

**CITY OF SANTA BARBARA  
CITY COUNCIL**

**Randy Rowse**  
*Mayor*

**Meagan Harmon**  
*Mayor Pro Tempore*

**Kristen W. Sneddon**  
*Ordinance Committee Chair*

**Eric Friedman**  
*Finance Committee Chair*

**Alejandra Gutierrez**  
**Oscar Gutierrez**  
**Mike Jordan**



**Rebecca Bjork**  
*City Administrator*

**Ariel Pierre Calonne**  
*City Attorney*

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

**APRIL 12, 2022, 2:00 PM  
AGENDA**

**IN-PERSON PUBLIC COMMENT:** At the beginning of each meeting of the City Council, Finance Committee, or Ordinance Committee, 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. Each speaker will be given a total of 3 minutes to address the Council. Pooling of time is not allowed during general public comment. The time allotted for general public comment at the beginning of the 2:00 p.m. session is 30 minutes. Any member of the public who did not speak during the 2:00 p.m. session but who submitted a request to do so during the 2:00 30 minute session may do so at the end of the meeting when the additional "Public Comment (If Necessary)" is announced. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

**REMOTE PUBLIC COMMENT:** Members of the public wishing to speak must "raise their hand" in the Zoom platform by selecting the virtual hand icon when their item is called. The keyboard shortcut for this is Alt+Y for Windows and Option+Y for Macs. City staff will activate the speaker's microphone when the speaker's name is called. The speaker will then need to unmute themselves. The keyboard shortcut for this is Alt+M for Windows or Command-Shift-A for Macs.

**HOW TO REMOTELY OBSERVE AND/OR SPEAK LIVE AT A MEETING**

- **Web:** [https://santabarbaraca.gov.zoom.us/webinar/register/WN\\_BHXU9bk1SWq0ntGHplRq0Q](https://santabarbaraca.gov.zoom.us/webinar/register/WN_BHXU9bk1SWq0ntGHplRq0Q)  
(Participation via Zoom)
- **Telephone:** Dial 1-669-900-6833, Enter Webinar ID: 948 7481 3299  
(press \*9 to raise/lower hand; press \*6 to mute/unmute)
- **Online Streaming:** Council meetings are streamed live at [www.SantaBarbaraCA.gov/CAP](http://www.SantaBarbaraCA.gov/CAP)
- **TV:** Each regular City Council meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at [www.santabarbaraca.gov/citytv](http://www.santabarbaraca.gov/citytv) for rebroadcasts of Finance and Ordinance Committee meetings.

**WRITTEN PUBLIC COMMENT:** Public comments may also be submitted via email to [Clerk@SantaBarbaraCA.gov](mailto:Clerk@SantaBarbaraCA.gov) prior to the beginning of the Council Meeting. All public comments submitted via email will be provided to City Council and will become part of the public record.

**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.

**(CONTINUED ON NEXT PAGE)**

**REPORTS:** Copies of the reports relating to agenda items are available for review at <http://www.SantaBarbaraCA.gov/CAP>. 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") online at the City's website (<http://www.SantaBarbaraCA.gov/CAP>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are posted to the City's website as soon as reasonably feasible.

**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 or raise your hand in Zoom at the time the Council considers the Consent Calendar.

**SPANISH INTERPRETATION:** If you need interpretation of your communications to Council from Spanish into English, please contact the City Clerk's Office at 564-5309 or by email at [Clerk@SantaBarbaraCA.gov](mailto:Clerk@SantaBarbaraCA.gov). If possible, notification of at least 48 hours will usually enable the City to make arrangements.

**INTERPRETACIÓN EN ESPAÑOL:** Si necesita una interpretación del español al inglés, para sus comunicaciones al Consejo, comuníquese con la Oficina del Secretario Municipal al 564-5309, o por correo electrónico a [Clerk@SantaBarbaraCA.gov](mailto:Clerk@SantaBarbaraCA.gov). Si es posible, la notificación de al menos 48 horas generalmente permitirá a la Ciudad hacer los arreglos.

**AMERICANS WITH DISABILITIES ACT:** If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, please contact the City Administrator's Office at 564-5305 or by email at [Clerk@SantaBarbaraCA.gov](mailto:Clerk@SantaBarbaraCA.gov). If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. For those who need accessibility accommodation in using the "raise hand" function and/or registering to participate in the Zoom session, please contact the Clerk's office by 5:00 p.m. the day before the meeting for assistance. Additionally, a speaker may email [Clerk@SantaBarbaraCA.gov](mailto:Clerk@SantaBarbaraCA.gov) by 5:00 p.m. the day before a meeting, stating which item they wish to speak on. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

## APRIL 12, 2022 AGENDA

### ORDER OF BUSINESS

12:00 p.m. - Special Ordinance Committee Meeting, Council Chamber; participation in person or via Zoom; instructions below

- **Web:** (Participation via Zoom)  
Please complete the Zoom registration questions stating which item you wish to speak on.  
[https://santabarbaraca.gov.zoom.us/webinar/register/WN\\_CSDhRPpETFuzfPTJ\\_WB5IA](https://santabarbaraca.gov.zoom.us/webinar/register/WN_CSDhRPpETFuzfPTJ_WB5IA)
- **Webinar ID:** 834 6595 9170
- **Telephone:** Dial 1-669-900-6833, Enter Webinar ID: 834 6595 9170

2:00 p.m. - City Council Meeting; public comment in person or via Zoom platform; Instructions on Page 1

### **SPECIAL ORDINANCE COMMITTEE MEETING - 12:00 P.M. IN THE COUNCIL CHAMBER (120.03)**

**Subject: An Ordinance To Amend The Municipal Code To Allow For Electronic Bidding And Bidder Prequalification (120.03)**

Recommendation: That the Ordinance Committee consider proposed amendments to Municipal Code Chapter 4.52 pertaining to electronic bidding and bidding prequalification and forward the ordinance to City Council for introduction and adoption.

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

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

### **CEREMONIAL ITEMS**

- 1. Subject: National Public Safety Telecommunicators Week April 10-16, 2022**
- 2. Subject: National Poetry Month - April 2022**
- 3. Subject: Employee Recognition – Service Award Pins (120.04)**

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 April 30, 2022.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

### **CONSENT CALENDAR**

- 4. Subject: Minutes**

Recommendation: That Council waive reading and approve the minutes of the regular meetings of April 20, 2021; April 27, 2021; May 4, 2021; May 11, 2021; May 18, 2021; October 12, 2021; March 15, 2022 and the minutes of the special meetings of April 27, 2021; May 3, 2021; May 5, 2021; May 7, 2021; May 10, 2021; May 18, 2021; May 19, 2021; June 9, 2021; June 21, 2021; October 12, 2021; March 10, 2022; and March 15, 2022.

- 5. Subject: Adoption Of Ordinance Approving The 2021-2023 TAP Memorandum Of Understanding (440.02)**

Recommendation: That Council adopt the Memorandum of Understanding between the City and the Service Employees' International Union, Local 620, Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units, for the period of October 1, 2021 through September 30, 2023, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Adopting the 2021-2023 Memorandum of Understanding Between the City of Santa Barbara and the Patrol Officers' and Treatment Plants' Bargaining Units (TAP Units).

**6. Subject: Introduction Of An Ordinance Adopting An Equipment Use Policy Per Assembly Bill 481 (520.04)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting a Military Equipment Use Policy for the Santa Barbara Police Department.

**7. Subject: Adoption Of A Resolution Authorizing The Allocation Of The City's Share Of Transportation Development Act Funds For Bicycle And Pedestrian Projects (530.04)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of \$98,892 in Transportation Development Act Funds for Fiscal Year 2023.

**8. Subject: Adoption Of Resolution Regarding Appropriations For Best Interest Waiver With Venco Power Sweeping Inc. For Commercial Street Sweeping (530.04)**

Recommendation: That Council:

- A. Find it in the City's best interest to waive the formal bid process as authorized by Municipal Code Section 4.52.070(L) – Best Interest Waiver, and authorize the General Services Manager to issue a purchase order to Venco Power Sweeping Inc., as the City's commercial street sweeping vendor for the duration of the bid contract term; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 21-045, Adopting the Budget for Fiscal Year 2022, to Provide Additional Appropriations for Commercial Street Sweeping.

**9. Subject: Professional Services Agreements With Hiltachk Marketing Group For Marketing Of Commercial Air Services At Santa Barbara Airport (330.04)**

Recommendation: That Council:

- A. Authorize the Airport Interim Director to amend Professional Services Agreement 25,939 with Hiltachk Marketing Group to increase the contract amount by \$50,000 for a not to exceed amount of \$420,000;
- B. Authorize the Airport Interim Director to enter into an one year Professional Services Agreement with Hiltachk Marketing Group in for an amount not to exceed \$150,000 commencing on July 1, 2022; and
- C. Approve an increase in FY 2022 appropriations in the Airport Operating Fund in the amount of \$200,000, funded from reserves, for the services of Hiltachk Marketing Group.

**10. Subject: Approval Of Agreement With R3 Consulting Group, Inc. To Conduct A Competitive Procurement Process For Franchise Solid Waste Collection Services (630.01)**

Recommendation: That Council authorize the Sustainability and Resilience Director to execute a Professional Services Agreement with R3 Consulting Group, Inc. for consulting services in the amount of \$149,550 and approve expenditures of up to \$14,955 for extra services that may result from necessary changes in the scope of work.

**11. Subject: First Amendment To Agreement With The National Association Of Civilian Oversight Of Law Enforcement (NACOLE) (520.01)**

Recommendation: That Council:

- A. Approve and authorize the City Administrator to execute an amendment to the agreement (Professional Services Agreement #22100254) with NACOLE increasing the contract amount by \$20,000, for a total not to exceed \$55,000.
- B. Appropriate \$20,000 of General Fund Reserves.

**12. Subject: Amendment To Increase The Contract Design Services For The El Estero Water Resource Center Chlorine Contact Chamber Rehabilitation Project (540.13)**

Recommendation: That Council authorize the Public Works Director to execute Amendment No. 1 to City Professional Services Agreement No. 26,887 with Stantec Consulting Services, Inc., for design services for the El Estero Water Resource Center Chlorine Contact Chamber Rehabilitation Project, in the amount of \$34,350, for a total contract expenditure authority of \$214,173.

**13. Subject: Reallocation Of Returned Community Development Block Grant Funding To Other Eligible Projects (610.05)**

Recommendation: That Council:

- A. Approve reallocation of \$71,167 in Community Development Block Grant (CDBG) funds from Program Year 2021;
- B. Authorize the Community Development Director to execute an Amendment to Agreement No. 26,973 with the Parks and Recreation Department increasing the CDBG grant by \$21,167; and
- C. Authorize the Community Development Director to execute an Amendment to Agreement No. 26,712 with Transition House increasing the CDBG grant by \$50,000.

**14. Subject: Designation Of Proposed Development At 540 W. Pueblo Street (Cancer Center Of Santa Barbara) As A Community Benefit Project (610.01)**

Recommendation: That Council designate the proposed project at 540 W. Pueblo Street as a Community Benefit Project pursuant to Santa Barbara Municipal Code Chapter 30.170 and allocate 1,614 square feet (net) of nonresidential floor area to the project from the Nonresidential Growth Management Program's Community Benefit Category.

**15. Subject: Recruitment For City Advisory Groups (640.01)**

Recommendation: That Council:

- A. Authorize and direct the City Clerk's Office to accept applications through Monday, May 9, 2022, at 5:00 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Thursday, April 21, 2022;
- B. Direct scheduling of City Council interviews of applicants for vacancies on various City Advisory Groups on Tuesday, May 24, 2022, at 4:00 p.m. (Estimated Time), Tuesday, June 7, 2022, at 4:00 p.m. (Estimated Time), and Tuesday, June 14, 2022, at 6:00 p.m. (Estimated Time); and
- C. Direct scheduling of City Council appointments to fill the vacancies on various City Advisory Groups on Tuesday, June 28, 2022.

**16. Subject: Set A Date For Public Hearing Regarding Single Family Design Board's Project Design Approval For 1460 La Cima Rd (640.07)**

Recommendation: That Council:

- A. Set the date of May 24, 2022, at 2:00 p.m. for hearing the appeal filed by Beth Collins of the Single Family Design Board's Project Design Approval of a 1,987 square foot single-story residence and construction of a new 742 square foot, two-car garage, with a 611 square foot Accessory Dwelling Unit (ADU) above; and
- B. Set the date of May 23, 2022, at 1:30 p.m. for a site visit to the property located at 1460 La Cima Rd.

This concludes the Consent Calendar.

**REPORT FROM THE ORDINANCE COMMITTEE**

**CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

## CITY ATTORNEY

### **17. Subject: Introduction Of An Ordinance Approving The Electoral Redistricting Map Referred By The Independent Redistricting Commission (110.03)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Uncodified Ordinance of the Council of the City of Santa Barbara Approving the 2020 Census Electoral District Map as Referred by the Independent Redistricting Commission Pursuant to City Charter Section 1301.

## COMMUNITY DEVELOPMENT DEPARTMENT

### **18. Subject: Update On Efforts To Address Homelessness And Its Related Impacts In The City Of Santa Barbara (660.04)**

Recommendation: That Council receive an update on the City's and partnering agencies' actions to address homelessness.

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

## **PUBLIC COMMENT (IF NECESSARY)**

## **ADJOURNMENT**

## CITY OF SANTA BARBARA

### **ORDINANCE COMMITTEE MEETING**

#### SPECIAL MEETING AGENDA

DATE: April 12, 2022  
TIME: 12:00 p.m.  
PLACE: Council Chambers

Kristen W. Sneddon, Chair  
Oscar Gutierrez  
Mike Jordan

Office of the City  
Administrator

Office of the City  
Attorney

Nicole Grisanti  
Supervisor, City Administrator's Office

Ariel Pierre Calonne  
City Attorney

Members of the public may participate in person or via Zoom. Zoom instructions are below.

- **Web:** (Participation via Zoom)  
**Registration Link**

Register in advance for this webinar:

[https://santabarbaraca.gov.zoom.us/webinar/register/WN\\_CSDhRPpETFufzPTJ\\_WB5IA](https://santabarbaraca.gov.zoom.us/webinar/register/WN_CSDhRPpETFufzPTJ_WB5IA)

Webinar

ID: 834 6595 9170

After registering, you will receive a confirmation email containing information about joining the webinar.

**Telephone:** Dial 1-669-900-6833, Enter Webinar ID: 834 6595 9170

- (press \*9 to raise/lower hand; press \*6 to mute/unmute)

**PUBLIC COMMENT:** Members of the public wishing to speak must “raise their hand” in the Zoom platform by selecting the virtual hand icon when their item is called. When persons are called on to speak, their microphone will be activated by City staff and the speaker will be notified that they can now unmute themselves in order to begin speaking. The speaker will then need to unmute themselves by selecting the ‘mute/unmute’ icon or pressing Option+Y for MAC users or Alt+Y for Windows users on their keyboard.

For those who need accessibility accommodation in using the “raise hand” function and/or registering to participate in the ZOOM session, please contact the City Administrator's Office by 5:00 p.m. the day before the meeting for assistance. Additionally, a speaker may email [NGrisanti@SantaBarbaraCA.Gov](mailto:NGrisanti@SantaBarbaraCA.Gov) by 5:00 p.m. the day before a meeting, stating the item on which they wish to speak.

ITEMS FOR CONSIDERATION

**SUBJECT:** An Ordinance To Amend The Municipal Code To Allow For Electronic Bidding And Bidder Prequalification

**RECOMMENDATION:**

That the Ordinance Committee consider proposed amendments to Municipal Code Chapter 4.52 pertaining to electronic bidding and bidding prequalification and forward the ordinance to City Council for introduction and adoption.



# **CITY OF SANTA BARBARA**

## **ORDINANCE COMMITTEE AGENDA REPORT**

**AGENDA DATE:** April 12, 2022

**TO:** Ordinance Committee

**FROM:** City Administrator

**SUBJECT:** An Ordinance To Amend The Municipal Code To Allow For Electronic Bidding And Bidder Prequalification

### **RECOMMENDATION:**

That the Ordinance Committee consider proposed amendments to Municipal Code Chapter 4.52 pertaining to electronic bidding and bidder prequalification and forward the ordinance to City Council for introduction and adoption.

### **DISCUSSION:**

The Santa Barbara Municipal Code Chapter 4.52 establishes the City's purchasing system and procurement processes and procedures. The proposed ordinance makes clean-up and technical amendments to Sections 4.52.050, 4.52.070, 4.52.160, and 4.52.165 primarily related to the City's use of an electronic bidding platform. The use of electronic bidding has become a standard forum for the solicitation and receipt of bids and responses to requests for proposals and increases the pool of prospective contractors and competitive bidding. The proposed ordinance also adds Section 4.52.210 to authorize the use of bidder prequalification for major Public Works projects. Prequalification is particularly helpful for major projects because it allows the bidder's responsibility and qualifications to perform work to be determined before submission of bids.

City Charter Section 519 and Municipal Code Chapter 4.52 require that Public Works contracts be awarded to the lowest responsible bidder who submits a responsive bid. In most cases, the determination of bidder responsibility is done after the submission of bids. Because responsibility relates to bidder qualification, the law requires that the bidder be given notice and an opportunity to be heard before the bidder is determined to be not responsible. This can result in substantial delays in awarding a contract. On the other hand, bids that are not responsive can be summarily rejected. The recommended addition of Section 4.52.210, will allow for the establishment of procedures for the prequalification of bidders for Public Works projects. Authority to establish the procedures would be delegated to the Public Works Director for construction contracts subject to Charter Section 519 and to the Purchasing Agent for Public Works maintenance and repair

contracts. Section 4.52.210 would require that a prequalification notice inviting prequalification information from prospective bidders to be publicly advertised in the same manner as invitations for bids. This assures that all prospective bidders are given the opportunity to prequalify. The Section also establishes a hearing process consistent with due process for prospective bidders to contest a negative prequalification determination.

Under proposed Section 4.52.210 a prequalification determination may take into account:

- The bidder's experience in performing work similar to what will be called for under the contract documents;
- The experience of others having contracted with a prospective bidder on similar projects;
- A bidder's physical plant, facilities, and equipment proposed to employ in the performance of the work;
- The experience and expertise of a bidder's responsible managing personnel, key staff members, and other employees who would be assigned to the work;
- The bidder's financial capability, capability to procure appropriate insurance and bonding, and resources to perform the proposed work;
- Other factors bearing on the responsibility of a prospective bidder that is specified in the prequalification notice.

Staff anticipates that prequalification would be used only for larger projects, such as the construction of the new police facility.

The recommended amendments to 4.52.070, 4.52.160, and 4.52.165 are intended to update the contract bidding process to expressly include the use of electronic bidding and to provide that notices of the bid can be given electronically and through other broad advertising methods. This notice would be added to the publication in a newspaper of general circulation as required by Section 519 of the City Charter. Sections 4.52.055, 4.52.160, and 4.52.165 also contain technical and clean-up amendments.

#### **BUDGET/FINANCIAL INFORMATION:**

This action does not have a budget/financial impact on the City.

**ATTACHMENT:** Draft Amendments to Chapter 4.52 of the Municipal Code

**PREPARED BY:** Ashleigh A. Shue, P.E., Interim City Engineer/LY/sk  
William Hornung, General Services Manager

**SUBMITTED BY:** Clifford M. Maurer, P.E., Public Works Director  
Keith DeMartini, Finance Director

**APPROVED BY:** City Administrator's Office

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA AMENDING THE MUNICIPAL CODE  
BY AMENDING SECTIONS 4.52.055, 4.52.070, 4.52.160,  
4.52.165 RELATING TO BIDDING AND BY ADDING  
SECTION 4.52.210 RELATING TO PREQUALIFICATION  
OF BIDDERS

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

SECTION 1. Section 4.52.055 of Chapter 4.52 of Title 4 of the Santa Barbara  
Municipal Code is amended to read as follows:

**4.52.055 Exceptions to Competitive Bidding.**

A. ~~The following purchases of equipment, supplies, and services are exempt  
from the competitive bidding requirements specified in Section 4.52.060 or 4.52.070 of  
this Chapter to the extent such purchases are within the budget approved by the City  
Council. The City Administrator is authorized to negotiate and contract for such  
equipment, supplies, and services within the scope of appropriations approved by the City  
Council without complying with the competitive bidding requirements of Section 4.52.060  
or 4.52.070 as provided in this Section.~~ subject to the conditions as specified below:

B. This Section applies to the following categories of purchases:

1.A. ~~Purchases of a~~ Advertising services (print, television, radio, internet,  
etc.); ~~upon a showing that the proposed services are a cost effective means of reaching  
the targeted audience.~~

2B. Software licenses, technical support, and maintenance renewals;  
~~where the software has been shown to have continuing value to the operation of the City  
organization.~~

3G. Housing and furniture rental for police department cadets;<sub>i</sub>-

4D. Subscriptions, periodicals, dues, and memberships;<sub>i</sub>-

5E. Conferences, trainings, and seminars;<sub>i</sub>-

6F. Postage;<sub>i</sub>-

7G. Purchases from other government entities or public utilities;<sub>i</sub>-

~~H. — Emergencies. See Sections 4.52.080 and 4.52.085 below.~~

8I. Rental or leasing of facilities;<sub>i</sub>-

9J. Real property/real estate purchases;<sub>i</sub>-

10. Temporary employment services, including hiring of temporary employees.

C. The City Administrator may delegate in writing the authority under this Section.

SECTION 2. Section 4.52.070 of Chapter 4.52 of Title 4 of the Santa Barbara Municipal Code is amended to read as follows:

**4.52.070 Formal Contract Procedures (Purchases Greater than \$75,000.00).**

A. REQUISITION. Purchases of supplies via Purchase Orders or Blanket Purchase Orders, general services, and equipment, of a value greater than \$75,000.00 shall be made pursuant to this Section, except as otherwise authorized by this Chapter. All departments of the City shall submit requests for equipment, supplies, and general services to the Purchasing Agent by standard City requisition forms.

B. NOTICE INVITING BIDS. The Purchasing Agent shall issue a notice inviting bids that includes a general description of the articles to be purchased or the services sought, states where the bid forms and specifications may be secured, and

announces the time and place for opening bids.

1. ~~Published Notice.~~ Notices inviting bids shall be ~~shall be published at least 10 working days before the date of opening of bids. Notices shall be published at least once in a newspaper of general circulation, published in the City of Santa Barbara.~~ publicly advertised not less than 14 days before the date of opening of bids by at least one of the following methods:

a. Publication at least once in a newspaper of general circulation published in the City;

b. Publication in an electronic bidding system established by the Purchasing Agent;

c. Distribution in such other manner determined by the Purchasing Agent to be appropriate under the circumstances.

2. Upon advertisement as provided in Paragraph 1, ~~All~~ Notices inviting bids ~~or a link to the notices shall be publicly accessible posted to~~ through a link posted on the City's webpage.

3. Bidders' List. The Purchasing Agent shall also solicit sealed bids from all responsible prospective suppliers whose names are on the City's bidders' list or who have requested their names to be added thereto.

C. BIDDERS' SECURITY. When deemed necessary by the Purchasing Agent, bidders' security may be required. Bidders shall be entitled to a return of bid security upon execution of the contract or upon the re-advertisement for bids, provided that the successful bidder shall forfeit his or her bid security upon refusal or failure to

execute the contract within 10 days after notice of contract has been deposited in the United States mail. The City Council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the City Council awards the contract to the next lowest responsible bidder, the bidder first awarded the contract shall forfeit only the portion of his or her security which is equal to the difference between his or her bid and the bid of the next lowest responsible bidder. If the next lowest responsible bidder is awarded the contract, he or she shall forfeit his or her bid security if he or she fails or refuses to execute the contract.

D. BID OPENING PROCEDURE. Bids may be submitted in physical form or electronically through an electronic bidding platform established by the Purchasing Agent, as specified in the notice inviting bids. ~~Physical bBids shall be submitted to the Purchasing Agent in a manner that conceals the bid until the time of opening of all bids. sealed envelope and shall be identified as "bid" on the envelope. Bids submitted electronically shall be identified as "bid" in the subject line of the e-mail or by other conspicuous method.~~ Bids shall be opened at a location open to the public at the time and place stated on the notice inviting bids or as may otherwise be announced to all bidders. A tabulation of all bids received shall be open for public inspection during regular City business hours for a period of not less than 30 calendar days after the bid opening. The manner of submission and the time and location of bid opening shall be stated in the notice inviting bids.

E. REJECTION OF BIDS. In its discretion, the City Council may reject any and all bids presented and re-advertise for bids pursuant to the procedure described herein. In cases where the Purchasing Agent is authorized to award a contract, the

Purchasing Agent may, in his or her discretion, reject any and all bids presented and re-advertise for bids pursuant to the procedure described herein.

F. AWARD OF CONTRACTS. Contracts shall be awarded by the City Council to the lowest responsible bidder who submits a bid responsive to the specifications except as otherwise provided herein.

G. AWARD OF CONTRACTS BY PURCHASING AGENT. The Purchasing Agent is authorized to award contracts to the lowest responsible bidder when the City Council has approved a Departmental budget that includes funds specifically for the purchase of the item(s) and the amount of the award is not more than the budgeted amount.

H. TIE BIDS. If two or more bids received are for the same total amount or unit price, quality, service and delivery being equal, and if the public interest will not permit the delay of re-advertising for bids, the City Council shall award a contract: after negotiation with the bidders who were tied at the time of the bid opening; giving preference the local bidder (maintains a business within the City limits); or by lottery when tied bidders are not local or all are local.

I. NO BIDS RECEIVED. If no bids are received within 10 days of the publication of the notice inviting bids or such other time specified in the notice inviting bids for the receipt of bids, the Purchasing Agent may either publish a new notice inviting bids or solicit bids without further publication.

J. PERFORMANCE SECURITY. The Purchasing Agent shall have the authority to require a performance security before entering into a contract in such amount as he or she shall find reasonably necessary to protect the best interests of the City. If

the Purchasing Agent requires a performance security, the form and amount of the security shall be described in the terms, conditions or general provisions of bid documents.

K. SOLE SOURCE PURCHASES. Purchases of goods or services which can be obtained from only one source may be made by the Purchasing Agent without advertising and after a determination by the City Council that the goods or services are only available from one source and approval of the purchase by the City Council.

L. BEST INTEREST WAIVER. The City Council may authorize purchase of equipment, supplies, and general services without complying with the above procedures when, in the opinion of the Council, compliance with the procedure is not in the best interest of the City.

M. ENCUMBRANCE OF FUNDS. Except in cases of emergency, the Purchasing Agent shall not issue any purchase order for equipment, supplies, or services for which there is an insufficient appropriation in the budgetary account against which said purchase is to be charged.

SECTION 3. Section 4.52.160 of Chapter 4.52 of Title 4 of the Santa Barbara Municipal Code is amended to read as follows:

**4.52.160 Public Works Contracts – Prevailing Wage.**

~~A. COMPLIANCE WITH THE CHARTER. Bidding and advertising and award of contracts for public works, excluding maintenance and repair, shall be as required by Section 519 of the City Charter.~~

~~\_\_\_\_\_ AB. PREVAILING WAGES REQUIRED IN COMPLIANCE WITH SB 7.~~ The state prevailing wage law requires contractors on public works projects to be paid the general prevailing rate of per diem wages for work of a similar character in the locality in which the work is performed. Under California Constitution Article XI, Section 5, the laws of chartered cities supersede state law with respect to municipal affairs of the City. The City of Santa Barbara is a chartered city duly organized and validly existing under the laws of the State of California, and thus the City may exempt itself from prevailing wage requirements. ~~California Senate Bill No. 7 ("SB 7"), approved October 13, 2013, Labor Code § 1782~~ provides that the state has limited financial resources and resolves only to extend financial assistance to construction projects of those chartered cities that require compliance with the prevailing wage law on all their municipal construction projects. ~~Effective January 1, 2015, unless the contract was advertised for bid prior to that date, Under Labor Code § 1782,~~ chartered cities are additionally disqualified from receiving financial assistance ~~under SB 7~~ if the Ccity has awarded, ~~within the prior two years,~~ a public works contract without requiring the contractor to comply with prevailing wage requirements. Chartered cities that have charter provisions exempting Ccity projects from prevailing wage requirements may adopt a local prevailing wage ordinance with requirements equal to or greater than state prevailing wage law in order to avoid disqualification. Since approximately 1990, the City has generally required prevailing wages to be paid on capital improvement projects. Compliance with ~~SB 7~~Labor Code § 1782, ~~however,~~ requires the adoption of an ordinance and the payment of prevailing wages beyond capital improvement projects to include maintenance and repair work, as described in the Labor Code. Notwithstanding the City's constitutional right to exempt

locally funded projects from prevailing wage, the City Council finds that the City's financial interests are best served by complying with California's prevailing wage law.—as delineated in SB 7.

\_\_\_\_\_BG. Prevailing wages shall be paid on all public works contracts in accordance with the Labor Code unless otherwise exempted by Labor Code Section § 1782 (SB 7).

\_\_\_\_\_CD. The provisions of this Chapter do not restrict the City from receiving or using state funding or financial assistance awarded prior to January 1, 2015, or from receiving or using state funding or financial assistance to complete a contract awarded prior to January 1, 2015. Further, this Chapter does not disqualify or amend any contracts awarded prior to January 1, 2015.

\_\_\_\_\_DE. If ~~SB 7~~ Labor Code § 1782 is, for any reason, is held to be invalid or inapplicable to charter cities by any court of competent jurisdiction or is otherwise repealed, this ~~chapter~~ Section shall automatically sunset and be of no further effect immediately thereafter.

SECTION 4. Section 4.52.165 of Chapter 4.52 of Title 4 of the Santa Barbara Municipal Code is amended to read as follows:

**4.52.165 Public Works Contracts - Bidding.**

A. ~~Bidding and advertising and award of contracts for public works, excluding maintenance and repair, shall be as required by Section 519 of the City Charter~~ The Public Works Director may promulgate procedures and requirements for notice, submission, and protest of bids consistent with Section 519 of the City Charter, including use of electronic bidding. Notice of bids may be given in any manner, determined by the Public Works

Director to be appropriate under the circumstances, in addition to notice by publication as required by Section 519.

B. ~~Section 519 of the City Charter provides that certain~~ Contracts for construction of water-related projects may be exempted from the requirements of Section 519 by the affirmative vote of a majority of the total members of the City Council as provided in this Subsection.

1. The City Council may determine by resolution that such a project may be solicited and contracted for using alternate project delivery methods, including, but not limited to, design-build, and design-build-operate, or competitive negotiation. Any such resolution shall set forth the reasons supporting the use of the alternate project delivery method for the project and describe the solicitation method to be used and the criteria for determining the party to whom the contract should be awarded. The Council may also authorize the reimbursement of the costs of proposers in participating in solicitations for such projects.

2. The selection process shall, to the extent feasible, be fair and open, encourage creative and innovative solutions, and ensure that the City receives the best value possible. During the selection process, the City may meet individually with potential proposers prior to submission of proposals in order to encourage creative solutions. Such meetings ~~shall be tape~~ may be recorded and the recording shall be made available as a public record upon request after final contract award.

