,880	1,591,446	-	252,434	86.3%	1,576,409
Capital Outlay Transfers	1,544,155	1,415,475	-	128,680	91.7%	1,412,563
Equipment	107,610	21,319	3,308	82,983	22.9%	81,506
Capital Fixed Assets	40,000	22,896	17,104	-	100.0%	-
Other	-	1,798	-	(1,798)	100.0%	10,472
Appropriated Reserve	19,000	-	-	19,000	0.0%	-
TOTAL EXPENSES	13,558,989	11,751,314	402,419	1,405,257	89.6%	11,484,371

NOTE - These figures reflect the operating fund only. Though the capital fund is excluded, the current year contribution from the operating fund is shown in the Capital Transfers.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014

TO: Mayor and Councilmembers

FROM: Police Department, Patrol Division

SUBJECT: County Of Santa Barbara Strategic Prevention Framework State Incentive Grant

RECOMMENDATION: That Council:

- A. Accept \$35,400 from the County of Santa Barbara Alcohol, Drug & Mental Health Services ("ADMHS") Strategic Prevention Framework State Incentive Grant to address underage and excessive drinking, and alcohol related motor vehicle accidents for Fiscal Year 2015; and
- B. Increase appropriations and estimated revenues by \$35,400 in the Police Miscellaneous Grants Fund for Fiscal Year 2015.

DISCUSSION:

The Police Department will collaborate with ADMHS, Council on Alcoholism and Drug Abuse ("CADA"), the Prevention Research Center, and the State Department of Alcohol and Drug Programs, in order to address underage and excessive drinking and alcohol related motor vehicle accidents as part of the Strategic Prevention Framework State Incentive Grant. The aim of the grant is to reduce underage drinking among individuals 12 to 25 years of age with a special focus on reducing excessive drinking by individuals aged 21 to 25.

BUDGET/FINANCIAL INFORMATION:

The funds from the grant will be used to cover costs related to the administration of the grant, training and proactive enforcement programs.

PREPARED BY: Brent Mandrell, Police Lieutenant

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Design Of The Airfield Electrical Rehabilitation Project

RECOMMENDATION:

That Council authorize the Public Works Director to execute a Professional Services contract with Mead & Hunt, Inc., in the amount of \$119,500 for design services of the Airfield Electrical Rehabilitation Project, and authorize the Public Works Director to approve expenditures of up to \$12,000 for extra services of Mead & Hunt, Inc., that may result from necessary changes in the scope of work.

DISCUSSION:

PROJECT DESCRIPTION

The work consists of rehabilitating the airfield electrical system which has aging components and is in need of safety improvements. All of the cables for the runway and taxiway edge lights and guidance signs need to be replaced. The transformers for each edge light and sign also need to be replaced. Additionally, the work includes installation of new runway guard lights at Runways 15R and 15L. Runway guard lights are flashing amber lights that are conspicuously located at runway holding locations, and are a reminder for pilots and maintenance workers that they are at a runway intersection. This will help prevent unauthorized entry onto a runway. The cable and transformer replacement will increase the reliability of the electrical system and save energy.

DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Mead & Hunt, Inc., (Mead & Hunt) in the amount of \$119,500 for design, and \$12,000 for potential extra services, for a total amount of \$131,500. Mead & Hunt is experienced in this type of work and was selected as part of a Request for Proposals process.

FUNDING

The project will be funded by the Airport Fund, and 90.66 percent will be reimbursed by a Federal Aviation Administration Grant once construction bids have been received.

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

Design (by Contract including Extra Services)	\$131,500
Subtotal	\$131,500
Estimated Construction Contract w/Change Order Allowance	\$850,000
Estimated Construction Management/Inspection (by Contract or City)	\$105,000
Subtotal	\$955,000
TOTAL PROJECT COST	\$1,086,500

There are sufficient funds in the Airport Fund to cover the cost of this contract.

PREPARED BY: Pat Kelly, Assistant Public Works Director/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: July 22, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Design For Influent Pump Station Variable Frequency Drive And Programmable Logic Controller Replacement Project

RECOMMENDATION:

That Council authorize the Public Works Director to execute a City Professional Services contract with Brown & Caldwell in the amount of \$74,154 for design services for the Influent Pump Station Variable Frequency Drive and Programmable Logic Controller Replacement Project, and authorize the Public Works Director to approve expenditures of up to \$7,415 for extra services of Brown & Caldwell that may result from necessary changes in the scope of work.

DISCUSSION:

BACKGROUND

On July 17, 2012, Council awarded a contract to construct the El Estero Wastewater Treatment Plant Influent Pump Replacement Project. The work generally consisted of replacing the four existing influent pumps, shafts and motors, replacement of two existing variable frequency drives (VFDs) for the high flow pumps, installation of four new jib cranes to service each pump, and new ventilation ductwork to replace the existing ductwork.

During the design phase, the two VFDs for the low flow pumps and the programmable logic controller (PLC) were identified as equipment that could be reused as a cost saving measure. This equipment was installed in the late 1990's and had a useful lifespan of up to 20 years. It was inspected and appeared to be in good working condition, with no apparent problems.

The project is now substantially complete, and the two existing VFDs and PLC are not performing as expected. Staff attempted to remedy this during the construction phase; however, the existing VFDs are not reliable, and the PLC needs to be updated.

Additionally, spare parts for some of the component parts are no longer readily available.

PROJECT DESCRIPTION

The work for the Influent Pump Station Variable Frequency Drive And Programmable Logic Controller Replacement Project (Project) consists of preparing bid specifications and drawings for two new VFDs for the low flow pumps, and replacing the existing PLC with a new, updated PLC, along with a redundant backup PLC.

DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Brown & Caldwell (BC) in the amount of \$74,154 for design and \$7,415 for potential extra services, for a total amount of \$81,569. BC designed the Influent Pumps Replacement Project and will leverage its design as much as possible to efficiently prepare plans and specifications to bid this Project.

FUNDING

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

Design (by Contract)	\$81,569
Other Design Costs - City staff	\$24,140
Subtotal	\$105,709
Estimated Construction Contract w/Change Order Allowance	\$495,000
Estimated Construction Management/Inspection (City)	\$24,217
Estimated Construction Support Services (by Contract)	\$20,000
Subtotal	\$539,217
TOTAL PROJECT COST	\$644,926

There are sufficient funds in the Wastewater Capital Fund to cover these costs.

PREPARED BY: Lisa Arroyo, Supervising Civil Engineer/mh

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014

TO: Mayor and Councilmembers

FROM: Facilities Division, Waterfront Department
Engineering Division, Public Works Department

SUBJECT: Contract For Construction Of The Marina One Replacement Project
Phases 5–8

RECOMMENDATION: That Council:

- A. Award a contract with Bellingham Marine Industries, Inc., in their low bid amount of \$6,851,250 for construction of the Marina One Replacement Project Phases 5–8, Bid No. 3723; and authorize the Public Works Director to execute the contract and approve expenditures up to \$342,563 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 Waterfront Director to execute a contract with URS in the amount of \$64,150 for construction support services, and approve expenditures of up to \$6,400 for extra services of URS that may result from necessary changes in the scope of work.

DISCUSSION:

PROJECT DESCRIPTION

Marina One, containing 592 slips, is the largest of the four marinas in the Santa Barbara Harbor. The majority of Marina One, the A–P fingers, was constructed in the mid–1970s. An engineering analysis of Marina One, conducted in 2005, concluded that the concrete docking system on the A–P fingers was nearing the end of its useful life. The assessment recommended replacing the A–P fingers in phases over a 10–12 year period. Due to available funding, staff has been able to reduce the number of construction phases to eight, to be completed over a 9–year period.

Phase 1 construction for the replacement of the main Marina One headwalk, gangway, utilities, and significant shoreside electrical work was completed in August 2010. Phase 2–4 construction was completed in March 2013, which included the replacement of the docking system and their associated utilities for the L–P fingers. The Phase 1–4 work was funded through a California State Parks Department–Division of Boating and Waterways (DBW) loan in the amount of \$7,201,000 to the City of which approximately \$6,434,000 was used.

The scope of the Marina One Replacement Project Phases 5–8 (Project) is to replace the remaining docks A–K, which will complete the Marina One improvements.

PROJECT BACKGROUND

The Waterfront Department applied for and was awarded an additional \$7,300,000 DBW loan for the design and construction of the Project. Design was recently completed, and the Project went out to bid in May 2014.

Through a Request for Proposals process, URS, a marine engineering firm, was selected to provide the design for Phases 1–4, as well as construction support services. For the sake of consistency in design, URS was selected to design Phases 5–8. URS recently submitted a proposal for construction support services for Phases 5–8.

CONTRACT BIDS

Three contractors attended the mandatory pre-bid conference, but only one contractor, Bellingham Marine Industries (BMI), from Dixon, California, submitted a bid. The low bid of \$6,851,250, submitted by BMI, is an acceptable bid that is responsive to and meets the requirements of the bid specifications. BMI's bid of \$6,851,250 exceeds the engineer's estimate of \$6,417,000, but is considered reasonable, and adequate funds are available to proceed.

BMI was a subcontractor for Phase 1, (supplying the docks), and was the general contractor for Phases 2–4. They have extensive experience constructing marinas throughout the world, and specifically in Santa Barbara.

The change order funding recommendation of \$342,563, or 5 percent, is less than the regular 10 percent change order funding, but should be adequate, based on change orders during Phases 1–4.

CONSTRUCTION PHASE CONTRACT SERVICES

Staff recommends that Council authorize the Waterfront Director to execute a contract with URS in the amount of \$70,550 for support of the design during construction. URS is on the City's Prequalified Engineering Services list and is experienced in this type of work.

COMMUNITY OUTREACH

The Waterfront Department worked extensively with the boating community on the previous phases of the Project. Special public meetings were held throughout construction of Phases 1–4 in order to keep the boating community up to date on major milestones and interruptions to service. In addition, signage and slip notices were issued with more detailed information during construction. This outreach will continue through Phases 5–8.

BUDGET/FINANCIAL INFORMATION

This Project is funded primarily by a \$7,300,000 loan from the DBW. The total cost of engineering design, construction, inspection, and construction support services is expected to exceed available DBW loan funds by approximately \$354,000. There are sufficient funds in the Waterfront's Capital Fund (Harbor Preservation Fund) to cover the cost of the first year of this Project, recognizing the construction work will occur over four years.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
BMI	\$6,851,250	\$342,563	\$7,193,813
URS	\$64,150	\$6,400	\$70,550
TOTAL RECOMMENDED AUTHORIZATION			\$7,264,363

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

ESTIMATED TOTAL PROJECT COST

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

Design (by Contract)	\$93,800
City Staff Costs	\$13,759
Subtotal	\$107,559
Construction Contract	\$6,851,250
Construction Change Order Allowance	\$342,563
Subtotal	\$7,193,813
Other Construction Costs (Permits, etc.)	\$22,000
Other Construction Costs (Float inspection)	\$60,000
Construction Management/Inspection (by Contract)	\$70,550
Construction Management/Inspection (by City Staff)	\$200,026
Subtotal	\$352,576
TOTAL PROJECT COST	\$7,653,948

SUSTAINABILITY IMPACT:

The demolition and construction materials generated by the Project will be recycled locally. The Project will also use recycled plastic instead of timber, where appropriate. The Waterfront Department will monitor practices and enforce construction-related requirements to ensure that water quality is not adversely impacted by this Project.

PREPARED BY: Karl Treiberg, Waterfront Facilities Manager
 Pat Kelly, Assistant Public Works Director/City Engineer/
 EM/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director
 Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014

TO: Mayor and Councilmembers

FROM: Ariel Pierre Calonne, City Attorney

SUBJECT: California Voting Rights Act And District Elections Presentation
From National Demographics Corporation

RECOMMENDATION:

That Council consider a presentation concerning District Elections and the California Voting Rights Act, receive public comment, and provide direction to staff regarding possible Charter amendments.

DISCUSSION:

On May 29, 2014, Council considered District Elections and other voting systems. Council directed staff to retain a demographics consultant to provide further information on District Elections and the California Voting Rights Act.

A presentation from Douglas Johnson of National Demographics Corporation is intended to provide background information to facilitate Council's discussion.

PREPARED BY: Ariel Pierre Calonne, City Attorney

SUBMITTED BY: Ariel Pierre Calonne, City Attorney

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: Municipal Code Amendments For Implementation Of Senate Bill 2
Related To Emergency Shelter Zoning

RECOMMENDATION: That Council:

- A. Continue the Public Hearing opened on July 15, 2014, to further consider proposed amendments to the Santa Barbara Municipal Code establishing regulations for Emergency Shelters; and
- B. Introduce, and subsequently adopt, by reading of title only, either:
 1. An Ordinance of the Council of the City of Santa Barbara Establishing Regulations for Emergency Shelters As a Permitted Use in the R-4, C-P, C-L, C-1, C-2 and C-M Zones (Option 1), or
 2. An Ordinance of the Council of the City of Santa Barbara Establishing Regulations for Emergency Shelters As a Permitted Use in the C-M Zone (Option 2).

DISCUSSION:

On July 15, 2014, Council considered draft amendments to the Municipal Code related to emergency shelter zoning in accordance with State law. Staff recommended the designation of multiple zones (where overnight accommodations are allowed) where emergency shelters with minimal supportive services would be allowed as a permitted use without a conditional use permit or other discretionary approval. However, Council continued the hearing in order to consider whether to designate a single zone (i.e., C-M, Commercial Manufacturing) rather than multiple zones to satisfy the requirements of Senate Bill 2. A super majority vote (five affirmative votes) is needed to adopt ordinances amending the Zoning Ordinance.

Staff has prepared two ordinances for consideration. Option 1 designates the R-4, C-P, C-L, C-1, C-2 and C-M Zones as the zones where emergency shelters would be allowed as a permitted use. Option 2 designates the C-M Zone as the only zone where emergency shelters would be allowed as a permitted use.

Responding to Mayor Schneider's questions about staff and volunteer parking during the July 15th hearing, both ordinances propose a new parking standard of one parking space for every eight beds to cover residents, staff, and volunteers. This is the parking requirement under which Casa Esperanza has operated. Staff is not aware of complaints regarding the parking at Casa Esperanza. Applicants proposing the development of emergency shelters would continue to have the option to propose a lower parking requirement if they can demonstrate with a parking study that they will satisfy their anticipated parking demand.

PREPARED BY: Irma Unzueta, Project Planner

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office

COUNCIL INTRODUCTION DRAFT 7/22/14 - OPTION 1
SHOWING CHANGES FROM EXISTING CODE

AN ORDINANCE OF THE COUNCIL OF THE CITY
OF SANTA BARBARA ESTABLISHING
REGULATIONS FOR EMERGENCY SHELTERS AS A
PERMITTED USE IN THE R-4, C-P, C-L, C-1, C-2,
AND C-M ZONES.

