

**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>

**AUGUST 5, 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

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 August 31, 2014.

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. Subject: Introduction Of Ordinance For An Amendment To Lease Agreement No. 23,564 With Conway Vineyards, 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 Amendment One to Lease Agreement No. 23,564 with Conway Vineyards, Inc., at an Average Initial Base Rent of \$4,302.02 Per Month, Allocated Seasonally, or 10% of Gross Sales, Whichever is Greater, Effective October 9, 2014, and Continuing for the Remainder of the Lease Term of Five Years, With Two Five-Year Extension Options.

CONSENT CALENDAR (CONT'D)

3. **Subject: Water Distribution Metering Facility Emergency Wall And Roof Repair (540.06)**

Recommendation: That Council:

- A. Approve a sole source award of a purchase order in the amount of \$68,904, plus an additional \$13,780 for extra services, to Qwik Response for the emergency wall and partial roof repair at the Water Distribution Metering Facility at 625 Laguna Street; and
- B. Approve a sole source award of a purchase order in the amount of \$7,594, plus an additional \$1,519 for extra services, to Bob Cambron Roofing for the emergency roof repair at the Water Distribution Metering Facility at 625 Laguna Street.

4. **Subject: Professional Services Agreement With Questa Engineering Corporation To Conduct A Feasibility Analysis For The Mid-Arroyo Burro Restoration Project (540.14)**

Recommendation: That Council:

- A. Approve a transfer of \$24,870 from the Creeks Operating Fund reserves to the Creeks Capital Fund;
- B. Increase appropriations and estimated revenues in the Creeks Capital Fund for the Mid-Arroyo Burro Restoration Project funded from a transfer from the Creeks Operating Fund;
- C. Approve and authorize the General Services Manager to execute a sole source professional services agreement with Questa Engineering Corporation in the amount of \$23,370 to conduct a feasibility analysis for the Mid-Arroyo Burro Restoration Project; and
- D. Authorize the General Services Manager to approve expenditures of up to \$1,500 to cover any cost increases that may result from necessary changes in the scope of work.

5. **Subject: Contract For Design Of The Fiscal Year 2015 Bridge Preventive Maintenance Program Project (530.04)**

Recommendation: That Council:

- A. Accept a grant from the Federal Highway Administration for an amount not to exceed \$82,072 for design of the Fiscal Year 2015 Bridge Preventive Maintenance Program Project;
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2015 Streets Grant Fund by \$82,072 for the Bridge Preventive Maintenance Program Project; and
- C. Authorize the Public Works Director to execute a City Professional Services contract with Wallace Group in the amount of \$49,870 for design services of the Fiscal Year 2015 Bridge Preventive Maintenance Program Project, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services of Wallace Group that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

6. Subject: Airport Marketing Agreement With BBM&D Strategic Branding (560.01)

Recommendation: That Council approve and authorize the Airport Director to execute an Agreement with BBM&D Strategic Branding for design and production of Airport marketing and advertising campaign concepts for the Airport in an amount not to exceed \$32,136.

7. Subject: Contract With Inter VISTAS Consulting, LLC, For Air Service Development (560.01)

Recommendation: That Council authorize the Airport Director to execute a contract with Inter VISTAS Consulting, LLC, for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$50,000.

8. Subject: Amendment To Agreement With Kaplan, Kirsch & Rockwell, LLP, For Legal Services (560.04)

Recommendation: That Council:

- A. Authorize the Airport Director to execute an amendment to Contract No. 24,535 with Kaplan, Kirsch & Rockwell, LLP, to amend the Compensation and Costs provision, increasing the contract amount from \$45,000 to \$50,000; and
- B. Approve the allocation of Fiscal Year 2014 appropriations from the Runway 15R-33L Pavement Rehab Project to fund the reimbursement of disallowed FAA grant expenditures totaling \$83,268.22.

9. Subject: Software Maintenance For Regional Law Enforcement Data Sharing (520.04)

Recommendation: That Council find it in the City's best interest to waive the bidding process as provided in Municipal Code Section 4.52.070(k) and authorize the General Services Manager to issue a change order to IBM for the estimated amount of \$30,128, for software maintenance and services for Fiscal Year 2015.

10. Subject: Contract For Final Design Of The Las Positas Road At Cliff Drive Roundabout Project (530.04)

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Kittelson & Associates, Inc., in the amount of \$149,238 for final design services of the Las Positas Road at Cliff Drive Roundabout Project, and authorize the Public Works Director to approve expenditures of up to \$29,500 for extra services of Kittelson & Associates, Inc., that may result from necessary changes in the scope of work.

CONSENT CALENDAR (CONT'D)

11. Subject: Contract For Development Of City's Five-Year Consolidated Plan (610.05)

Recommendation: That Council authorize the Community Development Director to execute a Professional Services contract with Karen Warner and Associates, Inc., in the amount of \$33,895 for the preparation and submittal of the City's Five-Year Consolidated Plan for Program Years 2015 through 2019.

12. Subject: Assistance To Firefighters 2013 Grant Funds For Breathing Apparatus (520.03)

Recommendation: That Council:

- A. Accept a grant for \$591,311 from the United States Department of Homeland Security Fiscal Year 2013 Assistance to Firefighters Grant Program for the purchase of eighty-five complete Self Contained Breathing Apparatus packs; and
- B. Increase Fiscal Year 2015 estimated revenues and appropriations by \$591,311 in the Miscellaneous Grants Fund.

13. Subject: License Agreement With The Santa Barbara Swim Club (330.08)

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute the renewal of a two-year license agreement with the Santa Barbara Swim Club for the use of Los Baños del Mar Swimming Pool; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2015 Parks and Recreation Department, General Fund, budget in the amount of \$28,170 to reflect the cost and fees for lifeguard services added to the License Agreement with the Swim Club.

14. Subject: Independent Living Resource Center Lease Agreement For The Westside Neighborhood Center (330.04)

Recommendation: That Council authorize the Parks and Recreation Director to execute a one-year lease agreement with the Independent Living Resource Center for facility space at the Westside Neighborhood Center for an annual rate of \$51,158.16.

CONSENT CALENDAR (CONT'D)

15. Subject: Proposed Five-Year License Agreement With Commercial Fishermen Of Santa Barbara, Inc., At Cabrillo Landing (330.08)

Recommendation: That Council approve a five-year license agreement with Commercial Fishermen of Santa Barbara, Inc., for the berthing of commercial fishing boats on the north side of Cabrillo Landing, in the Santa Barbara Harbor.

16. Subject: Library Plaza Renovation Final Design Services Contract (570.04)

Recommendation: That Council:

- A. Appropriate \$42,225 from the Fenton Davison Trust for final design costs of the Library Plaza Renovation Project; and
- B. Authorize the Library Director to execute a Professional Design Services Agreement with Campbell & Campbell in a base amount not to exceed \$106,750, for final design services for Library Plaza Renovation, and authorize the Library Director to approve expenditures of up to \$10,675 for extra services that may result from necessary changes in the scope of work.

17. Subject: Appropriation Of Grant Funds For Rehabilitation Of Runway 15L/33R (560.04)

Recommendation: That Council increase appropriations and estimated revenue by \$2,871,406 in the Airport's Grants Fund for rehabilitation of Runway 15L/33R, including runway incursion markings and apron rehabilitation, to be funded from Federal Aviation Administration Airport Improvement Program (AIP) Grant No. 03-06-0235-47 in the amount of \$2,603,216, coupled with the City's 9.34% match, \$268,190, to be funded from Airport Capital Fund.

18. Subject: Contract For Construction Of Runway 15L-33R, Terminal Ramp, And General Aviation Ramps Pavement Rehabilitation Project (560.04)

Recommendation: That Council:

- A. Award a contract with Granite Construction, in their low bid amount of \$2,164,834 for construction of the Pavement Rehabilitation of Runway 15L-33R, Terminal Ramp, South General Aviation and Signature Ramp, Bid No. 3730, and authorize the Public Works Director to execute the contract and approve expenditures up to \$216,483 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)

18. (Cont'd)

- B. Authorize the Public Works Director to execute a contract with Kimley-Horn and Associates in the amount of \$238,975 for construction support services, and approve expenditures of up to \$12,000 for extra services of Kimley-Horn and Associates that may result from necessary changes in the scope of work.

19. Subject: Casa Esperanza Shelter Agreement (660.04)

Recommendation: That Council authorize the Community Development Director to execute an Agreement with Casa Esperanza for the operation of a homeless shelter for \$202,100.

NOTICES

- 20. The City Clerk has on Thursday, July 31, 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.
- 21. Cancellation of the regular City Council meetings of August 12, August 19, August 26, and September 2, 2014.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

AIRPORT DEPARTMENT

22. Subject: Introduction Of Ordinance For Purchase And Sale Agreement For Sale Of Land Located at 6100 Hollister Avenue (330.03)

Recommendation: That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute the Purchase and Sale Agreement and Related Agreements Between the City of Santa Barbara and Direct Relief, a California nonprofit public benefit corporation, at a base price of \$25 per square foot of land area.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

PUBLIC WORKS DEPARTMENT

23. Subject: Stage Two Drought Update (540.05)

Recommendation: That Council receive an update on the status of the current drought.

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

CLOSED SESSIONS

24. Subject: Conference With City Attorney - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to Government Code section 54956.9(d)(1) and take appropriate action as needed. The pending litigation is *People of the State of California, City of Santa Barbara v. Eastside, Westside, et al.*, SBSC Case No. 1379826.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

25. Subject: Conference With City Attorney - Pending Litigation (160.03)

Recommendation: That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed. The pending litigation is *Frank Banales, Sebastian Aldana, Jr., Jacqueline Inda, Cruzito Herrera Cruz, and Benjamin Cheverez, v. City of Santa Barbara, et al.*, SBSC Case No.1468167.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

CLOSED SESSIONS (CONT'D)

26. 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

ADJOURNMENT



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Employee Recognition – Service Award Pins

RECOMMENDATION:

That Council authorize the City Administrator to express the City's appreciation to employees who are eligible to receive service award pins for their years of service through August 31, 2014.

DISCUSSION:

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

Attached is a list of those employees who will be awarded pins for their service through August 31, 2014.