SECTION 5. Chapter 4.52 of Title 4 of the Santa Barbara Municipal Code is amended by adding Section 4.52.210 which read as follows:

**Section 4.52.210 Public Works Contracts – Prequalification.**

A. The Public Works Director may establish a contracting procedure for a public work contract requiring competitive bidding under Section 519 of the City Charter that includes a process for prequalification of potential contractors or subcontractors, or both contractors and subcontractors.

B. The Purchasing Agent may establish a contracting procedure for a public work contract requiring competitive bidding under Section 4.52.070 of this Chapter that includes a process for prequalification of potential contractors or subcontractors, or both contractors and subcontractors.

C. As used in this Section, the term prospective bidder means a contractor or subcontractor responding to a prequalification notice. The term Director means the Public Works Director for prequalification procedures under Subsection A, and the Purchasing Agent for prequalification procedures under Subsection B.

D. A prequalification notice inviting prequalification information may invite prospective bidders to submit information that will permit the Director to determine in advance of advertising of a notice inviting bids that a prospective contractor is responsible to perform a proposed contract or that a prospective subcontractor is responsible to perform specified kinds of work. A prequalification notice may include minimum qualification requirements.

E. A. prequalification notice shall be advertised in the manner prescribed for the proposed contract and may be advertised in any manner, including posting on the City's website or electronic procurement system as determined appropriate by the Director. When bids will be considered only from bidders determined to be prequalified,

the notice inviting bids shall state that only prequalified bidders are eligible to submit a bid.

F. The responsibility of each prospective bidder will be based on the bidder's response to the prequalification notice. Bidding shall be restricted to bidders determined by the Director to be responsible. When a prequalification notice includes subcontractors, the performance of subcontracts shall be restricted to subcontractors determined by the Director to be responsible. In determining responsibility, the Director may consider:

1. The prospective bidder's experience in the design, construction, fabrication, assembly, or manufacture of works or materials similar to what will be called for under the contract documents;

2. The experience of others having contracted with the prospective bidder in the construction, fabrication, assembly, or operation of similar works or materials designed, constructed, fabricated, or assembled by the prospective bidder;

3. The physical plant, facilities, and equipment the prospective bidder proposes to employ in the performance of a proposed contract or subcontract;

4. The experience and expertise of a prospective bidder's responsible managing personnel, key staff members, and other employees who would be assigned to the work if the prospective bidder were awarded the contract or subcontract;

5. The financial capability, capability to procure appropriate insurance and bonding, and resources of the prospective bidder to perform the proposed contract or subcontract.

6. Any other factor bearing on the responsibility of a prospective bidder that is specified in the prequalification notice.

G. If the Director determines a prospective bidder to be not responsible based on the responses to the notice, the Director shall give written notice of the determination together with the reasons therefor to the prospective bidder. The notice shall provide the prospective bidder an opportunity to request a meeting with the Director before the decision becomes final. The request for a meeting must be filed in writing with the Director no later than 5:00 p.m. of the tenth day following the date of the notice. If a request for a meeting is not filed, the decision is final. The Director shall promptly schedule a meeting and provide the prospective bidder not less than seven days' notice of the time and date of the meeting. At the meeting, the prospective bidder will be provided the opportunity to present oral and/or documentary evidence rebutting the preliminary determination of non-responsibility. The prospective bidder may to be represented by an attorney or other designated representative. The meeting will not be quasi-judicial and will not be conducted according to the technical rules relating to evidence and witnesses applicable to quasi-judicial proceedings. Any relevant evidence, including hearsay, may be considered if it is the sort of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs. After the meeting the Director shall make a final determination in writing stating the reasons for the determination. The Director's decision following the meeting is final, except for the possibility of judicial review. If a final decision by the Director is made less than 30 days before a date set for the notice inviting bids, the notice shall be postponed to a date not less than 30 days after the date of decision.

H. Prequalification is not a conclusive determination of responsibility. A prequalified bidder may be rejected as not responsible based on subsequently discovered

information or because the bidder fails to submit a responsive bid.

I. This Section is enacted as an exercise of the City's municipal affairs charter power to establish an alternate procedure for prequalification of bidders. The authority granted by this Section is additional to any other authority for prequalification of bidders established by law.



## PROCLAMATION

# NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK APRIL 10 - 16, 2022

*WHEREAS, emergencies that require police, fire, or emergency medical services can occur at any time; and*

*WHEREAS, when an emergency occurs, the prompt response of first responders is critical to the protection of life and preservation of property; and*

*WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the City of Santa Barbara's Combined Communications Center; and*

*WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and*

*WHEREAS, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information, and ensuring their safety; and*

*WHEREAS, Public Safety Telecommunicators of the City of Santa Barbara's Combined Communications Center have contributed substantially to the apprehension of criminals, suppression of fires, and treatment of patients; and*

*WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of his or her job in the past year;*

**NOW, THEREFORE, I, RANDY ROWSE**, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, do hereby proclaim April 10-16, 2022 to be National Public Safety Telecommunicators Week in Santa Barbara, in honor of the men and women whose diligence and professionalism keep our City and citizens safe.

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California to be affixed this 12<sup>th</sup> day of April, 2022.*

  
MAYOR RANDY ROWSE





PROCLAMATION

NATIONAL POETRY MONTH

APRIL 2022

*WHEREAS, the City of Santa Barbara is recognized as an arts hub, providing a home for a diverse, talented community of writers, readers and storytellers who seek to reflect and expand upon our understanding and compassion for ourselves and each other; and*

*WHEREAS, since 1996, the Academy of American Poets has designated April as National Poetry Month to highlight the extraordinary achievements and ongoing legacy of American Poets and increase the visibility and accessibility of poetry in our community; and*

*WHEREAS, the City of Santa Barbara established a Poet Laureate position in 2005 to honor and uplift local literary excellence and the spoken word by utilizing poetry to celebrate and elevate the community; and*

*WHEREAS, Santa Barbara Poet Laureate Emma Trelles stewards appreciation and the creation of poetry in the community through curation and presentation of events and programs in partnership with the Santa Barbara Public Library;*

*NOW, THEREFORE, I, RANDY ROWSE, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, California, do hereby proclaim April 2022 as NATIONAL POETRY MONTH in Santa Barbara, and encourage community members to seek out local events and published works that honor and celebrate poetry and poets.*

*IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California to be affixed this 12<sup>th</sup> day of April 2022.*

MAYOR RANDY ROWSE





## **CITY OF SANTA BARBARA**

### **COUNCIL AGENDA REPORT**

**AGENDA DATE:** April 12, 2022

**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 April 30, 2022.

#### **DISCUSSION:**

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

Attached is a list of those employees who will be awarded pins for their service through April 30, 2022.

**ATTACHMENT(S):** April 2022 Service Awards

**PREPARED BY:** Nicole Grisanti, Administrator's Office Supervisor

**SUBMITTED BY:** Rebecca Bjork, City Administrator

**APPROVED BY:** City Administrator's Office

**APRIL 2022 SERVICE AWARDS**

April 12, 2022 Council Meeting

**5 YEARS**

Peter Mikelson, Building Inspector, Community Development Department

Brian Parsons, Police Officer, Police Department

Max Sanford, Police Officer, Police Department

Daniel Ochoa, Carpenter, Public Works Department

Paul Thompson, Water Distribution Operations Technician OIT, Public Works Department

Robert Johns, Water/Wastewater Maintenance Planner Scheduler, Public Works  
Department

Walid Bdirat, Automotive Equipment Technician, Parks & Recreation Department

Juan Carlos Cornejo, Tree Trimmer II, Parks & Recreation Department

Amado Hernandez, Custodian, Airport Department

Steven Herrera, Airport Patrol Officer II, Airport Department

**15 YEARS**

Maria Hernandez, Accounting Assistant, Public Works Department

**25 YEARS**

Jan Martinez, Harbor Patrol Officer, Waterfront Department



## **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

### **REGULAR MEETING APRIL 20, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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#### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations. (The Finance Committee and Ordinance Committee met at 12:30 p.m.)

#### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

#### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Robert Stough.

#### **CEREMONIAL ITEMS**

**1. Subject: Arbor Day - April 30, 2021 (120.04)**

Proclamation presented to David Gress, Santa Barbara Beautiful Board Member

**2. Subject: Donate Life Month – April 2021 (120.04)**

Proclamation presented to Scott Burns

#### **CHANGES TO THE AGENDA**

Item 13 to be heard before other administrative agenda items.

## **PUBLIC COMMENT**

Written correspondence regarding non-agendized topics was received and acknowledged.

Members of the Public: Anna Marie Gott, Ronald Buckley

## **CONSENT CALENDAR (Item Nos. 3-10)**

The title of the Ordinance was read.

Motion:

Councilmembers Friedman/Jordan to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

**3. Subject: Introduction Of Ordinance For a \$1 Million Proposition 1 Integrated Regional Water Management Grant Agreement (540.08)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Authorizing the Approval and Execution by the Public Works Director for a \$1 Million Proposition 1 Integrated Regional Water Management Subgrant Agreement with the Santa Barbara County Water Agency.

Action: Approved the recommendation (April 20, 2021, report from the Public Works Director; Proposed Ordinance).

**4. Subject: Fiscal Year 2021 Interim Financial Statements For The Eight Months Ended February 28, 2021 (250.02)**

Recommendation: That Council accept the Fiscal Year 2021 Interim Financial Statements for the eight months ended February 28, 2021.

Action: Approved the recommendation (April 20, 2021, report from the Finance Director).

**5. Subject: Set A Date For Public Hearing Regarding Architectural Board Of Review's Approval For 825 De La Vina Street (640.07)**

Recommendation: That Council:

- A. Set the date of Tuesday, June 22, 2021, at 2:00 p.m. for hearing the appeal filed by Donna Mrotek of the Architectural Board of Review's (ABR) Final

Approval of the project at 825 De La Vina (PLN2020-00108). The property is located at 825 De La Vina Street, Assessor Parcel No. 037-041-024, C-G Zone; General Plan Designation Commercial-High Density Residential. The project scope includes a four-story mixed-use project on a site currently developed with a private surface level parking lot using the Average Unit-Size Density (AUD) program. Project entails construction of a 19,767 square foot, 21 unit rental complex, with 380 square feet dedicated to commercial floor area. Unit mix includes five, 2-bedroom, ten, 1-bedroom, and six studio units ranging in size from 482 to 1,419 square feet with an average unit size of 775 square feet. Two of the units will be designated for inclusionary housing. The proposed density on this 14,625 square foot lot is 62 dwelling units per acre on a site within the Priority Housing Overlay which allows between 37-63 dwelling units per acre. Proposal also includes 23 parking spaces, and 32 bike parking spaces; and

- B. Set the date of Monday, June 21, 2021, at 1:30 p.m. for a site visit to the property located at 825 De La Vina Street.

Action: Approved the recommendation.

**6. Subject: Extension Of Semiannual Recruitment For City Advisory Groups (140.02)**

Recommendation:

- A. The City Clerk's Office will now accept applications through Friday, May 7, 2021, at 5:00 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Monday, April 26, 2021;
- B. The City Council will now conduct interviews of applicants for vacancies on various City Advisory Groups on Tuesday, May 25, 2021, at 4:00 p.m. (Estimated Time), Tuesday, June 8, 2021, at 4:00 p.m. (Estimated Time), and Tuesday, June 15, 2021, at 6:00 p.m.; and
- C. The City Council will now make appointments to fill the vacancies on various City Advisory Groups on Tuesday, June 29, 2021.

Action: Approved the recommendations.

**NOTICES**

- 7. Subject: Received a letter of resignation from Community Development and Human Services member Evelyn Feck; the vacancy is included in the current City Advisory Groups recruitment. (140.02)

8. Subject: Received a letter of resignation from Community Development and Human Services member Celia Wright; the vacancy is included in the current City Advisory Groups recruitment. (140.02)
9. Subject: Received a letter of resignation from Arts Advisory Committee member William Smithers; the vacancy is included in the current City Advisory Groups recruitment. (140.02)
10. Subject: Received a letter of resignation from Architectural Board of Review member David Watkins; the vacancy is included in the current City Advisory Groups recruitment. (140.02)

This concluded the Consent Calendar.

#### **REPORT FROM THE FINANCE COMMITTEE**

Finance Chair Friedman reported that the Finance Committee heard schedule for upcoming Budget Hearings and received Budget that will be forwarded on to City Council; Presentation from Community Choice Energy/Santa Barbara Clean Energy Plan, which will be forwarded on to City Council.

#### **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Jordan reported that the Ordinance Committee reviewed staff recommendations for the Sewer Lateral Inspection Program and unanimously voted to forward on to City Council.

#### **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

##### POLICE DEPARTMENT

#### **13. Subject: Presentation On Efforts To Improve Youth Safety (570.06)**

Recommendation: That Council receive an oral presentation from City Staff on the importance of youth safety and community efforts.

##### Documents:

- April 20, 2021, report from the Police Chief.
- PowerPoint presentation prepared and made by staff.

##### Speakers:

- Staff: Acting Police Chief Bernard Melekian; Neighborhood Outreach Specialist, Ricardo Venegas; Santa Barbara Unified School District Superintendent, Dr. Hilda Maldonado, Executive Director of South Coast Youth Safety Partnership, Saul Serrano; Santa Barbara County Teen Network, Isis Castaneda

- Members of the Public: Anna Marie Gott; Mark Alvarado; Victoria Valente; Chelsea Lancaster; Carlos Jimenez; Rene Garcia-Hernandez; Gabe Escobedo; Jareli; E. Howard Green.

Councilmembers' questions were answered.

#### PUBLIC WORKS DEPARTMENT

#### **11. Subject: Contracts For Construction Of Arroyo Burro Open Space Restoration And Trail Improvement Project (570.05)**

Recommendation: That Council:

- A. Award a contract with Lash Construction, Inc., waiving minor irregularities, in their low bid amount of \$1,121,290 for construction of the Arroyo Burro Open Space Restoration and Trail Improvement Project, Civil Contract, Bid No. 4024 and authorize the Public Works Director to execute the contract and approve expenditures up to \$112,129 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;
- B. Reject the bid protest of Marina Landscape, Inc., and award a contract with Landology, Inc., in their low bid amount of \$123,742 for construction of the Arroyo Burro Open Space Restoration and Trail Improvement Project, Landscape Contract, Bid No. 4025 and authorize the Parks and Recreation Director to execute the contract and approve expenditures up to \$18,561 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;
- C. Authorize the Parks and Recreation Director to execute a contract with Waterways Consulting, Inc., in the amount of \$86,324 for construction support services, and approve expenditures of up to \$8,632 for extra services of Waterways Consulting, Inc. that may result from necessary changes in the scope of work;
- D. Authorize the Parks and Recreation Director to execute a contract with MNS Engineers, Inc., in the amount of \$11,225 for construction support services, and approve expenditures of up to \$2,000 for extra services of MNS Engineers, Inc. that may result from necessary changes in the scope of work; and
- E. Approve an increase in appropriations in the Creeks Operating Fund in the amount of \$928,942, funded from Creeks Operating Fund reserves, authorize the transfer of such funds to the Creeks Capital Fund, and

approve an increase in appropriations and estimated revenues in the Creeks Capital Fund in the amount of \$928,942, funded by the transfer, to fund construction costs for the Arroyo Burro Open Space Restoration and Trail Improvement Project.

Documents:

- April 20, 2021, report from the Parks and Recreation Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Parks & Recreation Associate Planner, Erin Markey; Creeks Manager, Cameron Benson
- Members of the Public: Lee Heller

Motion:

Councilmembers Friedman/Sneddon to approve the staff recommendation.

Vote:

Unanimous roll call vote; Agreement Nos. 26,902; 26,903; 26,904; 26,905.

**Recess 3:58 – 4:15 p.m.**

FINANCE DEPARTMENT

**12. Subject: Recommended Two-Year Financial Plan For Fiscal Years 2022 And 2023 (230.05)**

Recommendation: That Council:

- Receive the Recommended Two-Year Financial Plan for Fiscal Years 2022 and 2023, including the Recommended Operating and Capital Budget for Fiscal Year 2022;
- Hear a report from staff in connection with the filing of the Recommended Two-Year Financial Plan for Fiscal Years 2022 and 2023; and
- Approve the proposed Schedule of Council Budget Review Meetings and Public Hearings related to the Recommended Two-Year Financial Plan for Fiscal Years 2022 and 2023.

Documents:

- April 20, 2021, report from the Finance Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Finance Director Keith De Martini.
- Members of the Public: Anna Marie Gott

Motion:

Councilmembers Friedman/Murillo to approve the staff recommendation.

Vote:

Unanimous roll call vote.

## CITY ADMINISTRATOR

### **14. Subject: Request From Councilmembers Meagan Harmon And Oscar Gutierrez To Discuss An Urgency Ordinance For Hazard Pay For On-Site Grocery And Drug Retail Workers (120.02)**

Recommendation: That Council consider the request from Councilmembers Meagan Harmon and Oscar Gutierrez to discuss an Urgency Ordinance for Hazard Pay for On-Site Grocery and Drug Retail Workers.

Documents:

- April 20, 2021, report from the City Administrator.

Councilmember Friedman announced that he was recusing himself from consideration of this item because his employer and source of income may be affected.

Speakers:

- Staff: Councilmember O. Gutierrez; Councilmember Harmon
- Members of the Public: Anna Marie Gott; Christian Alonso; Daniel Mora; Ian Bauke; Ken Hough; Lee Heller; Nick Buro; Ryan Allain; Rachel Torres; Stanley Tzankov; Wendy Santamaria.

Motion:

Councilmember Harmon/ Mayor Murillo to direct the City Attorney to bring back an urgency ordinance related to hero pay, for 60 days, with a provision allowing for a credit for employers who have paid hero or appreciation pay; Direction to the City Administrator to include terms in the Councilmembers memo.

Vote:

Unanimous roll call vote (Abstain: Councilmember Friedman).

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember A. Gutierrez attended the following meetings or events: 1.;Ortega Park Murals Outreach Meeting

- Councilmember Sneddon attended the following meetings or events: 1. Ortega Park Murals Outreach Meeting; 2. Discussed upcoming Earth Day Celebrations
- Mayor Murillo attended the following meetings or events: 1. Youth Council Meeting; 2. Health Care for All Event; 3. Planned Parenthood Support Meeting; 4. SBCAG Meeting; 5. South Coast Youth Safety Partnership Meeting

## **PUBLIC COMMENT (IF NECESSARY)**

## **CLOSED SESSION**

### **15. Subject: Conference With City Attorney – Existing Litigation – Gov. Code §54956.9(d)(1) (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 Thomas Felkay as Trustee of the Emprise Trust v. COSB, et al. SBSC Case No. 17CV03351.

Scheduling: Duration, 30 minutes; anytime

Report: None anticipated

Document:

- April 20, 2021, report from City Attorney.

Time:

-

### **Reschedule to a following meeting.**

No report made.

## **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 6:15 pm.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

<p>_____ RANDY ROWSE MAYOR</p>	<p>ATTEST:</p>	<p>_____ SARAH GORMAN CITY CLERK SERVICES MANAGER</p>
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# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **REGULAR MEETING APRIL 27, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations. (The Finance Committee met at 12:30 p.m. The Ordinance Committee, which ordinarily meets at 12:30 p.m., did not meet on this day.)

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Robert Stough.

### **CEREMONIAL ITEMS**

#### **1. Subject: Fair Housing Month - April 2021 (120.04)**

Action: Mayor Murillo presented the proclamation to Andrea Bifano, Senior Rental Housing Mediation Specialist .

- Speakers:  
Members of the Public: Michelle Roberson, Alexander Entrekend, Petra Lowen

### **CHANGES TO THE AGENDA**

Mayor Murillo announced that the Hero Pay Agenda item will be heard on May 4, 2021.

## **PUBLIC COMMENT**

Written correspondence regarding non-agendized topics was received and acknowledged.

Members of the Public: Mark Alvarado, Ron Buckley, Ana Marie Gott, Chuck Flacks, Diana Cabral, Frederick Janka, Victoria Valente, Valerie Jaimes, Ian Balke, Adreana Arriaga, Hamuel Banales, Felicity Landa, Wendy Santamaria, Chelsea Lancaster, Kai Tepper

## **CONSENT CALENDAR (Item Nos. 2-10)**

The title of the Ordinances and Resolutions were read.

Motion:

Councilmembers Jordan/ O. Gutierrez to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

### **2. Subject: Introduction Of Ordinance To Amend Municipal Code Title 14 For The Sewer Lateral Inspection Program (540.13)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapters 14.34, 14.44, and 14.46 of the Santa Barbara Municipal Code Pertaining to Sewers and Sewer Lateral Maintenance and Inspection.

Action: Approved the recommendation (April 27, 2021, report from the Public Works Director; Proposed Ordinance).

### **3. Subject: Adoption Of Ordinance For A \$1 Million Proposition 1 Integrated Regional Water Management Grant Agreement (540.08)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Authorizing the Approval and Execution by the Public Works Director of a Proposition 1 Integrated Regional Water Management Implementation Grant Subgrant Agreement with the Santa Barbara County Water Agency.

Action: Approved the recommendation; Ordinance No. 5998; Agreement No. 26,906.

### **4. Subject: Updates To The Position Salary Control Resolution Fiscal Year 2021, Adjusting The Salary For Mayor And City Councilmembers To Increase By 2.62% (410.06)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 20-048, the Position and Salary Control Resolution for Fiscal Year 2021, Affecting the Salary for the Mayor and City Councilmembers, as Directed by City Charter 502 - Compensation, Effective April 1, 2021.

- Speakers:  
Members of the Public: Ana Marie Gott

Action: Approved the recommendation; Resolution No. 21-027 (April 27, 2021, report from the Administrative Services Director; Proposed Resolution).

**5. Subject: Adoption Of A Resolution Approving Amendments To The Records Retention Policy Held By The Public Works Department (160.06)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending the City of Santa Barbara Records Management Policies and Procedures Manual to Adopt Updated Policies and Procedures of the Public Works Department and to Authorize Destruction of Duplicate Records and Records for Which the Required Retention Period Has Expired.

Action: Approved the recommendation; Resolution No. 21-028 (April 27, 2021, report from the Public Works Director; Proposed Resolution).

**6. Subject: March 31, 2021, Investment Report And March 31, 2021, Fiscal Agent Report (260.02)**

Recommendation: That Council:

- A. Accept the March 31, 2021, Investment Report; and
- B. Accept the March 31, 2021, Fiscal Agent Report.

Action: Approved the recommendation (April 27, 2021, report from the Finance Director).

**7. Subject: Authorization For Legal Services With Ballard Rosenberg Golper & Savitt, LLP, For Special Counsel Services (160.01)**

Recommendation: That Council:

- A. Authorize the City Attorney to execute a legal services agreement with Ballard Rosenberg Golper & Savitt, LLP, for special counsel services regarding human resources and employment matters in an amount not to exceed \$200,000; and

- B. Increase appropriations in the Fiscal Year 2021 City Attorney's Office budget in the amount of \$200,000 funded from the General Fund reserves.

Action: Approved the recommendation; Agreement No. 26,907 (April 27, 2021, report from the City Attorney).

**8. Subject: Lease Agreements With Non-Profit Organizations At The Westside And Franklin Community Centers (570.05)**

Recommendation: That Council:

- A. Authorize the Parks and Recreation Director to execute annual lease agreements for office space at the Westside Community Center for the Independent Living Resource Center and Momentum Work, Inc. (a recent merge of UCP Work, Inc., and UCP of Los Angeles, Ventura, and Santa Barbara Counties); and
- B. Authorize the Parks and Recreation Director to execute annual lease agreements for office space at the Franklin Community Center for the California Rural Legal Assistance, Inc., and Santa Barbara County Immigrant Legal Defense Center.

Action: Approved the recommendation; Agreement Nos. 26,908; 26,909; 26,910; 26,911 (April 27, 2021, report from the Parks and Recreation Director).

**9. Subject: Second Amendment To Contract With Gray Quarter, Inc. For Technical Consulting For The Accela Civic Permit Platform System (170.04)**

Recommendation: That Council authorize a second contract amendment with Gray Quarter, Inc. to provide continued technical consulting services related to the Accela Civic Permit Platform System, 22000011, in the amount of \$55,000 for a total expenditure authority of \$155,000.

Action: Approved the recommendation; Agreement No. 26,599.1 (April 27, 2021, report from the Administrative Services Director).

**NOTICES**

- 10. Subject: Received a letter of resignation from Santa Barbara Youth Council member Quinn Stefan; the vacancy is included in the current City Advisory Groups recruitment. (140.02)

This concluded the Consent Calendar.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Chair Friedman reported the Finance Committee heard a report on the American Rescue Plan Act Fiscal Stimulus and Recovery Provisions and what the City will be receiving over the next two years; approximately \$22 Million Dollars. Finance Committee forwarded recommendations to City Council for placing funds possibly into Reserves. Other item heard was upcoming budget and challenges City is having with General Fund Expenditures.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **COMMUNITY DEVELOPMENT DEPARTMENT**

#### **11. Subject: Adoption Of A Resolution Adopting The Santa Barbara County Phase II Community Action Plan To Address Homelessness (660.04)**

Recommendation: That Council:

- A. Receive a presentation on homelessness in Santa Barbara County, including a report on the Phase II Community Action Plan to Address Homelessness ("Plan"), which identifies key strategies and priority areas to address homelessness and ensures compliance with State of California requirements demonstrating a regional planning process;
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting the Santa Barbara County Phase II Community Action Plan to Address Homelessness;
- C. Appoint two members of Council to the County's Elected Leaders Forum; and
- D. Determine the receipt of the document is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), finding that the project is an organizational or administrative activity of government that will not result in direct or indirect physical changes to the environment.

Documents:

- April 27, 2021, report from the Community Development Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Housing & Human Services Manager, Laura Dubbels; Homeless Assistance Program Manager of County of Santa Barbara, Kimberly Albers
- Members of the Public: Rob Fredericks, Mackenzie Wildman, Lauren Trujillo, Rich Sander, Milt Hess, Ana Marie Gott

## **RECESS**

4:48 p.m. – 5:05 p.m.

Motion:

Councilmembers O. Gutierrez/ Harmon to approve the staff recommendations and appoint Mayor Murillo and Councilmember A. Gutierrez to the County's Elected Leaders Forum

Vote:

Unanimous roll call vote; Resolution No. 21-029.

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Friedman attended the following meetings or events: 1. Coastal Cities Group, Coastal Sea-Level Rise Monthly Meeting (BEACON); 2. BEACON Executive Committee Meeting; 3. Central Coast Water Authority Meeting; 4. Airport Commission Meeting
- Councilmember A. Gutierrez attended the following meetings or events: 1. Ortega Park Outreach Meeting
- Councilmember Sneddon attended the following meetings or events: 1. COMB Meeting; 2. Ortega Park Outreach Meeting
- Mayor Murillo attended the following meetings or events: 1. PATH Regional Briefing; 2. Business Advisory Task Force; 3. Santa Barbara Tenants Union; 4. City/County Affordable Housing Task Force; 5. Community Formation Commission

### **PUBLIC COMMENT (IF NECESSARY)**

### **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 5:46 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
RANDY ROWSE  
MAYOR

ATTEST: \_\_\_\_\_  
SARAH GORMAN  
CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **REGULAR MEETING MAY 4, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations. (The Finance Committee met at 12:00 p.m. and the Ordinance Committee met at 12:30 p.m.)

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, Deputy City Clerk Robert Stough.

### **CEREMONIAL ITEMS**

#### **1. Subject: Employee Recognition – Service Award Pins (120.04)**

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 May 31, 2021.

Action: City Administrator Paul Casey listed the names of the service award pin recipients.

### **CHANGES TO THE AGENDA**

Item #2 pulled from the Agenda due to missing contract; Item will be on the May 11, 2021 Council Agenda.

**2. Subject: Introduction Of Ordinance To Execute An Agreement With Tesla To Operate 19 Electric Charging Stations In Lot 10 (Ortega Garage) (550.01)**

Recommendation: That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Authorizing the Public Works Director to Execute an Agreement with Tesla, Inc. to Operate 19 Electric Charging Stations in Lot 10 (Ortega Garage).

**PUBLIC COMMENT**

Written correspondence regarding non-agendized topics was received and acknowledged.

Members of the Public: Gary Shapiro, Anna Marie Gott, Mikal Lynch

**CONSENT CALENDAR (Item Nos. 3 - 7)**

The titles of the Ordinance and the Resolution were read.

Motion:

Councilmembers Jordan/Friedman to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

**3. Subject: Set A Date For Public Hearing Regarding Renewal Of Levy For Fiscal Year 2022 For The Wildland Fire Suppression Assessment District (520.03)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Declaring Its Intention to Continue the Wildland Suppression Assessment Within the Foothill and Extreme Foothill Zones; Declaring the Work to be of More Than General or Ordinary Benefit and Describing the District to be Assessed to Pay the Costs and Expenses Thereof; Preliminarily Approving the Updated Engineer's Report; Stating Intention to Continue Assessments for Fiscal Year 2022 and Establishing a Time of 2:00 P.M. on Tuesday, June 8, 2021, in the City Council Chambers for a Public Hearing on the Wildland Fire Suppression Assessment.

Action: Approved the recommendation; Resolution No. 21-030 (May 4, 2021, report from the Fire Chief; Proposed Resolution).

**4. Subject: Proposed Lease Agreement With Jethro Acosta, A Sole Proprietor, Doing Business As Blue Water Hunter (330.04)**

Recommendation: That Council approve a five-year lease agreement with Jethro Acosta, a Sole Proprietor, doing business as Blue Water Hunter, at an initial base rent of \$2,719.10 per month, for the 878 square foot lease space located at 117-D Harbor Way.

Action: Approved the recommendation; Agreement No. 26,912 (May 4, 2021, report from the Waterfront Director).

**5. Subject: Authorization For Legal Services With Nielsen Merksamer Parrinello Gross & Leoni LLP Relating To Electoral Redistricting (160.01)**

Recommendation: That Council authorize the City Attorney to execute a legal services agreement with Nielsen Merksamer Parrinello Gross & Leoni LLP, for special counsel services regarding electoral redistricting matters in an amount not to exceed \$75,000.

Action: Approved the recommendation; Agreement No. 26,913 (May 4, 2021, report from the City Attorney).

**6. Subject: Settlement Agreement With The United States Of America Department Of Justice Relating To Americans With Disabilities Act Accessibility At The Amtrak Rail Station (530.01)**

Recommendation: That Council authorize the City Administrator and City Attorney to execute an agreement titled "Settlement Agreement Under the Americans With Disabilities Act Between the United States of America and the City of Santa Barbara, USAO No. 2018V00579 , DJ No. 204-12C-491".

Action: Approved the recommendation; Agreement No. 26,914 (May 4, 2021, report from the Public Works Director).

**7. Subject: Set A New Date For Public Hearing Regarding Paseo Nuevo Owner, LLC's Appeal Of The Planning Commission Denial Of The Development Agreement (640.07)**

Recommendation: That Council authorize the City Clerk to postpone Paseo Nuevo Owners, LLC's appeal of the Planning Commission denial of the Development Agreement scheduled for May 4, 2021 to June 22, 2021.

Action: Approved the recommendation.