WHEREAS, Senate Bill 2 was enacted in 2007, requiring all cities and counties in California to provide at least one zoning district which allows emergency shelters without a conditional use permit or other discretionary approval;

WHEREAS, on December 1, 2011, the City Council adopted an update to the General Plan, including policies in the Housing Element directing amendments to Title 28 of the Municipal Code in compliance with Senate Bill 2 requiring emergency shelters in at least one zone without any discretionary permits (Council Resolution No. 11-079);

WHEREAS, the 2011 Housing Element contains Implementation Action H4.1 directing Municipal Code amendments to the C-M (Commercial Manufacturing) zone to allow emergency shelters without a conditional use permit or other discretionary action;

WHEREAS, upon further review and consultation with the City Attorney's Office, it was determined that the City is in compliance with the requirements of Senate Bill 2 because multiple zones exist which allow the development of hotels that are, in effect, "overnight accommodation" uses similar to overnight emergency shelter for the homeless;

WHEREAS, under the City's Zoning Ordinance, facilities that provide overnight shelter to the homeless are also considered short-term, transitional accommodations similar to a hotel use and are allowed without a conditional use permit in all zones that permit overnight accommodations;

WHEREAS, overnight accommodations are allowed in the R-4 (Hotel-Motel-Multiple Residence), HRC-1 and HRC-2 (Hotel and Related Commerce), R-H (Resort Residential), C-P (Restricted Commercial), C-L and C-1 (Limited Commercial), C-2 (Commercial), C-M (Commercial Manufacturing), OC (Ocean-Oriented Commercial), M-1 (Light Manufacturing), and OM-1 (Ocean-Oriented Light Manufacturing) zones;

WHEREAS, on November 12, 2013, the City Council initiated amendments to the Zoning Ordinance to permit emergency shelters with minimal supportive services without a conditional use permit or other discretionary approval in existing zones where overnight accommodations are allowed;

WHEREAS, on May 13, 2014, the City Council Ordinance Committee held a public hearing to review the draft Emergency Shelter Zoning Ordinance and voted 2/1 to forward the ordinance amendments to the Planning Commission for further review and refinement;

WHEREAS, on June 12, 2014, the Planning Commission held a duly noticed public hearing to review the draft Emergency Shelter Zoning Ordinance and after discussing the key components of the ordinance voted 6/1 to forward the ordinance amendments with revisions to the City Council for adoption;

WHEREAS, on July 15, 2014, the City Council held a duly noticed public hearing to consider adopting ordinance amendments to the Municipal Code adding Chapter 28.79 establishing development and management standards for emergency shelters with minimal supportive services; adding Section 28.04.273 to define emergency shelters consistent with State law; amending Sections 28.21.030, 28.54.030, 28.57.030, 28.63.030, 28.66.030, and 28.69.030 to add emergency shelter as a permitted use; and amending Section 28.94.030.W to specify which emergency shelters require a Conditional Use Permit;

WHEREAS, the City Council continued the public hearing for further discussion to consider the proposed ordinance allowing emergency shelters as a permitted use in the R-4, C-P, C-L, C-1, C-2, and C-M Zones or another option which would allow emergency shelters as a permitted use in only the C-M Zone;

WHEREAS, on _____, the City Council held a duly noticed public hearing to adopt ordinance amendments to the Municipal Code adding Chapter 28.79 establishing development and management standards for emergency shelters with minimal supportive services; adding Section 28.04.273 to define emergency shelters consistent with State law; amending Sections 28.21.030, 28.54.030, 28.57.030, 28.63.030, 28.66.030, and 28.69.030 to add emergency shelter as a permitted use; and amending Section 28.94.030.W to specify which emergency shelters require a Conditional Use Permit; and

WHEREAS, a Program Final Environmental Impact Report (FEIR) was certified for the 2011 General Plan, and includes EIR Addenda prepared and considered by City Council as part of adoption of the final 2011 General Plan (12-1-11), Climate Action Plan (9-18-12), and Historic Resources Element (10-2-12).

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

SECTION 1. The City Council of the City of Santa Barbara makes the following findings in accordance with the California Environmental Quality Act regarding the adoption of the Emergency Shelter Zoning Ordinance:

1. Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that projects which are consistent with the development density established by General Plan policies for which a FEIR was certified, and rezoning consistent with the plan, shall not require additional environmental review except under specified instances. The City Environmental Analyst determined that the proposed zoning ordinance amendments to the General Plan emergency shelter policies do not trigger additional environmental review requirements for the following reasons:

- a. There are no additional site-specific or project-specific significant effects which are peculiar to the proposed zoning amendments;
- b. There are no new significant effects not addressed in the prior FEIR; and
- c. There is no new information since the FEIR that would involve more significant impacts than identified in the FEIR.

Environmental review for the proposed zoning ordinance amendments is addressed by the General Plan FEIR and Addenda, and no further environmental review is required.

2. The policies and standards for the development of emergency shelters with minimal supportive services have been previously analyzed in the FEIR and Addenda for the General Plan. Specifically, the environmental impacts associated with implementing the General Plan policies related to homeless shelters and services were included in the General Plan FEIR and Addendum and the potential emergency shelter development under the implementing ordinance is within in the growth assumptions analyzed.

3. The City Planner is the custodian of the record of proceedings for the General Plan Update FEIR, the Addenda, and the documents and other materials which constitute the record of proceedings for these City actions are located at the City of Santa Barbara Community Development Department, Planning Division, 630 Garden Street, Santa Barbara, California. Copies of these documents are available for public review during normal business hours upon request at the office of the City of Santa Barbara Community Development Department, Planning Division.

SECTION 2. Chapter 28.04 of Title 28 of the Santa Barbara Municipal Code is amended by adding Section 28.04.273 to read as follows:

28.04.273 Emergency Shelter.

Housing for homeless persons with minimal supportive services that is limited to a length of occupancy of not more than six months. Minimal supportive services shall mean administrative offices, intake and waiting areas, kitchen and dining facilities, and laundry facilities as long as the facilities are directly related to the operation of the emergency shelter or for the exclusive use of the residents of the emergency shelter. Homeless shelters providing more than minimal supportive services or supportive services to persons other than the residents of the shelter shall require a conditional use permit pursuant to Section 28.94.030.W of this Title.

SECTION 3. Sections 28.21.030, 28.54.030, 28.57.030, 28.63.030, 28.66.030, and 28.69.030 of Title 28 of the Santa Barbara Municipal Code are amended to read as follows:

28.21.030 Uses Permitted.

A. R-3 ZONE.

1. Any use permitted in the R-2 Zone and subject to the restrictions and limitations contained therein, except that any use specifically mentioned hereafter shall be subject to the restrictions of the R-3 Zone.

2. One-, two-, and multiple-family dwellings.

3. Community care facilities, residential care facilities for the elderly and hospices serving 7 to 12 individuals subject to the provisions in Chapter 28.93.

B. R-4 ZONE.

1. Any use permitted in the R-3 Zone and subject to the restrictions and limitations contained therein, except that any such use specifically mentioned hereafter shall be subject to the restrictions of the R-4 Zone.

2. Hotels and related recreational, conference center and other auxiliary uses primarily for use by hotel guests. Any hotels, when units are designed or constructed with cooking facilities shall, as to such units, be subject to the lot area per unit requirements of the R-4 Zone and to the parking requirements for multiple family units required in Subsection 28.90.100.G.3 of this Code. Such hotels when designed, constructed or used for either twenty-four (24) or more dwelling units, or fifty (50) guest rooms or more may include a business, except a restaurant, conducted therein for the convenience of the occupants and their guests; provided entrance to such places of business be from the inside of such buildings; that the floor area used for all the businesses in the facility shall not exceed thirty percent (30%) of the total ground floor area of all the buildings comprising the hotel which are on a single lot or contiguous lots; and provided further that no street frontage of any such building shall be used for such business. Any hotel, regardless of the number of units or rooms therein, may include a restaurant for use by the hotel occupants and their guests only, provided that such facility conforms to all other requirements imposed on any "business" by this paragraph. A restaurant not conforming to all other requirements imposed on any "business" by this paragraph or not for use solely by hotel occupants and their guests may be established only if a conditional use permit is obtained for operation of a restaurant under Chapter 28.94 of this Code.

3. Emergency Shelters in compliance with Chapter 28.79.

28.54.030 Uses Permitted in the C-P Zone.

A. Any use permitted in the R-4, R-O and C-O Zones and subject to the use restrictions and limitations contained in the respective zone and in Section 28.54.130.

B. Any of the following uses:

1. Art school.
2. Automobile parking areas.
3. Automobile service station or automobile service station/mini-market containing not more than six (6) pumps and limited to incidental tire and tube repairing, battery servicing, automobile lubrication and other minor automotive service and repair with a conditional use permit issued pursuant to Subsection 28.94.030.U of this Code.

4. Bakery employing not more than ten (10) persons.

5. Bank.

6. Barber shop.

7. Beauty shop.

8. Billiard parlor.

9. Bookstore.

10. Bowling alley.

11. Caterer.

12. Child care center.

13. Confectionery store.

14. Dancing school.

15. Dressmaking or millinery shop.

16. Drugstore.

17. Dry cleaning, pressing and laundry agency.

18. Dry goods or notion store.

19. Emergency Shelters in compliance with Chapter 28.79.

1920. Florist shop.

- ~~20~~21. Garden nursery.
- ~~21~~22. Gift shop.
- ~~22~~23. Grocery, fruit and vegetable store.
- ~~23~~24. Hardware store.
- ~~24~~25. Household appliance store and repair.
- ~~25~~26. Ice storage house of not more than five (5) ton capacity.
- ~~26~~27. Jewelry store.
- ~~27~~28. Liquor store.
- ~~28~~29. Meat market or delicatessen.
- ~~29~~30. Music and vocal schools.
- ~~30~~31. Pet shop.
- ~~31~~32. Photographic shop.
- ~~32~~33. Restaurant, bar, tearoom or cafe.
- ~~33~~34. Self-service laundry or dry cleaning.
- ~~34~~35. Shoe store or shoe repair shop.
- ~~35~~36. Stationery store.
- ~~36~~37. Tailor, clothing or wearing apparel shop.
- ~~37~~38. Television, radio store and repair.
- ~~38~~39. Veterinary hospital for small animals provided;
 - a. That no animals are to be boarded overnight except for medical reasons.
 - b. That the building shall be designed so as to prevent the escape of all obnoxious odors

and noises.

- ~~39~~40. Wig shop.
- ~~40~~41. Household hazardous waste collection facility, as defined in Section 28.04.405.
- ~~41~~42. Accessory buildings and accessory uses, including a storage garage for the exclusive use of the patrons of the above stores or businesses.
- ~~42~~43. Automobile rental, restricted to passenger vehicles, not including trailers, campers, trucks, recreational vehicles, etc., with the specific location subject to approval by the Planning Commission.

~~43~~44. Other businesses and occupations that are substantially similar to the uses enumerated above, as determined and documented by the Community Development Director in a manner similar to the substantial conformance determination process provided in the adopted Planning Commission Guidelines.

C. The above specified stores, shops or businesses, to the extent that they sell merchandise shall sell only at retail, shall sell only new merchandise, except for the resale of used merchandise acquired incidentally in the sale of new merchandise, and shall be permitted only under the following conditions:

1. Such store, shop or business, except automobile service station and nursery shall be conducted entirely within an enclosed building.
2. Products made incidental to a permitted use shall be sold at retail on the premises.

28.57.030 Uses Permitted in the C-L Zone.

A. Any use permitted in the R-O, C-O and R-4 Zones and subject to the use restrictions and limitations contained in the respective zone, except that any such use specifically mentioned hereafter shall be subject to the use restrictions of the C-L Zone.

B. Any of the following uses:

1. Antique shop.
2. Bank.
3. Barber, beauty shop, including hair stylist.

4. Candy, ice cream, pastry shop.
5. Caterer.
6. Child Care Center.
7. Delicatessen and specialty food store, including convenience grocery items.
8. Drug store and pharmacy, limited to stores carrying primarily drugs, personal care and health products.

9. [Emergency Shelters in compliance with Chapter 28.79.](#)

[10.](#) Florist shop.

~~11~~11. Funeral parlor.

~~12~~12. Gift shop.

~~13~~13. Household hazardous waste collection facility, as defined in Section 28.04.405 of this

Title.

~~14~~14. Interior decorating shop.

~~15~~15. Jewelry store.

~~16~~16. Liquor, wine store.

~~17~~17. Photographic studio.

~~18~~18. Restaurant.

~~19~~19. Other businesses and occupations that are substantially similar to the uses enumerated above, as determined and documented by the Community Development Director in a manner similar to the substantial conformance determination process provided in the adopted Planning Commission Guidelines.

C. The above-specified stores, shops or businesses shall be permitted only under the following conditions:

1. Merchandise shall be sold only at retail;
2. Except for restaurants and child care centers, all activities shall be conducted entirely within an enclosed building;
3. Products made incidental to a permitted use shall be sold at retail on the premises.

D. Accessory buildings and uses.

28.63.030 Uses Permitted in the C-1 Zone.

A. Any use permitted in the R-4, R-O and C-O Zones and subject to the use restrictions and limitations contained in the respective zone and in Section 28.63.130, except as otherwise provided in Subsection B. herein.

B. When land classified in a C-1 Zone is also classified in another zone, as provided in Section 28.63.001, uses shall be limited to the following:

1. Any use permitted in Subsection C. herein;
2. Any use permitted in the other zone in which the land is classified and when so used subject to the restrictions and limitations contained therein.

C. Any of the following uses:

1. Antique shop.
2. Automobile service station or automobile service station/mini-market, and accessory uses, limited to incidental tire and tube repairing, battery servicing, automobile lubrication and other minor automotive service within the building not including auto body repair with a conditional use permit issued pursuant to Subsection 28.94.030.U of this Code.

3. Bakery employing not more than ten (10) persons.

4. Bank.

5. Barber shop.

6. Beauty shop.

7. Billiard parlor.
8. Bookstore.
9. Caterer.
10. Child Care Center.
11. Clothing store.
12. Club or lodge.
13. Confectionery store.
14. Dressmaking or millinery shop.
15. Drugstore.
16. Dry cleaning, pressing and laundry agency.
17. Dry goods or notion store.
18. Emergency Shelters in compliance with Chapter 28.79.
- ~~18~~19. Florist.
- ~~19~~20. Garden nursery.
- ~~20~~21. Gift shop.
- ~~21~~22. Grocery, fruit and vegetable store.
- ~~22~~23. Hardware store.
- ~~23~~24. Hotel.
- ~~24~~25. Household appliance store and repair.
- ~~25~~26. Household hazardous waste collection facility, as defined in Section 28.04.405 of this

Title.