ATTACHMENT: August 2014 Service Awards

PREPARED BY: Myndi Hegeman, Administrative Specialist

SUBMITTED BY: Kristine Schmidt, Administrative Services Director

APPROVED BY: City Administrator's Office

AUGUST 2014 SERVICE AWARDS

August 5, 2014, Council Meeting

10 YEARS

Deborah Bush, Executive Assistant, Mayor and Council Office
Daniel Trejo, Warehouse Lead, Public Works Department
Clare Turner, Human Resources Analyst, Administrative Services Department
Juan Ramirez, Senior Water Distribution Operator, Public Works Department

15 YEARS

Brandon Beaudette, Administrative Analyst III, Public Works Department
Bradley Klein, Maintenance Worker II, Public Works Department
Frederic Dewitt, Heavy Equipment Technician, Public Works Department
Anne Van Belkom, Administrative Assistant, Public Works Department

20 YEARS

Leanna Pencek, Legal Office Supervisor, City Attorney's Office
John Ornelas, Senior Water Distribution Operator, Public Works Department
Pete Concepcion, Jr., Airport Maintenance Supervisor, Airport Department

25 YEARS

Anastasia Wilson, Associate Transportation Planner, Public Works Department
Juan R. Gutierrez, Maintenance Worker II, Public Works Department

30 YEARS

Judd Conley, Waterfront Maintenance Supervisor, Waterfront Department



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Business Division, Waterfront Department

SUBJECT: Introduction Of Ordinance For An Amendment To Lease Agreement No. 23,564 With Conway Vineyards, Inc.

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving Amendment One to Lease Agreement No. 23,564 with Conway Vineyards, Inc., at an Average Initial Base Rent of \$4,302.02 Per Month, Allocated Seasonally, or 10% of Gross Sales, Whichever is Greater, Effective October 9, 2014, and Continuing for the Remainder of the Lease Term of Five Years, With Two Five-Year Extension Options.

DISCUSSION:

Conway Vineyards, Inc. has leased space on Stearns Wharf since October of 2010 and the current lease expires on November 30, 2025, leaving 11 years remaining on the lease agreement. The current base rent is \$4,302.02 per month, or 10% of gross sales, whichever is greater. The base rent is subject to annual Cost of Living increases based on the Consumer Price Index.

In May, Chris Conway, owner of Conway Vineyards, Inc., contacted the Department about amending the lease to a seasonal rent basis versus the current allocation that evenly splits the lease rate (\$4,302) among the twelve months for a total of \$51,624. The proposed seasonal rate structure would be as follows:

Month	Base Rent	%
January	\$ 3,437.49	6.659
February	\$ 3,437.49	6.659
March	\$ 3,437.49	6.659
April	\$ 3,437.49	6.659
May	\$ 5,166.53	10.008
June	\$ 5,166.53	10.008
July	\$ 5,166.53	10.008
August	\$ 5,166.53	10.008
September	\$ 5,166.53	10.008
October	\$ 5,166.53	10.008
November	\$ 3,437.49	6.659
December	\$ 3,437.49	6.659
Total	\$ 51,624.00	100.000

No other changes to the business terms of the lease are proposed as part of this lease amendment.

Conway Vineyards, Inc. is considered a tenant in good standing by the Department as they have no outstanding default notices on file and have been prompt with rent payments.

The Harbor Commission recommended that the City Council approve lease amendment one to Lease Agreement No. 23,564, with Conway Vineyards, Inc. at their July 17, 2014, meeting.

PREPARED BY: Brian J. Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AMENDMENT ONE TO LEASE AGREEMENT NO. 23,564 WITH CONWAY VINEYARDS, INC., AT AN AVERAGE INITIAL BASE RENT OF \$4,302.02 PER MONTH, ALLOCATED SEASONALLY, OR 10% OF GROSS SALES, WHICHEVER IS GREATER, EFFECTIVE OCTOBER 9, 2014, AND CONTINUING FOR THE REMAINDER OF THE LEASE TERM OF FIVE YEARS, WITH TWO FIVE-YEAR EXTENSION OPTIONS.

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, An Ordinance of the Council of the City of Santa Barbara Approving a Lease With Conway Vineyards, Inc., Effective October 9, 2014, is hereby approved.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Facilities Division, Public Works Department

SUBJECT: Water Distribution Metering Facility Emergency Wall And Roof Repair

RECOMMENDATION: That Council:

- A. Approve a sole source award of a purchase order in the amount of \$68,904, plus an additional \$13,780 for extra services, to Qwik Response for the emergency wall and partial roof repair at the Water Distribution Metering Facility at 625 Laguna Street; and
- B. Approve a sole source award of a purchase order in the amount of \$7,594, plus an additional \$1,519 for extra services, to Bob Cambron Roofing for the emergency roof repair at the Water Distribution Metering Facility at 625 Laguna Street.

DISCUSSION:

BACKGROUND:

In early June 2014, significant water damage and dry rot was identified within the back wall of the Water Distribution Metering Facility. A number of supporting studs, joists, window frames, and roofing substrate were compromised due to past roof and structure leaks. The extent of the damage was hidden behind existing drywall and roofing insulation. After final investigation, the damaged area spanned roughly forty linear feet of wall, as well as a section of adjoining roof roughly forty by ten feet. Due to the severity of the damage, the potential for mold growth and further structural damage, and a concern for the health and safety of the facility's occupants, acting quickly to remediate and repair is important.

PROJECT DESCRIPTION:

The emergency repair and remediation project requires that:

- A large section of roof be temporarily structurally shored to enable wall work
- All damaged studs, joists, plywood, insulation, window frames, and construction material be removed and disposed of
- All wall framing be rebuilt like for like with new wood

- New insulation be installed in repaired wall and ceiling cavities
- Windows be re-framed and re-sealed
- Finishing work, including drywall, stucco, and painting, to match original finish
- Damaged section of roof be scraped, repaired, and patched

The Public Works Facilities Engineer was provided a detailed scope for all work outlined above by a remediation contractor and a roofing contractor. The remediation contractor, Qwik Response, is a Santa Barbara based company that has been used in the past for similar work. Qwik Response has the ability to handle all aspects of this type of work quickly and efficiently and has provided competitive pricing on past projects.

The roofing contractor, Bob Cambron Roofing, has worked with the City for a number of years and has consistently been responsive and competitively priced. Both contractors provided detailed cost estimates which were reviewed thoroughly and compared to similar jobs and industry accepted rates for labor and materials by the Project Engineer. Both the remediation cost estimate and the roofing repair cost estimate were deemed fair and reasonable.

BUDGET/FINANCIAL INFORMATION:

There are sufficient appropriated funds in the Fiscal Year 2015 Public Works Facilities Capital Fund account for this repair work.

PREPARED BY: Jim Dewey, Facilities & Energy Manager/MW/mh

SUBMITTED BY: Rebecca Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Creeks Division, Parks and Recreation Department

SUBJECT: Professional Services Agreement With Questa Engineering Corporation To Conduct A Feasibility Analysis For The Mid-Arroyo Burro Restoration Project

RECOMMENDATION: That Council:

- A. Approve a transfer of \$24,870 from the Creeks Operating Fund reserves to the Creeks Capital Fund;
- B. Increase appropriations and estimated revenues in the Creeks Capital Fund for the Mid-Arroyo Burro Restoration Project funded from a transfer from the Creeks Operating Fund;
- C. Approve and authorize the General Services Manager to execute a sole source professional services agreement with Questa Engineering Corporation in the amount of \$23,370 to conduct a feasibility analysis for the Mid-Arroyo Burro Restoration Project; and
- D. Authorize the General Services Manager to approve expenditures of up to \$1,500 to cover any cost increases that may result from necessary changes in the scope of work.

DISCUSSION:

Project Description

The Mid-Arroyo Burro Restoration Project is a Creeks Division capital project located along the concrete flood control channel between Hope Avenue and Calle Real. The main goals of the Project are to remove the concrete channel and restore the creek to improve water quality, wildlife habitat, and aesthetics. Questa will evaluate the feasibility of removing the existing concrete channel and restoring the creek in a way that meets the projects goals while not increasing flood risk.

Consultant Selection

Staff is recommending a sole source professional services agreement with Questa for a number of reasons. Questa has over 25 years of experience specializing in fish passage and creek restoration projects, is available to complete the project within a timeframe to meet the project needs, and has successfully completed a number of similar creek restoration projects for the City. Most recently, in April 2014, the firm completed a technical feasibility analysis for Las Positas Creek. After a competitive bid process, Questa was selected as the most qualified for that project. In addition, Questa designed a successful Mission Creek restoration project in Oak Park that was constructed in 2010. Staff has determined that Questa's proposed hourly rates and estimated number of hours are within the industry standard and staff expectations for the project.

Timeline

With Council approval of the contract, the feasibility analysis is scheduled for completion by November 2014. Should a feasible project alternative be identified, the Creeks Division will initiate a competitive proposal process for preliminary design plans in 2015.

BUDGET/FINANCIAL INFORMATION:

The cost to conduct the feasibility analysis is \$23,370. A contingency amount of \$1,500 is also included to fund additional analysis should it be needed. Including contingency funds, the total cost for the Questa contract is \$24,870. Although this project is included in the Six-Year Capital Improvement Program, funding was not proposed until 2018. The Creeks Division is proposing to move this project forward now due to the potential for development to occur adjacent to the restoration site that could influence creek restoration objectives. The Creeks Operating Fund has sufficient reserve funds available to cover all costs associated with the feasibility analysis.

SUSTAINABILITY IMPACT:

The purpose of this project is to improve water quality and riparian habitat in Arroyo Burro. These efforts will contribute to local, regional, and federal objectives of improving water quality and riparian habitat.

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

SUBMITTED BY: Nancy Rapp, Parks and Recreation Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Design Of The Fiscal Year 2015 Bridge Preventive Maintenance Program Project

RECOMMENDATION: That Council:

- A. Accept a grant from the Federal Highway Administration for an amount not to exceed \$82,072 for design of the Fiscal Year 2015 Bridge Preventive Maintenance Program Project;
- B. Authorize the increase of estimated revenues and appropriations in the Fiscal Year 2015 Streets Grant Fund by \$82,072 for the Bridge Preventive Maintenance Program Project; and
- C. Authorize the Public Works Director to execute a City Professional Services contract with Wallace Group in the amount of \$49,870 for design services of the Fiscal Year 2015 Bridge Preventive Maintenance Program Project, and authorize the Public Works Director to approve expenditures of up to \$5,000 for extra services of Wallace Group that may result from necessary changes in the scope of work.

DISCUSSION:

BACKGROUND

In March 2013, the City received authorization to proceed with the design of the Bridge Preventive Maintenance Program Fiscal Year 2014-2015 Project (Project) from the California Department of Transportation (Caltrans). The grant authorizes federal share design costs of \$82,072. City staff has developed the scope of the Project and in April of 2014, received two proposals from design firms to complete the necessary design and environmental studies.

PROJECT DESCRIPTION

The work is located at seven bridges throughout the City, including five bridges over Mission Creek (upper State Street, Alamar Avenue, Montecito Street, Islay Street, and Valerio Street), one bridge over San Roque Creek (Ontare Road), and one bridge over San Pedro Creek (James Fowler Road, near the Santa Barbara Airport) (see Attachment).