This concluded the Consent Calendar.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Eric Friedman reported that the Finance Committee heard the 2022-2023 proposed Fee Changes for Parks and Libraries and will come to City Council for full deliberations.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Mike Jordan reported that the Ordinance Committee heard a report on Hazard-based Premium Pay for Grocery And Drug Retail Workers that also will be heard at Regular Council Meeting on May 4, 2021, Item #9

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### COMMUNITY DEVELOPMENT DEPARTMENT

#### **PUBLIC HEARING**

**8. Subject: Introduction Of Zoning Ordinance Amendments And Objective Design Standards For Streamlined Housing Projects (640.09)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 30.145 of the Santa Barbara Municipal Code to Establish Procedures for Processing Streamlined Housing Projects Pursuant to Government Code Section 65913.4 and Finding the Project to be Exempt from CEQA Pursuant to CEQA Guideline 15061(b)(3); and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting Objective Design Standards for Streamlined Housing Projects.

Documents:

- May 4, 2021, report from the Community Development Director; Proposed Ordinance; Proposed Resolution.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Community Development Project Planner, Rosie Dyste; Assistant City Attorney, Tava Ostrenger
- Members of the Public: Anna Marie Gott

Motion:

Mayor Murillo/Councilmember Sneddon to approve the staff recommendations.

Vote:

Unanimous roll call vote; Resolution No. 21-031.

CITY ATTORNEY

**9. Subject: Hazard-based Premium Pay For Grocery And Drug Retail Workers (120.03)**

Recommendation: ORDINANCE COMMITTEE RECOMMENDATION:

That the Ordinance Committee consider recommending for introduction by Council an Uncodified Ordinance of the Council of the City of Santa Barbara Establishing Hazard-Based Premium Pay for Grocery and Drug Retail Workers.

Ordinance Committee voted 2 to 1 (Noes: Chair Jordan) to forward item to City Council.

**RECOMMENDATION:**

- A. That Council introduce and adopt, by at least five affirmative votes, after reading in full, an Uncodified Emergency Ordinance of the Council of the City of Santa Barbara Establishing Hazard-Based Premium Pay for Grocery and Drug Retail Workers; and
- B. That Council introduce and subsequently adopt, by reading of title only, an Uncodified Ordinance of the Council of the City of Santa Barbara Establishing Hazard-Based Premium Pay for Grocery and Drug Retail Workers.

Documents:

- May 4, 2021, report from the City Attorney; Proposed Ordinances.
- PowerPoint presentation prepared and made by staff.

Councilmember Friedman stated that he was recusing himself from discussing or voting on this item due to his source of income from his outside employer.

Speakers:

- Staff: City Attorney, Ariel Calonne
- Members of the Public: Ryan Allen, Nadia Abushanab, Rachel Torres, Daniel Mora, Anna Marie Gott, Stanley Tzankov

Motion:

Councilmember O. Gutierrez/Mayor Murillo to introduce and waive further reading of the non-emergency Ordinance with a change to section 2(A) 6 20 employees to 1 and the definition of covered employer will read in part, any retail establishment defined below located in the City of Santa Barbara employee at least 1 employee

in Santa Barbara and whose owner employees 300 nationwide, pharmacies would be included with 300 employees nationwide; Ordinance No. 5999.

Vote:

Unanimous roll call vote (Noes: Councilmember Jordan; Recused: Councilmember Friedman)

Motion:

Councilmembers O. Gutierrez/Mayor Murillo to approve the Emergency Ordinance, with same changes as the Non-Emergency Ordinance.

Motion withdrawn.

## **RECESS**

3:57 p.m. – 4:07 p.m.

## **MAYOR AND COUNCIL REPORTS**

### **10. Subject: Request From Mayor Murillo And Councilmember Sneddon To Discuss City Producing State Of The City As A Community Event (130.01)**

Recommendation: That Council consider the request from Mayor Murillo and Councilmember Sneddon to discuss the City Producing State Of The City As Community Event.

Documents:

- May 4, 2021, report from the City Administrator.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Mayor Murillo; Councilmember Sneddon
- Members of the Public: Katie Davis

Motion:

Councilmembers Jordan/Sneddon to approve the staff recommendation

Vote:

Unanimous roll call vote.

## **COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Friedman attended the following meetings or events: 1. Library Advisory Board; 2. Commercial Fisherman Sub-committee
- Mayor Murillo attended the following meetings or events: 1. Citizens' Planning Association; 2. Retirement Party for Bruce Korskoff; 3. Association of Women and Communication; 4. Hope Awards; 5. SB ACT Homeless Collaborative Steering Committee

**PUBLIC COMMENT (IF NECESSARY)**

**ADJOURNMENT**

Mayor Murillo adjourned the meeting at 4:22 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____ RANDY ROWSE MAYOR	ATTEST:	_____ SARAH GORMAN CITY CLERK SERVICES MANAGER
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# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **REGULAR MEETING MAY 11, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

---

### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations. (The Finance Committee met at 12:00 p.m. and the Ordinance Committee met at 12:30 p.m.)

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager.

Mayor Murillo reported the Closed Session Item (Kracke) will be continued until next week.

### **CEREMONIAL ITEMS**

- 1. Subject: Asian American & Pacific Islander Heritage Month - May 2021 (120.04)**

Action: Mayor Murillo presented the proclamation to Julia Valarde-Betita, Karina Ju, Anne Peterson.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

Written correspondence regarding non-agendized topics was received and acknowledged.

Members of the Public: Mark Alvarado, Ronald Buckley, E. Howard Green, Victoria Valente, Anna Marie Gott.

#### **ITEM PULLED FROM CONSENT CALENDAR:**

**3. Subject: Adoption Of An Uncodified Ordinance Of The Council Of The City Of Santa Barbara Establishing Hazard-Based Premium Pay For Grocery And Drug Retail Workers (160.01)**

Recommendation: That Council adopt, by reading of title only, an Uncodified Ordinance of the Council of the City of Santa Barbara Establishing Hazard-Based Premium Pay for Grocery and Drug Retail Workers.

Councilmember Friedman stated that he was recusing himself from voting on this item due to his employer and source of income.

Motion:

Councilmember Harmon/Councilmember O. Gutierrez to approve recommendation; Ordinance No. 6001.

Vote: Majority roll call vote (Noes: Councilmember Jordan; Abstain: Councilmember Sneddon; Recuse: Councilmember Friedman)

#### **CONSENT CALENDAR (Item Nos. 2, 4-7)**

The title of the Ordinances were read.

Motion:

Councilmembers Jordan/Friedman to approve the balance of the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

**2. Subject: Adoption Of Zoning Ordinance Amendments And Objective Design Standards For Streamlined Housing Projects (640.09)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 30.145 of the Santa Barbara Municipal Code to Establish Procedures for Processing Streamlined Housing Projects Pursuant to Government Code Section 65913.4 and Finding the Project to Be Exempt from CEQA Pursuant to CEQA Guideline 15061(b)(3).

- Speakers  
Members: of the Public: Anna Marie Gott

Action: Approved the recommendation; Ordinance No. 6000.

**4. Subject: Adoption Of Ordinance To Amend Municipal Code Title 14 For The Sewer Lateral Inspection Program (540.13)**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapters 14.34, 14.44, and 14.46 of the Santa Barbara Municipal Code Pertaining to Sewers and Sewer Lateral Maintenance and Inspection.

Action: Approved the recommendation; Ordinance No. 6002.

**5. Subject: Cachuma Conservation Release Board Fiscal Year 2021/2022 Budget Ratification (540.03)**

Recommendation: That Council ratify the Cachuma Conservation Release Board's Fiscal Year 2021/2022 Budget, with the City's proportional share not to exceed \$468,076.

Action: Approved the recommendation (May 11, 2021, report from the Public Works Director).

**6. Subject: Adoption Of Program Year 2021–2022 Annual Action Plan (610.05)**

Recommendation: That Council:

- A. Adopt the City's Annual Action Plan for Program Year 2021–2022 for submittal to the U.S. Department of Housing and Urban Development (HUD); and
- B. Authorize the City Administrator to sign all necessary documents to submit the City's Annual Action Plan to HUD.

Action: Approved the recommendation (May 11, 2021, report from the Community Development Director).

**7. Subject: Contract For Right Of Way Acquisition Services For The De La Vina Street Bridge Replacement Project (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services contract with Hamner Jewell & Associates in the amount of \$124,985 for right of way acquisition services for the De La Vina Street Bridge Replacement Project, and authorize the Public Works Director to approve

expenditures of up to \$12,498 for extra services of Hamner Jewell & Associates that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 26,915 (May 11, 2021, report from the Public Works Director).

This concluded the Consent Calendar.

### **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Friedman reported the Committee received a report on Water/Wastewater, Waterfront and Parks & Recreation Fee Changes, Considered Outside Agency Requests; gave feedback to staff to bring back to Council; looking at future agenda item on how to address Outside Agency Request for more transparency.

### **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Jordan reported the Ordinance Committee discussed Average Unit Density Housing Program Ordinance Amendments pertaining to increasing inclusionary percentage outside the Central Business District, removing AUD considerations from Mobilehome parks and define language on State Bonus Density Units can or can't be included in the AUD program which will be forwarded to City Council.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **PUBLIC WORKS DEPARTMENT**

#### **8. Subject: Sewer Lateral Inspection Program Updates (540.13)**

Recommendation: That Council receive a Sewer Lateral Inspection Program Update.

#### **Documents:**

- May 11, 2021, report from the Public Works Director.
- PowerPoint presentation prepared and made by staff.

#### **Speakers:**

- Staff: Water Supply and Services Manager, Cathy Taylor, Water Quality Superintendent Gaylen Fair, SLIP Outreach Coordinator, Mariana Cruz
- Members of the Public: Hillary Hauser

## **PUBLIC HEARING**

#### **9. Subject: Proposed Santa Barbara Clean Energy Rates (630.06)**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Approving the Santa Barbara Clean Energy

Rate Setting Formula for Each of Its Energy Product Offerings across All Customer Types and Authorizing the City Administrator to Determine Rates by Application of the Formulas.

Public Hearing opened: 3:26 p.m.

Documents:

- May 11, 2021, report from the Public Works Director.
- Proposed Resolution.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Energy & Climate Manager, Alelia Parenteau
- Members of the Public: E. Howard Green

Public Hearing closed: 3:50 p.m.

Motion:

Councilmembers Sneddon/Friedman to approve the staff recommendation.

Vote:

Unanimous roll call vote; Resolution No. 21-032.

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Sneddon attended the following meetings or events: 1. Yellow House Project; 2. CCRB.
- Mayor Murillo attended the following meetings or events: 1. Downtown Santa Barbara Board; 2. Housing Authority Commission Board Meeting.

### **PUBLIC COMMENT (IF NECESSARY)**

### **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 4:00 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
RANDY ROWSE

ATTEST: \_\_\_\_\_  
SARAH GORMAN

MAYOR

CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **REGULAR MEETING MAY 18, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 2:00 p.m., and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations. (The Finance Committee and Ordinance Committee met at 12:30 p.m.)

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

### **CEREMONIAL ITEMS**

#### **1. Subject: National Public Works Week May 16-22, 2021 (120.04)**

Action: Proclamation presented to the Public Works Department, accepted by Acting Public Works Director, Joshua Haggmark

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

- Members of the public: James Yee, Tino De Guevara, Chris Barros, Mark Alvarado, Jesse Espinosa, Victoria Valente, Anna Marie Gott

## **CONSENT CALENDAR (Item Nos. 2 – 7)**

Motion:

Councilmember Jordan / Mayor Murillo to approve the Consent Calendar as recommended.

Vote:

Unanimous roll call vote.

### **2. Subject: Fiscal Year 2021 Third Quarter Review (230.05)**

Recommendation: That Council:

- A. Receive a report from staff on the status of revenues and expenditures in relation to the budget for the nine months ended March 31, 2021;
- B. Accept the Fiscal Year 2021 Interim Financial Statements for the nine months ended March 31, 2021; and
- C. Approve the proposed third quarter adjustments to Fiscal Year 2021 appropriations and estimated revenues as detailed in the attached Schedule of Proposed Third Quarter Adjustments.

Action: Approved the recommendation(s); (May 18, 2021 Council Agenda Report).

### **3. Subject: Purchase Orders For Momentum Work, Incorporated For Janitorial Services In The Waterfront (570.03)**

Recommendation: That Council find it in the City's best interest to waive the formal bid procedure as authorized by Municipal Code Section 4.52.070 (L), and authorize the General Services Manager to issue annual purchase orders to Momentum Work, Incorporated for janitorial services at the Waterfront for Fiscal Year 2022 in an amount not to exceed \$401,000, and for Fiscal Year 2023 in an amount not to exceed \$421,000 subject to budget appropriations.

Action: Approved the recommendation; (May 18, 2021 Council Agenda Report).

### **4. Subject: Professional Services Agreement With Garden State Fireworks, Inc. For July Fourth And Parade Of Lights Fireworks Displays (570.03)**

Recommendation: That Council authorize the Waterfront Director to execute a Professional Services Agreement with Garden State Fireworks, Inc. for the 2021 July Fourth and December 2021 Parade of Lights Fireworks Displays at a cost not to exceed \$60,500.

Action: Approved the recommendation(s); Agreement No. 26,917 (May 18, 2021 Council Agenda Report).

**5. Subject: Contract For The Preparation Of The Santa Barbara Airport Taxiway H Extension Environmental Assessment (560.04)**

Recommendation: That Council:

- A. Authorize the Public Works Director to execute a Professional Services contract with Coffman Associates in the amount of \$132,532 for the Preparation Of The Santa Barbara Airport Taxiway H Extension Environmental Assessment, and authorize the Public Works Director to approve expenditures of up to \$13,253 for extra services of Coffman Associates that may result from necessary changes in the scope of work; and
- B. Approve an increase in appropriations in the Airport Operating Fund in the amount of \$145,785, funded from reserves, authorize the transfer of such funds to the Airport Capital Fund, and approve an increase in appropriations and estimated revenue in the Airport Capital Fund in the amount of \$145,785, funded by the transfer, for the preparation of an environmental assessment for the Santa Barbara Airport Taxiway H Extension Project.

Action: Approved the recommendation(s); Agreement No 26,918 (May 18, 2021 Council Agenda Report).

This concludes the Consent Calendar.

**REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Friedman reported that the Committee reviewed previous information for Budget Hearings for upcoming budget, proposed fee changes, Outside Agency Requests, and ARPA Funds, 3<sup>rd</sup> Quarter Financial Report and will forward recommendations to City Council.

**REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Jordan reported that the Ordinance Committee reviewed initial Sit/Lie Ordinance with extension of certain blocks on Milpas and will forward recommendations to City Council.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **COMMUNITY DEVELOPMENT DEPARTMENT**

#### **PUBLIC HEARINGS**

**6. Subject: Introduction Of Amendments To The Santa Barbara Municipal Code And Zoning Map Related To The Historic Resources Ordinance And The Historic Resource Design Guidelines (640.06)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending the Santa Barbara Municipal Code by Adding Chapters 30.57, 30.157, and 30.237; adding sections 30.200.080, 30.220.020, 30.220.030, 30.220.040; and 30.300.080 Subsection H to Establish Procedures for Protecting Historic Resources; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Adopting The Historic Resource Design Guidelines.

Documents:

- May 18, 2019 Council Agenda Report and any attachment(s).
- PowerPoint Presentation prepared and made by Staff.

Speakers:

- Staff/Panelists: Architectural Historian, Nicole Hernandez, Historic Landmarks Commissioner, Anthony Grumbine, Assistant Attorney, John Doimas, City Planner, Renee Brooke
- Members of the Public: Anna Marie Gott, Marie Louise Days.

Motion:

Councilmember Sneddon/Mayor Murillo move Staff Recommendations and update Historic Resource Guidelines; include typographical errors to Historic Structures Ordinance of 1977. Resolution 21-033

Vote:

Unanimous roll call vote.

**7. Subject: Introduction Of Ordinance Amendments Related To The ABR, Single Family Design Board, And Sign Committee On Findings To Be Made for Project Compatibility Analysis and Limitation on Evidence to Be Reviewed by Council for Hearings On Appeal (630.02)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Sections 22.68.045 and 22.68.100 of the Santa Barbara Municipal Code Pertaining to the Architectural Board of Review Project Compatibility Analysis and Appeal to Council – Notice and Hearing; and Finding the Project to Be Exempt from CEQA Pursuant to CEQA Guideline 15061(B)(3);
- B. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Section 22.69.080 of the Santa Barbara Municipal Code Pertaining to the Single Family Design Board Appeal to Council – Notice and Hearing; and Finding the Project to Be Exempt from CEQA Pursuant to CEQA Guideline 15061(B)(3); and
- C. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Section 22.70.050 of the Santa Barbara Municipal Code Pertaining to Sign Permits; and Finding the Project to Be Exempt from CEQA Pursuant to CEQA Guideline 15061(B)(3).

Documents:

- May 18, 2019 Council Agenda Report and any attachment(s).
- PowerPoint Presentation prepared and made by Staff.

Speakers:

- Staff: Senior Planner Irma Unzueta, City Attorney Ariel Calonne
- Members of the Public: Anna Marie Gott

Motion:

Councilmembers Jordan/Harmon to move staff recommendations.

Vote:

Unanimous roll call vote.

**COUNCIL AND STAFF COMMUNICATIONS**

## **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Sneddon reported on their attendance at the following events or made the following comments: 1. Sustainability Council Meeting; 2. Council Committee on Legislation; 3. the Elected Leaders Forum on Homelessness; 4. the Green and Blue Virtual Ball; 5. attended Friday RAP meeting on local issues on State Street and Library.
- Councilmember Friedman reported on their attendance at the following events or made the following comments: 1. Council Committee on Legislation; 2. took action on support of SB1, SB897, and opposition of SB9 & SB10, 3. Library Advisory Board; 4. Elected Leaders Forum on Homelessness.
- Mayor Murillo reported on their attendance at the following events or made the following comments: 1. the Sustainability Committee which discussed electric vehicles charging station; 2. Regional Solid Waste Task Group may be reformed; 3. Also attended Rape Crisis Center, Green and Blue; 4. attended Medicare for All, Elected Leaders Forum on Homelessness; 5. attended SBCAG Meeting; 6. attended Community Formation Commission, which had a presentation from NACOLE.

## **PUBLIC COMMENT (IF NECESSARY)**

## **CLOSED SESSIONS**

### **8. Subject: Conference With City Attorney -- Existing Litigation – Gov. Code § 54956.9(d)(1) (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 Theodore P. Kracke v. City of Santa Barbara, COA Case No. B300528; VSC Case No. 56-2016-00490376-CU-WM-VTA.

Scheduling: Duration, 15 minutes; anytime

Report: None anticipated

Documents:

- May 18, 2021 report from the City Attorney

Time:

- 4:00 p.m. – 5:15 p.m.

No report made.

## **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 4:00 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
RANDY ROWSE  
MAYOR

ATTEST:

\_\_\_\_\_  
SARAH GORMAN  
CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **REGULAR MEETING OCTOBER 12, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 2:00 p.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations. (The Finance Committee and Ordinance Committee met at 12:30 p.m.)

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: Interim City Administrator Rebecca Bjork, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

### **UPDATE FROM FIRE CHIEF**

Fire Chief Chris Mailes provided an update about the Alisal Fire.

### **CEREMONIAL ITEMS**

**1. Subject: Indigenous Peoples Day - October 11, 2021 (120.04)**

Action: Proclamation provided to Marcus Lopez.

**2. Subject: National Arts & Humanities Month - October 2021 (120.04)**

Action: Proclamation provided to Abaseh Mirvali and Frederick Janka.

## **PUBLIC COMMENT**

Speakers: Miriam Lindbeck; Ronald Buckley; Kimi VanDyk; Lesley Weinstock.

## **CONSENT CALENDAR (Item Nos. 3 –10)**

Motion:

Councilmembers Friedman/Sneddon to approve the Consent Calendar as recommended.

Vote:

Unanimous voice vote.

**3. Subject: Introduction Of An Ordinance For A Lease Agreement With Reginald Drew And Teddi Drew, Doing Business As Stearns Wharf Bait & Tackle (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 Authorizing the Waterfront Director to Execute a Five Year Lease Agreement And One, Five Year Option with Reginald Drew and Teddi Drew, Doing Business as Stearns Wharf Bait & Tackle, for Retail Space Located at 232 Stearns Wharf, Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Proposed Ordinance; (October 12, 2021, Council Agenda Report).

**4. Subject: Introduction To Council Of Municipal Code Amendments And A Memorandum Of Understanding With The County Of Santa Barbara Environmental Health Services For Septic Tank Regulations (540.13)**

Recommendation: That Council:

- A. Introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Amending Chapter 14.48 by the Repeal of Sections 14.48.180 through 14.48.220, Inclusive, and Chapter 22.04 by the Addition of Section 22.04.031 Relating to Onsite Wastewater Treatment Systems; and

- B. Enter into a memorandum of understanding with the Santa Barbara County Environmental Health Services delegating permitting authority of onsite wastewater treatment systems.

Action: Approved the recommendation; Proposed Ordinance; (October 12, 2021, Council Agenda Report).

**5. Subject: Proposed License Agreement With The National Park Service, Channel Islands National Marine Sanctuary, And The Santa Barbara Maritime Museum (330.04)**

Recommendation: That Council approve a five-year license agreement with The National Park Service, Channel Islands National Marine Sanctuary, and The Santa Barbara Maritime Museum for a 547 square foot public Visitor Center space located on the third floor of the Waterfront Center Building at 113 Harbor Way.

Action: Approved the recommendation; Agreement No. 27,057; (October 12, 2021, Council Agenda Report).

**6. Subject: Proposed Office Lease Agreement With Madame Rosinka (330.04)**

Recommendation: That Council approve a five-year lease agreement with Madame Rosinka at an initial base rent of \$935.00 per month, for the 153 square foot office space located at 221 Stearns Wharf, Unit B.

Action: Approved the recommendation; Agreement No. 27,058; (October 12, 2021, Council Agenda Report).

**7. Subject: Contract For Concept Plan Development For The Chumash Cultural Project At Ambassador Park (570.05)**

Recommendation: That Council authorize the Parks and Recreation Director to execute a Professional Services Agreement with KTUA, a California Corporation, in the amount of \$42,500 to prepare conceptual design plans for the Chumash Cultural Project at Ambassador Park, and authorize the Parks and Recreation Director to approve expenditures of up to \$2,500 for extra services that may result from necessary changes in the scope of work.

Speakers: Parks and Recreation Director Jill Zachary.

Action: Approved the recommendation; Agreement No. 27,059; (October 12, 2021, Council Agenda Report).

**8. Subject: Contract For Design Review Services For The Union Pacific Railroad Bridges Over Cabrillo Boulevard And Los Patos Way Project (530.04)**

Recommendation: That Council authorize the Public Works Director to execute a Preliminary Engineering Reimbursement Agreement with the Union Pacific Railroad in the amount of \$450,000 for design review services for the Replacement of the Union Pacific Railroad Bridges over Cabrillo Boulevard and Los Patos Way Project.

Action: Approved the recommendation; Agreement No. 27,060; (October 12, 2021, Council Agenda Report).

**9. Subject: Grant Funding Agreement With Santa Barbara Foundation To Support Business Retention and Recruitment (120.02)**

Recommendation: That Council authorize the City Administrator to execute a grant funding agreement with the Santa Barbara Foundation to fund the Santa Barbara Better Together Fund in an amount of \$75,000 to support business retention and recruitment covering the period from July 1, 2021 to June 30, 2022.

Action: Approved the recommendation; Agreement No. 27,061; (October 12, 2021, Council Agenda Report).

**10. Subject: Conduct Of City Meetings During The Ongoing COVID-19 State Of Emergency (120.02)**

Recommendation: That Council adopt, by reading of title, only a Resolution of the Council of the City of Santa Barbara Directing that Meetings of the City Council and City Boards and Commissions Continue to be Held by Teleconference as Authorized by Government Code § 54953(e)(1)(A) to Promote Social Distancing and Prioritize the Public's Health and Well-being Under Santa Barbara County Health Officer Orders.

Speakers: Interim City Administrator Rebecca Bjork.

Action: Approved the recommendation; Resolution No. 21,068; (October 12, 2021,

Council Agenda Report).

This concluded the Consent Calendar.

## **REPORT FROM THE FINANCE COMMITTEE**

Finance Committee Chair Friedman reported that the Finance Committee heard a report from staff on the outside agenda request process for the Fiscal Year 2023 budget.

## **REPORT FROM THE ORDINANCE COMMITTEE**

Ordinance Committee Chair Jordan reported that the Ordinance Committee heard and approved for Council consideration of proposed amendments to the Santa Barbara Municipal Code regarding the small wireless facilities ordinance.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### LIBRARY DEPARTMENT

**11. Subject: Transition From Integrated Library System (ILS) Operated By Black Gold To Standalone Open Source ILS Administered By Library Department And Sole Source Purchase Order For Hosting And Support Of New ILS (570.04)**

Recommendation: That Council:

- A. Authorize the Library Director to execute a sole source Purchase Order to ByWater Solutions in the amount of \$50,530.00, plus an additional \$5,053.00 for extra services according to the Sole Source provisions of Santa Barbara Municipal Code Section 4.52.070 (K) for installation and first year costs for the Koha Integrated Library System (ILS) and Aspen Discovery System in order to replace the library's current ILS; and
- B. Authorize the Library Director to execute a Purchase Order to ByWater Solutions in the amount of \$21,900.00, for second year costs for continued service in Fiscal Year 2023, subject to availability and budgeted funds.

Documents:

- October 11, 2021 Council Agenda Report and any attachment(s)
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Library Services Manager Molly Wetta; Deputy City Attorney John Doimas.
- Members of the Public: Milt Hess; E. Howard Green; Lauren Trujillo; James Marston

Discussion:

- Councilmembers' questions were answered.

Motion:

- Councilmembers Friedman /Sneddon to approve the recommended action and provide staff direction to research the impact of the JPA agreement and report back as staff deems appropriate; Agreement No. 27,064.

Vote:

Unanimous roll call vote.

## **SUSTAINABILITY AND RESILIENCE DEPARTMENT**

### **12. Subject: Solid Waste System Update (630.01)**

Recommendation: That Council receive an update on the City's Solid Waste system in preparation for the expiration of the City's Solid Waste Collection and Disposal Franchise Contract.

Documents:

- October 11, 2021 Council Agenda Report and any attachment(s)
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Acting Sustainability and Resilience Co-Director Alelia Parenteau.

Discussion:

- Councilmembers' questions were answered and Council received the update.

## **RECESS**

3:47 p.m. – 3:59 p.m.

## **CITY ATTORNEY**

### **13. Subject: City Prosecutor Enforcement Update (160.01)**

Recommendation: That Council receive a presentation on the City Prosecutor's enforcement assignments and provide direction on enforcement priorities.

Documents:

- October 11, 2021 Council Agenda Report and any attachment(s)
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: City Attorney Ariel Calonne; Assistant City Prosecutor Denny Wei.
- Members of the Public: Matt Lowe.

Discussion:

- Councilmembers' questions were answered and Council received the update.

**QUASI-JUDICIAL HEARING RULES APPLY TO THE FOLLOWING AGENDA ITEM**

**PUBLIC HEARINGS**

**14. Subject: Appeal Of The Single Family Design Board's Project Design Approval Of An Addition To A Single Unit Residence At 347 Salida Del Sol (640.03)**

Recommendation: That Council consider the appeal of Levi and Daniela Maaia, and other nearby property owners, of the Single Family Design Board's Project Design Approval of an addition to a single unit residence at 347 Salida Del Sol.

Documents:

- October 11, 2021 Council Agenda Report and any attachment(s)
- PowerPoint presentation prepared and made by staff.
- PowerPoint presentation prepared and made by appellant.
- PowerPoint presentation prepared and made by applicant.

Ex parte communications:

- Mayor Murillo: was told at the site visit that the applicant has outgrown the space.
- Councilmember Jordan: had conversations and met with lead appellant Levi Maaia; had conversation with Brian Cearnal, principal or architecture representing the applicant; has visited location twice but neither time was with the site visit.

Speakers:

- Staff: Senior Planner Irma Unzueta; Assistant City Attorney Tava Ostrenger.
- Appellant: Levi Maaia; Jim Aoki.
- Applicant: Erin Kanaley; Ryan Kanaley; Jeff Hornbuckle.
- Single Family Design Review Board: Member Joseph Motcha.

Discussion:

- Councilmembers' questions were answered.

Motion:

- Councilmembers Jordan/Friedman to deny the appeal and direct staff to return with findings that the Single Family Design Review Board made with the following changes: (1) large window on south elevation to have no balconies; (2) large window in front of loft room to have a minimum sill height of 42 inches; (3) bathroom window in the middle will have a minimum sill height of 36 inches; and (4) windows on the west elevation have a minimum sill height of 60 inches.

Vote:

Unanimous roll call vote.

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Sneddon reported on their attendance at the following events or made the following comments: 1. Housing Day; Cachuma Conservation Release Board meeting.
- Mayor Murillo reported on their attendance at the following events or made the following comments: 1. Housing Day.

## **CLOSED SESSION RECONVENED FROM OCTOBER 12, 2012 11:00 SPECIAL MEETING**

Council reconvened the Special Meeting Closed session begun at 11:00 a.m. on October 12, hearing the following item:

### **1. Subject: Conference with Labor Negotiator**

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiator Wendy Levy, Human Resources Director, Sam Ramirez Administrative Analyst III, Keith De Martini, Finance Director regarding negotiations with, Service Employees' International Union, Local 620, Treatment and Patrol Bargaining Units, Fire Management Association, Santa Barbara City Firefighters Association, Santa Barbara City Supervisory Employees.

SCHEDULING: Duration, 40 Minutes; anytime

REPORT: None anticipated

Documents:

- October 12, 2021 report from the City Administrator

Time:

- 11:04 a.m. – 11:48 a.m.

No report made.

## **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 6:13 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____ RANDY ROWSE MAYOR	ATTEST:	_____ SARAH GORMAN CITY CLERK SERVICES MANAGER
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# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **REGULAR MEETING MARCH 15, 2022 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Randy Rowse called the meeting to order at 2:05 p.m. and announced that the meeting is being held via teleconference. Mayor Pro Tem Meagan Harmon is participating electronically and the remainder of Mayor and Council are participating from Council Chambers. (The Finance Committee and Ordinance Committee, which ordinarily meet at 12:00 p.m., did not meet today.)

### **PLEDGE OF ALLEGIANCE**

Mayor Rowse.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Rowse.

Councilmembers absent: None.

Staff present: City Administrator Rebecca Bjork, City Attorney Ariel Calonne, Deputy City Clerk Yazmin Dominguez.

Mayor Rowse announced some of the special items from the earlier meeting are continued after the Regular meeting adjourns.

### **CHANGES TO THE AGENDA**

### **PUBLIC COMMENT**

Members of the Public: Amber Asher.

### **ITEMS REMOVED FROM CONSENT CALENDER**

- 5. Subject: Professional Services Agreement With Santa Barbara Airbus, Inc.  
For Cruise Ship Passenger Shuttle Service**

Recommendation: That Council authorize the Waterfront Director to execute a Professional Services Agreement with Santa Barbara Airbus, Inc. for the Cruise Ship Passenger Shuttle Service at a rate not to exceed \$50,475.

Documents:

March 15, 2022, report from the Waterfront Department.

Speakers:

- Staff: Waterfront Director Mike Wiltshire.
- Members of the Public: None.