- ~~26~~27. Ice storage house of not more than five (5) ton capacity.
- ~~27~~28. Interior decorator.
- ~~28~~29. Jewelry store.
- ~~29~~30. Liquor store.
- ~~30~~31. Meat market or delicatessen store.
- ~~31~~32. Offices: general, administrative, business, professional, public.
- ~~32~~33. Pet store.
- ~~33~~34. Photographer.
- ~~34~~35. Photographic store.
- ~~35~~36. Research and development.
- ~~36~~37. Restaurant and bar.
- ~~37~~38. Self-service laundry and dry cleaning.
- ~~38~~39. Shoe store, shoe repair.
- ~~39~~40. Stationery store.
- ~~40~~41. Tailor.
- ~~41~~42. Television and radio store and repair.
- ~~42~~43. Veterinary hospital for small animals, provided:
 - a. That no animals are to be boarded overnight except for medical reasons.
 - b. The building shall be designed so as to prevent the escape of all obnoxious odors and

noises.

- ~~43~~44. Wig shop.
- ~~44~~45. Accessory buildings and accessory uses, including a storage garage for the exclusive use of the patrons of the above stores or businesses.

~~45~~46. Other businesses and occupations that are substantially similar to the uses enumerated above, as determined and documented by the Community Development Director in a manner similar to the substantial conformance determination process provided in the adopted Planning Commission Guidelines.

D. The above-specified stores, shops or businesses shall be permitted only under the following conditions:

1. Such stores, shops or businesses, except automobile service stations, child care centers, and nurseries, shall be conducted entirely within an enclosed building.
2. Products made incidental to a permitted use shall be sold at retail on the premises.

28.66.030 Uses Permitted.

A. Any use permitted in the C-P Zone and subject to the use restrictions and limitations contained in that zone, except that any such use specifically mentioned hereafter shall be subject to the restrictions of the C-2 Zone.

B. Such use shall not be inimical to the public health, welfare, safety or morals by reason of the offering to distribute, or distributing or exhibition to members of the public of any obscene matter as defined in Section 311 of the Penal Code of the State of California.

C. Any of the following uses:

1. Retail, wholesale or service store or business provided that there shall be no manufacturing, assembly, processing or compounding or products other than such as are customarily incidental or essential to such establishments and provided further that there shall be not more than ten (10) persons engaged in any such manufacture, processing or treatment of products, and not more than fifty percent (50%) of the floor area of the building is used in the treatment, manufacture or processing of products, and that such operations are not objectionable due to noise, odor, dust, smoke, vibration or other similar causes.

2. Advertising sign board or structure.

3. Automobile parking area.

4. Automobile super service station or automobile service station/mini-market including automobile laundry or car wash and auto steam cleaning establishment provided that all tire and tube repairing, battery, servicing and steam cleaning shall be conducted wholly within a building with a conditional use permit issued pursuant to Subsection 28.94.030.U of this Code.

5. Bakery employing not more than twenty (20) persons on premises.

6. Bath, Turkish and the like.

7. Billiard or pool hall or bowling alley.

8. Blueprinting and photostating shop.

9. Church.

10. Cleaning and pressing establishment using non-inflammable and non-explosive cleaning fluid.

11. Conservatory of music.

12. Contractor - no outside storage or storage of heavy equipment.

13. Department store.

14. Educational facility.

15. Electric distributing substation.

16. Emergency Shelters in compliance with Chapter 28.79.

17. Florist.

18. Funeral parlor.

- ~~17~~19. Furniture warehouse for storing personal household goods.

- ~~18~~20. Health club, spa, gymnasium.

- ~~19~~21. Hospital, clinic or skilled nursing facility.

- ~~20~~22. Interior decorating shop.

- ~~21~~23. Medical laboratory.

- ~~22~~24. Parking garage, public.

- ~~23~~25. Pest control.

- ~~2426.~~ Plumbing shop.
- ~~2527.~~ Printing, lithographing or publishing establishment.
- ~~2628.~~ Public parking area.
- ~~2729.~~ Radio and television store.
- ~~2830.~~ Refrigerated locker.
- ~~2931.~~ Restaurant, tea room or cafe.
- ~~3032.~~ Skating rink.
- ~~3133.~~ Storage garage, including repairing and servicing.
- ~~3234.~~ Studio.
- ~~3335.~~ Taxidermist.
- ~~3436.~~ Telephone exchange.
- ~~3537.~~ Theater or auditorium (except drive-in theater).
- ~~3638.~~ Trade school, not objectionable due to noise, odor, dust, smoke, vibration or other

similar causes.

- ~~3739.~~ Trailer and equipment sales and rental - non-industrial use.
- ~~3840.~~ Upholstery shop.
- ~~3941.~~ Used car sales area, provided that no repair or reconditioning of automobiles shall be permitted, except when enclosed in a building.

- ~~4042.~~ Wedding chapel.

~~4143.~~ Other businesses and occupations that are substantially similar to the uses enumerated above, as determined and documented by the Community Development Director in a manner similar to the substantial conformance determination process provided in the adopted Planning Commission Guidelines.

D. Accessory buildings and accessory uses.

28.69.030 Uses Permitted.

A. Any use permitted in the C-2 Zone and subject to the use restrictions and limitations contained in that zone, except that any such use specifically mentioned hereafter shall be subject to the restrictions of the C-M Zone.

B. Any of the following uses, provided that such operations, manufacturing, processing or treatment of products are not obnoxious or offensive by reason of emission of odor, dust, gas, fumes, smoke, liquids, wastes, noise, vibrations, disturbances or other similar causes which may impose hazard to life or property:

1. Automobile body shop.
2. Automobile paint shop.
3. Bakery goods manufacturing.
4. Boat building and repairing and machine shop.
5. Building contractor and material storage.
6. Cabinet shop.
7. Canvas and canvas products manufacturing.
8. Car wash.
9. Cement products manufacturing.
10. Cleaning and dyeing.
11. Clothing products manufacturing.
12. Draying and truck yard or terminal.
13. Electronics products manufacturing.
14. Emergency Shelters in compliance with Chapter 28.79.
15. Equipment and trailer rental and storage.

- ~~1516.~~ Food products manufacturing.
- ~~1617.~~ House moving.
- ~~1718.~~ Laundry.
- ~~1819.~~ Lumber yard.
- ~~1920.~~ Machine shop.
- ~~2021.~~ Plating works.
- ~~2122.~~ Produce warehouse.
- ~~2223.~~ Research and development establishment and related administrative operations.
- ~~2324.~~ Rug cleaning.
- ~~2425.~~ Sheet metal shop.
- ~~2526.~~ Sign manufacturing.
- ~~2627.~~ Storage warehouse.
- ~~2728.~~ Tire retreading.
- ~~2829.~~ Veterinary hospital.
- ~~2930.~~ Other businesses and occupations that are substantially similar to the uses enumerated

above, as determined and documented by the Community Development Director in a manner similar to the substantial conformance determination process provided in the adopted Planning Commission Guidelines.

C. Accessory buildings and accessory uses.

SECTION 4. Title 28 of the Santa Barbara Municipal Code is amended by adding Chapter 28.79 to read as follows:

28.79.010 Use Permitted.

An emergency shelter, as defined in SBMC Section 28.04.273, is a permitted use in the R-4, C-P, C-L, C-1, C-2, and C-M Zones subject to the development and management standards specified in Section 28.79.020. Notwithstanding any other provision within this Title 28, without the approval of a conditional use permit pursuant to Chapter 28.94, an emergency shelter is not a permitted use in the following zones: A-1, A-2, E-1, E-2, E-3, R-1, R-2, R-3, HRC-1, HRC-2, PR, P-D, R-H, S-H, S-D, C-O, C-X, HC, M-1, OC, OM-1.

28.79.020 Development and Management Standards.

In addition to all other development standards generally applicable within the zone in which the emergency shelter is located, an emergency shelter shall comply with the following development and management standards:

A. Capacity. An emergency shelter located in the R-4 zone may provide a maximum of 50 beds

and shall serve no more than 50 homeless persons per night. An emergency shelter located within the C-P, C-L, C-1, C-2, and C-M Zones may provide a maximum of 100 beds and shall serve no more than 100 homeless persons per night.

B. Length of Stay. A resident of an emergency shelter shall not reside in the emergency shelter for more than 180 consecutive nights.

C. Intake/Waiting Area. An emergency shelter shall provide at least 10 square feet of interior intake and waiting space per bed. Intake and waiting areas shall be located within the building.

D. Outdoor Area/Activity. Outdoor gathering areas shall be screened from the public right of way and adjacent properties. An emergency shelter shall not allow prospective residents to queue on the public right of way or parking areas.

E. Parking. An emergency shelter shall provide the following parking:

1. One parking space for every 8 beds; and

2. One covered and secure bicycle parking space for every 4 beds.

3. Exceptions. An emergency shelter may propose fewer parking spaces if the emergency shelter can demonstrate by a parking study that the proposed parking will satisfy the anticipated parking demand for the project to the satisfaction of the Public Works Transportation Planning Division. In any case, the required parking for an emergency shelter shall not be more than that which is required for similar residential or commercial uses within the zone.

F. Lighting. Subject to compliance with the Lighting Ordinance (SBMC Chapter 22.75), adequate external lighting shall be provided on-site in order to maintain a safe and secure environment.

G. Concentration of Uses. No emergency shelter or homeless shelter shall be permitted within 300 feet of another emergency shelter or homeless shelter. The distance between shelters shall be measured in a straight line without regard to intervening structures or objects from the nearest point on the property line of one shelter to the nearest point on the property line of the other.

H. Onsite Management. On-site management shall be present at all times that the shelter is in

operation. A Management Plan for the operation of the emergency shelter must be submitted with the master application and shall be subject to approval by the Community Development Department

Director. As appropriate, the Management Plan shall address:

1. Hours of operation

2. On-site management and security procedures

3. Neighborhood relations and communication

4. Cooking and dining facilities (for residents only)

5. Shower and laundry facilities (for residents only)

6. Smoking areas and policies

7. Outdoor gathering areas and policies

I. Ability to Pay. No individual or household may be denied emergency shelter due to an inability to pay.

SECTION 5. Section 28.94.030 of Chapter 28.94 of the Santa Barbara Municipal Code is amended to read as follows:

28.94.030 Uses Permitted in Specific Zones.

The following uses may be permitted in the zones herein indicated upon the granting of a Conditional Use Permit, except that where another section of this Title specifically allows such use in a zone in conflict with this section, the provision of such other section shall apply and a Conditional Use Permit shall not be required.

A. Church in the A-1, A-2, E-1, E-2, E-3, R-1, R-2, R-3, R-4, C-1, C-P, C-L, C-O, R-O, C-X, H-C, HRC-1, HRC-2, OM-1 and OC zones.

B. Convent and monastery in the A-1, A-2, E-1, E-2, E-3, R-1, R-2, C-X, H-C, HRC-1, HRC-2, OC, M-1, and OM-1 zones.

C. Educational institution in the A-1, A-2, E-1, E-2, E-3, R-1, R-2, R-3, R-4, C-1, C-P, C-L, C-O, R-O, C-X, H C, HRC-1, HRC-2, OC, M-1, and OM-1 zones.

D. Golf course or driving range (but excluding miniature golf) in any zone.

E. Outdoor tennis club and lawn bowling club in the A, E and R Zones. Normal clubhouse facilities such as pro shop, coffee shop, administrative offices, lounge, etc. may be allowed in connection with a private club only, provided that such uses shall be clearly shown to be incidental and accessory to the outdoor recreational use of the premises, and that the clubhouse facilities shall be available only to the club members and their guests.

It is hereby declared that in addition to being special uses as set forth in Sections 28.94.001 and 28.94.005, the uses permitted under this subsection are of such a nature that it is impractical to establish in advance of development the minimum requirements for parking, site area, setbacks, hours or manner of operation, lighting, landscaping, or other standards usually applied to classes or types of use, and that distinct and different performance and development standards must be applied to each individual facility proposed to be established under these provisions.

This declaration is based on the fact that the type of club permitted by these provisions will usually be within the City area, unique in terms of the facilities provided, activities conducted, method and intensity of operation, relationship to topography and impact on surrounding urban development and potential, and that meaningful minimum standards can only be established in relation to the particular features of each individual development.

In lieu of prescribing herein minimum performance and development standards, the Planning Commission shall, as a part of any Conditional Use Permit issued to permit the establishment of outdoor tennis or lawn bowling clubs under this subsection, make the following findings and impose conditions necessary to secure and perpetuate the bases for such findings:

1. That the total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided.
2. That the prescribed hours and days of operation of the various facilities of the club are such that the character of the area is not altered or disturbed.
3. That the design and operation of outdoor lighting equipment will not be a nuisance to the use of property in the area.
4. That adequate access and off-street parking is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time.
5. That the appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area.

F. Planned unit development in A, E and R-1 Zones in accordance with the provisions of Chapter 28.36 of this Title.

G. Planned residence development in the A, E and R-1 Zones, subject to provisions of Chapter 28.33 of this Title.

H. Child care centers in the A, E, R-1, R-2, R-3, R-4, R-O, C-O and C-X zones, subject to the following conditions, standards and limitations:

1. Location of play areas. Outdoor play areas shall be located in a manner that is compatible with the character of the surrounding area, that minimizes significant detrimental noise impacts to adjacent properties, and that complies with the minimum standards of State Law.

2. Passenger loading. Facilities shall be provided for loading and unloading passengers, and shall be subject to the review and approval of the Planning Commission taking into consideration the recommendation of the Transportation Engineer.

I. Driveways and parking areas for nonresidential uses in residential zones.

J. Boarding house in the R-2, R-3 and R-4 Zones.

K. Club and lodge in the R-3, R-4 and R-O Zones.

L. Garden apartments in the R-2 Zone, subject to the provisions of Chapter 28.30 of this Title.

M. Hospitals, skilled nursing facilities and other similar buildings and facilities for the treatment of human ailments where facilities are provided for the keeping of patients overnight or longer, in the R-4, C-O, C-P, C-1, C-2 and C-M Zones.

N. Restaurant in the R-4 Zone, provided there is a minimum of one hundred (100) established hotel-motel guest rooms within five hundred feet (500') from the boundary of the proposed restaurant site. The one hundred (100) established hotel-motel guest rooms within five hundred feet (500') may be used to support any number of restaurants within the affected area.