The work is anticipated to consist of deck treatments, railing repairs/replacements, and structural concrete and beam repairs for all bridges, and specialized concrete testing on the James Fowler Road Bridge. The design phase will include environmental studies necessary for authorizing work in the creek and include scour measures as determined to be necessary.

DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Wallace Group in the amount of \$49,870 for design and \$5,000 for potential extra services, for a total amount of \$54,870. Wallace Group is experienced in this type of work, has successfully completed the Bridge Preventative Maintenance Fiscal Year 2011-2012 Project, and was selected as part of a request for proposals process in which they were determined to be the most qualified.

COMMUNITY OUTREACH

Staff will be mailing written notices at a minimum of two weeks in advance of any construction activity to properties within 300 feet from the bridge. In addition, the contractor will deliver notices to each business and resident adjacent to the construction activity areas, 72 hours prior to beginning work. Construction area signs or changeable message signs will be used to notify the traveling public of detours or any possible delays.

FUNDING

This project is funded in part by the Caltrans Local Assistance Bridge Preventive Maintenance Program (BPMP), a subset of the Federal Highway Administration Highway Bridge Program. Under the BPMP, the federal share of project costs is 88.53 percent and the City's share is 11.47 percent.

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

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

Project Cost	Federal Share	City Share	Total
Design (by Contract)	\$48,576	\$6,294	\$54,870
Other Design Cost- City staff	\$19,238	\$2,492	\$21,730
Subtotal	\$67,814	\$8,786	\$76,600
Estimated Construction Contract w/Change Order Allowance	\$154,038	\$19,957	\$173,995
Estimated Construction Management/Inspection (by Contract or City)	\$21,871	\$2,834	\$24,705
Estimated Other Construction Costs (testing, etc.)	\$5,312	\$688	\$6,000
Subtotal	\$181,221	\$23,479	\$204,700
TOTAL PROJECT COSTS	\$249,035	\$32,265	\$281,300

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

ATTACHMENT(S): Project Vicinity Map

PREPARED BY: Linda Sumansky, Principal Civil Engineer/AH/mj

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

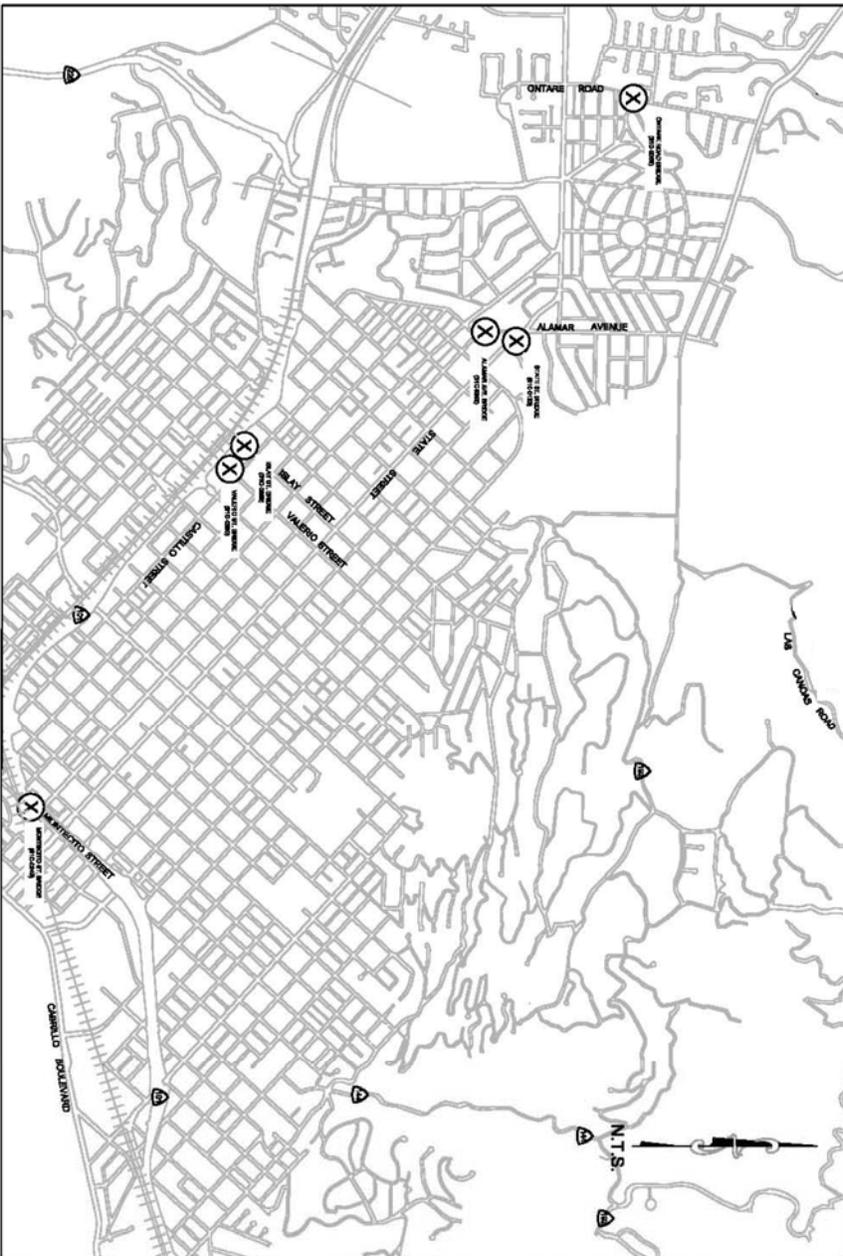
APPROVED BY: City Administrator's Office

CITY OF SANTA BARBARA BRIDGE PREVENTIVE MAINTENANCE PROGRAM VICINITY MAP

PROJECT NO. 7666
FEDERAL PROJECT NO. BPPMPL-5007(060)



LEGEND
 BRIDGE LOCATION



BRIDGE PREVENTIVE MAINTENANCE VICINITY MAP	SHEET NO. N/A DATE N/A	SHEET NO. N/A DATE N/A	SHEET NO. 1 of 1	NO. _____ DATE _____ APPROVED _____ DESIGN _____ DRAIN _____ CHECKED _____	APPROVED _____ CITY ENGINEER _____ DATE _____ ORIGINAL BOUND DATE 11-13-12	
--	---------------------------	---------------------------	------------------	---	---	---



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Airport Administration, Airport Department

SUBJECT: Airport Marketing Agreement With BBM&D Strategic Branding

RECOMMENDATION:

That Council approve and authorize the Airport Director to execute an Agreement with BBM&D Strategic Branding for design and production of Airport marketing and advertising campaign concepts for the Airport in an amount not to exceed \$32,136.

DISCUSSION:

The Airport has had a marketing and communications program since 1993. The goal of the program is to plan, develop and implement comprehensive marketing and communications strategies to increase regional traveler awareness of the Airport's airline services. A goal of the marketing program involves outreach to the tri-county areas by developing campaigns that highlight the benefits of using the Santa Barbara Airport.

BBM&D was selected as a result of a competitive request for proposals. BBM&D has provided quality work on all aspects of the Airport's program, and recently were awarded the American Advertising Award for the design of the Airport's Aviation History brochure.

BBM&D will continue to provide creative design and production including development of advertising concepts, copywriting, layout, electronic print, art and broadcast direction, web, and marketing consultation. Airport staff will continue to be responsible for media planning, placement and final decision-making as to the branding of the Santa Barbara Airport.

BUDGET/FINANCIAL INFORMATION:

The current Airport Operating Budget has sufficient funding for the contract.

PREPARED BY: Lynn Houston, Marketing Coordinator
SUBMITTED BY: Hazel Johns, Airport Director
APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014
TO: Mayor and Councilmembers
FROM: Airport Administration, Airport Department
SUBJECT: Contract With InterVISTAS Consulting, LLC, For Air Service Development

RECOMMENDATION:

That Council authorize the Airport Director to execute a contract with InterVISTAS Consulting, LLC, for specialized air service development support for the Santa Barbara Airport, in an amount not to exceed \$50,000.

DISCUSSION:

Background

Since 1979 the Airport has contracted with three firms for specialized air carrier development services to assist the Airport in meeting its strategic goals of maintaining existing service and attracting new domestic service.

In 2013 Airport staff solicited Statements of Qualifications (RFQ) from experienced firms providing air service development consulting services. The proposals were evaluated based on the experience and qualifications of the consultant's team, the approach to the project scope of services, the project manager's experience and references.

As a result of the interviews and reference check, InterVISTAS was selected to continue providing air service consulting services for the Department. The project manager, Chris Warren, has 15 years of airline related experience in commercial and financial roles, including American Airlines, Continental Airlines, and Express Jet Airlines. He works closely with airline corporate executives and keeps pace with trends in the airline industry. Additionally, InterVISTAS employs 80 people from a wide range of fields, including airports, airlines, government, academia, and tourism.

Contract Scope of Services

InterVISTAS will work with the Airport to develop and present an effective, comprehensive passenger development program to maintain and improve domestic air service, including:

- Evaluating specific passenger routes and services at SBA and recommending strategic actions to address deficiencies and competitive opportunities to the airlines.
- Providing in-depth analysis of the Santa Barbara market and preparing a detailed plan to reach local, target markets to stimulate outbound travel from Santa Barbara.
- Assisting the Airport in scheduling and facilitating meetings at the highest levels with domestic air carriers regarding potential new and/or improved air service routes, including developing detailed, written proposals and professional presentations.
- Preparing additional market analyses and conducting research, as needed, related to airport business and operational issues.

BUDGET/FINANCIAL INFORMATION:

This contract is at the direction of the Airport Director and is charged on a time and materials basis, not to exceed \$50,000. Funding for the contract was established in the Airport Department's Fiscal Year 2015 Operating Fund budget.

SUBMITTED BY: Hazel Johns, Airport Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Airport Administration, Airport Department

SUBJECT: Amendment To Agreement With Kaplan, Kirsch & Rockwell, LLP, For Legal Services

RECOMMENDATION: That Council:

- A. Authorize the Airport Director to execute an amendment to Contract No. 24,535 with Kaplan, Kirsch & Rockwell, LLP, to amend the Compensation and Costs provision, increasing the contract amount from \$45,000 to \$50,000; and
- B. Approve the allocation of Fiscal Year 2014 appropriations from the Runway 15R-33L Pavement Rehab Project to fund the reimbursement of disallowed FAA grant expenditures totaling \$83,268.22.

DISCUSSION:

Background

On May 9, 2013, the Airport received a notice from the Federal Aviation Administration (FAA) that the FAA had issued a preliminary determination that some of the electrical equipment used in the construction of the Airline Terminal project did not comply with federal law (the Buy America Act) and directed the City to provide a corrective action plan to ensure compliance with grant assurances and to repay federal funds (\$1,063,716) used for the improperly funded electrical equipment. On June 4, 2013, staff met with Council in closed session to discuss potential litigation.