Motion:

Councilmembers Jordan/Friedman to approve the recommended actions; Agreement No. 28,039.

Vote:

Majority roll call vote (Noes: Councilmember Sneddon)

**CONSENT CALENDAR (Item Nos. 1-4, 6-9)**

The titles of the Ordinances and Resolutions were read.

Motion:

Councilmembers Jordan/Friedman to approve the recommended actions.

Vote:

Unanimous roll call vote.

**1. Subject: Minutes**

Recommendation: That Council waive reading and approve the minutes of the regular meetings of September 28, 2021 and November 9, 2021; and the minutes of the special meetings of June 21, 2021 (first meeting), June 21, 2021 (second meeting), June 24, 2021, July 1, 2021, August 10, 2021, and September 14, 2021.

Action: Approved the recommendation.

**2. Subject: Adoption Of An Ordinance For A Proposed Lease Agreement With Channel Islands Outfitters, Inc. Doing Business As Paddle Sports Of Santa Barbara, Located At 117 B Harbor Way**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute a Five-Year Lease Agreement with One, Five-Year Option with Channel Islands Outfitters, Inc. dba Paddle Sports of Santa Barbara, for the 956 Square Foot Retail Store at 117 B Harbor Way Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 6061 (March 15, 2022 Council Agenda Report).

**3. Subject: Adoption Of An Ordinance For A Proposed Assignment Of Lease Agreement No. 27,008 – Seacoast Of Santa Barbara, Inc. Located At 125 Harbor Way**

Recommendation: That Council adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the Waterfront Director to Execute a Consent to Lease Assignment of Lease Agreement No. 27,008 for Seacoast of Santa Barbara, Inc. at 125 Harbor Way Commencing Upon the Effective Date of the Enabling Ordinance.

Action: Approved the recommendation; Ordinance No. 6062 (March 15, 2022 Council Agenda Report).

**4. Subject: Adoption Of Resolution To Accept A Public Street Easement At 920 Lowena Drive**

Recommendation: That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Accepting a Street Easement Deed on the Private Property Known as 920 Lowena Drive.

Action: Approved the recommendation; Resolution No. 22-018 (March 15, 2022 Council Agenda Report; Proposed Ordinance).

**6. Subject: Contract For Construction Support Services For The Fiscal Year 2022 Wastewater Main Rehabilitation Project**

Recommendation: That Council authorize the Public Works Director to execute a City Professional Services Agreement with Water Systems Consulting, Inc., in the amount of \$88,226 for construction support services for the Fiscal Year 2022 Wastewater Main Rehabilitation Project, and approve expenditures of up to \$8,822 to cover any additional cost that may result from necessary changes in the scope of work.

Action: Approved the recommendation; Agreement No. 28,040 (March 15, 2022 Council Agenda Report).

**7. Subject: Memorandum Of Understanding With County Of Santa Barbara To Provide Parking At City Parking Lot 6 In Support Of Dignity Moves Project**

Recommendation: That Council authorize the City Administrator to enter into a Memorandum of Understanding with the County of Santa Barbara to provide parking in support of the Dignity Moves Homeless Housing project.

Action: Approved the recommendation; Agreement No. 28,041 (March 15, 2022 Council Agenda Report).

**8. Subject: Sole Source Purchase Order For An All Electric Library On The Go Vehicle**

Recommendation: That Council authorize the Library Director to execute a sole source Purchase Order to Phoenix Motorcars in the amount of \$193,905 plus an additional \$19,390 for extra services according to the Sole Source provisions of Santa Barbara Municipal Code Section 4.52.070 (K) in order to purchase an all-electric Library on the Go vehicle.

Action: Approved the recommendation (March 15, 2022, Council Agenda Report and any attachments).

**9. Subject: Response To Santa Barbara County Grand Jury December 20, 2021 Report: Zoning And Permitting Issue In The City Of Santa Barbara**

Recommendation: That Council review and authorize the City Attorney's response to the Santa Barbara County Grand Jury December 20, 2021 Report: Zoning and Permitting Issue in the City of Santa Barbara.

Action: Approved the recommendation (March 15, 2022, Council Agenda Report and any attachments).

This concludes the Consent Calendar.

## **CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS**

### **PUBLIC HEARINGS**

**10. Subject: Public Hearing For The 2022 Downtown And Old Town Business Improvement Districts Assessments**

Recommendation: That Council:

- A. Conduct a public hearing and consider appropriate protests to the renewal of the Downtown and Old Town Business Improvement Districts Assessments for 2022, as required under the California Parking and Business Improvement Area Law of 1989; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Confirming the Fiscal Year 2022 Downtown and Old Town Business Improvement District Annual Assessment Report and Renewing the Downtown Business Improvement District and Old Town Business Improvement District Assessments for 2022.

**Documents:**

- March 15, 2022 Council Agenda Report and any attachment(s)
- PowerPoint presentation prepared and made by staff.

**Speakers:**

- Staff: Senior Assistant to the City Administrator Brandon Beaudette
- Presentation Staff: Downtown Santa Barbara Executive Director Robin Elander.
- Members of the Public: None.

**Discussion:**

- Councilmembers' questions were answered.

**Motion:**

Councilmembers Jordan/Sneddon to approve the recommended action.

**Vote:**

Unanimous roll call vote.

## **COUNCIL AND STAFF COMMUNICATIONS**

### **COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS**

- Councilmember Friedman reported on their attendance at the following events or made the following comments: 1. La Colina Junior High School Walk through the Middle Ages 2. City Library Advisory Committee Meeting 3. County Library Ad Hoc Committee on regional library governance.
- Councilmember Harmon reported on their attendance at the following events or made the following comments: 1. California Coastal Commissions, the commission voted unanimously to give the City of Santa Barbara a grant of over 2 million dollars to implement four different sustainability projects in the City.
- Councilmember Sneddon reported on their attendance at the following events or made the following comments: 1. Two Redistricting Meetings 2. Lot 3 Paseo Working Group Meeting 3. State of the Zoo Breakfast 4. Family Therapy Room Unveiling for late father in law named in his honor Tom Sneddon.
- Mayor Rowse reported on their attendance at the following events or made the following comments: 1. National Service Award Reception

### **PUBLIC COMMENT (IF NECESSARY)**

### **RECESS**

Mayor Rowse recessed to close session at 3:03 p.m. and stated that no reportable action is anticipated.

### **CLOSED SESSIONS**

**11. Subject: Conference With City Attorney -- Anticipated Litigation -- Gov. Code § 54956.9(d)(4): Initiation Of Litigation On One Matter ()**

Recommendation: That Council hold a closed session to consider initiating litigation pursuant to subsection (d)(4) of Section 54956.9 of the Government Code and take appropriate action as needed (one potential case).

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

Documents:  
- Report from the City Attorney

Time:  
- 3:27 p.m. - 3:54 p.m.

No report made.

**ADJOURNMENT**

Mayor Rowse adjourned the meeting at 3:54 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____ RANDY ROWSE MAYOR	ATTEST:	_____ SARAH GORMAN CITY CLERK SERVICES MANAGER
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# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING APRIL 27, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 11:00 a.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations.

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez (arrived 11:41 a.m.), Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Robert Stough.

### **PUBLIC COMMENT**

Members of the Public: There were no members of the public present to speak.

### **RECESS**

Mayor Murillo recessed to closed session at 11:03 a.m. and stated that no reportable action is anticipated.

### **CLOSED SESSIONS**

- 1. Subject: Conference With City Attorney – Existing Litigation – Gov. Code § 54956.9(d)(1) (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 Thomas Felkay as Trustee of the Emprise Trust v. COSB, et al. SBSC Case No. 17CV03351.

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

Document:

- April 27, 2021, report from City Attorney.

Time:

- 11:03 a.m. - 11:37 a.m.

No report made.

**2. Subject: Conference With City Attorney – Existing Litigation – Gov. Code § 54956.9(d)(1) (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 SBMR, LLC, et al. v. City of Santa Barbara, SBSC Case Numbers 20CV02842, 20CV03531, 20CV03532, 20CV03901, 20CV03906.

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

Document:

- April 27, 2021, report from City Attorney.

Time:

- 11:37 a.m. – 11:48 a.m.

No report made.

**ADJOURNMENT**

Mayor Murillo adjourned the meeting at 11:48 a.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____	ATTEST: _____
RANDY ROWSE	SARAH GORMAN
MAYOR	CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING MAY 3, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 1:30 p.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations.

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, Deputy City Clerk Robert Stough.

### **PUBLIC COMMENT**

Members of the Public: There were no members of the public present to speak.

### **PUBLIC HEARING**

#### **1. Subject: Fiscal Year 2022 Recommended Operating And Capital Budget (230.05)**

Recommendation: That Council hear a presentation from the Library Department and the Airport Department regarding their Fiscal Year 2022 Recommended Budget as contained in the Proposed Two-Year Financial Plan for Fiscal Years 2022 and 2023.

Public Hearing opened: 1:32 p.m.

Documents:

- May 3, 2021, report from the Finance Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Library Director, Jessica Cadiente; Library Services Manager, Molly Wetta; Library Services Manager, Kristina Hernandez; Budget Manager, Brandon Beaudette
- Members of the Public: Barbara Hershberg, Milt Hess, Jim Stern, Anne Howard, E. Howard Green, Barbara Anderson, Jim Jackson, Lauren Trujillo, Marissa Miller, Mackenzie Wildman, Margaret Kroko.

**RECESS: 3:55 p.m. – 4:02 p.m.**

Documents:

- May 3, 2021, report from the Finance Director.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Airport Director, Henry Thompson; Business Development Manager, Deanna Zachrisson; Business Services Manager, Jonathan Abad
- Members of the Public: None

**RECESS**

4:26 p.m. – 4:32 p.m.

Public Hearing closed: 5:09 p.m.

**ADJOURNMENT**

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

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
RANDY ROWSE  
MAYOR

ATTEST: \_\_\_\_\_  
SARAH GORMAN  
CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING MAY 5, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 9:00 a.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations.

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

### **PUBLIC COMMENT**

Members of the Public: There were no members of the public present to speak.

### **PUBLIC HEARINGS**

#### **1. Subject: Fiscal Year 2022 Recommended Operating And Capital Budget (230.05)**

Recommendation: That Council hear a presentation from the Fire, Information Technology, and Waterfront Departments regarding their Fiscal Year 2022 Recommended Budget as contained in the Proposed Two-Year Financial Plan for Fiscal Years 2022 and 2023.

Public Hearing opened: 9:02 a.m.

Documents:

- May 5, 2021, report from the Finance Department.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Fire Chief Chris Mailes; Fire Business Manager Ron Liehti; Fire Marshal Joe Poire

Documents:

- May 5, 2021, report from the Finance Department.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Waterfront Director Mike Wiltshire; Waterfront Business Manager Brian Bosse
- Members of the Public: Christopher Voss, Kim Selkoe, Barbara Rose Hoover, Marco Ferrell, Michael Nelson.

**RECESS: 11:22 a.m. – 11:28 a.m.**

Documents:

- May 5, 2021, report from the Finance Department.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Acting Information Technology Director Matt Fore; Acting Information Technology Manager Rudy Fidler

Public Hearing closed: 1:03 p.m.

**ADJOURNMENT**

Mayor Murillo adjourned the meeting at 1:04 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____	ATTEST: _____
RANDY ROWSE	SARAH GORMAN
MAYOR	CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING MAY 7, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 9:00 a.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations.

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, Deputy City Clerk.

### **PUBLIC COMMENT**

Members of the Public: There were no members of the public present to speak.

### **PUBLIC HEARINGS**

#### **1. Subject: Fiscal Year 2022 Recommended Operating And Capital Budget (230.05)**

Recommendation: That Council hear a presentation from the City Administrator's Office, Mayor & Council, Human Resources Department, and the Finance Department regarding their Fiscal Year 2022 Recommended Budget as contained in the Proposed Two-Year Financial Plan for Fiscal Years 2022 and 2023.

Public Hearing opened: 9:04 a.m.

Documents:

- May 7, 2021, report from the Finance Director
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Senior Assistant to the City Administrator Nina Johnson; City Clerk Services Manager Sarah Gorman, City Administrator Paul Casey
- Members of the Public: Sarah York-Rubin, E. Howard Green

Documents:

- May 7, 2021, report from the Finance Department
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Human Resources Director Wendy Levy; Administrative Analyst Sam Ramirez, Senior Human Resources Analyst Graciela Reynoso

**RECESS: 10:50 a.m. – 10:57 a.m.**

Documents:

- May 7, 2021, report from the Finance Department.
- PowerPoint presentation prepared and made by staff.

Speakers:

- Staff: Finance Director Keith DeMartini; Budget Manager Brandon Beaudette; Accounting Manager Mark Sewell; General Services Manager Bill Hornung; Finance Treasury Manager Jennifer Tomaszewski; Risk Manager Mark Howard

Public Hearing closed: 12:08 p.m.

**ADJOURNMENT**

Mayor Murillo adjourned the meeting at 12:09 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
RANDY ROWSE  
MAYOR

ATTEST: \_\_\_\_\_  
SARAH GORMAN  
CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING MAY 10, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

---

### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 1:30 p.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations.

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

### **PUBLIC COMMENT**

Members of the Public: There were no members of the public present to speak.

### **PUBLIC HEARINGS**

#### **1. Subject: Fiscal Year 2022 Recommended Operating And Capital Budget (230.05)**

Recommendation: That Council hear a presentation from the Parks & Recreation Department regarding their Fiscal Year 2022 Recommended Budget as contained in the Proposed Two-Year Financial Plan for Fiscal Years 2022 and 2023.

Public Hearing opened: 1:32 p.m.

Documents:

- May 10, 2021, report from the Finance Department
- PowerPoint presentation prepared and made by staff.

**Speakers:**

- Staff: Parks & Recreation Director, Jill Zachary; Creeks Division Manager, Cameron Benson; Parks & Recreation Assistant Director, Jazmin LeBlanc; Recreation Manager, Rich Hanna

**RECESS: 3:12 p.m. – 3:21 p.m.**

- Members of the Public: Kathy McGill, Beebe Longstreet, Darryl Scheck, Anna Marie Gott, Gayle Osherenko, Victoria Valente, Teela Blacklaw

Public Hearing closed: 4:15 p.m.

**ADJOURNMENT**

Mayor Murillo adjourned the meeting at 4:16 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

<p>_____ RANDY ROWSE MAYOR</p>	<p>ATTEST:</p>	<p>_____ SARAH GORMAN CITY CLERK SERVICES MANAGER</p>
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# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING MAY 18, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

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### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 11:00 a.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations.

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

### **PUBLIC COMMENT**

### **CLOSED SESSION**

#### **1. Subject: Conference Involving Joint Power Agency – Central Coast Water Authority (CCWA) (160.01)**

Recommendation: That Council hold a closed session pursuant to Government Code Sections 54956.96 and 54956.9 to discuss and take action, if necessary, as follows:

CONFERENCE INVOLVING A JOINT POWERS AGENCY: Central Coast Water Authority

Discussion will concern: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of litigation pursuant to Government Code section 54956.9(d)(4): 1 case

Name of City representative on joint powers agency board: Councilmember Friedman

#### CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: 1 case

Scheduling: Duration, 45 Minutes; anytime  
Report: None anticipated

Document:

- May 18, 2021 report from the City Attorney.

Time:

- 11:00 a.m. – 11:50 a.m.

No report made.

#### ADJOURNMENT

Mayor Murillo adjourned the meeting at 11:50 a.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____ RANDY ROWSE MAYOR	ATTEST:	_____ SARAH GORMAN CITY CLERK SERVICES MANAGER
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# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING MAY 19, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

---

### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 9:00 a.m., and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations.

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

### **PUBLIC COMMENT**

### **PUBLIC HEARINGS**

#### **1. Subject: Fiscal Year 2022 Recommended Operating And Capital Budget (230.05)**

Recommendation: That Council hear a presentation from the Community Development and Sustainability & Resilience Departments regarding their Fiscal Year 2022 Recommended Budget as contained in the Proposed Two-Year Financial Plan for Fiscal Years 2022 and 2023.

Documents:

May 19, 2021, report from Community Development.

- **Speakers:**  
Staff: Acting Community Development Director, Rebecca Bjork, Business Manager, James Hamilton, Housing & Human Services Manager, Laura Dubbels, Chief Building Official, Tina Dye, City Planner, Renee Brooke  
Members of the Public: Rich Sander (SB ACT)
- **Discussion:**  
The Community Development Department presented their recommended Fiscal Year 2022 budgets to the Mayor and Council as contained in the Proposed Two-Year Financial Plan for fiscal years 2022 and 2023. Councilmembers' questions were answered regarding how much efficiency can be gained by waiting until State Legislature to play out for some time; How are they tracking how many units are produced or income level or set to be produced in association with housing; Accela – is it close to being working functionally; What is the interface of how the Economic Development Manager and the Business Liaison working; Which Board now has purview over Grading; Quarterly update on Housing production; Rehabilitation Loan Program; Grants through the Federal Government regarding Homelessness and Shelters; 90 Year affordability covenant; Novak Report implementations and Ordinance amendments; State mandates and FAR's; Dissolution of Successor Agency; Increase to certain fees by going paperless to 100% digital; telecommuting program; possible evictions in regards to pandemic.
- **Documents:**  
May 19, 2021, report from the Sustainability & Resilience Department
- **Speakers:**  
Staff: Acting Sustainability & Resilience Co-Director, René Eyerly; Energy & Climate Manager, Alelia Parenteau
- **Discussion:**  
The Sustainability & Resilience Department presented their recommended Fiscal Year 2022 budgets to the Mayor and Council as contained in the Proposed Two-Year Financial Plan for fiscal years 2022 and 2023. Councilmembers' questions were answered regarding Regeneration Project and current status of Tajigus Resource Center; any new infrastructure regarding lighting needed throughout the City, especially the Westside.

## **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 12:16 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____	ATTEST: _____
RANDY ROWSE	SARAH GORMAN
MAYOR	CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING JUNE 9, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

---

### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 5:00 p.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations.

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon (arrived 5:08 p.m., excused 5:11 p.m.), Mayor Murillo.

Councilmembers absent: None.

Staff present: Assistant City Administrator Rebecca Bjork, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

### **CLOSED SESSION**

**1. Subject: Conference With City Attorney – Existing Litigation – Gov. Code § 54956.9(d)(1) (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 Jennifer Tomaszewski v. COSB, et al. SBSC Case No. 21CV02185.

Scheduling: Duration, 1 hour; anytime

Report: None anticipated

Document:

- June 9, 2021, report from City Attorney.

Time:

- 5:03 p.m. – 6:04 p.m.

No report made.

## **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 6:04 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
RANDY ROWSE  
MAYOR

ATTEST:

\_\_\_\_\_  
SARAH GORMAN  
CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING JUNE 21, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

---

### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 1:30 p.m.

### **ROLL CALL**

Councilmembers present: O. Gutierrez, Meagan Harmon, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: Councilmembers Mike Jordan, Eric Friedman, A. Gutierrez.

Staff present: City Administrator Paul Casey, City Attorney Ariel Calonne.

### **SITE VISIT**

#### **1. Subject: 825 De La Vina Street (640.07)**

Recommendation: That Council make a site visit to the property located at 825 De la Vina Street; the Architectural Board of Review's Final Approval of a 21-unit, mixed-used development at 825 De la Vina Street.

#### **Discussion:**

City staff presented appeal issues to Council. Staff answered questions from Council on scope of project. Council walked the perimeter of the site.

### **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 1:40 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____	ATTEST:	_____
RANDY ROWSE		SARAH GORMAN
MAYOR		CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING OCTOBER 12, 2021 COUNCIL CHAMBERS, 735 ANACAPA STREET**

---

### **CALL TO ORDER**

Mayor Cathy Murillo called the meeting to order at 11:00 a.m. and announced that the meeting is being held via teleconference and all members of the City Council are participating electronically from various locations.

### **PLEDGE OF ALLEGIANCE**

Mayor Murillo.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: Interim City Administrator Rebecca Bjork, City Attorney Ariel Calonne, City Clerk Services Manager Sarah Gorman.

### **CLOSED SESSION**

#### **1. Subject: Conference with Labor Negotiator**

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiator Wendy Levy, Human Resources Director, Sam Ramirez Administrative Analyst III, Keith De Martini, Finance Director regarding negotiations with, Service Employees' International Union, Local 620, Treatment and Patrol Bargaining Units, Fire Management Association, Santa Barbara City Firefighters Association, Santa Barbara City Supervisory Employees.

SCHEDULING: Duration, 40 Minutes; anytime

REPORT: None anticipated

Time:

11:04 a.m. – 11:48 a.m.

No report made.

**2. Subject: Conference Involving Central Coast Water Authority  
Government Code § 54956.96**

Recommendation: That Council hold a closed session pursuant to Government Code Section 54956.96 to discuss and take action, if necessary, on matters involving the Central Coast Water Authority as follows:

CONFERENCE INVOLVING CENTRAL COAST WATER AUTHORITY  
(Government Code § 54956.96)

Discussion will concern:

CLOSED SESSION A. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS Government Code section 54956.8 Property: State Water Supply Contract Agency negotiator: Ray Stokes and Legal Counsel Negotiating parties: Department of Water Resources and State Water Contractors Under negotiation: Price and Terms.

Name of City representative CCWA Board: Councilmember Eric Friedman

Scheduling: Duration, 15 Minutes; anytime

Report: None anticipated

Time:

11:48 a.m. – 12:07 p.m.

No report made.

**3. Subject: Conference With City Attorney – Existing Litigation – Gov. Code §54956.9(d)(1) (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 Stephen Price v. City of Santa Barbara USDC Case No. 2:21-cv-00888.

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

Time:  
12:07 p.m. – 12:26 p.m.

No report made.

## **ADJOURNMENT**

Mayor Murillo adjourned the meeting at 12:26 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

\_\_\_\_\_  
RANDY ROWSE  
MAYOR

ATTEST:

\_\_\_\_\_  
SARAH GORMAN  
CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING MARCH 10, 2022 PALM PARK BEACH HOUSE, 236 E CABRILLO BLVD**

---

### **CALL TO ORDER**

Mayor Randy Rowse called the meeting to order at 2:00 p.m.

### **PLEDGE OF ALLEGIANCE**

Mayor Rowse.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Murillo.

Councilmembers absent: None.

Staff present: Interim City Administrator Rebecca Bjork, City Attorney Ariel Calonne, City Clerk Sarah Gorman.

### **PUBLIC HEARINGS**

#### **1. Subject: Budget Work Session For Fiscal Year 2023 (230.05)**

Recommendation: That Council hear a presentation from staff related to the development of the Fiscal Year 2023 budget and provide direction to staff.

#### **Documents:**

- March 10, 2022, report from the Finance Director
- PowerPoint presentation prepared and made by staff.

#### **Speakers:**

- Staff: Rebecca Bjork, City Administrator; Keith DeMartini, Finance Director; Ariel Calonne, City Attorney; Justin Cure, Information Technology Director; Wendy Levy, Human Resources Director; Alelia Parenteau, Acting Sustainability and Resilience Director; Clifford Mailes,

Public Works Director; Brian D'Amour, Interim Airport Director; Jill Zachary, Parks and Recreation Director.

- Members of the Public: None.

Discussion:

- Staff discussed budget issues including answering budget questions, understanding revenue trends, realizing cost drivers, acknowledging economic impacts, prioritization, and planning beyond the one year budget. Councilmembers' questions were answered.

## ADJOURNMENT

Mayor Rowse adjourned the meeting at 4:23 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____	ATTEST: _____
RANDY ROWSE	SARAH GORMAN
MAYOR	CITY CLERK SERVICES MANAGER



# **CITY OF SANTA BARBARA CITY COUNCIL MINUTES**

## **SPECIAL MEETING MARCH 15, 2022 COUNCIL CHAMBERS, 735 ANACAPA STREET**

---

### **CALL TO ORDER**

Mayor Randy Rowse called the meeting to order at 11:00 a.m. and announced that the meeting is being held via teleconference. Mayor and Council are participating from Council Chambers.

### **PLEDGE OF ALLEGIANCE**

Mayor Rowse.

### **ROLL CALL**

Councilmembers present: Eric Friedman, Alejandra Gutierrez (11:08 a.m.), Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Rowse.

Councilmembers absent: None.

Staff present: City Administrator Rebecca Bjork, City Attorney Ariel Calonne, Deputy City Clerk Yazmin Dominguez.

### **PUBLIC COMMENT**

Members of the Public: None.

### **CLOSED SESSION**

#### **1. Subject: Conference With Labor Negotiator**

Recommendation: That Council hold a closed session pursuant to the authority of Government Code Section 54957.6 to consider instructions to City negotiator Wendy Levy, Human Resources Director, Sam Ramirez Administrative Analyst III, Keith DeMartini, Finance Director, regarding negotiations with, Santa Barbara City Employees' Association (General Bargaining Unit) Local 620 Service Employees' International Union, Service Employees' International Union, Local 620, Treatment and Patrol Bargaining Units, Fire Management Association, Santa Barbara City Firefighters Association, Police Officers Association, Santa Barbara City

Supervisory Employees, and Unrepresented Management and Confidential Employees.

Scheduling: Duration, 40 Minutes; anytime  
Report: None anticipated

Document:  
- March 15, 2022 report from the City Administrator

Time:  
- 11:07 a.m. – 12:47 p. m.

No report made.

**2. Subject: Conference With City Attorney – Existing Litigation – Gov. Code § 54956.9(d)(1)**

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 People of the City of Santa Barbara and of the County of Santa Barbara, Who Are Unhoused, as a Class Represented by P. Boring, etc. v. Cathy Murillo, et al. USDC No. 2:21-cv-7305-DOC-KES.

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

Document:  
- March 15, 2022 report from the City Attorney

Time:  
- 12:48 a.m. – 1:58 p. m.

**RECESS**

1:58 p.m – 3:12 p.m.

Resumed 3:13 p.m. – 3:26 p.m in 2:00 p.m. Regular Meeting of the same date.

No report made.

**3. Subject: Conference With City Attorney – Existing Litigation – Gov. Code § 54956.9(d)(1)**

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 Committee for Social Justice, et al. v. COSB, et al. SBSC Case No. 20CV02821.

Scheduling: Duration, 30 mins.  
Report: None anticipated

Document:  
- March 15, 2022 report from the City Attorney

Time:  
- 12:48 a.m. – 1:58 p. m. resumed 3:13 p.m. – 3:26 p.m.

No report made.

## **ADJOURNMENT**

Mayor Rowse adjourned the meeting at 3:26 p.m.

Approved and adopted by the City Council of the City of Santa Barbara on April 12, 2022.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA  
CITY CLERK'S OFFICE

_____ RANDY ROWSE MAYOR	ATTEST:	_____ SARAH GORMAN CITY CLERK SERVICES MANAGER
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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA ADOPTING THE 2021-2023 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA BARBARA AND THE PATROL OFFICERS' AND TREATMENT PLANTS' BARGAINING UNITS (TAP UNITS).

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

SECTION 1. The Memorandum of Understanding between the City of Santa Barbara and the Service Employees' International Union, Local 620, Airport and Harbor Patrol Officers' and Treatment Plants' Bargaining Units, entered into as October 1, 2021 and attached hereto and incorporated herein by reference as Exhibit "A" (hereinafter the "M.O.U.") is hereby adopted.

SECTION 2. During the term of the M.O.U., the City Administrator is hereby authorized to implement the terms of the M.O.U. without further action by the City Council, unless such further Council action is required by state or federal law.

**2021-2023 MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CITY OF SANTA BARBARA  
AND  
SERVICE EMPLOYEES' INTERNATIONAL UNION, LOCAL 620, CTW, CLC,  
AIRPORT AND HARBOR PATROL OFFICERS' AND  
TREATMENT PLANTS' BARGAINING UNITS**

THIS AGREEMENT IS ENTERED INTO AS OF \_\_\_\_\_ BETWEEN THE CITY OF SANTA BARBARA, HEREINAFTER REFERRED TO AS THE "CITY", AND THE SERVICE EMPLOYEES' INTERNATIONAL UNION, LOCAL 620, CTW, CLC, HEREINAFTER REFERRED TO AS "UNION."

Pursuant to Section 3.12 of the Municipal Code of the City of Santa Barbara and Section 3500 et seq. of the Government Code, the duly authorized representatives of the City and the Union, having met and conferred in good faith concerning the issue of wages, hours, and terms and conditions of employment, as herein set forth, declare their agreement to the provisions of this Memorandum of Understanding.

**FOR THE CITY:**

\_\_\_\_\_  
Wendy Levy  
Human Resources Director

\_\_\_\_\_  
Sam Ramirez  
Administrative Analyst III

\_\_\_\_\_  
Keith DeMartini  
Finance Director

\_\_\_\_\_  
John Doimas  
City Attorney

\_\_\_\_\_  
Amanda Flesse  
Wastewater System Manager

\_\_\_\_\_  
Aaron Keller  
Airport Operations Manager

**FOR THE UNION:**

\_\_\_\_\_  
Laura Robinson,  
SEIU Local 620 Field Representative

\_\_\_\_\_  
Simon Perez, Wastewater Collections

\_\_\_\_\_  
Jasper Allen, Wastewater Treatment

\_\_\_\_\_  
Rick Callahan, Airport Patrol Officer II

\_\_\_\_\_  
Rick Hubbard, Harbor Patrol Officer

\_\_\_\_\_  
Ryan Cullom, Airport Operations

\_\_\_\_\_  
Jeff Beardsmore, Water Treatment

\_\_\_\_\_  
Jeff Becker, Water Distribution

\_\_\_\_\_  
SEIU Local 620 Field Representative

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Appendix A -	Shift Differential Examples
Appendix B -	Child Care Policies
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Appendix D-	9/80 Work Schedule Policy

**1. BENEFITS DURING LEAVE WITHOUT PAY**

No sick leave, vacation, or holidays shall accrue to any employee during any full biweekly pay period in which the employee is on unauthorized or authorized leave without pay. Employees on leave without pay shall also be responsible for full payment (employer and employee portion) of insurance premiums except as otherwise provided in this MOU.

**2. BENEFITS- PART-TIME EMPLOYEES**

a. Employees filling positions authorized by City Council in the City's official list of authorized positions at 20 hours or more per week on a less than full-time basis shall receive benefits (holiday, vacation, and sick leave) as follows:

- i. Cafeteria plan contribution, medical contribution, dental contribution, vision contribution, holiday time, bilingual pay, and other benefits, equal to the percent of time regularly scheduled versus a regular work week rounded up to the nearest ten percent (10%), unless otherwise stipulated in this Agreement..
- ii. Vacation, and sick leave equal to the percent of time worked versus a regular work week rounded up to the nearest ten percent (10%).

b. Employees who were already filling positions authorized by City Council in the official 2004-2005 Position and Salary Control Resolution at more than 20 hours per week on a less-than-full-time basis on September 24, 2004 will continue to receive full-time health benefits (cafeteria plan contribution, medical contribution, dental contribution, vision contribution).

**3. BEREAVEMENT LEAVE**

a. The City's bereavement leave policy shall provide up to 40 hours leave with pay for immediate family members. Immediate family is defined as mother, father, brother, sister, spouse/domestic partner, child, grandparents by blood or marriage, grandchildren by blood or marriage, mother-in-law, father-in-law, brother-in-law, sister-in-law, daughter-in-law, son-in-law, person standing in loco parentis (in place of the parent), and step family members. In order to receive this benefit, domestic partners must be registered with the City Clerk's office or the Secretary of State.