O. Establishment or enterprises which involve large assemblages of people on more than four occasions per year, including, but not limited to, any open air theater, Certified Farmers Market, street market, trade fair, trade exchange, recreational or sport center, in the C Zones.

P. Automobile wrecking in the C-M and M-1 Zones.

Q. Car wash, auto polishing, auto steam cleaning establishment in the C-1, C-P and C-2 Zones, provided that such installation shall be subject to the noise restrictions established in Chapter 28.60 of this Title.

R. State-licensed residential care facilities for the elderly, community care facilities and hospices serving more than 12 individuals in the A, E, R, and C Zones.

1. STANDARDS.

- a. If a new residential care facility for the elderly, community care facility or hospice which is subject to a Conditional Use Permit includes a staffed congregate kitchen and dining facility providing regular meals to residents, living units may include modular cooking units without being counted as residential units.

- b. If an existing residential care facility for the elderly, community care facility or hospice as of the effective date of this Ordinance, which is subject to a Conditional Use Permit includes a staffed congregate kitchen and dining facility providing regular meals to residents, living units may be converted to include modular cooking units without being counted as residential units under the provisions of a new Conditional Use Permit.

c. If a new or existing residential care facility for the elderly, community care facility or hospice as of the effective date of this Ordinance, which is subject to a Conditional Use Permit does not include a congregate dining facility, but does include kitchens in its living units, living units shall be counted as residential units.

d. Recreational facilities and skilled nursing facilities intended primarily for the residents may be allowed in connection with residential care facilities for the elderly, community care facilities or hospices provided that such uses are incidental and accessory thereto. The use of the facilities by persons other than residents and staff may be limited.

2. FINDINGS:

a. For new State licensed residential care facilities for the elderly, community care facility or hospice, in addition to the findings required under Section 28.94.020, the Planning Commission or City Council on appeal must find upon a showing of adequate information that:

(1) The facility will generate a demand for resources such as water, traffic, and other public services equivalent to no more than that which would be demanded by development of the property in accordance with the underlying zone, and such resources are available in amounts adequate to service the proposed facility.

(2) The intensity of use in terms of the number of people, hours of operation, hours of major activities, and other operational aspects of the proposed facility is compatible with any neighboring residential use.

(3) The proposed facility shall be able to be converted to a density which conforms to the residential unit density of the underlying zone. Sufficient land area has been shown to be available to meet the parking demand of a future use.

b. For existing State-licensed residential care facilities for the elderly, community care facility or hospice as of the effective date of this Ordinance requesting an alteration or modification, in addition to the findings required under Section 28.94.020, the Planning Commission or City Council on appeal must find upon a showing of adequate information that:

(1) The proposal has been reviewed and approved by the City Fire Marshall and the City Building Official.

(2) The facility will generate a demand for resources such as water, traffic and parking capacity, and other public services equivalent to no more than that which would be demanded by development of the property in accordance with the underlying zone, or if existing resource use exceeds the underlying zone, then resource use shall be equivalent to no more than that of the existing use.

(3) The intensity of use in terms of the number of people, hours of operation, hours of major activities and other operational aspects of the proposed facility is compatible with any neighboring residential use.

S. Facilities and equipment, not to include offices, used by public utilities or quasi-public utilities, e.g., cable television, to provide services to the general public in any zone, except for Radio and Television Antennas, Cellular Telephone Antennas and Emergency Service Antennas and any facilities or equipment expressly permitted in the zone or authorized pursuant to Chapter 28.93 of this Code.

T. Medical equipment and supply stores of more than 3,000 square feet of net floor area in the C-O Zone, subject to the following special provisions:

The Planning Commission shall find that the use is supportive and directly related to the providing of medical and related services. The Commission may permit a portion of the space to be used for non-medically related sales and/or a percentage of dollar volume of business for non-medically related sales, provided that said amount of non-medically related use is set forth in the Conditional Use Permit.

U. Banks of more than 1,000 square feet of net floor area in the C-O Zone, subject to the following:

The intent is to allow branch banks as a convenience to the medical community and neighborhood, so that there will be less traffic into the commercial areas for deposits, and as a cash source for patients in the area. It is not the intent to establish a banking community in the area. As a result, the limitations set forth below shall apply.

Prior to issuance, the Planning Commission shall find the following:

1. No similar facility is located on adjacent property or on a parcel within three hundred (300) feet of the subject property.

2. There shall not be more than one thousand (1,000) square feet of space accessible to customers for services.

3. There shall be no drive-up window, but a walk-up window may be permitted.

4. The signing of the operation is in a manner as to identify but not advertise, and to blend in with the neighborhood.

5. Services are limited to deposits, check cashing, cashier and travelers checks, acceptance of loan applications, and night deposits. The following services are excluded: loan applications processing and safety deposit boxes.

6. The permitted number of employees is consistent with the above.

V. Automobile service station, automobile service station/mini-market or conversion to an automobile service station/mini-market shall be subject to the following conditions, standards and limitations:

1. Conditions. Specific conditions may be imposed to carry out the purposes of this Code.

2. Lot Area. The minimum area of the parcel or lot shall not be less than eight thousand (8,000) square feet.

3. Street Frontage. Each lot shall have a minimum frontage of not less than one hundred (100) feet on one abutting street.

4. Architecture. The architecture of the service station structures and landscaping shall be reviewed and approved by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark. The architectural theme shall be integrated into the design of all improvements of the site including canopies and fencing.

5. Driveways.

a. New Service Stations. For service stations constructed after the effective date of this Subsection, driveway entrances to the service station shall not be within twenty (20) feet of the curb return (beginning of curve) on corner lots.

b. Existing Service Stations. For driveway entrances of service stations that have been constructed prior to the effective date of this Subsection, relocation of driveway entrances may be required to minimize interference with the movement and safety of vehicular and pedestrian traffic.

6. Internal Circulation. Where access from an internal circulation system of a shopping center or public parking area is available, direct street access to a service station may be prohibited or restricted.

7. Parking. Parking shall conform to the minimum parking requirements as outlined in Section 28.90.100 or a minimum of five (5) parking spaces shall be provided or one (1) parking space for each two hundred fifty (250) square feet of gross floor area used for mini-market use and one (1) space for each employee shall be provided; whichever is greater.

8. Lighting. Any perimeter flood lighting shall be hooded or shielded so that no direct beams fall upon adjacent residential property. Indirect soft lights and low garden lights shall be used wherever possible, and shall be required as necessary to assure compatibility with adjacent and surrounding properties.

9. Landscaping. All landscaped areas shall be as follows:

a. A planter shall be provided along all street-side property lines except for driveway openings.

b. On corner lots, a minimum of one hundred fifty (150) square feet of planter area shall be provided on the property adjacent to the corner intersection.

c. At least ten percent (10%) of the area not covered by buildings on the parcel shall be landscaped.

10. Restrooms. The entrance to all restrooms shall be screened from abutting properties by a decorative screen.

11. Fencing. A decorative fence six (6) feet in height from finished grade shall be provided on all property lines that do not abut a street, alley or parking area, with the exception that a fence may not be required for a service station that is an integral part of a commercial, industrial or office center or where combined landscaping will be achieved with such adjacent properties.

12. Operations and Storage.

a. Repair of vehicles is only permitted within an enclosed building.

b. All servicing of vehicles other than minor servicing shall be conducted within an enclosed building.

c. All materials, products and merchandise shall be stored and displayed only within an enclosed building.

d. No used or discarded automotive parts or equipment or visible junk or wrecked vehicles shall be located or stored outside the service station building.

e. Trash shall be stored in areas screened from public view by a fence with a minimum height of six (6) feet. Trash shall not be stored or piled above the height of the fence.

13. Fire Department Approval. Prior to the issuance of any building permit for a service station or any portion thereof, the Fire Department shall review the plans and approve said plans if they comply with applicable Fire Department ordinances and regulations.

W. Public or quasi-public facility, including homeless shelters providing services and programs beyond the definition of minimal supportive services specified in Section 28.04.273 (subject to a separation of at least 300 feet from another emergency shelter or homeless shelter), in any zone, except those expressly permitted in the zone or authorized pursuant to Chapter 28.93 of this Code, and Radio and Television Antennas, Cellular Telephone Antennas and Emergency Service Antennas.

X. Any use other than those permitted by Section 28.73.030.A of the OM-1 Zone and permitted in the M-1 Zone and subject to those findings required in Section 28.73.030.B and Section 28.94.020.

Y. General office uses in the HRC-2 Zone as permitted by Subsection 28.22.030.2.c, and subject to the findings required in Subsection 28.22.030.2.c and Section 28.94.020.

Z. Secondary Dwelling Units in any A, E or R-1 Zone, subject to the following provisions:

1. The minimum lot size for any parcel containing a Secondary Dwelling Unit shall be seven thousand (7,000) square feet.
2. There shall be no more than one (1) existing single-family dwelling, hereinafter referred to as the primary dwelling, on the parcel.
3. The Secondary Dwelling Unit shall be attached to the primary dwelling by a common wall, floor or ceiling and not simply by an attached breeze-way or porch. Said unit shall involve no more than a ten percent (10%) increase in the square footage of the primary dwelling nor shall it constitute more than forty percent (40%) of the combined floor area of the primary dwelling and Secondary Dwelling Unit, exclusive of the garage or carport.
4. The maximum floor area of the Secondary Dwelling Unit shall not exceed six hundred (600) square feet.
5. Setbacks and height limitations for the Secondary Dwelling Unit shall be the same as for the primary dwelling.
6. One (1) off-street parking space, covered or uncovered, shall be required for a Secondary Dwelling Unit. In addition, if the primary dwelling does not provide parking as required by Subsection 28.90.100.G.1 of this Title, such parking shall be provided. The garage or carport for the primary dwelling shall not be converted to provide a Secondary Dwelling Unit.
7. There shall be no more than four (4) separate rooms in a Secondary Dwelling Unit, one of which shall be a kitchen and one a bathroom. The total number of rooms on the parcel shall not be increased by more than two (2), including the bathroom and kitchen for the Secondary Dwelling Unit. The Secondary Dwelling Unit shall also provide a separate entrance.
8. Both the primary dwelling and the Secondary Dwelling Unit shall comply with all requirements of the housing code in effect on the date of issuance of the building permit for the Secondary Dwelling Unit. Any alteration or addition shall comply with all requirements of the California Building Code as adopted and amended by the City.
9. A separate water meter shall be provided for the Secondary Dwelling Unit. The primary dwelling shall be retrofitted with water-conserving devices to the same extent as if the dwelling were being built under the California Building Code as adopted and amended by the City.
10. Before obtaining a building permit for a Secondary Dwelling Unit, the property owner shall file with the County Recorder, upon approval by the City Attorney as to form and content, a covenant containing a reference to the deed under which the property was acquired by the present owner and stating that:
 - a. The Secondary Dwelling Unit shall not be sold separately from the primary dwelling.
 - b. The Secondary Dwelling Unit is restricted to the approved size.
 - c. The conditional use permit for the Secondary Dwelling Unit shall be in effect only so long as either the primary dwelling or the Secondary Dwelling Unit is occupied by the owner of the lot on which the Secondary Dwelling Unit is located, except for bona fide temporary absences. The conditional use permit shall remain valid if disability or infirmity require the institutionalization of the owner.
 - d. The Secondary Dwelling Unit shall be rented at a rate that is affordable to low and moderate income families or to immediate family members as required under Subsection 28.94.030.Z.12 of this Title.
 - e. The conditional use permit, and any conditions imposed by said permit, shall lapse upon removal of the Secondary Dwelling Unit.
 - f. There shall be no more than two (2) inhabitants in any Secondary Dwelling Unit.

g. The above declarations are binding upon any successors in ownership of the property; any lack of compliance shall revoke the conditional use permit.

11. Secondary Dwelling Units shall be prohibited in High Fire Hazard Areas (as defined in the Fire Master Plan.)

12. The Secondary Dwelling Unit, or the primary dwelling if the owner chooses to live in the Secondary Dwelling Unit, shall be leased or rented to a person or persons falling within one or more of the following categories:

a. A household whose head is a member of the owner's immediate family. For purposes of this Section, "immediate family" shall be defined as parents, grandparents, children, grandchildren, sisters, brothers, and equivalent in-laws.

b. Low income households (incomes less than 80 percent of the median income for the City), as determined by the United States Department of Housing and Urban Development (HUD). The rent level will be no more than the Fair Market Rent levels for the City as determined and adjusted from time to time by HUD, and the owner shall give priority for occupancy to households referred by the Santa Barbara Housing Authority. If the unit is rented or leased to households not referred by the Housing Authority, the income level of the renter selected must be certified by the Housing Authority as to eligibility and this certification must be submitted to the Community Development Director. The Housing Authority may assess a fee for certification of renters other than those referred by the Housing Authority. The rent level for such low-income renters shall not exceed one twelfth (1/12) of thirty percent (30%) of the certified income of the renter. In addition, the owner must submit annually to the Housing Authority a copy of the lease or rental agreement in effect that identifies the rent level and the name and income level of the lessee/renter.

c. Moderate income households (incomes between 81 and 120 percent of the median income of the City), if the owner chooses not to rent to a family member and a sworn declaration supported by written documentation, such as loan documents, setting forth the financial reasons why the unit will not be rented to a low-income household is submitted to the City. Generally, the only acceptable financial reason would be that higher rent is required in order to meet the carrying costs of new construction. The rent levels will be not more than one-twelfth (1/12) of thirty percent (30%) of the median income for a family of four in the City adjusted for household/unit size according to the following factors:

Unit Size	Factor
Studio	.70
One-Bedroom	.80
Two-Bedroom	.95
Three-Bedroom	1.065

Prior to the rental or leasing of the unit, the income level of the household shall be certified by the Housing Authority. The Housing Authority may assess a fee for certification of renters other than those referred by the Housing Authority. In addition, the owner must submit annually to the Housing Authority a copy of the lease or rental agreement in effect that identifies the rent level and name and income of the lessee/renter.

13. Approved Secondary Dwelling Units shall be subtracted from the Density Reserve established by Policy 5-1.0 of the City's Housing Element, as adopted by the City of Santa Barbara on June 8, 1982. When there are no units available in the Density Reserve, no conditional use permits shall be granted for Secondary Dwelling Units.

14. Secondary Dwelling Units shall be prohibited if there is an accessory building containing additional dwelling space, an additional dwelling unit approved under Section 28.93.030.E, caretaker's residence or similar use on the parcel. Furthermore, no accessory building intended to provide additional dwelling space, additional dwelling unit under Section 28.93.030.E, caretaker's residence or similar use shall be constructed on a lot where there is an approved Secondary Dwelling Unit.