City Response and Steps Taken

City staff disagreed with the allegations and requested authorization to retain outside Counsel, Kaplan, Kirsch & Rockwell LLP, to assist with its review and response to the allegations. With assistance from outside counsel, staff undertook a thorough investigation of the identified electrical products, including the bidding process and contract requirements, any requests by subcontractors for product substitutions, and obtained verification from subcontractors of all manufacturers of the domestic content and fabrication for each product.

On December 9, 2013, a formal response was filed with FAA with the results of the City's investigation. The investigation found that \$976,065 of the total product cost complied with the Buy America Act and would have qualified for a "type 3" 60%-U.S. final assembly waiver, and as such the costs were AIP-eligible and did not require repayment.

The investigation also determined that certain products did not comply and the City notified FAA that the Airport would repay the AIP grant for 95% of ineligible costs, or \$83,268.

Resolution of Complaint

On June 27, 2014, the FAA responded that based on the written correspondence and documentation, FAA accepts that the City understands its Buy America Act requirements and has a program in place to reasonably ensure Buy America Act compliance going forward.

Additionally, FAA concurred with the City's investigation regarding the compliance and non-compliance of electrical products with Buy America requirements. "After further consultation within the FAA, review of the statements of the City with regard to its Buy America compliance program going forward; and extensive consultation with the City with regard to its commitment to proper procurement, we determine that these costs are not recoverable. The costs (\$976,065.48) are for items **eligible** under the AIP and satisfy AIP Buy America requirements."

The identified electrical items that did not comply are considered improper payments under AIP and the funds must be returned to FAA. The total amount to be refunded is 95% of \$87,650.76, or \$83,268.22. There are funds available in the Runway 15R-33L Pavement Rehab Project, which is a completed project.

Due to the lengthy delay in receiving a response from the FAA, additional legal fees were incurred by Kaplan Kirsch & Rockwell, LLP, in the amount of \$5,000.

BUDGET/FINANCIAL INFORMATION:

Funds for the contract amendment are available in the Airport Department's Fiscal Year 2015 Operating Fund budget.

SUBMITTED BY: Hazel Johns, Airport Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Administrative Services Division, Police Department

SUBJECT: Software Maintenance For Regional Law Enforcement Data Sharing

RECOMMENDATION:

That Council find it in the City's best interest to waive the bidding process as provided in Municipal Code Section 4.52.070(k) and authorize the General Services Manager to issue a change order to IBM for the estimated amount of \$30,128, for software maintenance and services for Fiscal Year 2015.

DISCUSSION:

In 2008, the County of Santa Barbara Law Enforcement Chiefs (CLEC) acquired a data sharing application called Coplink, which is a data sharing warehouse that synchronizes with multiple law enforcement records management systems throughout the County of Santa Barbara. Coplink is a proprietary application that allows law enforcement personnel to search County wide records management systems for investigative purposes.

Each year, an annual budget is presented to CLEC by the Information Technology Manager from the Police Department, who is the project manager for the Joint Powers of Authority (JPA). The maintenance agreements that were included during the acquisition of Coplink have expired, and all ongoing maintenance expenses will be included in the JPA budget.

Last year, \$178,000 was appropriated by City Council as a projected cost to maintain the Coplink system. Due to the cost increases by the vendor for software maintenance and services, change order authority of \$30,128 is needed.

BUDGET/FINANCIAL INFORMATION:

The entire cost of the Coplink system will be paid out of the California Law Enforcement Telecommunications System (CLETS) Fund administered by the City. The costs will be reimbursed by the participating agencies, including the City of Santa Barbara. The City's share of \$5,967 was included in the Fiscal Year 2015 Police Department budget.

The City of Santa Barbara will be completely reimbursed for the \$30,128 in Fiscal Year 2015. The full budget impact is reflected in the CLETS Fund budget.

PREPARED BY: Dennis Diaz, Information Technology Manager/LSP

SUBMITTED BY: Camerino Sanchez, Chief of Police

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Final Design Of The Las Positas Road At Cliff Drive Roundabout Project

RECOMMENDATION:

That Council authorize the Public Works Director to execute a City Professional Services contract with Kittelson & Associates, Inc., in the amount of \$149,238 for final design services of the Las Positas Road at Cliff Drive Roundabout Project, and authorize the Public Works Director to approve expenditures of up to \$29,500 for extra services of Kittelson & Associates, Inc., that may result from necessary changes in the scope of work.

DISCUSSION:

BACKGROUND

To improve traffic operations and reduce congestion at the Las Positas Road and Cliff Drive intersection, Council discussed various alternatives and explored funding options at two meetings. After reviewing different options, Council selected a roundabout design on November 19, 2013. On January 27, 2014, Council authorized the use of General Fund monies of \$700,000 for construction, along with \$750,000 in grant funds from the State Transportation Improvement Program. Staff subsequently requested a proposal from Kittelson & Associates, Inc. (KAI), the consulting firm that completed the preliminary roundabout design, as a sub-consultant to Penfield & Smith.

PROJECT DESCRIPTION

The work consists of completing final design plans, specifications, and cost estimates required for the construction of a roundabout at the intersection of Las Positas Road and Cliff Drive. The base contract amount does not include the preparation of final planting and irrigation plans, as the extent of planting and irrigation will be determined

through the design review process. Final planting and irrigation construction documents will be prepared utilizing the recommended extra services amount.

The roundabout will be designed to include bicycle and pedestrian facilities. The design will also incorporate provisions for potential future nearby facilities, including a possible multi-purpose pathway adjacent to Las Positas Road north of the intersection, and possible bike lanes or a multi-purpose pathway along Cliff Drive. A public process is planned for the fall of 2014 to discuss potential bicycle and pedestrian facilities on Cliff Drive between the Arroyo Burro Beach Park entrance and Meigs Road.

DESIGN PHASE CONSULTANT ENGINEERING SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with KAI in the amount of \$149,238 for design, and \$29,500 for potential extra services, for a total amount of \$178,738. KAI is experienced in this type of work and is considered within the industry to be the leading expert in roundabout design. KAI developed the preliminary roundabout design concept and is very familiar with the Project. Consultant negotiations produced a fair and reasonable price.

FUNDING

The following summarizes all estimated total Project costs:

ESTIMATED TOTAL PROJECT COST

	Grant Funds	City Funds	Total
Design (by Contract)	\$0	\$178,738	\$178,738
Other Design Costs - City staff	\$0	\$55,000	\$55,000
Other Design Costs - Environmental Assessments, etc.	\$0	\$42,500	\$42,500
Subtotal	\$0	\$276,238	\$276,238
Estimated Construction Contract w/Change Order Allowance	\$750,000	\$430,000	\$1,180,000
Estimated Construction Management/Inspection (by City)	\$0	\$177,000	\$177,000
Subtotal	\$750,000	\$607,000	\$1,357,000
TOTAL PROJECT COST	\$750,000	\$883,238	\$1,633,238

There are sufficient funds in the Streets Fund to cover the design costs and a portion of the construction costs. The balance of the construction costs will be covered by \$750,000 of State Transportation Improvement Program grant funding.

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

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Administration, Housing and Human Services Division, Community Development Department

SUBJECT: Contract For Development Of City's Five-Year Consolidated Plan

RECOMMENDATION:

That Council authorize the Community Development Director to execute a Professional Services contract with Karen Warner and Associates, Inc., in the amount of \$33,895 for the preparation and submittal of the City's Five-Year Consolidated Plan for Program Years 2015 through 2019.

DISCUSSION:

In order for the City to receive annual Community Development Block Grant (CDBG) entitlement and HOME Investment Partnership Program (HOME) funds from the U.S Department of Housing and Urban Development (HUD), a Consolidated Plan (ConPlan) must be prepared. The document identifies the City's housing and community development needs, and details the City's five-year strategy and goals to address those needs using federal funds. The City is in the final year of the current five-year ConPlan period. The next ConPlan is due to HUD by May 15, 2015, and it will cover the five-year period from July 1, 2015 to June 30, 2020.

The ConPlan requires significant research, analysis, and consultation with stakeholders and the public, as well as the development of strategies and goals for the five-year period. In addition, the report must be submitted electronically using HUD's new eCon Planning Suite. In order to ensure timely and efficient ConPlan preparation that will not significantly impact current day-to-day CDBG program responsibilities, staff recommends procuring services from a qualified professional to perform this task.

On May 21, 2014 staff issued a Request for Proposals (RFP) for the development of the ConPlan. Invitations and a copy of the RFP were sent to ten qualified firms. The RFP was advertised on the Santa Barbara News Press, on the American Planning Association's website, and on the City Website.

Two (2) consultants submitted sealed proposals by the deadline of June 23, 2014:

- The Ramsay Group (TRG) - \$25,365; and
- Karen Warner Associates (KWA) - \$33,895.

Both proposals were evaluated and scored by City CDBG and Housing programs' staff, using the following criteria: Qualifications, Background and Experience; Experience with the eCon Suite; Proposed Scope of Work; Consultant's Reference Evaluation; and Cost.

While TRG's proposal was the lower of the two, staff found numerous errors in the proposal which significantly lowered staff's confidence in the proposer's ability to deliver a satisfactory product. Thus, staff did not select this contractor.

Evaluation of KWA's proposal demonstrated experience developing ConPlans and related documents. Their proposal was clear, well presented, and demonstrated that they had researched the City of Santa Barbara. In addition, staff received excellent feedback from KWA's references.

KWA is comprised of the following:

- Karen Warner, AICP, who has more than 25 years of experience as a consultant to government agencies and has authored more than 100 Housing Elements, 25 Consolidated Plans and 15 Analyses of Impediments to Fair Housing Choice.
- Lorraine Mendez, who has 12 years in local and state government experience, including extensive experience administering CDBG and HOME programs.

BUDGET/FINANCIAL INFORMATION:

KWA has submitted a fixed-price budget of \$33,895 which will be paid out of CDBG and HOME administrative funds. Sufficient appropriations exist within these two funds to cover the costs. A copy of the agreement is available in the City Clerk's office for public review.

PREPARED BY: Elizabeth Stotts, Community Development Programs Specialist
DR

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Administration Division, Fire Department

SUBJECT: Assistance To Firefighters 2013 Grant Funds for Breathing Apparatus

RECOMMENDATION: That Council:

- A. Accept a grant for \$591,311 from the United States Department of Homeland Security Fiscal Year 2013 Assistance to Firefighters Grant Program for the purchase of eighty-five complete Self Contained Breathing Apparatus packs; and
- B. Increase Fiscal Year 2015 estimated revenues and appropriations by \$591,311 in the Miscellaneous Grants Fund.