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

b. The parties agree that co-worker funeral attendance will be acceptable to the City upon Department Head approval consistent with maintenance of operations.

c. Though bereavement leave pay is not applicable, the City shall encourage departments to make reasonable efforts to allow employees to use accrued vacation, compensatory, time or personal leave to attend the funeral of an aunt, uncle or cousin.

**4. BILINGUAL SKILLS**

a. The City and the Union agree to encourage employees to voluntarily develop bilingual skills in instances where the public contact nature of their jobs would make such skills valuable.

Any employee who is requested by the City and whose duty assignments require frequent and regular use of bilingual language skills in Spanish and in English with members of the public shall be designated by the Department Head in writing and said designation shall be approved by the Human Resources Manager, who shall test and certify the employees for language proficiency.

Departments will be limited to two (2) employees as being designated for use of bilingual skills in each major division or department. "Major Division" shall be determined by the Department Head.

As used in this section, the phrase "regular and frequent" means at least several times in each working day. Designation of the bilingual language skill is restricted to the actual needs of the position. An employee's ability to read, write or speak Spanish occasionally or, incidental use of language skills in Spanish, or the use of bilingual skills other than for the purpose of meeting the requirements of the job shall not warrant a bilingual designation.

b. The City shall provide an updated list of designated employees at the Union's written request no more than once every six (6) months.

c. All employees designated for use of bilingual skills by their Department Head shall receive \$64.00 per pay period.

## **5. BULLETIN BOARDS**

The City agrees to furnish space for Union-purchased bulletin boards of a reasonable size for posting of Union material. The specific locations of the bulletin boards shall be approved by the City and shall include but not be limited to the following work stations:

Harbor Patrol Office  
Airport Administration Building  
Parks Division

Water Treatment Plant  
Wastewater Treatment Plant

Other work stations may be added upon approval of the City.

## **6. CAFETERIA PLAN**

a. A flexible benefits plan known as a "125 Cafeteria Plan" and the "pre-tax advantage" provisions related to an employee's medical, dental, vision, psychological and supplemental life insurance premium contributions and flexible spending accounts within the meaning of Section 125 (d) of the Internal Revenue Code shall be provided to employees. Each employee shall be eligible to allocate a discretionary amount of \$313.74 per month for the term of this Agreement. Effective January 1, 2019, the discretionary amount will increase to \$328.74 per month.

b. If medical, dental, and vision insurance plan selections exceed the cafeteria plan allocation, the City will pay the difference of these respective insurance premiums up to the amounts in the Medical Insurance, Dental Insurance and Vision Insurance sections of the Health Insurances article of this MOU; said excess premium payments cannot be applied to any other element of the cafeteria plan.

## **7. CATASTROPHIC LEAVE**

Employees will be covered by the Citywide Catastrophic Leave Policy, dated September 22, 2016, and incorporated herein by reference. This policy allows employee donation of eligible accrued time off to a coworker dealing with a catastrophic illness or injury to the coworker and/or the coworker's spouse, registered domestic partner, or child.

**8. DEPENDENT CARE**

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

**9. COMMERCIAL DRIVER'S LICENSE**

When an employee is appointed to a position where a commercial driver's license is required, the City will allow the employee up to 6 months following initial appointment to obtain the commercial driver's license, unless the employee had a commercial driver's license prior to being appointed.

**10. DISABILITY RETIREMENT**

a. An employee found physically or mentally incompetent to perform his/her regular duties shall be provided with the opportunity for transfer, promotion or demotion to a position for which he/she possesses the physical or mental competence, if possible, or other action pursuant to State law and/or City Charter.

b. An employee later found not to be disabled shall be reinstated with back pay and benefits to the date such pay and benefits ceased.

c. In no case shall an industrially injured employee be entitled to use sick leave benefits to postpone the effective date of retirement.

d. An employee eligible to retire for non-industrial disability shall be entitled to use sick leave benefits to extend the date the employee is first eligible to receive retirement benefits for up to a maximum of ninety (90) days.

**11. DISCIPLINARY ACTION**

The City, at its option, may require an employee to forfeit vacation or holiday time in lieu of taking other disciplinary action pursuant to Charter Section 1007 and enabling ordinances.

**12. DOMESTIC PARTNERSHIP HEALTH BENEFITS**

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

**13. DRESS CODES**

It is agreed that employees recognize and will comply with standards of dress consistent with the positive representation of the City government through its employees and consistent with uniform requirements and safety policies established by the City. The Department head may issue guidelines for dress that are consistent with the above standard for a work unit. Said guidelines will be given to employees at the time of hire. The City will provide the Union with Department Dress Guidelines and upon request, will meet and consult with Union over potential impacts to terms and conditions of employment.

**14. DRUG AND ALCOHOL TESTING POLICIES**

Only employees with commercial driver's licenses in "safety sensitive" positions are subject to the City of Santa Barbara Drug and Alcohol Testing Policy Pursuant to Department of Transportation Regulations (which includes random and reasonable suspicion drug and alcohol testing).

Employees not subject to the City Of Santa Barbara Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations are subject to pre-employment drug testing and post-accident drug and alcohol testing pursuant to the City of Santa Barbara Drug and Alcohol Testing Policy, attached hereto as Appendix C.

**15. EQUAL EMPLOYMENT OPPORTUNITY**

a. The City and the Union agree that the provisions of this Agreement shall be applied equally to all employees covered herein without favor or discrimination because of race, creed, color, sex/gender, age, national origin, military and veteran status, political or religious affiliations, Union membership, sexual orientation, marital status, disability or pregnancy.

b. The City and the Union agree to commit themselves to the goal of equal employment opportunity in all City services. Further, the Union agrees to encourage their members to assist in the implementation of the equal employment opportunity program.

**16. FLEXIBLE STAFFING**

The City may choose to flexibly staff classifications within any class series containing an entry and journey level position. Flexible staffing gives the City the ability to hire employees at the entry level or the journey level depending upon applicant qualifications and City staffing needs.

An official list of the flexibly staffed classifications shall be maintained by Human Resources. Classifications designated as flexibly staffed would not require an examination nor the establishment of an eligible list for an incumbent to promote from the entry level to the journey level classification. The City retains the exclusive right to determine if and when an employee may advance from the entry to the journey level.

Flexible staffing does not preclude the City from identifying certain positions that would be permanently assigned to the entry level for as long as their duties and responsibilities remain within the entry level classification.

**17. GRIEVANCES/DISPUTES**

a. Grievances shall be defined as an alleged violation of this Agreement or dispute regarding interpretations, application, or enforcement of this Agreement or the City Charter, City ordinances, resolutions, and written policies related to personnel policies and working conditions. Grievances shall not include disagreements, disputes, or activities regarding or pertaining to examinations for employment or promotion, disciplinary action, performance evaluations, probationary terminations and items subject to meet and confer.

No act or activity which may be grievable may be considered for resolution unless a grievance is filed in accordance with the procedure contained herein within twenty (20) working days of the date the grievable activity occurred or the date the employee could reasonably have known such activity occurred.

b. The Union agrees that whenever investigation or processing of a grievance is to be transacted during working hours, only the amount of time necessary to bring about a prompt disposition of the matter will be utilized. At the City's discretion, time spent by City employees on the investigation and processing of grievances will be recorded on a form provided by management.

Union Stewards will be permitted reasonable time off with pay for the investigation and processing of grievances after first obtaining permission from his/her Department Head. Such permission will be granted promptly unless such absence would cause an undue interruption of work.

Upon entering a work location, the Union Steward shall inform the appropriate Department Head and supervisor of the nature of his/her business. An employee pursuing a grievance shall be granted permission to leave the job unless such absence would cause an undue interruption of work. If the employee can not be made available, the Union Steward will be immediately informed when the employee will be made available.

c. The parties agree that all grievances will be processed in accordance with the following procedure.

Step One

Any employee who has a grievance shall first try to get it settled through discussion with his/her immediate supervisor without undue delay. Every effort shall be made to find an acceptable solution at the lowest possible level of supervision.

Step Two

If after such discussion the employee does not believe the grievance has been satisfactorily resolved, he or she may file a formal appeal in writing to his/her Department Head within ten (10) working days after the informal decision of his/her immediate supervisor.

The Department Head receiving the formal appeal shall render his/her written decision and comment to the employee within ten (10) working days after receiving the appeal.

Step Three

If, within ten (10) working days after receipt of the written decision of the Department Head the employee is still dissatisfied, he or she may request the services of a mediator from the State Mediation and Conciliation Service.

Step Four

If, within ten (10) working days after the mediation process has been completed, the employee is still dissatisfied he or she may file a written appeal of the decision of the Department Head to the City Administrator. The City Administrator shall review information provided by the employee, the decision of the Department Head, and suggestions or information provided by the Mediator. The City Administrator shall render his/her decision within twenty-five (25) working days after the appeal is filed. Except as provided under Step Five below, the City Administrator's decision shall be considered final.

Step Five

**Request for Arbitration**

If the grievant is not satisfied with the decision at Step Four, he/she may, within fifteen (15) working days after the decision is mailed by the City Administrator, and with the concurrence of the Union, submit a request in writing to the City to proceed to arbitration. The Union shall have the right to invoke the arbitration procedure on behalf of a class of employees. Arbitration shall be conducted in accordance with the rules and procedures delineated in this Article.

**Selection of Arbitrator**

The parties shall make a good faith effort to select a mutually acceptable arbitrator from a designated list of available arbitrators. If they are unable to agree on an arbitrator within ten (10) days of the submission of the grievance to arbitration, the parties shall request a panel of experienced arbitrators from the

California State Mediation and Conciliation Service. Each party shall alternately strike a name until only one name remains. The party who strikes first shall be determined by lot. By mutual agreement, the arbitration may be held under the Expedited Rules of the American Arbitration Association.

Unless the parties agree otherwise, a hearing shall be commenced within sixty (60) days from selection of the arbitrator.

#### **Arbitrator's Authority**

Only those issues which directly relate to alleged violations of this Memorandum of Understanding or the City Charter, City ordinances, resolutions and written policies related to personnel policies and working conditions shall be subject to arbitration. In addition, matters for which a separate and comprehensive administrative process is available that provides a remedy no less complete than that provided in arbitration are not within the scope of this procedure. Examples of such comprehensive processes are: discrimination complaints covered by EEOC or DFEH, safety complaints under Cal OSHA and OSHA, workers' compensation matters, and Civil Service appeals. The arbitrator will have no power to add to, subtract from, or modify the terms of this Agreement, the City Charter or Ordinances, or the written policies, rules, regulations or procedures of the City. The arbitrator however, may, in the course of determining the questions properly submitted to him/her, consider arguments and evidence based on external law.

#### **Submission Agreement/Questions Regarding Arbitrability**

If the parties cannot agree upon a submission agreement, the arbitrator shall determine the issues by referring to the written grievance and the answers thereto at each step. If any question arises as to the arbitrability of the grievance, such question shall be ruled upon by the arbitrator prior to hearing the merits of the grievance.

#### **Hearing Procedure**

Except as indicated in this Article, the arbitration hearing shall be conducted in accordance with the Labor Arbitration Rules of the American Arbitration Association.

#### **Decision**

After a hearing and an opportunity to present such closing arguments as may be appropriate, the arbitrator will make a reasonable effort to issue his/her decision within thirty (30) days after the conclusion of the hearing. The arbitrator's decision shall be in writing and set forth his/her findings of fact, reasoning and conclusions on the issues submitted. The decision shall be final and binding on the parties.

#### **Costs**

All costs for the services of the arbitrator, including, but not limited to, per diem expenses, travel and subsistence shall be shared equally by the parties. Any cost incurred to obtain the use of a hearing room shall be shared by the parties. All other costs shall be borne by the party incurring them.

d. The time limitations for filing and responding to grievances may be waived or extended by mutual agreement of the parties. If either party to the grievance so requests, an informal hearing shall be conducted at the Department Head or City Administrator appeal levels. Employees may be represented by counsel or other person at any stage in the grievance process.

e. Grievances which are general in character and which involve interpretation or application of this MOU or City policies or which involve matters requiring resolution outside the authority of the employee's Department Head shall be filed directly with the Assistant City Administrator who shall provide a written response within ten (10) working days.

An employee may appeal the response of the Assistant City Administrator. The employee's appeal shall be handled in accordance with the procedures beginning in step three above.

f. Disputes or complaints regarding open competitive or promotional examinations for employment

shall be processed in accordance with the policy adopted by the City Administrator. The City shall consult with the Union prior to adopting or amending such policy.

g. Disputes or complaints regarding performance appraisals, including written Performance Improvement Plans (PIPs), shall first be discussed with the individual who made the appraisal. An employee dissatisfied with the appraiser's response may discuss his/her complaint with the individual at the next higher level of supervision whose decision shall be final. Such discussion with the next level of supervision shall be requested within 10 days of the issuance of the performance document, and an employee may be represented by counsel or other individual during the discussion with the next level of supervision.

**18. HARBOR AND AIRPORT PATROL SPECIAL DUTY ASSIGNMENT/PROFESSIONAL CERTIFICATION PAY**

a. It is agreed that special pay associated with Harbor or Airport Patrol Special Duty Assignments shall be provided at the rate of two percent (2%) of base salary.

b. Harbor or Airport Patrol Special Duty Assignments shall be significant in nature and designated by the Waterfront Director or Airport Director. If such special duty assignments are created, City shall submit a request the Union to voluntarily modify this agreement to include any details for eligibility for such pay that may be required by the California Public Employees Retirement System (CALPERS) for pension reporting purposes.

c. For Harbor Patrol Officers who meet the certification requirements to possess an EMT-D\* certification shall receive \$100 per pay period effective the first full pay period following adoption of the MOU.

\*EMT-D certification requirement as determined by the Santa Barbara County Emergency Medical Services Agency. Employee shall lose the certification pay and eligibility if recertification requirements are not met as determined and required by the Santa Barbara County Emergency Medical Services Agency.

**19. HEALTH AND SAFETY**

a. The City and the Union agree to abide by all provisions of the California Plan approved in accordance with the provisions of the Federal Occupational Safety & Health Act of 1970, and any applicable legislation as may be passed by the State of California to implement that plan. The City recognizes that it is the duty of management to make every reasonable effort to provide and maintain a safe place of employment. The Union will cooperate by encouraging all employees to perform their work in a safe manner. It is the duty of all employees in the course of performing their duties to be alert to unsafe practices, equipment, and conditions and to report any such unsafe practices or conditions to their immediate supervisors. If such conditions cannot be satisfactorily remedied by the immediate supervisor, an employee has the right to submit the matter either personally or through the Union Steward to his/her Department Head or his/her designated representative. On any matter of safety that is not resolved, consultation will take place between management and Union representatives. Compliance with basic safety requirements will be part of each employee's performance evaluation criteria.

b. The City agrees to conduct a Safety Program on City time for the purpose of educating employees concerning the provisions of the Occupational Safety and Health Act as well as the City's safety policies. The Union agrees to support without qualification the City's Safety Program and will encourage its members to attend safety courses if required by the City and made available on City time. The City agrees that any safety courses the employees are required to take will be provided on City time with pay and that first aid training shall be provided to all employees in an on-duty status.

c. Both the City and the Union recognize the need and will strive to reduce the number of industrial injuries among the employees.

d. The parties agree that the City shall perform on-site safety inspections in major work sites at least once a year, and to hold regular safety meetings with departmental safety coordinators. It is further agreed that the City shall continue to maintain vehicles and equipment in a safe operating condition and that no employee will be penalized for refusing to use vehicles or equipment proven to be unsafe pursuant to State law.

## **20. HEALTH INSURANCES (MEDICAL, DENTAL, VISION)**

a. City agrees to meet informally with the Chair of the bargaining unit (or his/her designated representative) in March, June, and August annually, or more often as necessary, to discuss health, life, and disability plan renewals. These meetings may be combined with such discussions with other bargaining units at the City's option. While such discussions will be advisory only, City will give due consideration to this bargaining unit's number of represented employees in consideration of decisions. An SEIU staff member may attend to observe. Where practicable, the City will provide relevant data to be discussed a reasonable time in advance of meetings.

### **b. Medical Insurance -**

The parties agree that the City will pay 100% of the premium for medical insurance for the employee only, up to a maximum per month per employee of \$1009.43. The City will pay up to a maximum of \$1175.56 per month for the premiums of employees on an "Employee Plus One" and \$1,528.23 per month for the premiums of employees on an Employee Plus Family plan.

The City retains full and complete control over the selection, approval, and administration of the City's employee medical insurance program to include selection of the carrier, insurance contract renewal, and changes in program specifications. However, medical insurance benefits at the commencement of the January to December plan year shall be maintained to the extent it is within the control of the City.

c. **Dental Insurance**- The parties agree that the City shall pay up to a maximum of \$76 per month per employee towards the dental insurance premium.

The City retains complete and full control over the administration of this dental program subject to maintenance of benefits during the January to December plan year, to the extent it is within the control of the City. As soon as feasible, the City will provide a tiered dental plan option at the employee's expense.

The City will continue to provide a Dental HMO option.

d. **Vision Insurance**- The City shall pay up to a maximum of \$9.26 per month per employee towards the vision insurance premium for the term of this Agreement. Employees who drop vision insurance shall not be able to re-enroll within two years of dropping coverage. As soon as feasible, the City will provide a tiered vision plan option at the employee's expense.

e. The parties will reopen negotiations with the purpose of addressing City cost-neutral changes to the structure of contributions under this Article, Article 6 (Cafeteria Plan), Article 2 (Benefits –Part-Time Employees), and related articles that may be necessary to avoid impacts of the Affordable Care Act or replacement legislation (e.g. Cadillac Tax, affordability provisions, etc.)."

## **21. HOLIDAYS**

a. The City and the Union agree that the following days shall be observed as legal holidays by all employees in the Unit who are in a classification which would normally take a holiday when it occurs.

January 1st	(New Year's Day)
3rd Monday in January	(Martin Luther King Jr.'s Birthday)
3rd Monday in February	(Washington's Birthday)
March 31 <sup>st</sup>	(Cesar Chavez's Birthday)
Last Monday in May	(Memorial Day)
June 19th	(Juneteenth)
July 4th	(Independence Day)
1st Monday in September	(Labor Day)
November 11 <sup>th</sup>	(Veteran's Day)
4th Thursday in November	(Thanksgiving)
The Friday Immediately following Thanksgiving Day	
December 25th	(Christmas Day)

b. When a holiday falls on a Saturday or Sunday the preceding Friday or following Monday respectively shall be observed as a legal holiday.

c. For shift employees, 3.70 hours per biweekly pay period (12 days per year) will be allocated to their vacation balance and shall be used like vacation. Employees eligible to receive this accrual shall begin accruing effective the first day of employment. Shift employees are those employees that have been designated by the Department Head as shift employees because the nature of operations in their area of responsibility is such that work on holidays is a regular job requirement. Shift employees receive straight time pay for work on a day being observed as a holiday if it is part of the employee's regular shift. However, if a shift employee is called back to work on a day which is not the employee's regular shift day, and that day is being observed as a holiday, as listed above, the employee shall be compensated at the rate of time and one-half. For purposes of this provision, Park Rangers are considered shift employees.

d. Nothing in this Agreement shall preclude the City from declaring a holiday when a legal holiday has been declared by the President of the United States or the Governor of the State of California.

e. If an employee who is not a shift employee under section "b" of this article is required to work on a day that is being observed as a holiday, as listed above, the employee shall be compensated at the rate of time and one-half for hours worked on that day. The employee will also be entitled to an additional day off. Such day off shall be taken within thirty (30) calendar days or shall be compensated at straight pay after the 30th day.

f. The City will solicit volunteers within a work unit to work on Thanksgiving and Christmas. If an insufficient number of volunteers are available, then the supervisor shall make every reasonable effort to rotate assignments on Thanksgiving and Christmas.

## **22. IMPLEMENTATION OF MOU**

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

## **23. JURY/WITNESS DUTY**

In the event that an employee of the City is required by a court of competent jurisdiction to perform jury duty and that requirement causes the employee to be away from his/her regularly assigned work schedule, said jury duty shall be considered leave with pay without interruption of service on the condition that the employee pay to the City Treasurer all compensation he/she receives for the jury duty. For those employees on shift work, the City will, whenever possible, reschedule an employee to a day shift.

Pursuant to Government Code §1230.1, whenever an employee is served with a subpoena which compels his/her presence as a witness, unless he/she is a party or an expert witness, such employee shall be granted a leave of absence with pay in the amount of the difference between the employee's regular earnings and any amount he/she receives for such appearance.

## **24. LAYOFF POLICY**

a. Basis of Layoff: Whenever a position is abolished pursuant to section 1008 of the City Charter an employee will be laid off as set forth below.

b. Notification to the Union: Whenever the City Administrator submits a budget to the City Council requiring layoff of employees in this bargaining unit, the City Administrator shall provide the Union with a list of the classifications(s), department(s), and division(s) from which the layoff will be made, and a seniority list of those affected.

c. Notification to Employee: Employees to be laid off shall be given at least thirty (30) calendar days prior notice.

d. Order of Layoff: Employees will be laid off by classification, department and division in the following order:

1. Probationary employees;
2. Regular employees who within the twenty-six pay periods immediately prior to the layoff received a cumulative performance evaluation score of less than 3.0 under the former evaluation form, or an overall score of "needs improvement" under the new 2009 evaluation form.
3. Regular employees by inverse order of seniority. Seniority is determined by continuous service in the classification.
4. If employees have the same seniority within the classification, selection shall be made at random.

e. Bumping (Displacement) Rights: regular employees who are laid off have the right to return to the last position they previously held under the following conditions:

1. They meet the positions' minimum qualifications
2. They are physically able to perform the duties of the position
3. The position has continued to exist

If an employee bumps down into the last position held, the employee will bump the employee with the least seniority in the classification.

f. Transfer or Voluntary Demotion: If an employee to be laid off meets the minimum qualifications for a vacant position, before an open competitive recruitment can be commenced, the employee will be given an opportunity to fill the vacant position through transfer or voluntary demotion.

If an employee does not meet the minimum qualifications for the vacant position the City will consider appointment to the vacant position as a trainee level appointment. Trainee-level employees appointed under this section will be paid at 100% of Step 1, rather than 80%.

Final appointment through transfer or demotion is at the sole discretion of the Department head.

- g. Separation Enhancement Plan: The City may offer a separation enhancement to avoid layoffs.

## **25. LEAD PAY**

a. During the term of this Agreement, Harbor Patrol Officers who are scheduled and work an assigned shift in Lead capacity shall receive an additional five (5%) percent over their base salary. The five (5%) percent shall not be applied to vacation, sick leave, compensatory time or other paid leaves. The City agrees to designate a "Lead" officer whenever the Harbor Patrol Supervisor and the Harbormaster are not working.

Nothing in this provision is intended to preclude the Harbor Patrol Supervisor or the Harbormaster from assigning a "Lead" officer whenever they deem it to be necessary for the safe and efficient operation of the department. Which officer is assigned as the lead officer is within the sole discretion of Waterfront management.

## **26. LEAVE OF ABSENCE**

a. It is agreed that represented employees as defined in this Agreement shall have the right to request an extended leave of absence without pay for a period of up to one year for personal reasons or for additional schooling. If the leave is approved, the employee will have the right of return but such leave shall be considered a break in service with no accrual of benefits. Leave approval will be at the discretion of the City Administrator.

b. Employees may be entitled to up to 12 weeks of leave, with benefit continuation and reinstatement rights, under the City's FMLA/CFRA Family Care and Medical Leave Policy for the birth of a child or to care for a newborn, for the placement of a child with an employee in connection with adoption or foster care, to care for a child, parent, spouse, domestic partner or child of a domestic partner who has a serious health condition, or for the employee's own serious health condition. For combined pregnancy and child bonding leave, the amount of leave available under this policy may be longer. Employees may also be entitled to up to 26 weeks of leave to care for a covered service member under the City's FMLA/CFRA Family Care and Medical Leave Policy. Employees may also be entitled to "qualifying exigency leave", "military caregiver leave", or other leave under the military family leave provisions of the FMLA/CFRA Family Care and Medical Leave Policy.

c. Extended medical leaves of absence may be granted by the City Administrator for a period of up to a total of one year (including any period of FMLA/CFRA Family Care and Medical Leave) on request of the employee due to the employee's illness. The City shall continue to pay its contribution to insurance for the longer of the first ninety (90) days of such leave, or any period of leave continuation provided under the FMLA/CFRA Family Care and Medical Leave Policy.

d. The following criteria will be used in determining the granting of personal or extended medical leaves of absence:

1. the employee's seniority in City service.
2. the employee's job performance record.
3. the employee's disciplinary record.
4. the needs of the City service.

e. "Continuous service" means employment with the City without break or interruption; in computing continuous service for the purposes of this article, neither military leaves nor medical leaves of absence, including maternity leaves, whether with or without pay, shall be construed as a break in employment or service. Other absences aggregating in excess of ninety (90) working days in any period of twelve (12) months, including layoffs on account of lack of work, lack of funds, or abolishment of positions shall be construed as breaking "continuous service".

**27. LIFE INSURANCE**

The City will provide a term life insurance policy covering the employee in the amount of \$50,000 with equal accidental death and dismemberment provision.

**28. LONG-TERM DISABILITY**

The City will provide a long-term disability insurance plan by enrolling Unit members in the City's current long-term disability plan.

**29. MAINTENANCE OF BENEFITS**

The City and the Union agree that all compensation, other than direct wages, as provided by ordinance, resolution, and City Charter, which are in existence at the commencement of this Agreement, shall not be diminished, lessened, or reduced for the duration of this Agreement, except as may be herein provided.

Wage adjustments as provided for from time to time by ordinance or resolution, or by City Charter, as may be amended in accordance with this Agreement, shall also continue for the duration of this Agreement.

The City and the Union agree that the City has the right and prerogative to assign duties to and direct employees in accordance with applicable job specifications and Section 3.12 of the Santa Barbara Municipal Code.

**30. MANAGEMENT RIGHTS**

The parties agree that the City has an exclusive right to manage and direct the performance of services and the work force performing such services unless the City has specifically delegated, abridged, or modified any such rights in this Agreement. Such rights shall include but not be limited to the sole right to determine the organizational structure of the City, establish levels and types of services to be provided, determine the methods, means, and number of personnel by which operations are to be conducted, including sole authority to contract or subcontract for municipal services, and to exercise complete control and discretion over the technology of performing the City's work. The City retains complete authority over the policies and direction and administration of all City departments including but not limited to standards and methods of selection for employment; promotion and performance evaluation; disciplinary action; relief of employees from duty because of lack of work or other legitimate reasons; maintenance of the efficiency of government operations; establishment of the work week and work schedules; and determination of the content of job classifications consistent with applicable laws and with due regard for provisions of this Agreement.

If management decision to contract out work being performed by existing employees will foreseeably lead to imminent deletion of existing authorized full time position, the City will provide at least 30 days notice of decision to Union and opportunity to negotiate effects of decision on employees. Negotiation over effects shall not delay moving forward with contracting out work.

It is further agreed that nothing in this Agreement shall in any way diminish the rights of employees, the City, or the Union as established by the Meyers-Milias-Brown Act of the State of California and all amendments

thereto, or Santa Barbara Municipal Code, Chapter 3.12, except as herein provided.

**31. MUNICIPAL CODE CHANGES**

During the term of the Agreement the City and the Association shall meet and confer with regard to any City proposed changes to Santa Barbara Municipal Code Title 3 which are within the scope of representation. The negotiations will be held jointly with the General bargaining unit. The representatives for the Union shall be limited to SEIU staff and one bargaining unit member from the General bargaining unit and one member for the Treatment and Patrol bargaining units. The negotiations will be interest based.

**32. NO STRIKE OR LOCKOUT**

The City and the Union agree that during the term of this Agreement the City will not lock-out employees; nor will the Union sanction, support, condone, approve, or engage in any strike, sick-in, slow-down, or work stoppage which is detrimental to providing services to the citizens of Santa Barbara.

**33. OFFICER STATUS**

City recognizes that Airport Patrol Officers are peace officers pursuant to Section 830.33(d) of the California Penal Code and that Harbor Patrol Officers are peace officers pursuant to Section 830.33(b) of the California Penal Code. Park Rangers are peace officers not authorized to carry firearms pursuant to Section 830.31.

City agrees that during the term of this contract departmental policies and procedures pertaining to the function, duties and responsibilities of said Airport Patrol Officers shall be made available to those officers.

**34. OVERTIME**

a. The City and the Union agree that overtime work will be assigned to the employees on a rotation basis whenever possible.

b. No employee shall be compelled or permitted to perform work for the City without logging the hours on his or her timecard. Overtime compensation shall accrue for work performed beyond a regularly scheduled work day of at least eight (8) hours at the rate of one and one-half hours of overtime, payable in increments of 15 minutes. This includes overtime work from home or on a mobile device. Work performed for the purpose of computing overtime shall include all paid leave time actually taken as time off. It will not include holiday or other paid leave time "cashed out" but not taken.

c. If an employee is physically called back to the workplace on an overtime basis, such employee shall be compensated for no less than two (2) hours overtime.

d. When an employee is called out on an emergency 3 hours or more before the beginning of his/her regularly scheduled shift, he/she will be provided paid leave time (without deductions from leave banks) to allow five (5) hours off-duty without loss of pay before reporting for the next regularly scheduled shift. With the permission of the Supervisor, the employee may choose to work the beginning of his/her next regularly scheduled shift, and take the equivalent paid rest period at the end of the regularly scheduled shift instead. The City agrees that such permission shall not be unreasonable withheld. At the supervisor's discretion, the employee may be permitted to voluntarily begin his/or her regular shift immediately following the overtime period, and take the equivalent paid rest period at the end of the revised regular shift instead.

Example: Employee's regular shift is from 8:00 a.m. to 5:30 p.m., but employee is called in to work overtime at 4:30 a.m. (3 hours or more before scheduled shift) until 6:30 a.m. Employee may choose to:

- i) Take 5 hours rest and come in at 11:30 a.m., with the period of 8:00 a.m. to 11:30 a.m. (3.5 hours) as a paid rest period; or
- ii) With the supervisors' permission, come in as regularly scheduled at 8:00 a.m. and go home at 2:00 p.m., with the period of 2:00 p.m. to 5:30 p.m. (3.5 hours) as the paid rest period instead; or
- iii) At the supervisor's discretion, the employee may be permitted to revise his or her regular shift to 6:30 a.m. -2:00 p.m., with the period of 10:30 a.m. to 2:00 p.m. (3.5 hours) as the paid rest period instead.

e. If an employee is required to stay beyond the regularly scheduled work day of at least 8 hours and if such overtime extends two (2) hours or more beyond the workday, the City shall provide the employee with nourishment and a rest period. The City will provide one hour of pay for each rest period that is not provided and an additional hour of pay if an employee does not receive nourishment.

f. The parties agree that employees have the right to request cash payment or compensatory time off for overtime worked, but that approval of one or the other benefit remains the right of the City consistent with the needs of the City.

g. The following provisions apply to the accrual and use of compensatory time off (CTO):

- 1. Value of CTO: CTO will be accrued at the rate of time and one half for each hour of overtime worked.
- 2. Compensatory Time Bank: Overtime not cashed out shall be maintained in a CTO "Bank". An employee may accrue up to a maximum of 100 CTO hours in his/her bank.
- 3. Minimum Allowed Accrual: An employee who requests CTO will not be denied the accrual of CTO in lieu of a cash overtime payment if his or her CTO balance will remain below 30 hours.
- 4. City Directed CTO Cash Out: The City retains the right to cash out CTO hours, other than the 30 hour bank described above.
- 5. City Directed Use of CTO as Time Off: The City has the right to require employees to take compensatory time off but shall provide a minimum of seven (7) calendar days advance notice in such cases. Management shall not compel an employee to take CTO hours as time off if the employee's CTO bank is less than 30 hours.
- 6. Employee Requested Use of CTO as Time Off: Denial of an employee's request to take compensatory time off from his/her bank of CTO hours shall require a statement by the Department Head or his designee that approval of the request would unduly disrupt the operation of the department.

g. The City and the Union agree that overtime work accrued during a declared disaster, as determined by the President of the United States, the Governor of the State, the Mayor, City Council, or the City Administrator, shall be compensated at the rate of time and one-half.