15. The Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark, shall review all Secondary Dwelling Units which require exterior change to the primary dwelling to assure that there is minimal evidence of occupancy of the parcel by more than one (1) family and that any changes or additions to the exterior of the primary dwelling necessary to establish the Secondary Dwelling Unit blend architecturally with the primary dwelling.

16. In order to encourage the development of housing opportunities for disabled and handicapped individuals, the Planning Commission may allow reasonable deviation from the stated physical requirements where necessary to install features that facilitate access and mobility for disabled persons. Otherwise, no modification of the requirements for a Secondary Dwelling Unit shall be allowed unless specifically stated in this Section.

17. In addition to the findings required under Section 28.94.020, the Planning Commission, or City Council on appeal, must find that:

a. The Secondary Dwelling Unit does not overload the capacity of the neighborhood to absorb it or cause a concentration of such units sufficient to change the character of the single-family neighborhood in which it is located.

b. The Secondary Dwelling Unit does not detract from the privacy of the surrounding residents.

18. Modifications.

a. Parking. No modification of the required number of parking spaces shall be allowed. Modification of other parking-related requirements may be allowed subject to the provisions of Section 28.92.110 of this Code.

b. Setbacks and height limitations. Modification of these requirements may be allowed subject to the provisions of Section 28.92.110 of this Code.

AA. Any interim use deemed appropriate by the Planning Commission in those areas identified by resolution of the City Council as impacted by governmental action. Such interim uses shall be limited in duration as specified by the Planning Commission, provided all such uses are discontinued within two (2) years of the completion of the governmental action. Any authorization granted by the conditional use permit shall terminate at that time.

The conditional use permit granted pursuant to this Subsection shall not be effective until the property owner has duly executed and recorded an instrument binding itself, its successors in interest and any person holding thereunder, which contains (i) notice of the conditional use permit, (ii) notice of any conditions established thereunder, (iii) an agreement to comply with the terms and conditions of the conditional use permit, (iv) a waiver of any claim that a temporary use or any improvements on real property creates any vested right to continue a non-conforming use after completion of the governmental action, and (v) any other conditions as deemed necessary to comply with the purposes and intent of this Subsection. This instrument shall be subject to the review and approval of the City Attorney and the Community Development Director.

BB. Bed and Breakfast Inns in Designated Historic Structures.

1. R-O Zone

a. Bed and Breakfast Inns in Structures of Merit or Landmarks in the R-O zone, in accordance with the provisions of Chapter 22.22 of this Title.

b. Bed and Breakfast Inns in a structure located on a lot in the R-O zone, on which a Structure of Merit or Landmark used as a Bed and Breakfast Inn is also located.

2. R-3 Zone

a. Bed and Breakfast Inns in Structures of Merit or Landmarks in the R-3 zone, in accordance with the provisions of Chapter 22.22 of this Title, subject to the following conditions.

(1) The owner or manager of the Bed and Breakfast Inn shall maintain his or her primary residence on the property that contains the Bed and Breakfast Inn.

(2) No meals shall be served to persons other than guests and residents of the Bed and Breakfast Inn.

(3) No conference or meeting rooms/facilities shall be provided.

(4) No outdoor swimming pool shall be provided; however, outdoor spas, hot tubs or similar facilities may be provided.

(5) Other conditions imposed by the Planning Commission in order to ensure compatibility with the surrounding neighborhood.

b. Bed and Breakfast Inns in a structure located on a lot in the R-3 zone, on which a Structure of Merit or Landmark used as a Bed and Breakfast Inn is also located, subject to the conditions listed in §28.94.030.BB.2.a. above.

3. Review by the Historic Landmarks Commission. Plans for new structures or alterations to existing structures under 1 and 2 above shall be submitted to the Historic Landmarks Commission for review and action in accordance with the provisions of Chapter 22.22 of this Title.

CC. Offsite Hazardous Waste Management Facilities in the C-M, M-1, and OM-1 zones, subject to the provisions in Chapter 28.75, HWMF Overlay Zone.

DD. Television, Radio and Cellular Telephone Antennas in all zones, subject to the following provisions:

1. Exemptions. The following are exempt from the requirement of a Conditional Use Permit, and shall be considered a permitted use in all zones:

a. Repairs and maintenance of existing facilities, whether emergency or routine, or replacement of transmitters, antennas, or other components of existing permitted facilities, provided there is little or no change in the visual appearance or any increase in radio frequency emission levels.

b. Satellite Dish Antennas designed or used for the reception of television or other electronic communications signal broadcast or relayed from an earth satellite.

c. One or more cellular telephone antennas or paging antennas, provided that the Community Development Director finds as follows:

(1) Height: The height of the antenna and supporting structure does not exceed Municipal Code height limits set forth in Sec. 28.87.260, except where said antenna is being installed on an existing structure, in which event the height limit is measured from the highest point of the building and cannot exceed 15 feet above the building height.

(2) Separation: There is at least 100 feet between the base of the antenna support structure and the nearest dwelling unit.

(3) Access Control: The applicant establishes that the general public will be excluded from an area at least 50 feet in all directions from the antenna if antenna is not at least 10 feet off the ground. If the antenna is at least 10 feet above grade, this distance may be reduced to 30 feet.

(4) No Resource Impacts: The project will have no significant impact on any biological or archeological resources and will not generate additional traffic. The applicant may be required to provide information to the Community Development Director regarding these matters.

(5) No Visual Impacts: The project has been reviewed by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located in the El Pueblo Viejo Landmark District or another landmark district or if the property contains a designated City Landmark. The Board and Commission may take action regarding the location of the antenna(s) on the site, color and size of the proposed antennas so as to minimize any adverse visual impacts.

d. A microcell, provided it has been reviewed by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located in the El Pueblo Viejo Landmark District or another landmark district or if the property or a structure thereon is a designated City Landmark. The Board and Commission may take action regarding the location of the antenna(s) on the site, color and size of the proposed antennas so as to minimize any adverse visual impacts.

2. Conditional Use Permit by Planning Commission. A Radio or Television Antenna shall be permitted only upon issuance of a conditional use permit by the Planning Commission, and only if each of the following findings has been made:

a. Shared Use of Support Structure. The applicant had made a good faith effort to demonstrate that no existing or planned support structure, including an antenna tower, is available to accommodate the proposed antenna.

b. Site Size. The site is of a size and shape sufficient to provide an adequate setback from the base of the antenna support structure to any property line abutting a residential use.

c. Visual Impact. The project has been reviewed by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located in the El Pueblo Viejo Landmark District or another landmark district or if the property contains a designated City Landmark. The Board and Commission may take action on the location of the antenna(s) on the site, color and size so as to minimize any adverse visual impacts by requiring that the antenna and its supporting structure be designed and placed so as to be as visually unobtrusive as feasible, taking into consideration technical engineering and other pertinent factors. The Planning Commission may grant a waiver from height limitations if it finds that no feasible alternative location or design would not require such a waiver.

d. Non-ionizing Electromagnetic Radiation (NIER) Emissions. Any new transmitters and/or antennas, when combined with existing sources of NIER emissions on or adjacent to the site and when operating as designed and licensed, shall not expose the general public to ambient radiation emissions which exceed American National Standards Institute (ANSI) C95.1-1992 standard (if the Federal Communications Commission (FCC) rulemaking committee adopts a revised standard, said standard shall apply).

EE. Outdoor performance areas involving structures such as bandshells or amphitheaters in the PR Zone.

SECTION 6. The portions of this ordinance that amend the Santa Barbara Municipal Code to allow Emergency Shelters as a permitted use within the R-4, C-P, C-1, and C-2 Zones shall not be effective within the Coastal Zone until 30 days following certification of those amendments by the California Coastal Commission.

COUNCIL INTRODUCTION DRAFT 7/22/14 – OPTION 2
SHOWING CHANGES FROM EXISTING CODE

AN ORDINANCE OF THE COUNCIL OF THE CITY
OF SANTA BARBARA ESTABLISHING
REGULATIONS FOR EMERGENCY SHELTERS AS A
PERMITTED USE IN THE C-M ZONE.

WHEREAS, Senate Bill 2 was enacted in 2007, requiring all cities and counties in California to provide at least one zoning district which allows emergency shelters without a conditional use permit or other discretionary approval;

WHEREAS, on December 1, 2011, the City Council adopted an update to the General Plan, including policies in the Housing Element directing amendments to Title 28 of the Municipal Code in compliance with Senate Bill 2 requiring emergency shelters in at least one zone without any discretionary permits (Council Resolution No. 11-079);

WHEREAS, the 2011 Housing Element contains Implementation Action H4.1 directing Municipal Code amendments to the C-M (Commercial Manufacturing) zone to allow emergency shelters without a conditional use permit or other discretionary action;

WHEREAS, upon further review and consultation with the City Attorney's Office, it was determined that the City is in compliance with the requirements of Senate Bill 2 because multiple zones exist which allow the development of hotels that are, in effect, "overnight accommodation" uses similar to overnight emergency shelter for the homeless;

WHEREAS, under the City's Zoning Ordinance, facilities that provide overnight shelter to the homeless are also considered short-term, transitional accommodations similar to a hotel use and are allowed without a conditional use permit in all zones that permit overnight accommodations;

WHEREAS, overnight accommodations are allowed in the R-4 (Hotel-Motel-Multiple Residence), HRC-1 and HRC-2 (Hotel and Related Commerce), R-H (Resort Residential), C-P (Restricted Commercial), C-L and C-1 (Limited Commercial), C-2 (Commercial), C-M (Commercial Manufacturing), OC (Ocean-Oriented Commercial), M-1 (Light Manufacturing), and OM-1 (Ocean-Oriented Light Manufacturing) zones;

WHEREAS, on November 12, 2013, the City Council initiated amendments to the Zoning Ordinance to permit emergency shelters with minimal supportive services without a conditional use permit or other discretionary approval in existing zones where overnight accommodations are allowed;

WHEREAS, on May 13, 2014, the City Council Ordinance Committee held a public hearing to review the draft Emergency Shelter Zoning Ordinance and voted 2/1 to forward the ordinance amendments to the Planning Commission for further review and refinement;

WHEREAS, on June 12, 2014, the Planning Commission held a duly noticed public hearing to review the draft Emergency Shelter Zoning Ordinance and after discussing the key components of the ordinance voted 6/1 to forward the ordinance amendments with revisions to the City Council for adoption;

WHEREAS, on July 15, 2014, the City Council held a duly noticed public hearing to consider adopting ordinance amendments to the Municipal Code adding Chapter 28.79 establishing

development and management standards for emergency shelters with minimal supportive services; adding Section 28.04.273 to define emergency shelters consistent with State law; amending Sections 28.21.030, 28.54.030, 28.57.030, 28.63.030, 28.66.030, and 28.69.030 to add emergency shelter as a permitted use; and amending Section 28.94.030.W to specify which emergency shelters require a Conditional Use Permit;

WHEREAS, the City Council continued the public hearing for further discussion to consider the proposed ordinance allowing emergency shelters as a permitted use in the R-4, C-P, C-L, C-1, C-2, and C-M Zones or another option which would allow emergency shelters as a permitted use in only the C-M Zone;

WHEREAS, on _____, the City Council held a duly noticed public hearing to adopt ordinance amendments to the Municipal Code adding Chapter 28.79 establishing development and management standards for emergency shelters with minimal supportive services; adding Section 28.04.273 to define emergency shelters consistent with State law; amending Section 28.69.030 to add emergency shelter as a permitted use; and amending Section 28.94.030.W to specify which emergency shelters require a Conditional Use Permit; and

WHEREAS, a Program Final Environmental Impact Report (FEIR) was certified for the 2011 General Plan, and includes EIR Addenda prepared and considered by City Council as part of adoption of the final 2011 General Plan (12-1-11), Climate Action Plan (9-18-12), and Historic Resources Element (10-2-12).

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

SECTION 1. The City Council of the City of Santa Barbara makes the following findings in accordance with the California Environmental Quality Act regarding the adoption of the Emergency Shelter Zoning Ordinance:

1. Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183 provide that projects which are consistent with the development density established by General Plan policies for which a FEIR was certified, and rezoning consistent with the plan, shall not require additional environmental review except under specified instances. The City Environmental Analyst determined that the proposed zoning ordinance amendments to the General Plan emergency shelter policies do not trigger additional environmental review requirements for the following reasons:

- a. There are no additional site-specific or project-specific significant effects which are peculiar to the proposed zoning amendments;
- b. There are no new significant effects not addressed in the prior FEIR; and
- c. There is no new information since the FEIR that would involve more significant impacts than identified in the FEIR.

Environmental review for the proposed zoning ordinance amendments is addressed by the General Plan FEIR and Addenda, and no further environmental review is required.

2. The policies and standards for the development of emergency shelters with minimal supportive services have been previously analyzed in the FEIR and Addenda for the General Plan. Specifically, the environmental impacts associated with implementing the General Plan policies related

to homeless shelters and services were included in the General Plan FEIR and Addendum and the potential emergency shelter development under the implementing ordinance is within in the growth assumptions analyzed.

3. The City Planner is the custodian of the record of proceedings for the General Plan Update FEIR, the Addenda, and the documents and other materials which constitute the record of proceedings for these City actions are located at the City of Santa Barbara Community Development Department, Planning Division, 630 Garden Street, Santa Barbara, California. Copies of these documents are available for public review during normal business hours upon request at the office of the City of Santa Barbara Community Development Department, Planning Division.

SECTION 2. Chapter 28.04 of Title 28 of the Santa Barbara Municipal Code is amended by adding Section 28.04.273 to read as follows:

28.04.273 Emergency Shelter.

Housing for homeless persons with minimal supportive services that is limited to a length of occupancy of not more than six months. Minimal supportive services shall mean administrative offices, intake and waiting areas, kitchen and dining facilities, and laundry facilities as long as the facilities are directly related to the operation of the emergency shelter or for the exclusive use of the residents of the emergency shelter. Homeless shelters providing more than minimal supportive services or supportive services to persons other than the residents of the shelter shall require a conditional use permit pursuant to Section 28.94.030.W of this Title.

SECTION 3. Section 28.69.030 of Title 28 of the Santa Barbara Municipal Code is amended to read as follows:

28.69.030 Uses Permitted.

A. Any use permitted in the C-2 Zone and subject to the use restrictions and limitations contained in that zone, except that any such use specifically mentioned hereafter shall be subject to the restrictions of the C-M Zone.

B. Any of the following uses, provided that such operations, manufacturing, processing or treatment of products are not obnoxious or offensive by reason of emission of odor, dust, gas, fumes, smoke, liquids, wastes, noise, vibrations, disturbances or other similar causes which may impose hazard to life or property:

1. Automobile body shop.
2. Automobile paint shop.
3. Bakery goods manufacturing.
4. Boat building and repairing and machine shop.
5. Building contractor and material storage.