DISCUSSION:

In December 2013, the Fire Department submitted a grant application to the U.S. Department of Homeland Security for the 2013 Assistance to Firefighters Grant program. In June 2014, DHS approved the City of Santa Barbara's grant application and the City was awarded \$591,311 for the grant period June 16, 2014 through June 15, 2015.

The proceeds of this grant will be used to purchase eighty-five complete Self Contained Breathing Apparatus (SCBA) packs with face masks, spare cylinders, voice amplifiers and in-seat mounting brackets. Implementation and use of this equipment brings our SCBA program into 100% compliance with National Fire Protection Association (NFPA) and Occupational Safety and Health Administration (OSHA) standards.

BUDGET/FINANCIAL INFORMATION:

Project costs total \$657,012. The Federal funded amount is \$591,311. The City's 10% matching share of \$65,701 is funded by existing Capital Outlay Fund appropriations.

PREPARED BY: Ronald Liechti, Administrative Services Manager

SUBMITTED BY: Patrick McElroy, Fire Chief

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014
TO: Mayor and Councilmembers
FROM: Recreation Division, Parks and Recreation Department
SUBJECT: License Agreement With The Santa Barbara Swim Club

RECOMMENDATION: That Council:

- A. Authorize the Parks and Recreation Director to execute the renewal of a two-year license agreement with the Santa Barbara Swim Club for the use of Los Baños del Mar Swimming Pool; and
- B. Increase appropriations and estimated revenues in the Fiscal Year 2015 Parks and Recreation Department, General Fund, budget in the amount of \$28,170 to reflect the cost and fees for lifeguard services added to the License Agreement with the Swim Club.

DISCUSSION:

The proposed license agreement permits the Santa Barbara Swim Club (SBSC) to retain the current hourly use of the facility for workouts, swim meets, and clinics, and provide monthly payments to the City. They are also responsible for age group and masters' competitive swimming, including program decisions and implementation, fee collection, memberships, registration and contracting with a head swim coach.

The proposed license agreement continues to stipulate that only SBSC members will be allowed in the pool during Club hours. However, different from previous agreements and more in line with industry standards, the City will be responsible for providing all lifeguard services during SBSC activities. The cost to SBSC for City lifeguard services is now included within the agreement and is factored into their annual fee to the City.

This new license agreement fee includes a seven percent increase for the pool and office fees and a new fee of \$28,170 for lifeguard services. Monthly payments to the City for the pool and office in Fiscal Year 2014 were \$3,824 for an annual total of \$45,888. The proposed agreement requires a monthly payment for the pool, office and lifeguard service of \$6,451 in Fiscal Year 2015 for an annual total of \$77,413 from SBSC for their use of Los Baños Pool. In Fiscal Year 2016, the City shall receive \$78,890, which represents a 3% increase solely for the pool and office per hour rate.

The monthly license fee payment is based on SBSC paying an hourly pool rate of \$24 per hour for their total hours of use and includes charging a per square-foot rental rate of \$1.23 per square-foot for their office space located within the facility and a rate of \$13.87 per hour for lifeguard services.

The monthly pool fee was determined after surveying other aquatic facilities in the Tri-County area, the lifeguard service fee was determined based on the direct costs for proposed hourly staffing levels, and the square-foot office fee is consistent with the Parks and Recreation Department Fees and Charges schedule for non-profit office rental fees.

This agreement is for a two-year period, ending June 30, 2016.

A copy of this agreement is on file in the City Clerk's Office for public review.

BUDGET/FINANCIAL INFORMATION:

The revenue for the pool and office fee from this agreement is budgeted for in the Fiscal Year 2015 Parks and Recreation Department, General Fund, budget. The lifeguard service fee is new and was not included in the Fiscal Year 2015 Parks and Recreation Department budget as it was a service that had not previously been included in past agreements. The additional appropriation of \$28,170 will bring the revenue budget to \$899,990 and the expenditure budget to 1,311,185.

PREPARED BY: Rich Hanna, Senior Recreation Supervisor

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

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5th, 2014

TO: Mayor and Councilmembers

FROM: Recreation Division, Parks and Recreation Department

SUBJECT: Independent Living Resource Center Lease Agreement For The Westside Neighborhood Center

RECOMMENDATION:

That Council authorize the Parks and Recreation Director to execute a one-year lease agreement with the Independent Living Resource Center for facility space at the Westside Neighborhood Center for an annual rate of \$51,158.16.

DISCUSSION:

The Parks and Recreation Department administers lease agreements for facility space at below market rates with local non-profit social service providers at neighborhood centers. All leases are negotiated annually and commence on July 1, 2014. This is a renewal lease.

The total for the Independent Living Resource Center space and their common area allocated space is 3,466 square feet.

A copy of this agreement is available in the City Clerk's office for public review.

BUDGET/FINANCIAL INFORMATION:

The rate for leased space, as adopted by Council on June 17, 2014, is \$1.23 per square foot, or a monthly rate of \$4,263.18.

PREPARED BY: Sarah Hanna, Recreation Programs Manager

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

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Business Division, Waterfront Department

SUBJECT: Proposed Five-Year License Agreement With Commercial Fishermen Of Santa Barbara, Inc., At Cabrillo Landing

RECOMMENDATION:

That Council approve a five-year license agreement with Commercial Fishermen of Santa Barbara, Inc., for the berthing of commercial fishing boats on the north side of Cabrillo Landing, in the Santa Barbara Harbor.

DISCUSSION:

Commercial Fisherman of Santa Barbara, Inc., a non-profit corporation, has maintained a license agreement for dock space on the north side of Cabrillo Landing since 1987. The current agreement expires on July 31, 2014.

The basic terms of the proposed license agreement are summarized as follows:

- **Term:** Five-year term;
- **License Fee:** \$1,441.97 per month;
- **License Fee Adjustment:** The License Fee rent shall be adjusted at the same time and in the same percentage increase as Harbor slip fees;
- **Site:** Licensee's site shall be a 143-foot side-tie on the north side of Cabrillo Landing;
- **Authorized Vessels:** Licensee agrees to provide City with a list of not more than twenty (20) vessels including names and registration numbers authorized to use the site;
- **Vessel Operability:** All vessels utilizing the license area must be continuously maintained as operable vessels; and,
- **Personal Guaranty:** Licensee shall maintain a general liability insurance policy in the amount of \$2,000,000.

All other terms and conditions are similar to the previous license agreement. For example, the agreement is specific as to maintenance of the site to ensure that the operation does not have an adverse impact on other users of Cabrillo Landing. Also, the license agreement includes a clause that will permit the City to relocate the berthing site to a comparable location in the harbor, provided the license fee remains the same.

Commercial Fisherman of Santa Barbara, Inc. group has been prompt with payments and has successfully operated at Cabrillo Landing for the past 27 years and is in good standing with the Department.

The Harbor Commission recommended that the City Council approve the license agreement with Commercial Fishermen of Santa Barbara, Inc. at their July 17, 2014, meeting.

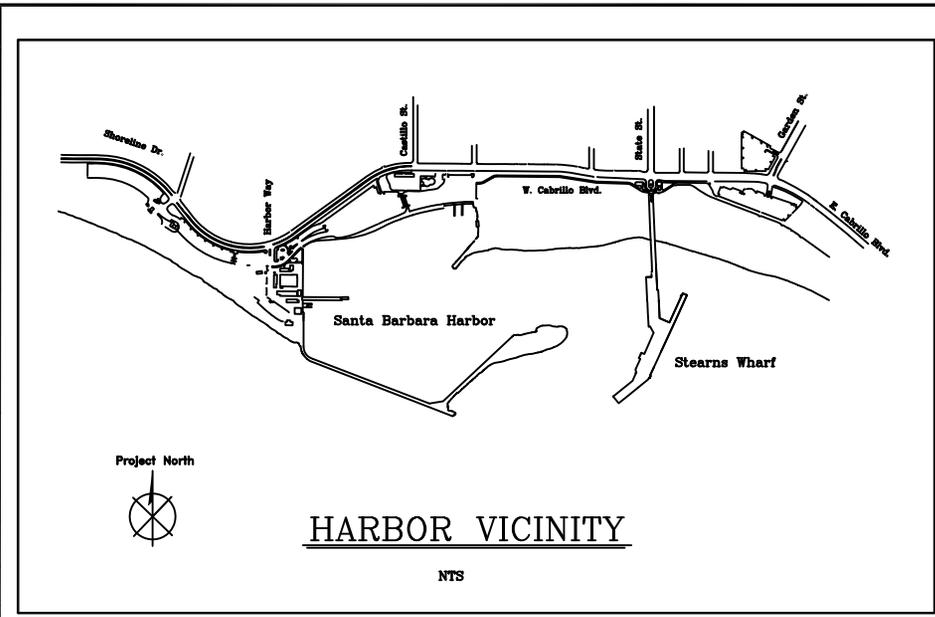
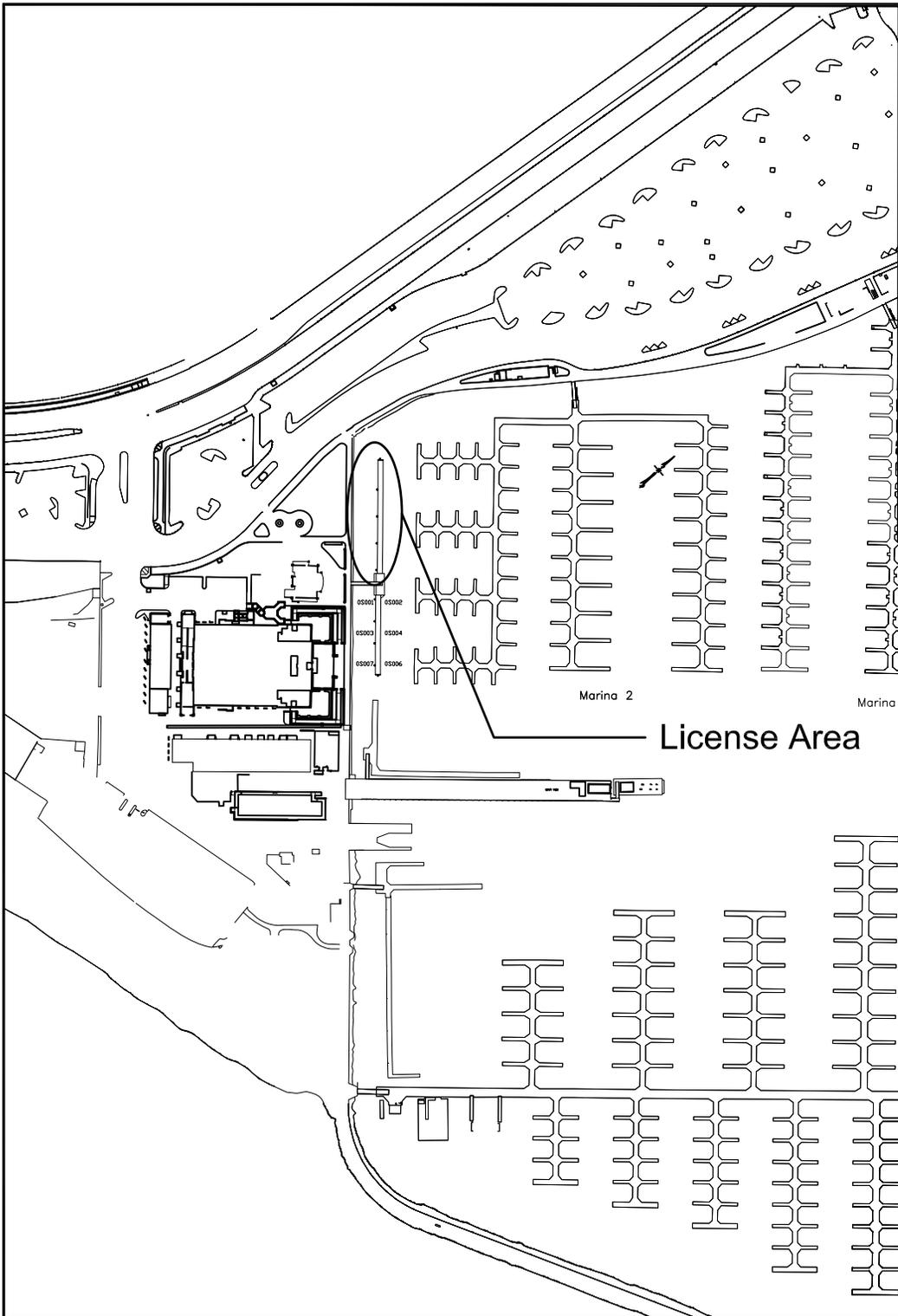
A copy of the proposed license agreement is available for review at the Waterfront Administration office and City Council reading file.