### **35. PAYROLL**

a. Employees who receive payroll overpayments shall reimburse City for such overpayments. City shall establish a reasonable schedule of payments based upon amount of such overpayment and date overpayment was made.

b. City agrees to explain all payroll stub information to employee upon request of said employee.

c. City agrees to provide the Union with up to three (3) deduction codes.

d. The parties agree that the City will continue deducting monies from payroll and remit same to Union as authorized by employee payroll deduction authorizations in accordance with present policy. However, when an employee switches from the Treatment and Patrol bargaining units to a unit not represented by S.E.I.U. Local 620, S.E.I.U. dues will no longer be deducted, unless and until the union submits another signed authorization form. Any changes in dues deductions shall be subject to indemnification of the City by the Union.

e. The City shall provide to the Union, on a bi-weekly basis, a new hire and termination list of bargaining unit employees with their name, job classification title and department. The cost of programming said report shall be paid for by the Union.

e. All employees shall participate in the City's payroll direct deposit program.

1. Each employee shall execute a payroll authorization form and submit a voided check or savings deposit slip to the Payroll Office. It shall be the employee's choice as to which bank he or she designates as the institution receiving payroll funds.
2. When the authorization form is properly executed and filed with the Payroll Office, the City will begin automatically depositing the net amount of pay on or before each designated biweekly payday in the employee's designated bank account.
3. Exceptions: An exception to this policy may be granted by the Finance Director to an employee upon a showing of good cause for such exception (e.g., that he/she is unable to establish and/or maintain a personal banking/financial account for direct deposit, or that other personal circumstances necessitate a temporary or permanent exception). The Finance Director may require the employee to renew this exception periodically. Exceptions will not be unreasonably denied.
4. Employees participating in direct deposit will be provided with a payroll detail report each pay period. Alternatively, employees may voluntarily opt out of a paper detail and access this information electronically via the City's computer system. The City may discontinue providing paper pay stubs for employees with direct deposit, effective July 1, 2014 or later, provided that:
  - All employees are signed up for and provided pay stub information via City email on or before pay day; and
  - Employees without regular access to computer or email may request to receive a print out of stub information to be provided on or before pay day

### **36. PERSONAL LEAVE**

a. Employees shall be entitled to 32 hours personal leave each fiscal year per the following schedule:

Employees on the payroll July 1:	(32 hours)
Employees hired between July 2 and October 1 (inclusive):	(24 hours)
Employees hired between October 2 and January 1 (inclusive):	(16 hours)
Employees hired between January 2 and April 1 (inclusive):	(8 hours)

b. Personal leave days must be taken by the end of each fiscal year or lost. Personal leave shall be scheduled on the same basis as vacation. In no case shall employees be entitled to cash payment for personal leave days not taken.

d. An employee may use personal leave as personal necessity when it is not possible to use on non-work time subject to the following two conditions: 1) Reasonable advance notice which shall not be less than one (1) hour before the employee's shift or when reasonable advance notice cannot be

given, no later than 15 minutes after the scheduled shift has begun; 2) Subject to supervisory approval based on operational needs.

d. City shall maintain minimal staffing on workday afternoon prior to New Years and Christmas holidays so that as many employees as possible may enjoy personal leave, vacation, or C.T.O. at those times.

**37. PERSONAL PROPERTY DAMAGE REIMBURSEMENT**

Any employee entitled to a uniform allowance who experiences a loss or damage to personal property may submit a claim to his/her immediate supervisor for consideration of reimbursement. The claim shall be submitted within fifteen (15) days after the loss or damage is sustained. The claim shall contain the following information: type of item, date of purchase, replacement cost, condition, description of damage, circumstances, etc. If the personal property is stolen, a report shall be filed with the Police Department.

The following conditions must apply for the claim to be considered:

- a. The loss must be in the line of duty.
- b. There must not be contributory negligence or carelessness on the part of the employee.
- c. There must not be other means of recovery such as, but not limited to, court action or insurance.
- d. The personal property for which the claim is made must be owned by the employee involved. Exceptions to the above may be referred to the Department Director for approval.
- e. \$200 limit per item claimed unless personal property item has written pre-approval by the Department Head.

The supervisor shall conduct an inquiry into the validity of the claim and forward it to the Division Manager with his/her recommendation. The Division Manager shall review the claim and forward his/her recommendation to the Department Director. The Department Director will approve or deny the claim. Claims meeting the above criteria shall not be unreasonably denied.

Reimbursement will be calculated from the following schedule:

<u>Age of Item</u>	<u>% Reimbursed</u>
0 to 6 months	100%
6 to 12 months	80%
12 to 18 months	50%
18 to 24 months	25%
24 months and over	0%

If the claim is approved, payment will be forwarded to the initiating employee.

**38. PROBATIONARY PERIOD**

The probationary period required by Charter Section 1004 may be extended beyond one (1) year by signed mutual agreement of City and employee. If the employee's supervisor intends to request an extension of the probationary period, notification of that intent shall be given to the employee at least two (2) weeks prior to the expiration of the probationary period if feasible.

**39.           PURPOSE**

It is the purpose of this Memorandum of Understanding to promote and provide for harmonious relations, cooperation, and understanding between management and the employees covered by this memorandum; to provide an orderly and equitable means of resolving any misunderstanding or differences which may arise under this Memorandum of Understanding; and to set forth the full and entire understanding of the parties reached as a result of good faith meeting and conferring regarding the wages, hours, and other terms and conditions of employment covered by the memorandum.

**40.           RECOGNITION**

a.       Pursuant to the provisions of Section 3.12 of the Municipal Code of the City and applicable State law, the Union is recognized as the majority representative of the City employees in the Airport and Harbor Patrol Officers' Bargaining Unit and the Treatment Plants' Bargaining Unit and as the exclusive bargaining agent for the employees in said Unit.

b.       The term "employee(s)" as used herein shall refer only to regular full-time or part-time employees serving in classifications who occupy positions authorized and designated as in the Airport and Harbor Patrol Officers' Unit and the Treatment Plants' Unit by the City Council on the official City "Position and Salary Control Resolution."

Classifications may be added to or deleted from the bargaining unit in accordance with the provisions of this Agreement and the City's Employer/Employee Relations Ordinance.

**41.           RECRUITMENT**

a.       The City agrees to post information about how to access job recruitment information on employee bulletin boards in all departments. The City will continue to post job fliers on the bulletin board outside the Human Resources Office, with paper copies of the fliers available upon request. The City will post available positions on a website accessible to the public and maintain a system for employees, by mail, email or other messaging system, to receive notification of current job announcements at the employee's request. In addition to posting available positions on the website, the City will send a weekly email to all employees of current recruitments and their closing dates.

b.       Employees may contact the Human Resources Office to request inter-departmental or inter-divisional transfers, and are to contact Department or Division Heads for intra-departmental or intra-divisional transfers.

c.       The City shall provide a minimum application filing period of five (5) days for all open vacant positions and ten (10) days for all vacant promotional positions in the classified service within the bargaining unit for which an eligibility list must be established.

d.       The names of nine (9) more eligible candidates (including tie scores) than the number of vacancies shall be certified to the appointing authority in alphabetical order.

e.       Positions in the bargaining unit shall not be filled from eligibles placed on the certification list by virtue of being on another eligible list which is at a higher salary range and for which the qualifications are substantially similar.

**42. RENEWAL AND WAIVER**

The City and the Union agree that meeting and conferring over the renewal or continuation of this Agreement shall be initiated at the request of either party after March 1, 2023. Every effort will be made to reach an agreement prior to the expiration of this Agreement. A request to meet and confer shall be filed in writing and meeting and conferring shall commence within ten (10) days of receipt of said request.

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

Except as otherwise expressly provided in this Agreement or when the parties mutually agree to meet and confer on a matter, the City and the Union agree that, for the term of this Agreement, each party waives the right and each agrees that the other party shall not be obligated to meet and confer with respect to any subject or matter pertaining to or covered by this Agreement, except as to meeting and conferring over the renewal, or continuation of this Agreement.

**43. REOPENER ON AIRPORT LAW ENFORCEMENT**

Union reserves its right to demand that the City meet and confer over the impacts/effects on the wages, hours and other negotiable terms and conditions of employment of Airport Patrol staff related to a management decision to transfer all or some law enforcement functions at the Airport to Police Department staff in the Police Officers Association.

**44. REPRESENTATION - UNION OFFICERS AND STEWARDS**

a. The City and the Union agree that Union officers and stewards will be allowed to meet with City management on City time for the purpose of meeting and conferring in good faith and without loss of pay or any benefits.

b. The Union agrees to provide the City with a list of Union officers and stewards, with their job classifications, who are authorized to meet and confer in good faith. The Union shall keep the list up to date.

c. The City agrees that authorized Union staff representatives shall be given access to work locations during working hours to conduct Union grievance investigations and/or observe working conditions. Such visits are to be made with the prior knowledge and approval of the Department Head and a management representative may accompany the Union staff member on the visit. A staff representative is defined as a paid full-time or part-time employee of the Union.

d. The Union shall provide the City with a list of staff representatives and shall update said list as appropriate.

**45. RETIREE MEDICAL INSURANCE CONTRIBUTION**

a. This provision is applicable to employees who retire from City service on or after October 1, 1994, and

1. Have 15 or more years of classified or unclassified service; or
2. Retire from City with an industrial disability.

For employees who retire on or after January 1, 2011, the City shall contribute \$12.00 per month, per year of service up to a maximum of 35 years (i.e., \$420/month) towards the purchase of medical insurance for the retiree and his/her spouse or domestic partner registered with the City Clerk's Office or the Secretary of State, if applicable.

c. The retiree is not limited to purchase of a City sponsored plan, provided however, that if the retiree purchases another insurance plan, the retiree must supply the City with adequate proof of insurance coverage prior to any contribution from the City. Proof of such coverage shall be provided to the City on a periodic basis, as reasonably determined by the City.

d. The City shall continue to make its contribution until the retiree reaches age 65 or dies, whichever occurs first, provided however, that if the retiree dies before reaching the age of 65 and there is a surviving spouse or registered domestic partner, the City's contribution shall cease when the retiree would have reached age 65. Thereafter, the spouse may remain on the insurance plan, at his/her own cost, subject to the conditions set forth by the insurance company.

e. In the event Health Care legislation is passed which affects the nature of the benefit described above, the parties will reopen negotiations and modify this benefit, if necessary, so as to maintain their original intent (e.g., eligibility, scope, cost).

f. If any Court decision with binding effect on the City of Santa Barbara rules that a retiree medical provision like the provision contained herein violates the State or Federal law against age discrimination, the parties agree that within 30 days they will reopen negotiations on said provision to convert to a retiree medical policy with equivalent cost that does not violate age discrimination law. The parties agree that whatever policy is agreed upon will not reduce or increase the City's contribution toward retiree medical insurance.

#### **46. RETIREMENT**

a. Classic Miscellaneous Employees:

1. The City will provide miscellaneous employees the two point seven percent (2.7%) at age fifty-five (55) benefit formula under the Public Employees' Retirement System (PERS), pursuant to Government Code Section 21354.5.
2. The City will contribute toward the PERS normal employee's contribution as detailed in section "3", below, and these contributions, if any, shall be credited to the member's account. The City shall report the value of any Employer Paid Member Contributions (EPMC) to PERS as compensation earnable through enabling City resolution, pursuant to Government Code Section 20636(c)(4).

Effective June 19, 2021, Classic Employees will pay the 8% required contribution for the 2.7% at 55 benefit.

3. The following contract provisions shall apply to the PERS miscellaneous plan
  - i. The City will provide One-Year Final Compensation for Classic Miscellaneous employees under PERS, pursuant to Government Code section 20042.
  - ii. The PERS Miscellaneous contract shall provide for Military Service Credit as Public Service under Government Code Section 21024 and for Public Service Credit for Excluded or Limited Prior Service under Government Code Section 21031.
  - iii. The PERS Miscellaneous contract shall provide for Public Service Credit for Peace Corps or Americorps: Volunteers in Service to America (VISTA) pursuant to Government Code Section 21023.5,
  - iv. The City will provide the Fourth (4<sup>th</sup>) Level of 1959 Survivor Benefits for Miscellaneous employees, pursuant to Government Code Section 21574.

b. Classic Harbor Patrol Safety Employees:

1. The PERS contract shall provide local safety member status under the 3% at 50 benefit formula to employees regularly assigned as Harbor Patrol Officers pursuant to Government Code section 20423.
2. The City will provide to Harbor Patrol Officers the additional PERS benefits of One-Year Highest Compensation, Increased Level of 1959 Survivor Benefits (Level Two), Post Retirement Survivor Benefits and Post Retirement Survivor Allowance to Continue After Remarriage, Military Service Credit as Public Service under Government Code Section 21024 and Public Service Credit for Excluded or Limited Prior Service under Government Code Section 21031.
3. Employees will pay the full required 9% member contribution toward pension benefits.

c. Contract Changes: The City is authorized to amend its contract with PERS immediately, in order to be able to implement the incentives listed below:

Upon declaration of the Council of the City of Santa Barbara that the State of California's budgetary or fiscal impacts on the City's budget have caused grave fiscal conditions to exist that require prompt and immediate attention, the City may offer the following early retirement incentives to applicable employees:

1. Two years additional service credit in accordance with Government Code Section 20903; and/or
2. City payment of Military Service Credit as Public Service in accordance with Government Code Section 21024.

d. Pension Reform: Notwithstanding the provisions above, effective January 1, 2013, new members as defined by California Public Employees' Pension Reform Act of 2013 (hereinafter "AB 340") will be covered under the 2% at 62 Miscellaneous retirement formula or the 2.7% at 57 Safety retirement formula, with a final compensation measurement period of the average of the highest three (3) consecutive years, as well as all other statutory requirements of AB 340. Effective January 1, 2014, new employees and/or members as defined by AB 340 shall contribute half the normal cost for benefits, as defined by AB 340; the City will not pay any portion of these employees' required contributions. As provided under the law, some new City employees may qualify as "classic" employees by virtue of their prior government service.

**47. RETIREMENT-- DEFERRED COMPENSATION**

The City agrees to meet at least two times each fiscal year with up to two Union representatives to discuss the deferred compensation plan investment options, fees, and performance. Where appropriate, at the discretion of the Human Resources Manager, the City's 457 Plan Administrator(s) will be invited to such meetings.

**48. RETROACTIVITY**

An employee will be eligible for the increases to salaries and benefits provided under the Agreement on the dates specified for each increase if the employee is an active City employee and bargaining unit member on the date that the City Council ratifies this Agreement.

**49. SAFETY EQUIPMENT**

a. The City and the Union agree that the City will either provide all safety equipment required by the City or will reimburse the employee for purchasing the equipment whenever such equipment has been required by the City as necessary for the job. Such equipment shall include, but not be limited to, safety shoes, safety glasses, helmets, gloves, boots, life jackets, and all related safety items. Both parties agree that the City shall retain the right to determine the minimum specifications of the safety equipment, procurement procedures, and limitations and exclusions.

b. Notwithstanding the above, the parties agree that employees designated by the City as required to wear steel-toed safety shoes with the exception of Harbor Patrol Officers, Airport Patrol Officers and Park Rangers, in the performance of their duties, shall be eligible to receive an annual allowance for the provision of said shoes upon the presentation of valid claims in keeping with City established procedures in amounts not to exceed \$230.

If the employee desires, he/she may combine two years' allowance for the purchase of shoes. The allowance is for the purchase of shoes only.

c. City shall provide prescription safety glasses to those employees who wear prescription glasses and perform duties that require the use of safety glasses. Such employees shall provide the City with the lens specifications prescribed by the employee's doctor. The City will provide the initial pair of safety glasses based upon this prescription and shall replace same only upon a subsequent substantial change of prescription or evidence acceptable to the City that said prescription safety glasses are rendered unusable by accidental damage suffered while performing assigned duties.

**50. SALARIES**

a. Employees will receive an across-the-board base salary increases as follows:

<u>Effective Date</u>	<u>Amount</u>
<u>April 9, 2022</u>	<u>3.0%</u>
<u>September 24, 2022</u>	<u>3.0%</u>

1) TAP Employees as of September 30, 2021 will receive, a one-time lump sum payment of \$1,000 after adoption by the City Council. New employees from October 1, 2021 to March 29, 2022 will receive a one-time lump sum prorated amount.

2) Effective April 9, 2022, the below job classifications will receive the following internal alignment salary adjustments:

Wastewater Treatment Plant Chief Operator	1.86%
Senior Wastewater Treatment Plant Operator	7.22%
Wastewater Treatment Plant Operator III	7.95%
Wastewater Treatment Plant Operator II	7.74%
Wastewater Treatment Plant Operator I	12.39%
Wastewater Treatment Plant OIT	4.88%
Senior Wastewater Collection System Operator	3.99%
Wastewater Collection System Operator II	3.99%
Wastewater Collection System Operator I	3.00%
Wastewater Collection System Lead Operator	3.99%

b. Achieving the second salary step, or "B" step, and subsequent steps shall require, in addition to

satisfactory performance, a period of one year of actual service.

c. Employees shall receive at least a five percent (5%) salary increase upon promotion provided however that the City shall not be required to pay a salary in excess of the salary range authorized for the appropriate classification by the City Council in the official Position and Salary Control Resolution. The City shall make every effort to provide a minimum five percent (5%) separation in salary between classifications within a series and classifications within recognized career ladders as determined by the City. The City shall provide the Union with a chart of career ladders, and the City shall update said list.

d. Anniversary dates for newly hired employees shall be the first of the month if the employee was hired on or before the fifteenth of that month and the first day of the following month for those hired after the fifteenth. The end of the probationary period shall coincide with the anniversary date.

e. On or before July 31, 2022, the City agrees to survey salary for Airport Operations and Wastewater Collections Job Classifications and to address any inequities greater than 5.0%.

f. Survey Agencies to be used for future Harbor Patrol Officer salary/compensation surveys:

1. Redondo Beach;
2. City of Los Angeles;
3. Long Beach
4. Santa Monica;
5. Huntington Beach;
6. County of Orange

g. Comparable agencies for Airport Operations to be mutually agreed upon prior to salary survey.

h. Airport Patrol Officer I to be benchmarked to within 95% of Police Range A effective the first pay period of October 2020.

i. City agrees to initiate a citywide Compensation and Classification Study by December 31, 2022.

j. Until completion of the City's Compensation and Classification Study, the City agrees to:

A. Once each year in February, at the Union's request, the City will review the salary placement of up to two (2) classifications that meet one or more of the following criteria:

1. Significant turnover;
2. Difficulty recruiting;
3. Internal misalignment with classifications(s) with similar responsibilities or duties;
4. Range or salary compaction; and/or
5. External misalignment with classification(s) with similar responsibilities or duties within the following jurisdictions:

1. Santa Cruz
2. Santa Monica
3. Huntington Beach
4. Pasadena
5. Burbank
6. City of Ventura
7. Long Beach
8. Redondo Beach
9. Goleta Sanitary District
10. Montecito Sanitary District

B. Requests for review will include the following information:

1. Class(es) to be studied;
2. Which criteria set forth above are applicable;
3. Supporting data that justifies the request;
4. Any known or anticipated compaction or "ripple effects" created by an adjustment
5. Percentage increase proposed; and
6. Estimated cost of salary inequity requested (including any known benefit cost adjustments).

**51. SERVICE CREDIT FOR SICK LEAVE UPON RETIREMENT**

At the time of retirement, the City shall purchase an annuity for the retiring employee that pays a monthly benefit similar to the PERS amendment that provides service credit for sick leave under Government Code section 20862.8.

The following conditions apply to this benefit:

1. In order to qualify for service credit for sick leave upon retirement, the retiring employee must have at least 500 sick leave hours;
2. The conversion rate of 0.004 years of service credit for each 8-hour day of sick leave is utilized;
3. The retiring employee may take the cash purchase value of the annuity in lieu of the monthly annuity;
4. Safety group members who obtain 90% of final compensation upon retirement are not eligible for this benefit. (Effective October 28, 2017 the 90% limit to receive this benefit will be eliminated. However, no employee whose annuity eligibility would already have been reduced or eliminated under the 90% cap as of the date of ratification of this Agreement will have such benefit restored.); and
5. If the City amends its PERS Miscellaneous or Police contract to include service credit for sick leave upon retirement, non-safety or Police employees, respectively, will be included in that PERS contract amendment and the annuity program will be discontinued for that group.

**52. SEVERABILITY**

Should any provision in this Agreement be held inoperative, void or invalid by a court of competent jurisdiction, the remaining provisions of this Agreement shall not be affected thereby, and the parties agree to meet and consult over the invalidated provision.

**53. SHIFT DIFFERENTIAL**

a. The City and the Union agree that regular, full-time employees on a shift of eight (8) or more hours shall receive:

1. Swing shift differential pay when 50% or more of the hours of the assigned shift hours, excluding overtime, fall between 5:00 p.m. and midnight; or
2. Graveyard shift differential pay when 50% or more of the hours of the assigned shift hours,

excluding overtime, fall between midnight and 7:00 a.m.

- b. Overtime as Continuation of Assigned Shift. Shift differential for overtime which is a continuation (without break) of the assigned shift is paid based upon the eligibility of the assigned shift. See Examples 1, 2, 3 and 4 in Appendix A entitled Shift Differential Examples.

Back-to-Back Shifts. Shift differential for overtime which are two (2) entirely distinct assigned shifts are paid based upon the separate eligibility of each shift. See Examples 5 and 6 in Appendix A entitled Shift Differential Examples.

- c. Call Backs.

1. Shift differential is not paid for call back overtime of less than eight (8) hours. See Example 7 in Appendix A entitled Shift Differential Examples.
2. Shift differential is paid for call back overtime of eight (8) hours or more when 50% or more of the hours fall between 5:00 p.m. and midnight or midnight and 7:00 a.m. See Example 8 in Appendix A entitled Shift Differential Examples.

- d. Shift differential amounts shall be as follows:

Swing Shift  
\$2.00 /hour

Graveyard Shift  
\$3.50 /hour

#### **54. SICK LEAVE**

- a. The City and the Union agree that the City's sick leave policy shall be that employees shall accrue sick leave at the rate of 3.7 hours for each full pay period of service with a maximum accumulation of two thousand and eighty (2,080) hours. Said sick leave accrual shall begin effective the first day of employment.

- b. The programs referred to as "Non-Replenishable" and "City Administrators" sick leave authorized by Municipal Code Sections 3.08.150 (b) and 3.08.210 are eliminated.

- c. An employee may use sick leave for a medical appointment when it is not possible to arrange such appointment on non-worktime subject to the following two conditions: 1) Reasonable advance notice which in no event shall be less than 24 hours; 2) Subject to supervisory approval based on operational needs.

- d. A full-time employee may use up to 48 hours of available accrued sick leave (the equivalent of 6 months of accrual) per calendar year for the diagnosis, care, or treatment of an existing health condition of, or preventive care for, a family member of the employee. "Family member" means any of the following: a spouse or registered domestic partner; a child (biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis, regardless of age or dependency status); a parent (biological, adoptive, or foster parent, stepparent, or legal guardian) of an employee or the employee's spouse or registered domestic partner; a person who stood in loco parentis when the employee was a minor child; a grandparent; a grandchild; or a sibling. Part-time employees may use the equivalent of six (6) months of sick leave accrual at their prorated accrual rate for such purposes. All rules for use of sick leave will apply, including those regarding physician statement requirements and use of sick leave for medical appointments.

#### **55. STANDBY PAY**

The City and the Union agree that effective during this Agreement, when an employee is officially designated by management to remain available to physically return to the workplace, at any time during specific hours outside of normal working hours, the employee shall receive two hours of straight-time pay or compensatory time off for each eight hours on standby or fraction thereof. To the extent feasible, the parties agree that standby, including standby during holidays, shall be assigned on an equitable basis to all eligible employees.

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The City and the Union agree that all employees will be on automatic standby duty during a state of emergency or civil defense disaster as declared by the President of the United States, the Governor of the State, the Mayor of the City, the City Council, or the City Administrator. Such automatic emergency standby shall be without compensation unless the City is reimbursed by the State or federal government for such an expenditure. The City will make a reasonable effort to obtain such reimbursement.

**56. STATE DISABILITY INSURANCE (SDI) AND STATE PAID FAMILY LEAVE INSURANCE (PFL)**

a. All employees must participate in the State Disability Insurance (SDI) and State Paid Family Leave (PFL) programs. The employee shall pay all costs associated with these programs.

b. Employees may apply for SDI or PFL benefits with the State of California Economic Development Department (EDD). To be eligible for benefits, the employee must meet all applicable State requirements. Depending on eligibility, an employee may receive:

1. Up to 52 weeks of wage replacement benefits for the employee's own disability, and/or
2. Up to 6 weeks of wage replacement benefits for providing required care for the serious health condition of a child, parent, spouse or domestic partner or for bonding with a new child. Effective July 1, 2014, employees may also qualify for benefits to care for a seriously ill grandparent, grandchild, sibling, or parent-in-law, as defined; however, eligibility for this benefit does not necessarily create a right to protected leave.

c. Employees who receive SDI or PFL benefits must integrate available SDI and PFL benefits with available paid sick leave, personal leave and compensatory time. Documentation of the SDI/PFL benefits received must be provided to the Payroll Office for this purpose.

d. Employees on a medical or family medical leave of absence who are eligible to use their leave accruals during the leave of absence must exhaust available leave balances before using unpaid leave. Employees must use available sick/family sick leave balances, and then compensatory time off and personal leave balances, before using vacation balances.

e. Employees who coordinate SDI/PFL paid leave benefits with City payroll benefits will receive City retirement contributions, time off accruals, and other non-insurance benefits based on the City-paid portion of wage replacement only. For non-insurance benefits purposes, the SDI/PFL portion of wage replacement will be treated as unpaid leave.

f. Employees coordinating SDI/PFL benefits with City payroll benefits shall be eligible for continuation of City-paid insurance contributions under Article 25 (c) (Leave of Absence) of this Agreement only up to the date they would have received such benefits had they not coordinated SDI/PFL benefits.

**57. TERM OF AGREEMENT**

The City and the Union agree that the term of this Agreement shall be twenty-four (24) months commencing October 1, 2021 and ending at midnight on September 30, 2023. It is further agreed that the term of this Agreement may be extended by mutual agreement.

**58. TRAINING**

a. The parties recognize that training programs and the advancement of employees to positions of higher skill are matters of great importance and interest to the City, the Union, and the employees covered by this Agreement. However, the City shall retain the right to determine what training is required for the employee to improve his/her performance on the job and to make such training a condition of employment. Such training may include requests by Department Heads for additional training of current employees,

subject to the approval of the City Administrator. The parties agree that employees will be trained in the use of fire prevention equipment under the supervision of the City's Fire Department and that a fire evacuation plan will be developed by each department for each major City facility and posted.

b. Direct costs for all training or instruction required by the City shall be paid for by the City. Determination of eligible employees will be based upon the needs of the City with seniority being a factor considered. Wage compensation for employees shall be determined as follows:

### **Non-Exempt Employees**

The Fair Labor Standards Act (FLSA) provides that time spent by non-exempt employees in training is compensable unless all of the following conditions are met:

1. Attendance is outside of the employee's regular working hours;
2. Attendance is in fact voluntary;
3. The course, lecture, or meeting is not directly related to the employee's job; and
4. The employee does not perform any productive work during such attendance.

Attendance is not voluntary if it is required by the City. It is not voluntary in fact if the employee is given to understand or led to believe that his/her present working conditions or the continuance of his/her employment would be adversely affected by nonattendance.

The training is directly related to the employee's job if it is designed to make the employee handle his/her job more effectively as distinguished from training him/her for another job, or to a new or additional skill.

If the training is considered compensable and travel time is associated with the employee's attendance, the following must be considered:

- **Travel During Regular Working Hours.** If the travel time related to attending required training occurs during normal working hours, then the time is considered to be compensable.
- **Special One-Day, Out-of-Town Travel.** Travel time associated with special one-day, out-of-town training is required to be paid for irrespective of the mode of transportation utilized or whether the employee drives or is a passenger. Time that can be excluded from payment is normal home-to-work travel time and time spent eating while traveling.
- **Overnight Travel.** If an employee travels overnight on business (for more than one day), the employee must be paid for time spent in traveling (except for meal periods) during his/her normal working hours on non-working days, such as Saturday, as well as on his/her regular working days. Travel time as a passenger on an airplane, train, boat, bus, or automobile outside of regular working hours is not considered worktime, provided however, that any work which an employee is required to perform while traveling shall be considered as hours worked.

If an employee is offered public transportation but requests permission to drive his/her car instead, the City shall count as hours worked, the time spent driving the car or the time the employee would have had to count as hours worked during working hours if the employee had used the public transportation, whichever is less.

### **Exempt Employees**

In the case of an exempt employee, the MOU language (other than the FLSA requirements applicable to non-exempt employees) determines whether training or related travel time is compensable. Exempt employees will only be paid for time spent in required training and travel during normal work hours.

Travel outside of regular work hours is excluded.

c. For Harbor and Airport Patrol Officers, the City agrees to encourage employees to voluntarily develop their job skills through the coordinated use of City Police Department audio visual training materials in instances where the nature of their jobs would make such training valuable to employee job performance. The City agrees that Peace Officers Standard Training (P.O.S.T.) is desirable for Airport and Harbor patrol officers. The City may provide such training to patrol officers through and including P.O.S.T. Level I.

d. Employees will be eligible to participate in the Citywide Educational Reimbursement Program. The union waives any requirement for the City to meet and confer on enhancements to this policy to increase the maximum reimbursement (currently \$1000) or expand reimbursement eligibility. However, the City will notify the union of any such change.

e. In the event an Airport Patrol Officer chooses to take the FAA Ground School on his or her own time, and successfully completes the school and passes the written examination, then, upon verification thereof, the City shall reimburse such employee for his or her expenses for required books and the course fee up to \$200.

#### **59. UNAUTHORIZED LEAVE/SUSPENSION**

No sick leave, vacation, or holiday shall be paid to an employee during any period of unauthorized leave or suspension. An employee's absence shall be unauthorized if such employee does not report absence to supervisor designated by Department Head within one-half (1/2) hour before or after his/her regular starting time, except in cases of emergency in which case the employee shall provide notification as soon as possible.