6. Cabinet shop.
7. Canvas and canvas products manufacturing.
8. Car wash.
9. Cement products manufacturing.
10. Cleaning and dyeing.
11. Clothing products manufacturing.
12. Draying and truck yard or terminal.
13. Electronics products manufacturing.
14. Emergency Shelters in compliance with Chapter 28.79.

15. Equipment and trailer rental and storage.

~~15~~16. Food products manufacturing.

~~16~~17. House moving.

~~17~~18. Laundry.

~~18~~19. Lumber yard.

~~19~~20. Machine shop.

~~20~~21. Plating works.

~~21~~22. Produce warehouse.

~~22~~23. Research and development establishment and related administrative operations.

~~23~~24. Rug cleaning.

~~24~~25. Sheet metal shop.

~~25~~26. Sign manufacturing.

~~26~~27. Storage warehouse.

~~27~~28. Tire retreading.

~~28~~29. Veterinary hospital.

~~29~~30. Other businesses and occupations that are substantially similar to the uses enumerated

above, as determined and documented by the Community Development Director in a manner similar to the substantial conformance determination process provided in the adopted Planning Commission Guidelines.

C. Accessory buildings and accessory uses.

SECTION 4. Title 28 of the Santa Barbara Municipal Code is amended by adding Chapter 28.79 to read as follows:

28.79.010 Use Permitted.

An emergency shelter, as defined in SBMC Section 28.04.273, is a permitted use in the C-M Zone subject to the development and management standards specified in Section 28.79.020.

Notwithstanding any other provision within this Title 28, without the approval of a conditional use permit pursuant to Chapter 28.94, an emergency shelter is not a permitted use in any other zone of the City.

28.79.020 Development and Management Standards.

In addition to all other development standards generally applicable within the zone in which the emergency shelter is located, an emergency shelter shall comply with the following development and management standards:

A. Capacity. An emergency shelter located within the C-M Zone may provide a maximum of 100 beds and shall serve no more than 100 homeless persons per night.

B. Length of Stay. A resident of an emergency shelter shall not reside in the emergency shelter for more than 180 consecutive nights.

C. Intake/Waiting Area. An emergency shelter shall provide at least 10 square feet of interior intake and waiting space per bed. Intake and waiting areas shall be located within the building.

D. Outdoor Area/Activity. Outdoor gathering areas shall be screened from the public right of way and adjacent properties. An emergency shelter shall not allow prospective residents to queue on the public right of way or parking areas.

E. Parking. An emergency shelter shall provide the following parking:

1. One parking space for every 8 beds; and

2. One covered and secure bicycle parking space for every 4 beds.

3. Exceptions. An emergency shelter may propose fewer parking spaces if the emergency shelter can demonstrate by a parking study that the proposed parking will satisfy the anticipated parking demand for the project to the satisfaction of the Public Works Transportation Planning Division. In any case, the required parking for an emergency shelter shall not be more than that which is required for similar residential or commercial uses within the zone.

F. Lighting. Subject to compliance with the Lighting Ordinance (SBMC Chapter 22.75), adequate external lighting shall be provided on-site in order to maintain a safe and secure environment.

G. Concentration of Uses. No emergency shelter or homeless shelter shall be permitted within 300 feet of another emergency shelter or homeless shelter. The distance between shelters shall be measured in a straight line without regard to intervening structures or objects from the nearest point on

the property line of one shelter to the nearest point on the property line of the other.

H. Onsite Management. On-site management shall be present at all times that the shelter is in operation. A Management Plan for the operation of the emergency shelter must be submitted with the master application and shall be subject to approval by the Community Development Department Director. As appropriate, the Management Plan shall address:

1. Hours of operation

2. On-site management and security procedures

3. Neighborhood relations and communication

4. Cooking and dining facilities (for residents only)

5. Shower and laundry facilities (for residents only)

6. Smoking areas and policies

7. Outdoor gathering areas and policies

I. Ability to Pay. No individual or household may be denied emergency shelter due to an inability to pay.

SECTION 5. Section 28.94.030 of Chapter 28.94 of the Santa Barbara Municipal Code is amended to read as follows:

28.94.030 Uses Permitted in Specific Zones.

The following uses may be permitted in the zones herein indicated upon the granting of a Conditional Use Permit, except that where another section of this Title specifically allows such use in a zone in conflict with this section, the provision of such other section shall apply and a Conditional Use Permit shall not be required.

A. Church in the A-1, A-2, E-1, E-2, E-3, R-1, R-2, R-3, R-4, C-1, C-P, C-L, C-O, R-O, C-X, H-C, HRC-1, HRC-2, OM-1 and OC zones.

B. Convent and monastery in the A-1, A-2, E-1, E-2, E-3, R-1, R-2, C-X, H-C, HRC-1, HRC-2, OC, M-1, and OM-1 zones.

C. Educational institution in the A-1, A-2, E-1, E-2, E-3, R-1, R-2, R-3, R-4, C-1, C-P, C-L, C-O, R-O, C-X, H C, HRC-1, HRC-2, OC, M-1, and OM-1 zones.

D. Golf course or driving range (but excluding miniature golf) in any zone.

E. Outdoor tennis club and lawn bowling club in the A, E and R Zones. Normal clubhouse facilities such as pro shop, coffee shop, administrative offices, lounge, etc. may be allowed in connection with a private club only, provided that such uses shall be clearly shown to be incidental and accessory to the outdoor recreational use of the premises, and that the clubhouse facilities shall be available only to the club members and their guests.

It is hereby declared that in addition to being special uses as set forth in Sections 28.94.001 and 28.94.005, the uses permitted under this subsection are of such a nature that it is impractical to

establish in advance of development the minimum requirements for parking, site area, setbacks, hours or manner of operation, lighting, landscaping, or other standards usually applied to classes or types of use, and that distinct and different performance and development standards must be applied to each individual facility proposed to be established under these provisions.

This declaration is based on the fact that the type of club permitted by these provisions will usually be within the City area, unique in terms of the facilities provided, activities conducted, method and intensity of operation, relationship to topography and impact on surrounding urban development and potential, and that meaningful minimum standards can only be established in relation to the particular features of each individual development.

In lieu of prescribing herein minimum performance and development standards, the Planning Commission shall, as a part of any Conditional Use Permit issued to permit the establishment of outdoor tennis or lawn bowling clubs under this subsection, make the following findings and impose conditions necessary to secure and perpetuate the bases for such findings:

1. That the total area of the site and the setbacks of all facilities from property and street lines are of sufficient magnitude in view of the character of the land and of the proposed development that significant detrimental impact on surrounding properties is avoided.
2. That the prescribed hours and days of operation of the various facilities of the club are such that the character of the area is not altered or disturbed.
3. That the design and operation of outdoor lighting equipment will not be a nuisance to the use of property in the area.
4. That adequate access and off-street parking is provided in a manner and amount so that the demands of the development for such facilities are adequately met without altering the character of the public streets in the area at any time.
5. That the appearance of the developed site in terms of the arrangement, height, scale and architectural style of the buildings, location of parking areas, landscaping and other features is compatible with the character of the area.

F. Planned unit development in A, E and R-1 Zones in accordance with the provisions of Chapter 28.36 of this Title.

G. Planned residence development in the A, E and R-1 Zones, subject to provisions of Chapter 28.33 of this Title.

H. Child care centers in the A, E, R-1, R-2, R-3, R-4, R-O, C-O and C-X zones, subject to the following conditions, standards and limitations:

1. Location of play areas. Outdoor play areas shall be located in a manner that is compatible with the character of the surrounding area, that minimizes significant detrimental noise impacts to adjacent properties, and that complies with the minimum standards of State Law.

2. Passenger loading. Facilities shall be provided for loading and unloading passengers, and shall be subject to the review and approval of the Planning Commission taking into consideration the recommendation of the Transportation Engineer.

I. Driveways and parking areas for nonresidential uses in residential zones.

J. Boarding house in the R-2, R-3 and R-4 Zones.

K. Club and lodge in the R-3, R-4 and R-O Zones.

L. Garden apartments in the R-2 Zone, subject to the provisions of Chapter 28.30 of this Title.

M. Hospitals, skilled nursing facilities and other similar buildings and facilities for the treatment of human ailments where facilities are provided for the keeping of patients overnight or longer, in the R-4, C-O, C-P, C-1, C-2 and C-M Zones.

N. Restaurant in the R-4 Zone, provided there is a minimum of one hundred (100) established hotel-motel guest rooms within five hundred feet (500') from the boundary of the proposed restaurant site. The one hundred (100) established hotel-motel guest rooms within five hundred feet (500') may be used to support any number of restaurants within the affected area.

O. Establishment or enterprises which involve large assemblages of people on more than four occasions per year, including, but not limited to, any open air theater, Certified Farmers Market, street market, trade fair, trade exchange, recreational or sport center, in the C Zones.

P. Automobile wrecking in the C-M and M-1 Zones.

Q. Car wash, auto polishing, auto steam cleaning establishment in the C-1, C-P and C-2 Zones, provided that such installation shall be subject to the noise restrictions established in Chapter 28.60 of this Title.

R. State-licensed residential care facilities for the elderly, community care facilities and hospices serving more than 12 individuals in the A, E, R, and C Zones.

1. STANDARDS.

- a. If a new residential care facility for the elderly, community care facility or hospice which is subject to a Conditional Use Permit includes a staffed congregated kitchen and dining facility providing regular meals to residents, living units may include modular cooking units without being counted as residential units.

b. If an existing residential care facility for the elderly, community care facility or hospice as of the effective date of this Ordinance, which is subject to a Conditional Use Permit includes a staffed congregate kitchen and dining facility providing regular meals to residents, living units may be converted to include modular cooking units without being counted as residential units under the provisions of a new Conditional Use Permit.

c. If a new or existing residential care facility for the elderly, community care facility or hospice as of the effective date of this Ordinance, which is subject to a Conditional Use Permit does not include a congregate dining facility, but does include kitchens in its living units, living units shall be counted as residential units.

d. Recreational facilities and skilled nursing facilities intended primarily for the residents may be allowed in connection with residential care facilities for the elderly, community care facilities or hospices provided that such uses are incidental and accessory thereto. The use of the facilities by persons other than residents and staff may be limited.

2. FINDINGS:

a. For new State licensed residential care facilities for the elderly, community care facility or hospice, in addition to the findings required under Section 28.94.020, the Planning Commission or City Council on appeal must find upon a showing of adequate information that:

(1) The facility will generate a demand for resources such as water, traffic, and other public services equivalent to no more than that which would be demanded by development of the property in accordance with the underlying zone, and such resources are available in amounts adequate to service the proposed facility.

(2) The intensity of use in terms of the number of people, hours of operation, hours of major activities, and other operational aspects of the proposed facility is compatible with any neighboring residential use.

(3) The proposed facility shall be able to be converted to a density which conforms to the residential unit density of the underlying zone. Sufficient land area has been shown to be available to meet the parking demand of a future use.

b. For existing State-licensed residential care facilities for the elderly, community care facility or hospice as of the effective date of this Ordinance requesting an alteration or modification, in addition to the findings required under Section 28.94.020, the Planning Commission or City Council on appeal must find upon a showing of adequate information that:

(1) The proposal has been reviewed and approved by the City Fire Marshall and the City Building Official.

(2) The facility will generate a demand for resources such as water, traffic and parking capacity, and other public services equivalent to no more than that which would be demanded by development of the property in accordance with the underlying zone, or if existing resource use exceeds the underlying zone, then resource use shall be equivalent to no more than that of the existing use.

(3) The intensity of use in terms of the number of people, hours of operation, hours of major activities and other operational aspects of the proposed facility is compatible with any neighboring residential use.

S. Facilities and equipment, not to include offices, used by public utilities or quasi-public utilities, e.g., cable television, to provide services to the general public in any zone, except for Radio and Television Antennas, Cellular Telephone Antennas and Emergency Service Antennas and any facilities or equipment expressly permitted in the zone or authorized pursuant to Chapter 28.93 of this Code.

T. Medical equipment and supply stores of more than 3,000 square feet of net floor area in the C-O Zone, subject to the following special provisions:

The Planning Commission shall find that the use is supportive and directly related to the providing of medical and related services. The Commission may permit a portion of the space to be used for non-medically related sales and/or a percentage of dollar volume of business for non-medically related sales, provided that said amount of non-medically related use is set forth in the Conditional Use Permit.

U. Banks of more than 1,000 square feet of net floor area in the C-O Zone, subject to the following:

The intent is to allow branch banks as a convenience to the medical community and neighborhood, so that there will be less traffic into the commercial areas for deposits, and as a cash source for patients in the area. It is not the intent to establish a banking community in the area. As a result, the limitations set forth below shall apply.

Prior to issuance, the Planning Commission shall find the following:

1. No similar facility is located on adjacent property or on a parcel within three hundred (300) feet of the subject property.

2. There shall not be more than one thousand (1,000) square feet of space accessible to customers for services.

3. There shall be no drive-up window, but a walk-up window may be permitted.
4. The signing of the operation is in a manner as to identify but not advertise, and to blend in with the neighborhood.
5. Services are limited to deposits, check cashing, cashier and travelers checks, acceptance of loan applications, and night deposits. The following services are excluded: loan applications processing and safety deposit boxes.