ATTACHMENTS: A. Harbor Vicinity Map
B. Cabrillo Landing Site Map

PREPARED BY: Brian J. Bosse, Waterfront Business Manager

SUBMITTED BY: Scott Riedman, Waterfront Director

APPROVED BY: City Administrator's Office



Marina 2

Marina 3

Marina 4

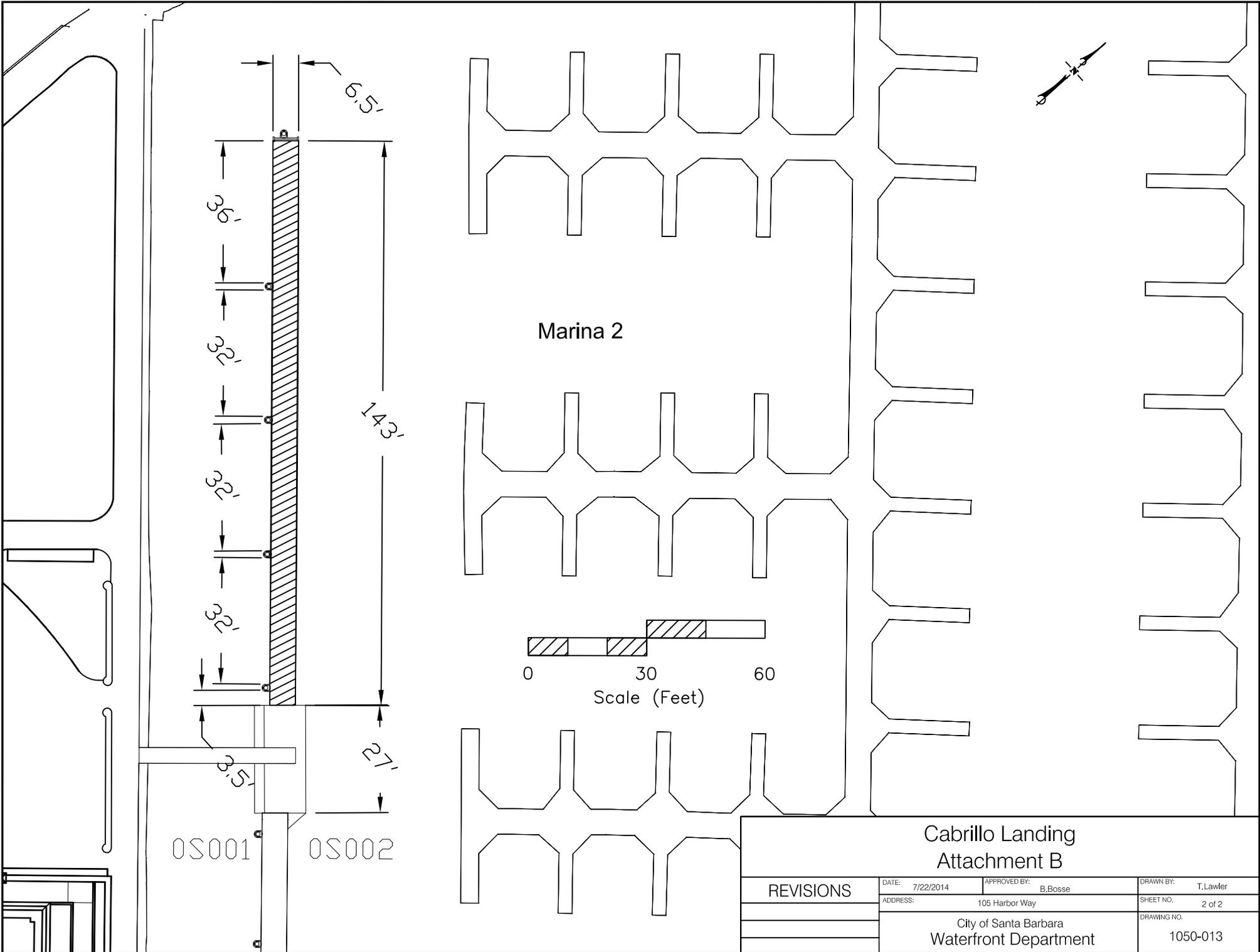
License Area

HARBOR VICINITY

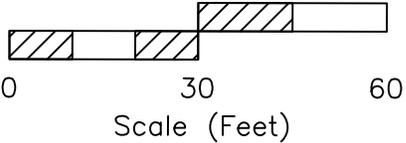
NTS

Harbor Vicinity Map
Attachment A

REVISIONS	DATE: 7/22/2014	APPROVED BY: B.Bosse	DRAWN BY: T.Lawler
	ADDRESS: 105 Harbor Way		SHEET NO. 1 of 2
City of Santa Barbara Waterfront Department			DRAWING NO. 1050-013



Marina 2



Cabrillo Landing
Attachment B

REVISIONS	DATE: 7/22/2014	APPROVED BY: B. Bosse	DRAWN BY: T. Lawler
	ADDRESS: 105 Harbor Way		SHEET NO. 2 of 2
City of Santa Barbara Waterfront Department			DRAWING NO. 1050-013

OS001

OS002



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014
TO: Mayor and Councilmembers
FROM: Administration, Library Department
SUBJECT: Library Plaza Renovation Final Design Services Contract

RECOMMENDATION:

- A. Appropriate \$42,225 from the Fenton Davison Trust for final design costs of the Library Plaza Renovation Project; and
- B. Authorize the Library Director to execute a Professional Design Services Agreement with Campbell & Campbell in a base amount not to exceed \$106,750, for final design services for Library Plaza Renovation, and authorize the Library Director to approve expenditures of up to \$10,675 for extra services that may result from necessary changes in the scope of work.

DISCUSSION:

BACKGROUND:

On June 29, 2010, the Redevelopment Agency Board adopted the Fiscal Year 2010 Capital Program which included the allocation of \$150,000 toward the planning and design of the Library Plaza renovation. Project goals include a public open space that is safe and inviting, an accessible plaza that serves as a community gathering place, an enhanced paseo between Anapamu Street and La Arcada and the Santa Barbara Museum of Art and reduced maintenance costs.

The concept envisions removal of walls to improve visibility and open sightlines throughout, improved universal access to the library, the incorporation of temporary or permanent artworks and a water feature and the incorporation of sustainability concepts.

Conceptual & Preliminary Design Phase Consultant Services

The landscape architect firm of Campbell & Campbell was hired in 2011 to complete the conceptual and preliminary design phase. Design work was halted in 2012 due to the elimination of the Redevelopment Agencies.

Design work resumed in July 2013 with the restoration of design funding. At that time, the scope of the project was expanded to include the entire library parcel. This was done in light of the need to address ADA access at the south entrance and due to the concurrence of the Santa Barbara Museum of Art's redevelopment and expansion project. The Museum has made several requests for use of library property to advance their proposed

design. The Library Plaza project received project design approval from the Historic Landmarks Commission on June 18, 2014.

SCHEDULE:

Development of the final design of the Library project is expected to require 6 months and will include final design approval by Street Tree Advisory Committee, the Parks & Recreation Commission, and the Historic Landmarks Commission.

ENVIRONMENTAL REVIEW:

The project will be reviewed under the California Environmental Quality Act (CEQA). Due to its location within the City's El Pueblo Viejo District, the project design will be reviewed by the Historic Landmarks Commission.

FUNDING:

The Fenton Davison Trust, a bequest to the Central Library, will provide \$42,225 towards the project (\$31,550, plus \$10,675 for extra services if necessary). Council previously appropriated \$100,000 for design services on February 25, 2014, of which \$75,200 remain for final design.

BUDGET/FINANCIAL INFORMATION:

Staff recommends that Council approve \$106,750 toward the design and additional funding of \$10,675 if needed for necessary changes to the scope.

Expenditures to date total approximately \$212,080. Based on other capital projects with hardscape and landscape elements, and accounting for the size of the Library Plaza project area, staff has estimated that total design, project management, supplies and construction costs could reach \$3,900,000. Actual costs will be dependent upon the final design and the future construction bidding environment.

SUSTAINABILITY IMPACT:

The project will have its greatest impact on the environment at the point it begins construction. Recognizing the possible impacts, City sponsored capital projects incorporate environmentally responsible design and construction techniques including, but not limited to, the specification of recycled content building materials, construction debris recycling processes, compliance with storm water management policies and the use of drought tolerant landscaping. These techniques further the City's sustainability goals in a variety of ways specific to the individual project and include recycling, reducing waste and reducing resource consumption.