#### **60. UNIFORM MAINTENANCE ALLOWANCE**

a. The parties agree that the following classifications, shall receive an annual cash uniform purchase and replacement allowance as follows:

<u>Time Period</u>	<u>Airport Patrol</u>	<u>Harbor Patrol</u>	<u>Park Ranger</u>
October 1, 2021-September 30, 2023	\$1064	\$1004	\$969

Payment of the Uniform Maintenance Allowance will be paid to employees per pay period.

It is agreed that the above uniform allowance shall be applied towards the purchase of appropriate shoes.

b. The City and the Union agree that employees required by the City to wear uniforms and not receiving a Uniform Maintenance Allowance from the City for participation in a uniform laundry service shall have the full cost of the uniform maintenance paid for by the City. The City retains full and complete control over the administration of the uniform maintenance program. City shall provide all personnel at all treatment plants and in distribution and collection, except Laboratory Technicians, with a minimum of ten (10) uniform changes and a maximum of twelve (12) uniform changes based on the employee's request.

The City shall provide five (5) coverall changes for all Treatment Plant Mechanics and for Operators at El Estero Wastewater Treatment Plant. Operators at the Water Treatment Plant(s) shall receive three (3) coverall changes. The City shall provide Laboratory Technicians with two (2) coverall changes and three (3) laboratory coat changes.

On an annual basis, Airport Operations staff will be provided, five (5) SBA branded polo shirts or button up shirts (long sleeve or short sleeve), one (1) SBA branded jacket, one (1) SBA branded hat. Employees may request additional clothing at their own expense. On a case-by-case basis, employee clothing that is damaged or destroyed while performing job duties will be considered for replacement by Santa Barbara

Airport.

**61. UNION BUSINESS ATTENDANCE**

Up to 120 paid leave hours will be available each year for union activities including training, conference attendance and other off-site union related business. Not more than five (5) Union officers or chief stewards will be permitted to access such hours in any one year, with no more than 40 hours used for any one employee. Release time will be subject to approval of scheduling with department management and prior notification to the Human Resources Manager. The employee will use the designated code to identify the use of Union Business Attendance time on the employee's time sheet.

**62. UNION NOTICE- EMPLOYEE ORIENTATION & INTERDEPARTMENTAL TEAMS**

a. The City will provide the union a list of attendees in the bargaining unit at a group New Employee Orientation meeting not less than two weeks prior to the orientation along with the date, location, and time for the Union's presentation. The City will provide a Union representative an opportunity during the orientation to provide information to bargaining unit members regarding the benefits and obligations of union membership. Such presentation shall not exceed 15 minutes in duration. Management may witness the Union's presentation.

b. The City will provide the Union with advanced written notice of Interdepartmental Team Opportunities offered through its Succession Program that are offered to bargaining unit members, along with the anticipated scope of work. The Union will notify the City if the Union believes that the anticipated scope of work may involve issues within the scope of collective bargaining and lodge a written demand to bargain on such issues. Bargaining unit member participation on an Interdepartmental Team will not constitute collective bargaining nor satisfy any duty for the City to collectively bargain with the Union.

**63. UNION STEWARDS**

a. The City agrees that the Union may designate Union stewards to represent employees in the processing of grievances. The Union shall furnish the City with a list identifying by name and work location all Union stewards. Said list shall be kept current by the Union at all times. Union stewards may begin representing a grievant only after the employee has tried to resolve the problem with his/her immediate supervisor and the two parties failed to reach a resolution to the problem.

b. City will remind supervisors annually of employee "Weingarten" rights to union representation. Upon the Union's request, City will review and comment on proposed Union communication to its members about such rights.

**64. UNION SECURITY & MAINTENANCE OF MEMBERSHIP**

a. Dues Deductions - Any of the union dues related payment obligations shall be processed by the City in the usual and customary manner and time frames.

b. Leave Without Pay - Employees on an unpaid leave of absence for an entire pay period or more shall have their dues deductions suspended.

c. Indemnification/Hold Harmless Clause - The Union agrees to fully indemnify, defend and hold harmless the City and its officers, employees and agents against any and all claims, proceedings, settlements and/or liability regarding the legality of this Article or any action taken or not taken by or on

behalf of the City under this Section.

d. Maintenance of Membership – All regular unit employees who are members of the Union in good standing shall maintain their membership in the Union in good standing, subject however, to the right to resign from membership by submitting a written request to the Union during the month of August annually.

Resignation requests submitted to the City shall be referred to the Union. When resignation requests are received outside the window period the Union will promptly provide such members a letter explaining the maintenance of membership provision, along with a copy of this section of the MOU.

#### **65. USE OF COMPUTER RESOURCES**

Employees' rights and obligations regarding use of the City's computers and computing resources are governed generally by the City's computer use policies. The Union and the City agree that occasional and incidental employee use of City computing resources for union business is allowable within the same parameters applied to other acceptable non-commercial personal use under those policies.

The parties agree that such use shall not interfere with the performance of work duties or the effective delivery of services, and shall not result in any significant cost to the City or compromise the security of City systems. The parties further agree that City computer resources, including the e-mail system, will not be used by the Union or City employees to support or oppose a political campaign or ballot measure.

The Union acknowledges that employees have no expectation of privacy in the use of City computer resources, including but not limited to e-mail and text messaging, even if they are locked or password-protected.

**66. VACATION POLICY**

a. Effective July 4, 2020 All employees shall begin accruing vacation effective the first day of employment. It is agreed that vacation time earned may be taken as accrued subject to approval by the City and in accordance with the following schedule:

<u>Length of Continuous Service</u>	<u>Vacation Entitlement</u>
0 - 2 years	(96 hours) per year
3 - 5 years	(120 hours) per year
6 - 10 years	(176 hours) per year
11 - 15 years	(200 hours) per year
16 & Over Years	(224 hours) per year

Vacation periods shall be scheduled by management to provide adequate staffing. Such scheduling shall be subject to the needs of the City but shall take into account employee seniority and choice.

**67. Maximum vacation accrual balance will be 600 hours. VACATION & SICK LEAVE  
ADVANCED CREDIT UPON HIRE**

a. An employee who is appointed from outside City of Santa Barbara government service within one (1) year of leaving employment with either the City of Santa Barbara or another city, county, state agency, federal agency or special district and who, in the opinion of the Human Resources Manager, possesses government experience directly related to the position to which he or she has been appointed, may be offered credit for years of prior service with the City of Santa Barbara and/or his or her immediate previous government employer in the following ways:

- i. Vacation Accrual: At the discretion of the Human Resources Manager, the employee may be offered credit for up to the total number of prior full years of service at the City of Santa Barbara and/or his or her immediate previous government employer toward the initial vacation accrual rate. The employee will not be eligible to progress to a higher accrual rate until employee has the normal required minimum amount of City of Santa Barbara service for that accrual rate.
- ii. Sick bank: At the discretion of the Human Resources Manager, the employee may be credited with up to 96 hours of sick leave. Thereafter, employee will accrue sick leave at the normal rate.

b. A former City of Santa Barbara employee reemployed within one year under Santa Barbara Municipal Code Section 3.16.320 will automatically qualify for the full vacation accrual credit under (i), above, for his or her prior City of Santa Barbara service. However, under no circumstance will prior accrued vacation balances cashed out to the employee upon termination be reinstated.

**68. WORK SCHEDULE**

a. The normal work week shall average forty (40) hours. There shall be at least two consecutive days of rest observed after each work week subject to City needs for standby, call back, overtime and regularly scheduled shift changes. The Department Head shall establish a "regular" schedule for each employee with a start and quit time. Such schedule shall not be changed without forty-eight hours (two days) advance notice except in emergencies. City shall provide employees with reasonable "clean-up" time and employees shall be ready to begin work at start time. City agrees that work outside the regularly scheduled workday shall be compensated in accordance with the overtime policy contained herein.

b. In no case shall an employee's work schedule be altered to avoid the payment of overtime earned as a result of call back after the employee's regular shift, work day, or work weekends.

c. It is the intent of the City, when staffing permits, to assign a minimum of two (2) Harbor Patrol Officers to each shift at the Harbor and a minimum of two operators to the El Estero Treatment Plant.

d. Airport Patrol Officers shall be scheduled on either a four-ten work week (4/10), a three-twelve (3/12) work week, or a three-twelve-and-a-half (3/12.5) work week schedule. Assignment to one of these work schedules shall have no effect on accrual rates or employment terms.

e. The City may require Harbor Patrol Officers to work a four-ten work schedule. The continuation of this schedule shall be subject to Department Head approval with input from affected employees and based on the following criteria: costs, staffing, overlap and mission.

This change to a four-ten work schedule shall have no effect on accrual rates or employment terms.

f. Employees on a 9/80 Work Schedule will be covered under the "9/80 WORK SCHEDULE POLICY" contained in Appendix D.

## **69. WORKERS' COMPENSATION**

a. The parties agree that Municipal Code Section 3.08.220 shall be amended to provide that employees who sustain illness or injury arising out of and in the course of their City employment shall receive benefits equal to those mandated by the State of California plus the difference between State mandated benefits and the equivalent of eighty-five percent (85%) of the individual's gross (excluding O.T.) salary, if any, paid by the City for a maximum of ninety (90) working days.

b. Once an individual is no longer eligible for continuation of 85% of his/her gross pay as described in (a) above and are still unable to return to work, the City shall continue to pay its contribution to insurance for the first ninety (90) calendar days.

c. This section shall not be construed to grant employees the use of sick leave benefits in lieu of or to supplement workers' compensation benefits provided herein or by State law, except as follows.

An employee who returns from an accepted work-related injury or illness to regular duty or modified duty may attend follow-up medical appointments during work hours when it is not possible to arrange such appointments on non-work time. Reasonable advance notice must be given to the supervisor, which in no event shall be less than 24 hours. Release time is subject to supervisory approval based on operational needs.

Under these conditions, to account for the lost work time to attend physician, physical therapy, chiropractic, counseling and other physical and mental care appointments, the employee may:

1. Use accrued paid leave time (sick leave, vacation time, compensatory time, or personal leave); or
2. Use "industrial leave without pay" if employee has no accrued paid leave time, or
3. If the employee has not reached a permanent and stationary status, the employee may elect to use "industrial leave without pay" if employee does not choose to use accrued paid leave (sick leave, vacation time, compensatory time, or personal leave). However, employees who have reached permanent and stationary status must exhaust available leave balances before being placed on leave without pay.

An employee who has not reached a permanent and stationary status and uses industrial leave without pay may be entitled to "wage loss" under workers' compensation system

depending on eligibility.

The City may make changes to its Personnel Policies including, but not limited to, the Santa Barbara Municipal Code to reflect the substance of this Agreement.

## **70. WORKING OUT OF CLASSIFICATION**

The City and the Union agree that it is the intent of departmental management to avoid working an employee out of classification.

It is further agreed that working an employee out of classification will occur only to meet the work requirements within the City and that such out of classification work will terminate after fifteen (15) consecutive work days or thirty (30) work days in any one calendar year, or if extended beyond fifteen (15) consecutive or thirty (30) work days, the employee shall be compensated at the rate of the higher classification while the out of classification work continues subject to right of employee to waive this provision based upon personal career development.

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

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

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

Effective February 1, 2014, Water Resources Division Operators in Training (OIT's) who meet the minimum qualifications of (entry/journey level) an operator position, (certification/experience) and who are assigned to perform full (entry/journey) level duties of that position, will be eligible for acting pay (working out of class pay) under this provision.

### **Reclassification Requests**

If an employee believes he/she is working out of classification on a regular on-going basis, the employee may:

- a. Request a reclassification from his/her manager in writing. The manager shall respond in writing within ten (10) working days of receipt of the request. The manager may recommend that a classification review be conducted by submitting a written request, approved by the Department Head, to Human Resources.
- b. If the employee is not satisfied with the manager's response, he/she may submit a written reclassification request to his/her Department Head or designee within ten (10) working days of receiving his/her manager's written response. Within twenty (20) working days of receipt of the employee's written request, the Department Head or designee shall meet with the employee and issue a written response to the employee and the Human Resources Office.
- c. If the Department Head's response so requests that a classification review be conducted, Human Resources shall conduct said classification review and shall issue its decision to the employee and the Department Head within forty-five (45) working days of receipt of the request.

## **APPENDIX 'A'**

### **SHIFT DIFFERENTIAL EXAMPLES**

Example 1. An employee is assigned to work a ten (10) hour shift from 3:30 p.m. to 1:30 a.m. Because 50% or more of the assigned shift hours fall between 5:00 p.m. and midnight, the employee is entitled to Swing Shift Differential pay. If that employee is asked to work overtime from 1:30 a.m. to 3:30 a.m., the employee will be entitled to Swing Shift Differential pay at the overtime rate for the additional two hours (1:30 a.m. to 3:30 a.m.) worked.

Example 2. An employee is assigned to work an eight (8) hour shift from 7:30 a.m. to 4:00 p.m. and is then directed to work an additional five (5) hours to cover for a sick employee from 4:00 p.m. to 9:00 p.m. The employee is not entitled to shift differential pay because the assigned shift hours (7:30 a.m. to 4:00 p.m.) do not qualify for shift differential and the overtime worked is less than eight hours.

Example 3. An employee is assigned to work 8:00 a.m. to 4:30 p.m. However, on this particular day, the employee is assigned to work from 3:00 a.m. to 8:00 a.m. in addition to the assigned regular shift hours in order to cover for an absent employee. The employee is not entitled to shift differential pay because the assigned shift hours do not qualify for shift differential.

Example 4. An employee is assigned to work 7:30 a.m. to 4:00 p.m. and then is directed to work additional time for an emergency situation. The employee then works until 1:00 a.m. The employee is entitled to Swing Shift Differential pay at the overtime rate for the period of 4:00 p.m. to 1:00 a.m. The employee has in effect worked two shifts.

Example 5. An employee is assigned to work the swing shift between 4:00 p.m. and midnight and then is assigned to work the graveyard shift from midnight to 8:00 a.m. In this case the employee is assigned to work two distinct shifts. Therefore, the employee is entitled to Swing Shift Differential pay for the time between 4:00 p.m. to midnight and Graveyard Shift Differential pay at the overtime rate for the hours from midnight to 8:00 a.m.

Example 6. An employee is assigned to work the graveyard shift between midnight and 8:00 a.m. and then is assigned the day shift from 8:00 a.m. to 4:30 p.m. As in Example 5, the employee is assigned two distinct shifts; therefore, the employee is entitled to Graveyard Shift Differential for the time period of midnight to 8:00 a.m., but no shift differential for the time period of 8:00 a.m. to 4:30 p.m.

Example 7. An employee is assigned to work from 4:00 p.m. to midnight. That employee leaves work at midnight, goes home, and then is called back to work between 2:00 a.m. and 7:00 a.m. That employee is entitled to Swing Shift Differential pay for the regular assigned shift from 4:00 p.m. to midnight. The employee is not entitled to shift differential pay for the overtime hours (2:00 a.m. to 7:00 a.m.) because it is considered a call back of less than eight hours.

Example 8. An employee is assigned to work 7:30 a.m. to 4:00 p.m. and then is called back to work at 7:00 p.m. and works until 3:00 a.m. due to an emergency situation. The employee is entitled to Swing Shift Differential at the overtime rate for the call back of eight hours or more (7:00 p.m. to 3:00 a.m.).

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## **APPENDIX B**

### **CITY OF SANTA BARBARA**

### **FAMILY FRIENDLY PERSONNEL POLICIES**

**February 20, 1990**

**Note: A leave or reduced schedule approved under one of these policies runs concurrently with any applicable leave entitlements under the FMLA/CFRA Family and Medical Leave Policy.**

#### **Contents**

- 1. Maternity Leave Policy**
- 2. Parental Leave Policy**
- 3. Flexible Leave Policy**
- 4. Alternative Work Schedules**
- 5. Job Sharing**
- 6. Part-time Work**
- 7. At-home Work**

1. **MATERNITY LEAVE** (medical leave)

The City of Santa Barbara is committed to providing time off from work, so far as possible, to employees during pregnancy and following childbirth.

Maternity leave requests, including both medical and non-medical components (see section on Parental leave for information regarding non-medical leave), must be submitted to the City Administrator via the Department Head at least 30 days in advance. The requirement for 30 days advance notice may be waived when warranted by unexpected medical circumstances. Pursuant to state law, maternity leaves for medical reasons will be granted for up to four (4) months and may be extended up to a maximum of one (1) year subject to the operational needs of the department as determined by the Department Head. All medical leaves must be verified by a doctor's certificate of disability.

When an employee is physically disabled from work due to pregnancy or following childbirth, the employee will obtain a doctor's certificate of disability indicating the dates when the employee will be physically unable to work. When physically disabled, the employee may use sick leave or other paid leave. An employee disabled due to pregnancy or childbirth may request an unpaid leave of absence for medical reasons once her sick leave and other paid leave balances total less than forty (40) hours. A doctor's note listing the dates of the disability must be submitted with the medical leave request. Any leave of absence greater than 7 days must be approved in advance by the City Administrator.

The City will coordinate an employee's use of State Disability Insurance (SDI) with City paid leave which allows employees on maternity leave and covered by SDI to extend the use of their paid leave time.

When an employee is on medical leave of absence due to pregnancy, the City will continue to pay the employer portion of the insurance for the first ninety (90) days of the medical leave of absence. Thereafter, an employee will have to pay both the employer and the employee portions of her insurance.

2. **PARENTAL LEAVE** (all employees, non-medical leave)

The City recognizes that after the birth or adoption of a child, it is important for a parent to be with his or her child. As a result, the City encourages Department Heads to accommodate requests for parental leaves to care for a newborn or newly adopted child.

Parental leaves shall be with pay if the employee has leave balances of vacation, personal leave, or compensatory time. An employee may request a parental leave of absence without pay when the employee's paid leave balances total less than forty (40) hours (see section on Maternity Leave for information regarding medical leave related to pregnancy and childbirth).

Parental leave requests must be submitted to the City Administrator via the Department Head at least 30 days in advance. When requested, parental leaves will be approved for a length of time sufficient to provide the employee a minimum of one (1) month absence from work. Any medical leave related to pregnancy and child birth (maternity leave) will not be counted in the minimum one (1) month. The scheduling of parental leave is subject to the approval of both the City Administrator and Department Head based on the operational needs of the department. Extension of the parental leave of absence may be granted, subject to the approval of the City Administrator, via the Department Head. The total duration of the combined medical and parental leaves of absence cannot exceed one year.

Employees are encouraged to discuss their time off needs with their supervisors as early as possible. Employees are also encouraged to save their vacation, personal leave, and compensatory time for use during a parental leave. Temporary waivers of the minimum annual vacation use and maximum vacation accrual will be considered to assist prospective parents in building their leave banks.

While on parental leave of absence without pay, an employee will have to pay both the employer and employee portions of his or her insurance.

### **3. FLEXIBLE LEAVE POLICY (All employees)**

Employees may use accrued personal leave, vacation, comp time, to respond to emergency needs for spouse or dependent\*, such as illness, child care or elder care. The employee shall notify his/her supervisor immediately of the nature of the emergency. Approval for leaves under this policy shall not be unreasonably withheld. Advance approval for spouse or dependent illness is not required.

\* For purposes of this policy, a dependent is one who is a dependent pursuant to IRS regulations.

### **4. ALTERNATIVE WORK SCHEDULES (All employees)**

The City believes that alternative work schedules are viable options to meet personal needs in areas such as child care and transportation where such schedules continue to meet the operational needs of the department.

Individual employees may request alternative work schedules which meet their personal needs and the operational requirements of the department. Alternative schedules may be different daily work hours or a different work week. Approval for reasonable alternative work schedules is subject to the operational needs of the department as determined by the Department Head. The continuation of such schedules shall be subject to Department Head review with reasonable input from affected employees.

### **5. JOB SHARING (All employees)**

The City recognizes that job-sharing may facilitate the balancing of employees' personal needs with their job responsibilities. As a result, the City encourages Department Heads to attempt to accommodate requests for job-sharing subject to the operational needs of the department as determined by the Department Head.

An employee may request that his/her full-time position be redefined as a job-sharing position to be filled by two part-time employees. Requests for job sharing positions shall be submitted to the Department Head and require final approval by the City Administrator and City Council.

Job sharing positions may be discontinued at the discretion of the Department Head, with 30 days notice to affected employees.

6. **PART-TIME WORK** (All employees)

An employee may request to work on a part-time basis. A request to work part-time for a limited duration is subject to the operational needs of the department as determined by the Department Head. The Department Head may grant part-time assignments of limited duration. Extensions of part-time assignments will be considered upon employee request.

All part-time assignments may be periodically reconsidered by the Department Head. If the Department Head determines additional hours are required in the position, the employee will be given thirty days notice of the requirement to work increased hours.

Part-time assignments must be a minimum of 20 hours per week. Part-time regular employees receive insurance benefits and paid leave benefits prorated based on the number of hours worked.

To change an employee from full-time to part-time status requires a Personnel Action Form (PAF) and notification to the Personnel Office.

7. **AT-HOME WORK** (All employees)

With prior approval of the Department Head and review by Risk Management, an employee may request to work at home on a limited-term basis. All requests will be subject to the operational needs of the department as determined by the Department Head. Increased City liability including safety and workers' compensation issues will be closely reviewed prior to granting at-home work requests.

Requests for work schedules which include working at home for part of the regular work week may be submitted to the Department Head. Authorization for such schedules for either a predetermined or indefinite length of time will be made based on the following criteria:

- a) the operational needs of the department work site must be met adequately;
- b) the job duties must be such that work can be accomplished at home;
- c) proper equipment and supplies necessary to the job assignment can be provided at reasonable cost;
- d) sufficient measures of productivity can be determined;
- e) efficient and effective methods can be established for supervisory review of work assignments;
- f) the employee can be contacted at home during predetermined work hours.

Plans for meeting each of these criteria should be submitted in writing to the Department Head for evaluation. Once approved, at-home work schedules are subject to periodic review and may be discontinued at the discretion of the Department Head, with fourteen (14) days notice to the employee.

**CITY OF SANTA BARBARA  
DRUG AND ALCOHOL TESTING POLICY**

## **CITY OF SANTA BARBARA DRUG AND ALCOHOL TESTING POLICY**

This policy sets forth the rights and obligations of the covered employees. You should familiarize yourself with the provisions of this policy BECAUSE COMPLIANCE WITH THIS POLICY IS A CONDITION OF YOUR EMPLOYMENT.

If you are an employee covered by this policy, you should be aware that you are still required to comply with the provisions of the City's Drug and Alcohol Free Workplace Policy (ATTACHMENT A) that was adopted by the City Council on August 21, 1990. The obligations and requirements set forth below are in addition to existing obligations and requirements set forth in the Drug and Alcohol Free Workplace Policy.

### **A. EMPLOYEE QUESTIONS**

Employees shall refer any questions regarding rights and obligations under this policy to Human Resources or to the Union.

### **B. COVERED EMPLOYEES**

Employees in the job classifications represented by SEIU, Local 620 in the Treatment and Patrol Bargaining Units that are not covered under the CITY OF SANTA BARBARA DRUG AND ALCOHOL TESTING POLICY PURSUANT TO DEPARTMENT OF TRANSPORTATION REGULATIONS

### **C. PROHIBITIONS**

The following conduct is prohibited and may result in discipline, up to and including termination:

1. The use, possession, manufacture, dispensation or distribution of drugs and alcohol is prohibited:
  - a. in the workplace;
  - b. while on City time;
  - c. in City vehicles or facilities except as defined in City's facilities use policies;
  - d. prior to coming to work, so that the employee's performance is impaired.
2. Reporting for duty or remaining on duty while having an alcohol blood concentration level of 0.08 or greater.
3. Being on duty or operating a vehicle on duty while possessing alcohol.
4. Using alcohol while on duty.
5. Reporting for duty or remaining on duty when the employee used any controlled substances, except if the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform their job.
6. Reporting for duty or remaining on duty if the employee tests positive for controlled substances.

7. Refusing to submit to any alcohol or controlled substances test required by this Policy. A covered employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who tested 0.08 or greater on an alcohol test or tested positively on a controlled substances test.

A refusal to submit to an alcohol or controlled substances test required by this Policy includes, but is not limited to:

- a. A refusal to provide a urine sample for a drug test;
- b. An inability to provide a urine sample without a valid medical explanation;
- c. A refusal to complete and sign the breath alcohol testing form, or otherwise to cooperate with the testing process in a way that prevents the completion of the test;
- d. An inability to provide breath or to provide an adequate amount of breath without a valid medical explanation;
- e. Tampering with or attempting to adulterate the urine specimen or collection procedure;
- f. Not reporting to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested (the time allotted shall be reasonable. In most cases the City will provide transportation to and from the collection site.);
- g. Leaving the scene of an accident without a valid reason as to why authorization from a supervisor or manager who shall determine whether to send the employee for a post-accident controlled substances and/or alcohol test was not obtained.

**D. CIRCUMSTANCES UNDER WHICH DRUG AND ALCOHOL TESTING WILL BE IMPOSED ON COVERED EMPLOYEES.**

**1. Pre-Employment Testing**

All applicants for City employment may be required to submit to pre-employment/pre-duty drug testing. This applies to testing prior to initial appointment as a classified employee only, and not to promotion within the service.

Note: there is no pre-employment alcohol test.

**2. Post-Accident Testing**

Post-accident drug and alcohol testing will be conducted on employees following an accident.

Alcohol: Post-accident alcohol tests shall be administered within two hours following an accident and no test may be administered after eight hours.

Drug: A post-accident drug test shall be conducted within eight (8) hours following the accident

An accident occurs when as a result of an incident involving a vehicle operated by a covered employee:

- (1) any individual(s) receives an injury(s) requiring immediate hospital treatment ,or

(2) there is a recommendation by an on scene paramedic or medical professional that individual(s) involved in the accident should see a physician for injury(s) arising out of the accident.

**3. Return To Duty / Follow-up Testing:**

A covered employee who has violated any of the prohibitions of this policy (See Section C) may be required to submit to a return to duty test before he/she may be returned to his/her position. The test result must indicate an alcohol concentration of less than 0.08 or a verified negative result on a controlled substances test.

**E. EMPLOYEE RESPONSIBILITIES**

An employee must notify his/her department head of all alcohol or criminal drug statute convictions no later than 5 days after such conviction.

An employee must notify his/her supervisor, before beginning work, when drugs (prescription or non-prescription) may interfere with the safe and effective performance of duties or operation of City equipment (See Attachment A, Article III, Section 3).

Any employee who thinks he/she may have an alcohol or drug use problem is urged to voluntarily seek free confidential assistance from the City's Employee Assistance Program (EAP) counselor. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to job related performance problems.

**F. MANAGERS' AND SUPERVISORS' RESPONSIBILITIES**

1. Managers and supervisors are responsible for enforcement of this policy and will inform the Department Head and the Human Resources Manager of any violations.
2. Employees who may have a suspected alcohol or drug use problem should be encouraged to voluntarily seek confidential assistance from the City's Employee Assistance Program (EAP).
3. When an employee is involved in an accident, managers and supervisors shall prevent the employee from engaging in further work, remove the employee from the workplace, and then send the employee for a drug and/or alcohol tests within the timelines outlined in Section D. 2 above.
4. When it is suspected that an employee may have illegal drugs or is under the influence of illegal drugs, managers and supervisors may notify the appropriate law enforcement agency.

**G. PROCEDURES TO BE USED FOR DETECTION OF DRUGS AND ALCOHOL**

**1. Alcohol Testing:**

Alcohol testing will be conducted by using an evidential breath device (EBT) approved by the National Highway Traffic Safety Administration. (Non-EBT devices may be used for initial screening tests.)

A screening test will be conducted first. If the result is an alcohol concentration level of less than 0.02, the test is considered a negative test. If the alcohol concentration level is 0.02 or more, a second confirmation test will be conducted. A positive test for alcohol means a confirmed alcohol concentration of 0.08 or more.

The procedures that will be utilized by the collection and testing of the specimen shall be the same as those required under the City Of Santa Barbara Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations (49 CFR 40).

## **2. Drug Testing:**

Drug testing will be conducted pursuant to the same requirements as those required by the City Of Santa Barbara Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations (49 CFR Part 40).

- a. The urine specimen will be split into two (2) bottles labeled as: primary" and "split" specimen. Both bottles will be sent to the lab;
- b. A positive test means a test that is positive for controlled substances under the Federal D.O.T. Urine Specimen Testing Levels (Current levels ATTACHMENT B). If the urinalysis of the primary specimen tests positive for the presence of controlled substances, the employee has seventy-two (72) hours to request that the split specimen be analyzed by a different certified lab at the employee's cost.
- c. The urine sample will be tested for the following: marijuana, cocaine, opiates, amphetamines, and phencyclidine;
- d. If the test is positive for one or more of the drugs, a confirmation test will be performed using gas chromatography/mass spectrometry analysis;
- e. All drug results will be reviewed and interpreted by a physician before they are reported to the employee and then to the City;
- f. With all positive drug tests, the physician (a.k.a. Medical Review Officer) will first contact the employee to determine if there is an alternative medical explanation for the positive test result. If documentation is provided and the MRO determines that there was a legitimate medical use for the prohibited drug, the test result may be reported to the City as "negative."

## **3. Confidentiality:**

The confidentiality of records shall be maintained in the same manner as set forth in the City Of Santa Barbara Drug And Alcohol Testing Policy Pursuant To Department Of Transportation Regulations.

## **H. CONSEQUENCES OF FAILING/REFUSING AN ALCOHOL AND/OR DRUG TEST:**

FAILING A PRE-EMPLOYMENT DRUG TEST WILL BE GROUNDS FOR REJECTION FROM EMPLOYMENT.

UPON FAILING A POST-ACCIDENT ALCOHOL AND/OR DRUG TEST THE EMPLOYEE:

1. Will be removed from driving or operating any heavy or dangerous equipment;
2. May be disciplined up to termination. Failing/refusal to take a controlled substances/alcohol test may result in disciplinary action, up to and including termination.

3. May be allowed to sign a last chance agreement as an alternative to discipline which could require the employee to undergo treatment to cure his/her alcohol or drug abuse and be tested periodically. Generally, an employee who tests positive and has not been found to be using alcohol or drugs on-duty will be offered a last chance agreement. The City does not pay for this examination or any treatment. However, if the exam and/or treatment is covered by the employee's insurance policy, the employee may use the insurance policy to (help) pay for the covered expenses.
4. The employee may use accumulated vacation, personal leave, overtime or leave without pay while undergoing treatment/rehabilitation
5. The employee may use sick leave only when participating in a medically supervised/approved residential rehabilitation program or during the first ninety (90) days of a medically supervised/approved outpatient rehabilitation program.
6. May not be returned to his/her position until the employee submits to a return-to-duty controlled substances and/or alcohol test (depending on which test the employee failed) which indicates an alcohol concentration level of less than 0.08 or a negative result on a controlled substances test;
7. May be required to submit to unannounced follow-up testing after he/she has been returned to his/her safety-sensitive position.

#### **J. EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The City has established an Employee Assistance Program to help employees who need assistance with alcohol and controlled substance abuse. Employees are encouraged to contact the City's Benefits Office for the number of the current EAP provider.