6. The permitted number of employees is consistent with the above.

V. Automobile service station, automobile service station/mini-market or conversion to an automobile service station/mini-market shall be subject to the following conditions, standards and limitations:

1. Conditions. Specific conditions may be imposed to carry out the purposes of this Code.
2. Lot Area. The minimum area of the parcel or lot shall not be less than eight thousand (8,000) square feet.
3. Street Frontage. Each lot shall have a minimum frontage of not less than one hundred (100) feet on one abutting street.
4. Architecture. The architecture of the service station structures and landscaping shall be reviewed and approved by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark. The architectural theme shall be integrated into the design of all improvements of the site including canopies and fencing.
5. Driveways.
 - a. New Service Stations. For service stations constructed after the effective date of this Subsection, driveway entrances to the service station shall not be within twenty (20) feet of the curb return (beginning of curve) on corner lots.
 - b. Existing Service Stations. For driveway entrances of service stations that have been constructed prior to the effective date of this Subsection, relocation of driveway entrances may be required to minimize interference with the movement and safety of vehicular and pedestrian traffic.
6. Internal Circulation. Where access from an internal circulation system of a shopping center or public parking area is available, direct street access to a service station may be prohibited or restricted.
7. Parking. Parking shall conform to the minimum parking requirements as outlined in Section 28.90.100 or a minimum of five (5) parking spaces shall be provided or one (1) parking space for each two hundred fifty (250) square feet of gross floor area used for mini-market use and one (1) space for each employee shall be provided; whichever is greater.
8. Lighting. Any perimeter flood lighting shall be hooded or shielded so that no direct beams fall upon adjacent residential property. Indirect soft lights and low garden lights shall be used wherever possible, and shall be required as necessary to assure compatibility with adjacent and surrounding properties.
9. Landscaping. All landscaped areas shall be as follows:
 - a. A planter shall be provided along all street-side property lines except for driveway openings.
 - b. On corner lots, a minimum of one hundred fifty (150) square feet of planter area shall be provided on the property adjacent to the corner intersection.
 - c. At least ten percent (10%) of the area not covered by buildings on the parcel shall be landscaped.
10. Restrooms. The entrance to all restrooms shall be screened from abutting properties by a decorative screen.
11. Fencing. A decorative fence six (6) feet in height from finished grade shall be provided on all property lines that do not abut a street, alley or parking area, with the exception that a fence may not be required for a service station that is an integral part of a commercial, industrial or office center or where combined landscaping will be achieved with such adjacent properties.
12. Operations and Storage.
 - a. Repair of vehicles is only permitted within an enclosed building.
 - b. All servicing of vehicles other than minor servicing shall be conducted within an enclosed building.
 - c. All materials, products and merchandise shall be stored and displayed only within an enclosed building.
 - d. No used or discarded automotive parts or equipment or visible junk or wrecked vehicles shall be located or stored outside the service station building.
 - e. Trash shall be stored in areas screened from public view by a fence with a minimum height of six (6) feet. Trash shall not be stored or piled above the height of the fence.

13. Fire Department Approval. Prior to the issuance of any building permit for a service station or any portion thereof, the Fire Department shall review the plans and approve said plans if they comply with applicable Fire Department ordinances and regulations.

W. Public or quasi-public facility, including homeless shelters providing services and programs beyond the definition of minimal supportive services specified in Section 28.04.273 (subject to a separation of at least 300 feet from another emergency shelter or homeless shelter), in any zone, except those expressly permitted in the zone or authorized pursuant to Chapter 28.93 of this Code, and Radio and Television Antennas, Cellular Telephone Antennas and Emergency Service Antennas.

X. Any use other than those permitted by Section 28.73.030.A of the OM-1 Zone and permitted in the M-1 Zone and subject to those findings required in Section 28.73.030.B and Section 28.94.020.

Y. General office uses in the HRC-2 Zone as permitted by Subsection 28.22.030.2.c, and subject to the findings required in Subsection 28.22.030.2.c and Section 28.94.020.

Z. Secondary Dwelling Units in any A, E or R-1 Zone, subject to the following provisions:

1. The minimum lot size for any parcel containing a Secondary Dwelling Unit shall be seven thousand (7,000) square feet.

2. There shall be no more than one (1) existing single-family dwelling, hereinafter referred to as the primary dwelling, on the parcel.

3. The Secondary Dwelling Unit shall be attached to the primary dwelling by a common wall, floor or ceiling and not simply by an attached breeze-way or porch. Said unit shall involve no more than a ten percent (10%) increase in the square footage of the primary dwelling nor shall it constitute more than forty percent (40%) of the combined floor area of the primary dwelling and Secondary Dwelling Unit, exclusive of the garage or carport.

4. The maximum floor area of the Secondary Dwelling Unit shall not exceed six hundred (600) square feet.

5. Setbacks and height limitations for the Secondary Dwelling Unit shall be the same as for the primary dwelling.

6. One (1) off-street parking space, covered or uncovered, shall be required for a Secondary Dwelling Unit. In addition, if the primary dwelling does not provide parking as required by Subsection 28.90.100.G.1 of this Title, such parking shall be provided. The garage or carport for the primary dwelling shall not be converted to provide a Secondary Dwelling Unit.

7. There shall be no more than four (4) separate rooms in a Secondary Dwelling Unit, one of which shall be a kitchen and one a bathroom. The total number of rooms on the parcel shall not be increased by more than two (2), including the bathroom and kitchen for the Secondary Dwelling Unit. The Secondary Dwelling Unit shall also provide a separate entrance.

8. Both the primary dwelling and the Secondary Dwelling Unit shall comply with all requirements of the housing code in effect on the date of issuance of the building permit for the Secondary Dwelling Unit. Any alteration or addition shall comply with all requirements of the California Building Code as adopted and amended by the City.

9. A separate water meter shall be provided for the Secondary Dwelling Unit. The primary dwelling shall be retrofitted with water-conserving devices to the same extent as if the dwelling were being built under the California Building Code as adopted and amended by the City.

10. Before obtaining a building permit for a Secondary Dwelling Unit, the property owner shall file with the County Recorder, upon approval by the City Attorney as to form and content, a covenant containing a reference to the deed under which the property was acquired by the present owner and stating that:

a. The Secondary Dwelling Unit shall not be sold separately from the primary dwelling.

b. The Secondary Dwelling Unit is restricted to the approved size.

c. The conditional use permit for the Secondary Dwelling Unit shall be in effect only so long as either the primary dwelling or the Secondary Dwelling Unit is occupied by the owner of the lot on which the Secondary Dwelling Unit is located, except for bona fide temporary absences. The conditional use permit shall remain valid if disability or infirmity require the institutionalization of the owner.

d. The Secondary Dwelling Unit shall be rented at a rate that is affordable to low and moderate income families or to immediate family members as required under Subsection 28.94.030.Z.12 of this Title.

e. The conditional use permit, and any conditions imposed by said permit, shall lapse upon removal of the Secondary Dwelling Unit.

f. There shall be no more than two (2) inhabitants in any Secondary Dwelling Unit.

g. The above declarations are binding upon any successors in ownership of the property; any lack of compliance shall revoke the conditional use permit.

11. Secondary Dwelling Units shall be prohibited in High Fire Hazard Areas (as defined in the Fire Master Plan.)

12. The Secondary Dwelling Unit, or the primary dwelling if the owner chooses to live in the Secondary Dwelling Unit, shall be leased or rented to a person or persons falling within one or more of the following categories:

a. A household whose head is a member of the owner's immediate family. For purposes of this Section, "immediate family" shall be defined as parents, grandparents, children, grandchildren, sisters, brothers, and equivalent in-laws.

b. Low income households (incomes less than 80 percent of the median income for the City), as determined by the United States Department of Housing and Urban Development (HUD). The rent level will be no more than the Fair Market Rent levels for the City as determined and adjusted from time to time by HUD, and the owner shall give priority for occupancy to households referred by the Santa Barbara Housing Authority. If the unit is rented or leased to households not referred by the Housing Authority, the income level of the renter selected must be certified by the Housing Authority as to eligibility and this certification must be submitted to the Community Development Director. The Housing Authority may assess a fee for certification of renters other than those referred by the Housing Authority. The rent level for such low-income renters shall not exceed one twelfth (1/12) of thirty percent (30%) of the certified income of the renter. In addition, the owner must submit annually to the Housing Authority a copy of the lease or rental agreement in effect that identifies the rent level and the name and income level of the lessee/renter.

c. Moderate income households (incomes between 81 and 120 percent of the median income of the City), if the owner chooses not to rent to a family member and a sworn declaration supported by written documentation, such as loan documents, setting forth the financial reasons why the unit will not be rented to a low-income household is submitted to the City. Generally, the only acceptable financial reason would be that higher rent is required in order to meet the carrying costs of new construction. The rent levels will be not more than one-twelfth (1/12) of thirty percent (30%) of the median income for a family of four in the City adjusted for household/unit size according to the following factors:

Unit Size	Factor
Studio	.70
One-Bedroom	.80
Two-Bedroom	.95
Three-Bedroom	1.065

Prior to the rental or leasing of the unit, the income level of the household shall be certified by the Housing Authority. The Housing Authority may assess a fee for certification of renters other than those referred by the Housing Authority. In addition, the owner must submit annually to the Housing Authority a copy of the lease or rental agreement in effect that identifies the rent level and name and income of the lessee/renter.

13. Approved Secondary Dwelling Units shall be subtracted from the Density Reserve established by Policy 5-1.0 of the City's Housing Element, as adopted by the City of Santa Barbara on June 8, 1982. When there are no units available in the Density Reserve, no conditional use permits shall be granted for Secondary Dwelling Units.

14. Secondary Dwelling Units shall be prohibited if there is an accessory building containing additional dwelling space, an additional dwelling unit approved under Section 28.93.030.E, caretaker's residence or similar use on the parcel. Furthermore, no accessory building intended to provide additional dwelling space, additional dwelling unit under Section 28.93.030.E, caretaker's residence or similar use shall be constructed on a lot where there is an approved Secondary Dwelling Unit.

15. The Architectural Board of Review, or the Historic Landmarks Commission if the property is located within El Pueblo Viejo Landmark District or another landmark district or if the structure is a designated City Landmark, shall review all Secondary Dwelling Units which require exterior change to the primary dwelling to assure that there is minimal evidence of occupancy of the parcel by more than one (1) family and that any changes or additions to the exterior of the primary dwelling necessary to establish the Secondary Dwelling Unit blend architecturally with the primary dwelling.

16. In order to encourage the development of housing opportunities for disabled and handicapped individuals, the Planning Commission may allow reasonable deviation from the stated physical requirements where necessary to install features that facilitate access and mobility for disabled persons. Otherwise, no modification of the requirements for a Secondary Dwelling Unit shall be allowed unless specifically stated in this Section.

17. In addition to the findings required under Section 28.94.020, the Planning Commission, or City Council on appeal, must find that:

a. The Secondary Dwelling Unit does not overload the capacity of the neighborhood to absorb it or cause a concentration of such units sufficient to change the character of the single-family neighborhood in which it is located.

b. The Secondary Dwelling Unit does not detract from the privacy of the surrounding residents.

18. Modifications.

a. Parking. No modification of the required number of parking spaces shall be allowed. Modification of other parking-related requirements may be allowed subject to the provisions of Section 28.92.110 of this Code.

b. Setbacks and height limitations. Modification of these requirements may be allowed subject to the provisions of Section 28.92.110 of this Code.

AA. Any interim use deemed appropriate by the Planning Commission in those areas identified by resolution of the City Council as impacted by governmental action. Such interim uses shall be limited in duration as specified by the Planning Commission, provided all such uses are discontinued within two (2) years of the completion of the governmental action. Any authorization granted by the conditional use permit shall terminate at that time.

The conditional use permit granted pursuant to this Subsection shall not be effective until the property owner has duly executed and recorded an instrument binding itself, its successors in interest and any person holding thereunder, which contains (i) notice of the conditional use permit, (ii) notice of any conditions established thereunder, (iii) an agreement to comply with the terms and conditions of the conditional use permit, (iv) a waiver of any claim that a temporary use or any improvements on real property creates any vested right to continue a non-conforming use after completion of the governmental action, and (v) any other conditions as deemed necessary to comply with the purposes and intent of this Subsection. This instrument shall be subject to the review and approval of the City Attorney and the Community Development Director.

BB. Bed and Breakfast Inns in Designated Historic Structures.

1. R-O Zone

a. Bed and Breakfast Inns in Structures of Merit or Landmarks in the R-O zone, in accordance with the provisions of Chapter 22.22 of this Title.

b. Bed and Breakfast Inns in a structure located on a lot in the R-O zone, on which a Structure of Merit or Landmark used as a Bed and Breakfast Inn is also located.

2. R-3 Zone

a. Bed and Breakfast Inns in Structures of Merit or Landmarks in the R-3 zone, in accordance with the provisions of Chapter 22.22 of this Title, subject to the following conditions.

(1) The owner or manager of the Bed and Breakfast Inn shall maintain his or her primary residence on the property that contains the Bed and Breakfast Inn.

(2) No meals shall be served to persons other than guests and residents of the Bed and Breakfast Inn.

(3) No conference or meeting rooms/facilities shall be provided.

(4) No outdoor swimming pool shall be provided; however, outdoor spas, hot tubs or similar facilities may be provided.

(5) Other conditions imposed by the Planning Commission in order to ensure compatibility with the surrounding neighborhood.

b. Bed and Breakfast Inns in a structure located on a lot in the R-3 zone, on which a Structure of Merit or Landmark used as a Bed and Breakfast Inn is also located, subject to the conditions listed in §28.94.030.BB.2.a. above.

3. Review by the Historic Landmarks Commission. Plans for new structures or alterations to existing structures under 1 and 2 above shall be submitted to the Historic Landmarks Commission for review and action in accordance with the provisions of Chapter 22.22 of this Title.

CC. Offsite Hazardous Waste Management Facilities in the C-M, M-1, and OM-1 zones, subject to the provisions in Chapter 28.75, HWMF Overlay Zone.

DD. Television, Radio and Cellular Telephone Antennas in all zones, subject to the following provisions:

1. Exemptions. The following are exempt from the requirement of a Conditional Use Permit, and shall be considered a permitted use in all zones:

a. Repairs and maintenance of existing facilities, whether emergency or routine, or replacement of transmitters, antennas, or other components of existing permitted facilities, provided there is little or no change in the visual appearance or any increase in radio frequency emission levels.

b. Satellite Dish Antennas designed or used for the reception of television or other electronic communications signal broadcast or relayed from an earth satellite.

c. One or more cellular telephone antennas or paging antennas, provided that the Community Development Director finds as follows:

(1) Height: The height of the antenna and supporting structure does not exceed Municipal Code height limits set forth in Sec. 28.87.260, except where said antenna is being installed on an existing structure, in which event the height limit is measured from the highest point of the building and cannot exceed 15 feet above the building height.

(2) Separation: There is at least 100 feet between the base of the antenna support structure and the nearest dwelling unit.

(3) Access Control: The applicant establishes that the general public will be excluded from an area at least 50 feet in all directions from the antenna if antenna is not at least 10 feet off the ground. If the antenna is at least 10 feet above grade, this distance may be reduced to 30 feet.

(4) No Resource Impacts: The project will have no significant impact on any biological or archeological resources and will not generate additional traffic. The applicant may be required to provide information to the Community Development Director regarding these matters.

(5) No Visual Impacts: The project has been reviewed by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located in the El Pueblo Viejo Landmark District or another landmark district or if the property contains a designated City Landmark. The Board and Commission may take action regarding the location of the antenna(s) on the site, color and size of the proposed antennas so as to minimize any adverse visual impacts.

d. A microcell, provided it has been reviewed by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located in the El Pueblo Viejo Landmark District or another landmark district or if the property or a structure thereon is a designated City Landmark. The Board and Commission may take action regarding the location of the antenna(s) on the site, color and size of the proposed antennas so as to minimize any adverse visual impacts.