PREPARED BY: Scott Love, Library Services Manager

SUBMITTED BY: Irene Macias, Library Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014
TO: Mayor and Councilmembers
FROM: Administration, Airport Department
SUBJECT: Appropriation Of Grant Funds For Rehabilitation Of Runway 15L/33R

RECOMMENDATION:

That Council increase appropriations and estimated revenue by \$2,871,406 in the Airport's Grants Fund for rehabilitation of Runway 15L/33R, including runway incursion markings and apron rehabilitation, to be funded from Federal Aviation Administration Airport Improvement Program (AIP) Grant No. 03-06-0235-47 in the amount of \$2,603,216, coupled with the City's 9.34% match, \$268,190, to be funded from Airport Capital Fund.

DISCUSSION:

On July 15, 2014, Council accepted and authorized the Airport Director to execute the Federal Aviation Administration (FAA) Airport Improvement Program grant offer in an amount not to exceed \$2,700,000. Staff has been notified that the grant amount will be \$2,603,216.

This grant provides funding for the rehabilitation of Runway 15L/33R which is needed to preserve the structural integrity of the pavement; runway incursion markings; and rehabilitation of both commercial and general aviation aprons. Also included in the grant is funding to replace lighted X runway closure markings that have failed. This equipment is used to close runways while construction or maintenance is being done to prevent aircraft from using the runway.

The current federal legislation has increased the local match for small hub airports from 5% to 9.3% for the 2014 entitlement grant.

BUDGET/FINANCIAL INFORMATION:

Funds for the City's 9.3% match were budgeted in the Airport's Capital Fund for Fiscal Year 2015.

SUBMITTED BY: Hazel Johns, Airport Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction Of Runway 15L-33R, Terminal Ramp, And General Aviation Ramps Pavement Rehabilitation Project

RECOMMENDATION: That Council:

- A. Award a contract with Granite Construction, in their low bid amount of \$2,164,834 for construction of the Pavement Rehabilitation of Runway 15L-33R, Terminal Ramp, South General Aviation and Signature Ramp, Bid No. 3730, and authorize the Public Works Director to execute the contract and approve expenditures up to \$216,483 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 Public Works Director to execute a contract with Kimley-Horn and Associates in the amount of \$238,975 for construction support services, and approve expenditures of up to \$12,000 for extra services of Kimley-Horn and Associates that may result from necessary changes in the scope of work.

DISCUSSION:

PROJECT DESCRIPTION

The work consists of rehabilitation treatments for the runway and several aircraft parking areas that are in poor condition at the Santa Barbara Airport. The Runway 15L-33R, Terminal Ramp, and General Aviation Ramps Pavement Rehabilitation Project (Project) areas included are:

- Runway 15L-33R - a 4,100-foot long runway used by general aviation.
- Northwest Terminal Ramp - an asphalt concrete area that is north and west of the main concrete commercial aircraft parking area.
- South General Aviation Ramp - an asphalt concrete area that is used for general aviation aircraft in the Atlantic Aviation leasehold.
- Signature Aviation Ramp - a concrete area that is used for parking general aviation aircraft in the Signature Aviation leasehold.

CONTRACT BIDS

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

	BIDDER	BID AMOUNT
1.	Granite Construction Santa Barbara	\$2,164,834.00
2.	John Madonna Construction San Luis Opispo	\$2,681,527.80

The low bid of \$2,164,834.00, submitted by Granite Construction, is an acceptable bid that is responsive to and meets the requirements of the bid specifications. The change order funding recommendation of \$216,483, or ten percent, is typical for this type of work and size of project.

CONSTRUCTION PHASE CONTRACT SERVICES

Staff recommends that Council authorize the Public Works Director to execute a contract with Kimley-Horn and Associates in the amount of \$238,975 for construction support services. Kimley-Horn and Associates was selected for this work through a competitive Request for Proposals process.

FUNDING

This Project is funded by an Airport Improvement Program Federal Aviation Administration grant with a local sponsor match of 9.3 percent, which is funded from the Airport Department's Capital Fund. There are sufficient funds in the Airport Department's Capital Fund to cover the cost of this Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
Granite Construction	\$2,164,834	\$216,483	\$2,381,317
TOTAL RECOMMENDED AUTHORIZATION			\$2,381,317

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)	\$151,250
City Staff Costs	\$38,714
Subtotal	\$189,964
Construction Contract	\$2,164,834
Construction Change Order Allowance	\$216,483
Subtotal	\$2,381,317
Construction Management/Inspection (by Contract)	\$238,975
Subtotal	\$238,975
TOTAL PROJECT COST	\$2,810,256

PREPARED BY: Pat Kelly, Assistant Public Works Director/OT/LR/sk

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Administration, Housing & Human Services Division, Community Development Department

SUBJECT: Casa Esperanza Shelter Agreement

RECOMMENDATION:

That Council authorize the Community Development Director to execute an Agreement with Casa Esperanza for the operation of a homeless shelter for \$202,100.

DISCUSSION:

Due to ongoing financial challenges, Casa Esperanza has undergone several programmatic and administrative changes during the past year. On September 17, 2013, Casa Esperanza closed its drop-in Day Center services for non-shelter residents and suspended the Community Kitchen lunch program for non-shelter residents. They currently operate a sobriety-based shelter program for their 100-bed year-round shelter program (April – November), which expands to a 200-bed emergency winter shelter (December – March). In March 2014, the top two management positions at Casa Esperanza were laid off. Since that time, the shelter has been operating with a volunteer director.

In addition to the Community Development Block Grant and Human Services grants awarded to Casa Esperanza, the City contributes an annual allocation of General Fund monies to help support the emergency winter shelter (\$77,100 for Fiscal Year 2015).

During the City's Fiscal Year 2015 budget approval process, City Council approved an additional \$125,000 in General Fund support for the operation of their homeless shelter and related supportive services. Council authorized an initial disbursement totaling \$60,000, with the balance to be disbursed upon completion of an operational review conducted by the City of Santa Barbara and the County of Santa Barbara.

This agreement, totaling \$202,100, combines the \$77,100 winter shelter funding and the additional \$125,000 approved by Council.

A copy of the agreement is available in the City Clerk's office for public review and in the Council reading file for review by the Mayor and Councilmembers.

BUDGET/FINANCIAL INFORMATION:

Both the winter shelter and additional funding are included in the Fiscal Year 2015 General Fund budget.

PREPARED BY: Sue Gray, Community Development Business Manager

SUBMITTED BY: George Buell, Community Development Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Administration, Airport Department

SUBJECT: Introduction Of Ordinance For Purchase And Sale Agreement For Sale Of Land Located At 6100 Hollister Avenue

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 City Administrator to Execute the Purchase and Sale Agreement and Related Agreements Between the City of Santa Barbara and Direct Relief, a California nonprofit public benefit corporation, at a base price of \$25 per square foot of land area.

EXECUTIVE SUMMARY:

The City adopted the Airport Specific Plan, City Parcel Map No. 20,608, in 1997 which included the land north of Hollister Avenue incorporating a total of 88 acres. Since 1997 the Airport has received numerous unsolicited proposals for development of portions of this area and has issued two Requests for Proposals to develop a 15-acre parcel in the Specific Plan Area. All development efforts have been unsuccessful for a variety of issues, but primarily due to the Santa Barbara City Charter restriction that limits leases to 50 year terms.

The Airport, at Council direction, investigated developing the property independently. Although construction of small flexible buildings over a five-year interval in phases was possible, financing of the development would require outside financing and the debt service requirements did not provide for a realistic return on investment.

Direct Relief International has submitted a proposal to purchase Airport land at a "fair market value" to construct new offices and a warehouse. The sale of Airport land would set a precedent; however, the proceeds would provide the Airport with the funds necessary to construct debt-free industrial buildings, thereby strengthening the Airports revenue base.

DISCUSSION:

Property Description

The land at 6100 Hollister Avenue, bounded by Hollister Avenue, Frederic Lopez Road, Francis Botello Road and David Love Place, (Parcel 22 of the Airport Specific Plan [City Parcel Map No. 20,608], along with the adjacent 74 acres was transferred to the City by Grant Deed from the War Assets Department in 1949 to be used for the operation, maintenance and capital improvement of the Santa Barbara Airport.

This area has been leased for commercial industrial uses and is separated from the active airfield by Hollister Avenue. In 1983, the City requested that all land north of Hollister Avenue, 88 acres, be released from the FAA requirement that the land be used for aviation purposes. The Federal Aviation Administration approved the release on October 30, 1984 but maintained the requirement that the revenue generated from the land must be at "fair market value" and be used for the operation, maintenance and capital improvement of the Airport.

Development History

In 1997, Council approved the Airport Specific Plan to guide development of the Airport's commercial/industrial zoned property for light industrial and yard uses, commercial recreation, and economic development.

The Airport's efforts to develop this land in accordance with the Specific Plan via long-term lease included:

- 1997 and 2004 - two unsuccessful single tenant development Requests for Proposals
- 2007 – one industrial condo ownership proposal with up to 19 buildings
- 2009 – one 4-acre parcel for Verizon a maintenance and storage facility
- 2010 – one hotel proposal for a portion of the parcel
- 2004- 2010 – four proposals from Target for a retail facility
- 2010 – one proposal from Deckers Corporation for corporate offices

In all cases the proposals were unsuccessful for a variety of reasons, but one major limiting factor is the Charter requirement that any lease be limited to 50 years.

Airport Small Parcel Development

Based on the failure of long-term lease development, on June 15, 2010 Council directed staff to pursue the small parcel development for industrial and commercial tenants consistent with the approved Airport Specific Plan. This approach would continue the Airport's niche in small light industrial space and could be phased in over a period of years. Staff undertook a comprehensive feasibility study including a site layout plan,

stakeholder input on the market as well as political sensitivity, and examination of financial Proforma on leasing and self development for the potential development of this 15 acre parcel.

Local consultants designed a layout plan that fully utilized all available land on Parcel 22 resulting in 13 lots with buildings ranging in size from 6,000 – 15,000 square feet with required parking, landscaping, and on site drainage. Input from stakeholders, including UCSB, Goleta Chamber of Commerce, City of Goleta, local real estate brokers, and others indicated that there had not been any new industrial buildings constructed in the last 25 years and that the size and design would meet the needs for this market with small commercial/industrial units with expansion opportunities.

The financial Proforma was based on outside financing to construct the 13 buildings in four phases, at five-year intervals, assuming pre-leasing and full occupancy upon completion. While possible, this approach to development had a high risk, with a low 50-year return on investment.

Unsolicited Proposal from Direct Relief International (DRI)

Direct Relief, founded in Santa Barbara in 1948, is a nonprofit, nonpartisan organization that provides medical assistance to people around the world who have been affected by poverty, natural disasters, and civil unrest. DRI is currently located at 27 South La Patera Lane and also leases space in a warehouse across the street from DRI offices. DRI employs 57 staff and has 20-25 volunteers daily.