2. Conditional Use Permit by Planning Commission. A Radio or Television Antenna shall be permitted only upon issuance of a conditional use permit by the Planning Commission, and only if each of the following findings has been made:

a. Shared Use of Support Structure. The applicant had made a good faith effort to demonstrate that no existing or planned support structure, including an antenna tower, is available to accommodate the proposed antenna.

b. Site Size. The site is of a size and shape sufficient to provide an adequate setback from the base of the antenna support structure to any property line abutting a residential use.

c. Visual Impact. The project has been reviewed by the Architectural Board of Review, or the Historic Landmarks Commission if the property is located in the El Pueblo Viejo Landmark District or another landmark district or if the property contains a designated City Landmark. The Board and Commission may take action on the location of the antenna(s) on the site, color and size so as to minimize any adverse visual impacts by requiring that the antenna and its supporting structure be designed and placed so as to be as visually unobtrusive as feasible, taking into consideration technical engineering and other pertinent factors. The Planning Commission may grant a waiver from height limitations if it finds that no feasible alternative location or design would not require such a waiver.

d. Non-ionizing Electromagnetic Radiation (NIER) Emissions. Any new transmitters and/or antennas, when combined with existing sources of NIER emissions on or adjacent to the site and when operating as designed and licensed, shall not expose the general public to ambient radiation emissions which exceed American National Standards Institute (ANSI) C95.1-1992 standard (if the Federal Communications Commission (FCC) rulemaking committee adopts a revised standard, said standard shall apply).

EE. Outdoor performance areas involving structures such as bandshells or amphitheaters in the PR Zone.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Request From Mayor Schneider And Councilmember Murillo
Regarding 2020 A Year Without War Proclamation

RECOMMENDATION:

That Council consider the request from Mayor Schneider and Councilmember Murillo regarding a proposal from the Santa Barbara based 2020 A Year Without War organization.

DISCUSSION:

Attached is a memorandum from Mayor Schneider and Councilmember Murillo requesting that Council receive a presentation from the 2020 A Year Without War organization regarding their efforts.

ATTACHMENT: Memorandum from Mayor Schneider and Councilmember Murillo

PREPARED BY: Jennifer Jennings, Administrator's Office Supervisor

SUBMITTED BY: Jim Armstrong, City Administrator

APPROVED BY: City Administrator's Office



City of Santa Barbara
Mayor & Council Office

Memorandum

DATE: July 1, 2014

TO: Jim Armstrong, City Administrator

FROM: Mayor Helene Schneider
Councilmember Cathy Murillo *CM*

SUBJECT: Request from Mayor Schneider and Councilmember Cathy Murillo
Regarding 2020 A Year Without War City Proclamation

Pursuant to Council Resolution 05-073 regarding the Conduct of City Council Meetings, we request that an item be placed on the Santa Barbara City Council Agenda regarding a proposal from the Santa Barbara-based 2020 A Year Without War organization.

- Summary of information to be presented:

The Santa Barbara City College-based 2020 A Year Without War organization will give a brief presentation regarding their efforts.

- Statement of Specific Action:

That the Santa Barbara City Council adopt a proclamation that recognizes the 2020 A Year without War program (see attached draft proclamation language).

- Statement of the Reasons Why it is Appropriate and Within the Jurisdiction of the Council to Consider this Subject Matter and to Take the Requested Action:

This organization is based within the City of Santa Barbara and Santa Barbara City College and is working on a global level on this initiative; thus the host city should consider this subject matter from its citizens. The City of Santa Barbara also has a very active and involved Sister Cities International program that promotes world peace as its core mission. The cities of Lompoc and Carpinteria have recently adopted similar proclamations.

cc: Mayor and Council
City Attorney

DRAFT



**Proclamation
2020 A Year Without War**

Whereas, citizens of Santa Barbara, California have helped create and are helping to develop the **2020 A Year Without War** program as a global, social movement, presently with thousands of members and visitors from over 90 countries, to make the year 2020 a global year without war; and

Whereas, Santa Barbara, California is home to Santa Barbara City College which is the birthplace of the **2020 A Year Without War** program; and

Whereas, Santa Barbara, California has an active sister cities program including the cities of Dingle (Ireland), Kotor (Montenegro), Patras (Greece), Puerto Vallarta (Mexico), San Juan Metro Manila (Philippines), Toba City (Japan), and Weihai (People's Republic of China); and

Whereas, Santa Barbara, California is a City of Peace and has chapters of many peace oriented global and national organizations chartered in the city; and

Whereas, communities like Santa Barbara seek to live in peace with all of its neighbors; and

Whereas, the **2020 a Year Without War** program, is focusing a global discussion on the benefits, both capital and human, to saving the estimated \$2 trillion + spent annually by the world' nations on war and its related activities;

Now, Therefore, I, Helene Schneider, Mayor of Santa Barbara, California, USA recognizes the **2020 A Year Without War** program and supports its effort to gain global acceptance of the year 2020 as a year without war and we urge our sister cities to approve similar proclamations.

In Witness Whereof, I have hereunto set my hand and caused the seal of the city of Santa Barbara, California to be affixed this <Nth> day of <month>, 2014.



Proclamation 2020 A Year Without War

WHEREAS, citizens of the City of Lompoc have created and developed a global, social movement, presently with thousands of members and visitors from over 90 countries, to make the year 2020 a global year without war; and

WHEREAS, the City of Lompoc has been closely associated with and a supporter of the United States military since the opening of Camp Cooke in 1941, just north of the City of Lompoc, through the base's present status in 2014 as Vandenberg Air Force Base; and

WHEREAS, the City of Lompoc has sent its citizens to serve in the U.S. military since the Spanish American war and including all subsequent wars; and

WHEREAS, the support of a strong military has been for the purpose of securing a lasting peace; and

WHEREAS, 2020 A Year Without War, is focusing a global discussion on the benefits, both capital and human, to saving the estimated \$1.3 trillion + spent annually by the world's nations on war and its related activities; and

WHEREAS, communities like Lompoc seek to live in peace with all of its neighbors as demonstrated through its global Sister City program with its five sister cities; and

WHEREAS, on August 27, 1928, under the leadership of U.S. Secretary of State Frank Kellogg, serving in the Hoover Administration, brought nations of the world together to sign the Pact of Paris, formally outlawing war, with no nation subsequently rescinding that law; and

WHEREAS, 2020 A Year Without War, has mounted a petition campaign to the United Nations, to have the General Assembly of the United Nations designate August 27 as an internationally recognized day of celebration of humanity's step toward the elimination of war; and

WHEREAS, the City of Lompoc has been committed to providing a high quality of life for its citizens, the City of Lompoc encourages members of California's Congressional delegation; members of the Santa Barbara County Board of Supervisors, the California State Assembly, the California State Senate – who represent residents of the City of Lompoc, along with the California League of Cities and the National League of Cities to support 2020 A Year Without War.

NOW, THEREFORE, I, John H. Linn, Mayor of the City of Lompoc, California, recognizes the 2020 A Year Without War Program and supports its United Nations' petition to globally recognize August 27th as Pact of Paris Day.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Lompoc to be affixed this 4th day of March, 2014.

John H. Linn, Mayor
City of Lompoc

PROCLAMATION

**A PROCLAMATION OF THE CARPINTERIA
CITY COUNCIL RECOGNIZING 2020 A
YEAR WITHOUT WAR**

***WHEREAS**, the City of Carpinteria supports providing a safe and nurturing environment that embraces diversity and strengthens our community as citizens of the globe; and*

***WHEREAS**, the City of Carpinteria has earned global respect for its safe and inviting community, including "The World's Safest Beach"; and*

***WHEREAS**, the City of Carpinteria has a long and noble history of supporting organizations that foster peace and harmony through dialogue and conversation in settling disputes; and*

***WHEREAS**, Carpinteria citizens have helped create and are helping to develop 2020 A Year Without War program as a global, social movement, presently with thousands of members and visitors from over 90 countries, to make the year 2020 a global year without war; and*

***WHEREAS**, the Carpinteria Community has given sons, daughters, fathers and mothers to defend freedom around the globe as honorable war veterans; and*

***WHEREAS**, 2020 A Year Without War, is focusing a global discussion on the benefits, both capital and human, to saving the estimated \$2.0 trillion plus spent annually by the world's nations on war and its related activities;*

***NOW, THEREFORE**, I, J. Bradley Stein, Mayor, on behalf of the Carpinteria City Council, do hereby recognize the 2020 A Year Without War Program and support its United Nations' petition to globally recognize August 27th as Pact of Paris Day.*



First Congregational
Church
Of Santa Barbara
United Church of Christ

**Proclamation In Support of
2020 A Year Without War**

Whereas, members of the First Congregational Church of Santa Barbara, United Church of Christ (FCCSBUCC) are interested in helping to develop the **2020 A Year Without War** program as a global, social movement, presently with thousands of members and visitors from over 70 countries, to make the year 2020 a global year without war; and

Whereas, FCCSBUCC is part of the Southern California Nevada Conference of the United Church of Christ; and

Whereas, FCCSBUC is a Just Peace Church, defining Just Peace as the interrelation of friendship, justice, and common security from violence; and

Whereas, our Outreach Ministry supports members and friends of this congregation as they empower themselves for faithful life and commit themselves to justice and to serving others; and

Whereas, 2020 a Year Without War, is urging the establishment of Aug. 27th as an internationally recognized holiday celebrating the Pact of Paris - the day war was outlawed - and is focusing a global discussion on the benefits, both capital and human, to saving the estimated \$2 trillion + spent annually by the world's nations on war and its related activities;

Now, Therefore, I, Mary E. Howe-Grant, Moderator, FCCSBUC recognizes the **2020 A Year Without War** program and supports its effort to gain global acceptance of the year 2020 as a year without war, support the effort to make Aug. 27th an internationally recognized holiday celebrating the Pact of Paris - the day war was outlawed - and urge other members of the Southern California Nevada Conference of the United Church of Christ to approve similar proclamations.

In Witness Whereof, I have hereunto set my hand and caused the seal of the FCCSBUCC to be affixed this <Nth> day of <month>, <year>.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014

TO: Mayor and Councilmembers

FROM: Mayor Helene Schneider and Mayor Pro Tem Cathy Murillo

SUBJECT: Appointment Of Ad Hoc City Administrator Recruitment Committee

RECOMMENDATION:

That Council authorize appointment of an ad hoc Council committee to evaluate options and prepare recommendations to the full Council concerning recruitment processes for the interim and permanent City Administrator.

DISCUSSION:

City Administrator Jim Armstrong will be retiring in late September 2014. Council needs to initiate and develop a process for replacing him. This work can be undertaken by an ad hoc Council committee. We envision the committee working to evaluate various recruiting options and to prepare recommendations to the full Council concerning both the interim and permanent positions.

PREPARED BY: Helene Schneider, Mayor

SUBMITTED BY: Helene Schneider, Mayor

APPROVED BY: City Administrator's Office



Agenda Item No. 13

File Code No. 440.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014

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 Kristine Schmidt, Administrative Services Director, regarding negotiations with the Treatment and Patrol Bargaining Unit.

SCHEDULING: Duration, 30 minutes; anytime

REPORT: None anticipated

SUBMITTED BY: Kristine Schmidt, Administrative Services Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014
TO: Mayor and Councilmembers
FROM: City Attorney's Office
SUBJECT: Conference with City Attorney – Anticipated Litigation

RECOMMENDATION:

That Council hold a closed session to consider significant exposure to litigation (one potential case) arising out of the United States Supreme Court's decision in *McCullen v. Coakley*, SBMC Chapter 9.99, and a threat made by the Life Legal Defense Foundation. pursuant to Government Code sections 54956.9(d)(2) & (e)(2)/(3) and take appropriate action as needed.

SCHEDULING: Duration, 15 minutes; anytime
REPORT: None anticipated
SUBMITTED BY: Ariel Calonne, City Attorney
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: July 22, 2014
TO: Mayor and Councilmembers
FROM: City Attorney's Office
SUBJECT: Conference with City Attorney – Existing Litigation

RECOMMENDATION:

That Council hold a closed session to confer with the City Attorney regarding existing litigation pursuant to Government Code section 54956.9(d)(1), and take appropriate action as needed.

The existing litigation is:

Carter, Camille v. City of Santa Barbara, SBSC Case No. 1438672
Cotledge, Brittney v. City of Santa Barbara, USDC Case No. CV12-08623
Davydova, Svetlana v. City of Santa Barbara, SBSC Case No. 1418380
Delgadillo, Lucio Ramirez v. City of Santa Barbara, SBSC Case No. 1439502
Denunzio, Tony v. City of Santa Barbara, et. al., USDC Case No. CV13-06542 GW(MANx)
Gosztyla, Richard v. City of Santa Barbara, SBSC Case No. 1440151
Hicks, Joseph M. v. City of Santa Barbara, USDC Case No. CV13-9016 FMO-RZx
Holland, Michael J. v. City of Santa Barbara, USDC Case No. CV13-1711 AG(SP)
Martinez, Joseph v. City of Santa Barbara, SBSC Case No. 1438811
Miller, Richard v. City of Santa Barbara, SBSC Case No. 1440331
Moore, Passion v. City of Santa Barbara, USDC Case No. CV13-7354 BRO-RZx
Reyes, Toni M. v. City of Santa Barbara, SBSC Case No. 1416050
Thomas, Michael F. v. SBPD, et al., USDC Case No. CV13-06659
Wager, Sarelyn v. City of Santa Barbara, SBSC Case No. 1415112
Wikman, Monika v. City of Santa Barbara, SBSC Case No. 1467345
Yang, Jun v. City of Santa Barbara, SBSC Case No. 1467569

Berenstein, Boris v. City of Santa Barbara, et. al., SBSC Case No. 1466244
Glover, Anthony v. City of Santa Barbara, et. al., SBSC Case No. 14738882

Environmental Const., Inc., v. City of Santa Barbara, SBSC Case No. 1415695

Corral, Debra A., et al. v. City of Santa Barbara, SBSC Case No. 1466439

Sipple v. City of Santa Barbara, LASC BC 462270

McKee, Jonathan v. City of Santa Barbara, et al., SBSC Case No. 1440173
Brost, Luke, etc. et al. v. City of Santa Barbara, et al., SBSC Case No. 1342979
Jacks, Rolland, et al., v. City of Santa Barbara, SBSC Case No. 1383959

Josfan, Drew v. City of Santa Barbara, et al., USDC Case No. CV09-7904-AHM(PLAx)

SCHEDULING: Duration, 60 minutes; anytime

REPORT: None anticipated

SUBMITTED BY: Ariel Calonne, City Attorney

APPROVED BY: City Administrator's Office