DRI is seeking to build a new state of the art facility consisting of approximately 125,000 square feet in size, of which 100,000 square feet would serve as warehouse and distribution (with 45 foot height) and 25,000 square feet would serve as offices. As is typically required for development in proximity to the Airport, an "Avigation easement" in favor of the City would be required at the time of development to protect the aviation rights at the Airport.

DRI would require 6 to 8.5 acres of land for the new facility which will be determined upon final survey when development plans are more fully prepared. DRI plans to initiate a fundraising campaign for the development project.

DRI and the City explored the option of a long-term 50-year lease on Parcel 22, however, leasing was not an option. DRI subsequently offered to purchase the land at an appraised market value.

FAA Consultation on Airport Land Sale

Inasmuch as the land north of Hollister Avenue was acquired by the military during WWII and conveyed to the City, staff contacted the Compliance Officer with the Los Angeles

Airport District Office to inquire if there were any FAA restrictions on the potential sale of Airport property.

FAA responded that with the 1984 Instrument of Release eliminating all airport/aviation obligations, the land could be sold and converted to another use. Proceeds from the sale must, however, be used for airport purposes.

Purchase and Sale Terms

Following FAA's reply, staff entered into negotiations with DRI regarding the possible sale of between 6 and 8.5 acres of land zoned for commercial industrial development. The following summarizes the key terms and conditions of the Purchase and Sale Agreement:

- **Purchase Price:** Twenty-five dollars (\$25) per square foot (net). This amount reflects the value determined in the City's February 2014 appraisal. Total purchase price will be determined based upon net square footage acquired by DRI but will range from \$6.5 to \$8.5 million. City appraisal may be updated 90-days prior to close of escrow. DRI may either (i) accept City's updated value, or (ii) update DRI's appraisal (\$20/sf) in which case the new purchase price is determined by the average between the two new opinions of value as follows: (i) if the average opinion of value is less than the original base purchase price, the original purchase price remains the purchase price, (ii) if the average is greater than the original purchase price by 10% or less, the average becomes the new purchase price (iii) if the average is more than 10% above the original purchase price, the purchase price is increased by 10%.
- **Deposit:** Within 30 days after execution of Purchase and Sale Agreement, DRI will deposit \$500,000 into escrow which, at the end of an 18-month feasibility period, becomes liquidated damages or returned to DRI if the transaction does not close escrow.
- **Feasibility Period:** 18-month period for DRI to conduct due diligence with regard to the property. Close of escrow 90-days after end of feasibility period. DRI may choose to terminate transaction or extend the 18-month due diligence period for an additional period of 6 months if DRI has not secured approval of all discretionary permits necessary to develop the property with its intended development.
- **Operation of Property:** The Airport shall continue to use property in the usual manner until close of escrow.
- **Right of First Offer:** After close of escrow, if DRI determines to sell the property, it must first offer sale property back to City. City may offer to re-purchase based upon the then appraised value less 10%. Disagreement on the value is to be resolved by the average of three values. After 21 years, and for 10 years thereafter, 10% reduction to repurchase price is decreased by 1%.

- **Community Support Payment:** 12 months after issuance of the certificate of occupancy, DRI shall begin making annual payments to the City in the amount of 12.5% of 1.03% of the sum of the purchase price plus the construction costs (example: \$20,000,000 x 12.5% x 1.03% = \$25,750) increased annually by 2%. The payment is a personal obligation of DRI and terminates upon sale of the property.
- **Access Road:** DRI shall construct, or pay the City the sum of \$473,000 to construct, an access road in accordance with City standards extending from Frederick Lopez Road along the southern frontage of the purchased property. City shall reimburse DRI 50% of the road construction cost upon construction and occupancy of any structures located between the access road and Hollister Avenue on City-retained property.

Utilities: Water service shall be provided to the property by the Airport through a sub-meter connected to the City's meter connection to Goleta Water District. Sewer service shall be provided to the property by the City and connected through the City's facilities to the Goleta Sanitary District.

The Purchase and Sale Agreement and related agreements are available for public review at the City Clerk's Office and at Airport Administration.

Environmental Review

The City's Environmental Analyst has determined that the sale of this City land is categorically exempt from Environmental Review under California Environmental Quality Act Sec. 15312 (MST2011-00255).

Impact of Sale on Airport

While the proposed sale of Airport land is unprecedented, it would provide the necessary space for DRI, a long established local non-profit, to construct a state-of-art facility meeting DRI's unique space needs not available in other facilities.

Equally important to the City, the proceeds from the sale will allow the Airport to begin building out of the remaining land with light industrial uses, thereby strengthening the Airport's revenue base with debt-free buildings.

Escrow

Upon approval of the Purchase Agreement, an escrow account will be opened and administered by Fidelity National Title Company. Title insurance costs will be provided by the City. Upon close of escrow, and the effective date of the approving ordinance, Fidelity National Title Company will be authorized to record the Grant Deed in the Official Records, Santa Barbara County, and transfer of title will be completed.

Council Agenda Report
Introduction Of Ordinance For Purchase And Sale Agreement For Sale Of Land Located
At 6100 Hollister Avenue
August 5, 2014
Page 6

SUBMITTED BY: Hazel Johns, Airport Director

APPROVED BY: City Administrator's Office

ORDINANCE NO. _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE PURCHASE AND SALE AGREEMENT AND RELATED AGREEMENTS BETWEEN THE CITY OF SANTA BARBARA AND DIRECT RELIEF, A CALIFORNIA NONPROFIT PUBLIC BENEFIT CORPORATION, AT A BASE PRICE OF \$25 PER SQUARE FOOT OF LAND AREA.

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

SECTION 1. In accordance with the provisions of Section 521 of the Charter of the City of Santa Barbara, that certain Purchase and Sale Agreement and those certain agreements related thereto, by and between the City of Santa Barbara and Direct Relief, A California Non-profit Public Benefit Corporation, regarding the sale of certain real property located at 6100 Hollister Avenue and legally described in Exhibit "A," attached hereto and incorporated herein by this reference, are hereby approved.

SECTION 2. The City Administrator, or designee, is hereby directed and authorized to execute all such documents as approved by the City Attorney and as necessary to carry out such transaction.

SECTION 3. Upon close of escrow, and upon the effective date of this Ordinance, Fidelity National Title Company, is authorized to record the Grant Deed in the Official Records, in the office of the County Recorder, Santa Barbara County.



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Stage Two Drought Update

RECOMMENDATION:

That Council receive an update on the status of the current drought.

DISCUSSION:

On February 11, 2014, Council declared a Stage One Drought and asked customers to reduce water use by 20%. Council requested that staff keep them informed and report back monthly with a status update on the City's water supplies, conservation efforts, and current work efforts. On May 20, 2014, Council declared a Stage Two Drought in response to a continued water shortage forecasted for next year and the inability of the community to reduce water usage by 20%. This report will cover the following items:

- *Water Supply Outlook*
- *Supplemental Water*
- *Potential Penalties for High Water Usage*
- *Drought Response Capital Projects*
- *Conservation Efforts*

The Water Supply Outlook remains unchanged from the June 24, 2014 Drought Update presentation. There is no significant rain projected in the coming months, and staff continues to work on securing additional supplemental water, accelerating drought related capital projects, and sustaining a strong message for extraordinary conservation. The most recent water conservation numbers for June 2014 show the community reduced their water usage by 15%. This is very promising news, and Staff is hopeful that, with the new drought rates that went into effect on July 1, 2014, the community will be successful at meeting and sustaining the 20% target.

The City has secured, or is under contract for delivery of, sufficient supplemental water to meet the projected shortages for next year, assuming the community can achieve a 20% reduction. In the last month, the Central Coast Water Authority, on behalf of the

City, has been negotiating a purchase of supplemental water from the Mojave Water Agency. The City's portion, approximately 535 AF, is currently stored in the San Luis Reservoir, which will make for easy delivery once the agreement is finalized. Staff will continue to look for additional opportunities to acquire supplemental water.

With the concern that the community might be challenged to meet the 20% goal, Council requested that staff investigate the use of penalties for high water use. As part of our presentation, staff will go into detail on what procedural steps would need to be taken to implement penalties.

The City Attorney has advised that pursuant to California Water Code section 375 the City Council may adopt a "water conservation program" which includes misdemeanor criminal penalties for violations. This power also exists under the City's charter-based municipal affairs authority. Adoption of the water conservation program ordinance under the state law must be preceded by notice and a hearing, appropriate findings of necessity must be included, and the ordinance must be published in a newspaper of general circulation. The penalties may be up to \$1000 in fines and/or thirty days in jail (although the penalties may be lower depending upon the Council's judgment). From a practical viewpoint, a water conservation program should include quantitative water use restrictions in order to be readily enforceable.

Staff is moving forward with the design and construction of capital work to assist with water supply during the drought. This includes the acceleration of groundwater well replacement and those projects that use poor quality groundwater in place of potable water for irrigation. The City has experienced several groundwater well equipment failures, which has prompted the need for emergency equipment procurement. Once staff has more information, we will bring this item to Council for an after-the-fact approval of the emergency purchase orders.

Staff has increased the water conservation outreach program through an enhanced drought media campaign: additional targeted outreach, including increased weekly messaging through social media, online news outlets, and industry contacts; presentations to community and industry groups; additional printed materials with drought messaging; targeted utility bill messaging; drought signage at City facilities; and additional trainings and workshops.

PREPARED BY: Joshua Haggmark, Water Resources Manager/JH/mh

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 2014
TO: Mayor and Councilmembers
FROM: City Attorney's Office
SUBJECT: Conference With City Attorney – Pending Litigation

RECOMMENDATION:

That Council hold a closed session to consider pending litigation pursuant to Government Code section 54956.9(d)(1) and take appropriate action as needed.

The pending litigation is *People of the State of California, City of Santa Barbara v. Eastside, Westside, et al.*, SBSC Case No. 1379826.

SCHEDULING: Duration, 30 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: August 5, 2014
TO: Mayor and Councilmembers
FROM: City Attorney's Office
SUBJECT: Conference With City Attorney – Pending Litigation

RECOMMENDATION:

That Council hold a closed session to consider pending litigation pursuant to subsection (d)(1) of section 54956.9 of the Government Code and take appropriate action as needed.

The pending litigation is *Frank Banales, Sebastian Aldana, Jr., Jacqueline Inda, Cruzito Herrera Cruz, and Benjamin Cheverez, v. City of Santa Barbara, et al.*, SBSC Case No.1468167.

SCHEDULING: Duration, 15 minutes; anytime
REPORT: None anticipated
SUBMITTED BY: Ariel Calonne, City Attorney
APPROVED BY: City Administrator's Office



Agenda Item No. 26

File Code No. 440.05

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 5, 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