RESOLUTION NO. 90-141

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA, ADOPTING A DRUG AND ALCOHOL FREE WORKPLACE POLICY.

WHEREAS, The Federal Drug Free Workplace Act of 1988 requires the adoption of a drug free workplace policy, and

WHEREAS, the presence of drugs and alcohol on the job, and the influence of these substances on employees during working hours jeopardizes the safety of employees, the public, and the efficiency of City operations; and

WHEREAS, the City wants to establish a drug and alcohol free workplace;

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

That the attached Drug and Alcohol Free Workplace Policy be adopted.

Adopted August 21, 1990

CITY OF SANTA BARBARA  
DRUG AND ALCOHOL FREE WORKPLACE POLICY

I. PURPOSE

The City of Santa Barbara, in its efforts to provide a drug and alcohol free environment, has adopted this Drug and Alcohol Free Workplace Policy. It is the purpose of this policy to eliminate alcohol and drug abuse by City Employees and its effects in the workplace. The presence of drugs and alcohol on the job and the influence of these substances on employees during working hours jeopardizes the safety of employees, the public, and the efficiency of City operations. It is the intent of the City, in adopting this policy, to meet the requirements of the Drug Free Workplace Act of 1988 (41 U.S.C. Section 701-707).

II. POLICY

In recognition of the duties entrusted to the employees of the City of Santa Barbara and with knowledge that drugs and alcohol hinder a person's ability to perform job related duties safely and effectively, the City of Santa Barbara adopts the following policy:

1. The use, possession, manufacture, dispensation or distribution of drugs and alcohol is prohibited:
  - a. in the workplace;
  - b. while on City time;
  - c. in City vehicles or facilities except as defined in City's facilities use policies;
  - d. prior to coming to work, so that the employee's performance is impaired.
2. The City is committed to providing reasonable accommodation to those employees whose drug or alcohol problem classifies them as handicapped, under federal law.
3. The City has established a voluntary Employee Assistance Program (EAP) to assist those employees who voluntarily seek help for alcohol or drug problems (as well as for a variety of other personal problems). Employees may seek confidential assistance from the EAP counselor.

III. APPLICATION

1. This policy applies to all full time, part time and temporary employees, and to all applicants for positions with the City. This policy applies to alcohol and all substances, drugs or medications, legal or illegal, which impairs an employee's ability to effectively and safely perform his/her job duties.
2. A copy of this policy will be provided to all City employees.
3. A drug-free awareness program will be established to inform employees of the dangers and penalties of drug use in the workplace and of available counseling, rehabilitation and employee assistance programs.

4. Violations of the policy may result in disciplinary action being taken, up to and including termination, in addition to possible criminal penalties or refusal to hire an applicant.

#### IV.EMPLOYEES RESPONSIBILITIES

An employee:

1. Must not report to work, or be subject to scheduled duty while his/her ability to perform job duties is impaired due to on or off duty alcohol or drug use.
2. Must not use, possess, manufacture, dispense or distribute drugs or alcohol
  - a. in the workplace;
  - b. on City time;
  - c. in City vehicles or facilities except as defined in City's facilities use policies;
  - d. prior to coming to work, so that the employee's performance is impaired.
3. Must notify his/her supervisor, before beginning work, when drugs (prescription or non-prescription) may interfere with the safe and effective performance of duties or operation of City equipment. In the event there is a question regarding an employee's ability to safely and effectively perform assigned duties while using prescribed drug, authorization from a qualified physician may be required.
4. Must notify his/her department head of any criminal drug or alcohol statute conviction, for a violation occurring in the workplace, no later than five (5) days after such conviction.
5. A safety employee must notify his/her department head of all alcohol or criminal drug statute convictions, no later than five (5) days after such conviction.
6. Who thinks he/she may have an alcohol or drug use problem is urged to voluntarily seek free confidential assistance from the City's Employee Assistance Program (EAP) counselor. It is the responsibility of each employee to seek assistance before alcohol or drug problems lead to job related performance problems.

#### V. MANAGERS AND SUPERVISORS RESPONSIBILITIES AND GUIDELINES

1. Managers and supervisors are responsible for enforcement of this policy and will inform the Department Head and the Human Resources Manager of any violations.
2. Employees who may have a suspected alcohol or drug use problem should be encouraged to voluntarily seek confidential assistance from the City's Employee Assistance Program (EAP).
3. When it is suspected that an employee is under the influence of drugs or alcohol at the workplace, managers and supervisors shall prevent the employee from engaging in further work, remove the employee from the work place, consult with another manager or supervisor to confirm their suspicions, and then, take appropriate action. The employee shall be informed that a union representative or shop steward could be notified, at the employee's request. Managers and supervisors may notify the appropriate law enforcement agency.
4. When it is suspected that an employee may have illegal drugs or is under the influence if illegal drugs, managers and supervisors shall notify the appropriate law enforcement agency.

5. For employees working on programs receiving federal grant money, the City shall:
  - a. notify the Federal contracting agency within ten (10) days after receiving notice of an employee's criminal drug statute conviction occurring in the workplace. (41 U.S.C. Section 701-717)
  - b. impose a sanction, or require the satisfactory participation in a drug abuse assistance or rehabilitation program for any employee who is convicted of a criminal drug statute violation occurring in the workplace. (41 U.S.C. Section 701-707)

Federal D.O.T. Urine Specimen Testing Levels  
**From 49 CFR Part 40 Subpart F**

All cutoff concentrations are expressed in nanograms per milliliter (ng/mL). The table follows:

<b>Type of Drug or Metabolite</b>	<b>Initial Test</b>	<b>Confirmation Test</b>
(1) Marijuana metabolites  (i) Delta-9-tetrahydrocannabinol-9-carboxylic acid (THC)	50	15
(2) Cocaine metabolites (Benzoylecgonine)	300	150
(3) Phencyclidine (PCP)	25	25
(4) Amphetamines  (i) Amphetamine  (ii) Methamphetamine	1000	500  500 (Specimen must also contain amphetamine at a concentration of greater than or equal to 200 ng/mL.)
(5) Opiate metabolites  (i) Codeine  (ii) Morphine  (iii) 6acetylmorphine	2000	2000  2000  10 Test for 6-AM in the specimen. Conduct this test only when specimen contains morphine at a concentration greater than or equal to 2000 ng/mL.

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## **CITY OF SANTA BARBARA ADMINISTRATIVE POLICIES:**

Policy No. TBA

### **9/80 WORK SCHEDULE POLICY**

Issued by: Barbara Barker, Human Resources Manager

Adopted: 5/8/2007  
Updated

#### **PURPOSE:**

To set forth the City of Santa Barbara's policy and procedures governing the establishment and administration of an alternate work schedule commonly referred to as "9/80's".

This policy is intended to complement the provisions of the City of Santa Barbara's "FlexWork Policy" and "Child Care Personnel Policies". However, in the event of a conflict between those provisions and this policy, this policy shall control for all purposes.

#### **POLICY:**

The 9/80 alternate work schedule may be the standard assigned schedule for a position or work unit, or may be granted, at the employee's request, as an alternative work schedule under the City's FlexWork Program or Childcare Personnel Policies (also called "Family Friendly Policies"). The guidelines set forth in this policy will apply to any employee working a 9/80 schedule.

#### **DEFINITIONS:**

##### **1. 9/80 Alternate Work Schedule**

The 9/80 alternate work schedule shall consist of eight (8) work days of nine (9) hours and one work day of eight (8) hours for a total of eighty (80) hours during two (2) consecutive work weeks. For non-management employees, the eight (8) hour work day must be on the same day of the week as the employee's regular Flex Day Off (FDO). Under the 9/80 schedule, one calendar (e.g, Saturday-Friday) week shall consist of 44 work hours (four 9-hour days and one 8-hour day) and the alternating calendar week will consist of 36 work hours (four 9-hour days and one day off).

##### **2. Flex Day Off**

The Flex Day Off (FDO) shall be an eight (8) hour day and may occur on any day of the week. For non-management employees, the FDO must be the same day of the week as the employee's 8-hour work day that occurs in the preceding and subsequent work weeks (e.g., if the employee's regularly scheduled Flex Day Off is each alternate Friday,



## CITY OF SANTA BARBARA ADMINISTRATIVE POLICIES:

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### 9/80 WORK SCHEDULE POLICY

Issued by: Barbara Barker, Human Resources Manager

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then the employee shall be scheduled to work eight hours the preceding and subsequent Fridays).

#### 3. 9/80 FLSA Workweek

Under the Fair Labor Standards Act, the workweek is defined as "a fixed and regularly recurring period of seven consecutive 24-hour periods (168 hours)." When an employee is assigned to a 9/80 schedule, the 9/80 work week begins on the employee's 8 hour day, at exactly four (4) hours after the scheduled start time and ends 168 hours later, at the same time on the same day during the following week. This results in 40 straight time hours per FLSA workweek, and 80 straight time hours per pay period.

#### 4. City Pay Period

The City's pay period begins at 12:00 a.m. (midnight) on Saturday, and ends immediately before the same time on Friday two weeks later. This is different than the FLSA work period for an employee on a 9/80 schedule, whose FLSA workweek may span 2 pay periods.

#### 5. Fair Labor Standards Act (FLSA)

The Fair Labor Standards Act is a Federal law that sets minimum wage, overtime pay, equal pay, recordkeeping, and child labor standards for employees that it covers.

#### 6. Non-Exempt Employee

A non-exempt employee is an employee who, because of the type of duties performed, the usual level of decision making authority, and the method of compensation, is subject to the provisions of the Fair Labor Standards Act. Nonexempt employees are generally required to account for all hours worked and must be compensated at not less than time-and-one half at the regular rate for all hours worked over 40 in one FLSA workweek.

#### APPROVAL:

Scheduling of a 9/80 Work Schedule including the selection of the work days, work times, and the FDO, shall be done by management based on business needs, subject to the requirements of the applicable M.O.U. and/or sideletter governing the 9/80 Work Schedule.



## CITY OF SANTA BARBARA ADMINISTRATIVE POLICIES:

Policy No. TBA

### 9/80 WORK SCHEDULE POLICY

Issued by: Barbara Barker, Human Resources Manager

Adopted: 5/8/2007  
Updated

The City and the Union agree that under certain circumstances, alternative work schedules (9/80, 4/10, and/or modified starting or ending times) may be beneficial to both employees and the City. Employees may request, upon their own initiative, consideration of an alternate schedule and/or FDO based on childcare, alternative commute, school, or other personal issues through the FlexWork Policy or Childcare Personnel Policies.

*[For General, Treatment and Patrol, and Hourly bargaining unit members: When a change to or from a standard 9/80 work schedule is made at the City's initiative, the City will make every reasonable effort to give the affected employee 30 calendar days notice and the opportunity to apply for accommodation under these policies. All such requests will be considered in good faith, and will not be denied for arbitrary or capricious reasons.]*

#### CHANGES TO SCHEDULE LIMITED:

##### 1. Changing the Flex Day Off

Once the FDO is designated, working on the FDO may incur overtime in one or more FLSA workweeks, therefore working on the FDO or making changes to the FDO requires management approval.

Temporary changes to the FLSA workweek and/or the FDO to avoid overtime are not permitted.

##### 2. Working on the 8 Hour Day

Once the 9/80 schedule begins, working an alternate schedule on the 8 hour work day may incur overtime liability\* in one or more FLSA workweeks. Therefore, altering an employee's schedule on the 8 hour day requires management approval. (\*e.g., if an employee scheduled to work from 8-5 comes in 7-4 instead, one work week will incur 1 hour of overtime, and the employee will be short an hour in the next work week and need to use leave balances.)



## **CITY OF SANTA BARBARA ADMINISTRATIVE POLICIES:**

Policy No. TBA

### **9/80 WORK SCHEDULE POLICY**

Issued by: Barbara Barker, Human Resources Manager

Adopted: 5/8/2007  
Updated

## **HOLIDAYS, PERSONAL TIME OFF AND JURY DUTY:**

### **1. Holidays**

Employees on a 9/80 work schedule who are eligible for holiday pay will be entitled to the same Holiday pay as employees on a 10/80 (40 hour) work schedule. Holiday pay shall remain at eight (8) hours. When a holiday falls on a regular nine (9) hour workday, the employee shall use one (1) hour of personal accrued leave time (vacation, personal leave, or comp time) to make up the ninth hour.

When the holiday is observed on the employee's FDO, the employee will accrue an additional 8-hour holiday day off. If required under the applicable M.O.U., such day off shall be taken within thirty (30) calendar days or shall be compensated at straight pay after the 30th day.

### **2. Personal Leave and Bereavement Leave**

Employees on a 9/80 work schedule who are eligible for personal and/or bereavement leave will be entitled to the same Personal Leave and/or Bereavement pay as employees on a 10/80 (40 hour) work schedule. Personal Leave and Bereavement pay are granted to full-time employees in amounts equivalent to 8 hour days (e.g., the employee will be eligible for a total of up to 32 hours of personal leave and up to 40 total hours of bereavement leave). Personal Leave and Bereavement pay are charged at nine (9) hours for time taken on a scheduled nine hour day and (8) hours for time taken on a scheduled eight hour day.

### **3. Vacation, Sick, Compensatory Time, PTO, etc.**

Time off from work using accrued vacation, sick, PTO, or other paid leave banks will be charged at nine (9) hours for time taken on a scheduled nine hour day. Time off from work on the eight (8) hour work day will be charged at eight (8) hours.

### **4. Jury Duty**

An employee shall not be entitled to jury duty pay, or to overtime pay or compensatory time off for jury duty on the FDO. However, an employee on an absence exceeding one week for jury duty, military duty, etc. may request to temporarily switch back to a regular 10/80 schedule. The transition guidelines below will apply to approval of such request to transition to the 40-hour schedule (Section F2, below) or back from the 40-hour



**CITY OF SANTA BARBARA ADMINISTRATIVE  
POLICIES:**

Policy No. TBA

**9/80 WORK SCHEDULE POLICY**

Issued by: Barbara Barker, Human Resources Manager

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Updated

schedule (Section F1, below).

**OVERTIME:**

**1. Overtime Earned**

When an overtime-eligible employee is on a 9/80 work schedule, overtime for hours exceeding 40 in a workweek, both under the FLSA and as provided under any applicable M.O.U., will be based on the FLSA workweek. In other words, employees who are eligible for overtime shall receive overtime pay or compensatory time off for hours worked in excess of 36 or 44 hours in their respective scheduled (e.g., Saturday-Friday) calendar workweek.

Employees may also be eligible for overtime or compensatory time for other hours in excess of the regular 9/80 work schedule, as provided under the applicable M.O.U.

**2. Overtime Paid**

The 9/80 FLSA workweeks will not generally correspond with the City's pay periods. Therefore, where adjustments to overtime compensation cannot be calculated until the completion of the employee's workweek (e.g., when they occur in the last half of the 8 hour day), a one pay period's delay in the employee receiving the additional compensation may occur.

**TRANSITIONING TO OR FROM A 9/80 WORK SCHEDULE**

When an employee transitions from a 10/80, 4/10, or other 40-hour per week work schedule to a 9/80 work schedule, there will be a change to the beginning of the FLSA workweek. This results in a situation in which 4 hours fall in both the old workweek and the new workweek. The following procedures are designed to avoid an overtime obligation during this change. Any deviation from these procedures must be approved in advance by management.

**1. Transitioning to a 9/80 Work Schedule**

For a non-management employee, the transition to a 9/80 work schedule will be set to begin during a 36-hour calendar workweek, when an FDO occurs. Four hours in the new FLSA workweek will overlap with the prior 40 hour calendar work week, but



## CITY OF SANTA BARBARA ADMINISTRATIVE POLICIES:

Policy No. TBA

### 9/80 WORK SCHEDULE POLICY

Issued by: Barbara Barker, Human Resources Manager

Adopted: 5/8/2007  
Updated

because the following calendar week will contain 36 hours, this will result in 40 hours of straight time in the first new FLSA work week.

#### **2. Transitioning to a normal 40 hour Work Schedule**

For a non-management employee, the transition back to a normal 40-hour work week (e.g. "10/80" or "4/10") from a 9/80 work schedule will be set to begin the week following a 36-hour calendar work week. This will result in 40 hours of straight time in both the prior FLSA 9/80 work week and the new regular FLSA calendar work week.

While this change will not lead to overtime, this will result in the employee working only 72 hours in the pay period in which the change occurs. Employees must use 4 hours from their available leave banks to make up this time not worked. [To avoid this result, management would need to approve the employee to work an additional 4 hours during that pay period, recognizing that those hours will be paid at the overtime rate.]



## **CITY OF SANTA BARBARA**

### **COUNCIL AGENDA REPORT**

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** Chief's Staff, Police Department

**SUBJECT:** Introduction Of An Ordinance Adopting An Equipment Use Policy Per Assembly Bill 481

#### **RECOMMENDATION:**

That Council introduce and subsequently adopt, by reading of title only, an Ordinance of the Council of the City of Santa Barbara Adopting a Military Equipment Use Policy for the Santa Barbara Police Department.

#### **DISCUSSION:**

Assembly Bill Number 481 (AB 481), codified at Government Code sections 7070 through 7075, requires the Santa Barbara Police Department (SBPD) to obtain approval from City Council of its military equipment use policy by ordinance by April 30, 2022, in order to continue the use of this previously acquired equipment.

The term "military equipment", as used in AB 481, does not necessarily indicate equipment used by the military. Items deemed to be "military equipment" include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles, pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, long range acoustic devices, and flashbangs. The list of items considered "military equipment" by AB 481 are employed by many law enforcement agencies across the country as best practices to enhance citizen and officer safety.

Provided as an attachment is the inventory list of military equipment that the SBPD maintains. Also attached is the SBPD's military equipment use policy. The use of the military equipment identified on the inventory list is vital to SBPD's mission and will continue to be strictly regulated through internal processes and oversight.

**BUDGET/FINANCIAL INFORMATION:**

The cost of the current equipment is presently funded and included in the Police Department's operating budget for Fiscal Year 2023. No new equipment that is applicable to Assembly Bill 481 is slated for purchase during the listed timeframe.

**ATTACHMENTS:**      1. SBPD Military Equipment Inventory 2022  
                                 2. SBPD Military Equipment Use Policy

**PREPARED BY:**      Joshua Morton, Lieutenant

**SUBMITTED BY:**      Bernard Melekian, Interim Chief of Police

**APPROVED BY:**      City Administrator's Office

## **SANTA BARBARA POLICE DEPARTMENT MILITARY USE EQUIPMENT INVENTORY 2022**

1. Robot: A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers.
  - a. Description, quantity, capabilities, and purchase cost  
iRobot 110 FirstLook, cost \$25,000, quantity:1. Lightweight unmanned ground vehicle.
  - b. Purpose  
To be used to remotely gain visual/audio data, deliver negotiation phone, open doors, disrupt packages, and clear buildings.
  - c. Authorized Use  
Assigned SWAT operators.
  - d. Expected Life Span 8-10 years.
  - e. Fiscal Impact  
No ongoing maintenance costs.
  - f. Training  
Robot operators trained per the instructions included with the robot.
  - g. Legal and Procedural Rules  
It is the practice of the SBPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.
2. Armored Vehicles: Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.
  - a. Description, quantity, capabilities, and purchase cost  
LENCO BEARCAT, G2, cost: \$315,000, quantity: 1. The Lenco Bearcat, G2, is an armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.
  - b. Purpose  
To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.
  - c. Authorized Use  
The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.
  - d. Lifespan  
Lenco Bearcat model G2, 25 years.

e. Fiscal Impact

Annual maintenance cost of approximately \$5,000.

f. Training

All driver/operators shall be trained in vehicle operations and practical driving instruction.

g. Legal and Procedural Rules

Use is established under Policy section 706. It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

**3. Mobile Incident Command Vehicle (MIC):** A vehicle used mobile office that provides shelter, access to Department computer and communication systems during extended events.

a. Description, quantity, capabilities, and purchase cost

Ford F59 Aluminum Body chassis with gas engine, (custom built) vehicle by LDV Custom Specialty Vehicles, cost: \$250,000, quantity: 1. The MIC can also be utilized for SWAT/CNRT and other critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events. The vehicle requires at a minimum a Class C Driver's License.

b. Purpose

To be used based on the specific circumstances of a given critical incident, large event, natural disaster or community event that is taking place.

c. Authorized Use

Only officers trained in their deployment and operations in a manner consistent with Department policy and training are authorized to operate the MIC. Situations which the MIC is authorized for use would include but not be limited to critical incidents, emergencies and natural disasters.

d. Lifespan

The MIC, 20-year lifespan on chassis and vehicle structure. Upgrades needed in 7 years to maintain IT systems.

e. Fiscal Impact

Annual maintenance cost is approximately \$12,000.

f. Training

The driver/operator shall receive training in the safe handling of the vehicle on a closed training course, supervised by a CNRT and/or Fleet Supervisor. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver.

g. Legal and Procedural Rules

It is the policy of the Department to use the MIC only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.

h. Training

Once completing a closed training course, the operator will drive the vehicle throughout the city with an experienced MIC vehicle driver.

i. Legal Procedural Rules

Use shall be in accordance with California State law regarding the operation of motor vehicles.

4. 40 MM Launchers and Rounds: 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds, and for delivery of chemical agents.

a. Description, quantity, capabilities, and purchase cost

- i. DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER, cost: \$1000, quantity: 2. The 40MM Single Launcher is a tactical single shot launcher that features a tactical stock and adjustable front grip with light rail. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It is only authorized to be used by trained personnel.
- ii. LEWIS MACHINE AND TOOL (LMT) 40MM SINGLE SHOT LAUNCHER, cost \$700, quantity: 2, a tactical single-shot launcher with pistol grip and tactical stock. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It is only authorized to be used by trained personnel.
- iii. PENN ARMS 40MM MULTI-SHOT LAUNCHER, cost \$1500, quantity:1. 40MM launcher that can be loaded with up to six less-lethal projectiles. It will fire standard 40mm ammunition and is only authorized for use by trained personnel.
- iv. DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE, #6325, cost: \$18, quantity: 80. A less lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose built 40mm grenade launcher with a rifled barrel at 325 FPS. The 30-gram foam projectile delivers 120 ft/lbs. of energy on impact. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 131 feet from the target.
- v. DEFENSE TECHNOLOGY, FERRETT 40MM LIQUID CS BARRICADE PENETRATOR ROUND, cost: \$23, quantity: 10. A chemical agent 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. Training exercises or approved demonstrations.

d. Training

Sworn members utilizing 40MM less lethal impact rounds are trained in their use by POST certified less lethal and chemical agent instructors.

e. Lifespan

Defense Technology launcher- 25 years.

LMT launcher – 25 years.

Exact Impact Sponge round - 5 years.

Defense Technology chemical munitions - 5 years.

f. Fiscal Impact

No annual maintenance cost for launchers or ammunition.

g. Legal and Procedural Rules

Use is established under Policy Sections 303 and 404. It is the policy of the SBPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

5. Less Lethal Shotgun: Less Lethal Shotgun is used to deploy the less lethal 12-gauge Safariland 3027 Drag-Stabilized round.

a. Description, quantity, capabilities, and purchase cost

- i. REMINGTON 870 LESS LETHAL SHOTGUN, cost: \$1000, quantity: 8. The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge round up to a distance of 50 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of de-escalation.
- ii. 12-GAUGE SAFARILAND 3027 DRAG-STABILIZED ROUND, cost: \$5, quantity: 200. A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with lead shot at a velocity of 270 feet per second (FPS). The rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.

- ii. Riot/crowd control and civil unrest incidents.
  - iii. Circumstances where a tactical advantage can be obtained.
  - iv. Potentially vicious animals.
  - v. Training exercises or approved demonstrations.
- d. Lifespan
  - Remington 870 Less Lethal Shotgun- 25 years.
  - Safariland 3027 round – No expiration date.
- e. Fiscal Impact
  - No annual maintenance cost for shotguns.
- f. Training
  - All officers are trained in the 12 gauge less lethal shotgun as a less lethal option by in-service training. SWAT personnel receive additional training internally when they transfer to the unit.
- g. Legal and Procedural Rules
  - Use is established under Policy Section 303. It is the policy of the SBPD to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**6. Distraction Devices: A device used to distract dangerous persons.**

- a. Description, quantity, capabilities, and purchase cost
  - i. DEFENSE TECHNOLOGY 25 LIGHT/SOUND DISTRACTIONARY DEVICE, cost: \$50, quantity: 35. A non-bursting, non-fragmenting device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
- b. Purpose
  - A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations. To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.
- c. Authorized Use
  - Diversionary Devices shall only be used:
    - i. By officers who have been trained in their proper use.
    - ii. In hostage and barricaded subject situations.
    - iii. In high-risk warrant (search/arrest) services where there may be extreme hazards to officers.
    - iv. During other high-risk situations where their use would enhance officer safety.
    - v. During training exercises.
- d. Lifespan
  - Until used.
- e. Fiscal Impact
  - No annual maintenance cost.

f. Training

Prior to use, SWAT officers must attend divisionary device training that is conducted by Post certified instructors.

g. Legal and Procedural Rules

Use is established under the SBPD SWAT Manual and Policy Section 404. It is the policy of the SBPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

h. Rifles: Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.

i. Description, quantity, capabilities, and purchase cost

- i. Colt M4 Carbine, semi-automatic, quantity: 46, cost \$900. A rifle that fires an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. It is a short-barreled rifle which allows a trained officer better control inside of structures with greater accuracy than a handgun. This version of the rifle is used by patrol officers.
- ii. Colt AR-15A3 rifle, semi-automatic, quantity: 34, cost \$900. A rifle that fires an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. It allows a trained officer better control inside of structures with greater accuracy than a handgun. This version of the rifle is used by patrol officers.
- iii. Colt M-16 automatic rifle in the following variants: M4, LE6946 Carbine, M-16 rifle. Quantity: 21, cost \$900. A rifle that fires an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. These variants are fully-automatic. Only trained and certified SWAT Officers are authorized to deploy these rifles.
- iv. Tactical Operations Tango 51 .308 caliber Sniper Rifle. Quantity: 4, cost \$8000. A highly accurate sniper rifle capable of precision fire at distance. Only trained and certified SWAT snipers are authorized to deploy these rifles.
- v. Remington 700P .308 caliber Sniper Rifle. Quantity: 1, cost: \$700. A highly accurate sniper rifle capable of precision fire at distance. Only trained and certified SWAT snipers are authorized to deploy these rifles.
- vi. Noveske N-6 .308 caliber Sniper Rifle. Quantity: 1, cost \$6,500. A highly accurate sniper rifle capable of precision fire at distance. Only trained and certified SWAT snipers are authorized to deploy these rifles.

- vii. Surgeon CSR .308 caliber Sniper Rifle. Quantity: 4, cost \$10,000. A highly accurate sniper rifle capable of precision fire at distance. Only trained and certified SWAT snipers are authorized to deploy these rifles.
- viii. Winchester .223 Caliber 62 Grain Rifle Ammunition, cost: \$360 per case of 1000, quantity: approximately 18 cases. Standard law enforcement ammunition for .223 rifles and carbines.
- ix. Federal Premium LE .308 caliber 168 Grain Rifle Ammunition. cost: \$400 per case of 500, quantity: 10 cases. Standard law enforcement ammunition for .308 caliber sniper rifles.

j. Purpose

To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

k. Authorized Use

Only members that are POST certified are authorized to use a patrol rifle. Fully-automatic rifles and .308 caliber sniper rifles are only deployed by authorized and trained SWAT personnel.

l. Lifespan

Colt AR-15 rifles – no expiration. Rifles typically stay in service 20+ years.

Colt M-16, M4 and variant rifles - no expiration.

Winchester rifle ammunition - no expiration.

Federal rifle ammunition - no expiration.

m. Fiscal Impact

Annual maintenance is approximately \$400, total, for all rifles.

n. Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass an annual range qualification. SWAT officers deploying .308 rifles and/or automatic .223 caliber rifles are trained and certified in those rifles and qualify in their use regularly.

o. Legal and Procedural Rules

Use is established under Policy Sections 306, 404, and the SWAT Manual. It is the policy of the SBPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**7. Chemical Agents and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed. The chemical agent “CS” is commonly referred to as tear gas. “OC” refers to oleoresin capsicum, commonly referred to as pepper spray.

a. Description, quantity, capabilities, and purchase cost

- i. DEFENSE TECHNOLOGY, TRIPLE-CHASER SEPARATING CANISTER, CS, #1026, cost: \$47, quantity: 10. The Triple-Chaser CS consists of three separate canisters pressed together with separating charges between each. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area

coverage in a short period of time. This canister can be hand thrown or launched from a fired delivery system. The canister is 6.5 in. by 2.7 in. and holds an approximately

3.2 oz. of active agent payload. It has an approximate burn time of 20-30 seconds.

- ii. DEFENSE TECHNOLOGY, RIOT CONTROL CONTINUOUS DISCHARGE GRENADE, CS, #1082, cost: \$27, quantity: 10. The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.
- iii. DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER CS GRENADE, #1032, cost \$45, quantity: 20. The design of the Tri-Chamber Flameless CS Grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. The grenade is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This grenade will deliver approximately .70 oz. of agent during its 20-25 seconds burn time. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless Grenade provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure.
- iv. DEFENSE TECHNOLOGY, MAXIMUM HC SMOKE LARGE STYLE CANISTER, #1073, cost: \$38, quantity: 5. It is a slow burning, high volume, continuous discharge grenade designed for outdoor use in crowd management situations. Emits grey-white smoke only for approximately 1.5 to 2 minutes.
- v. DEFENSE TECHNOLOGY, RIOT CONTROL CONTINUOUS DISCHARGE OC GRENADE, #1080, cost \$41, quantity: 10 - The Riot Control OC Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 0.88 oz. of active agent.

- vi. DEFENSE TECHNOLOGY, OC VAPOR AEROSOL GRENADE, #1056, cost: \$49, quantity: 5. The Defense Technology OC Vapor Aerosol Grenade is for law enforcement and corrections use to deliver a high concentration of Oleoresin Capsicum (OC) in a powerful mist. The grenade is designed for indoor use in confined areas and, once deployed, inflames the mucous membranes and exposed skin resulting in an intense burning sensation. The incapacitating effect of the OC Vapor on the subject is dramatic with minimal decontamination needed. Removing the subject from the affected area to fresh air will resolve respiratory effects within minutes. The OC Vapor Aerosol Grenade is ideal for cell extractions or barricade situations where the use of pyrotechnic, powder or liquid devices is not practical or desired.
- vii. Defense Technology Pocket Tactical CS Grenade #1016, cost \$35, quantity: 9. Lightweight grenade containing .9 oz of active ingredient, burns for 20-40 seconds. The device is intended to be hand-deployed in exigent circumstances, to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects
- viii. DEFENSE TECHNOLOGY SPEDE-HEAT CS canisters, cost: \$30, quantity: 12. The Spede-Heat is a pyrotechnic round designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds from a single source. The Spede-Heat family may be used to conceal tactical movement or to route a crowd.
- b. Purpose  
To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:
  - i. Self-destructive, dangerous and/or combative individuals.
  - ii. Riot/crowd control and civil unrest incidents.
  - iii. Circumstances where a tactical advantage can be obtained.
  - iv. Potentially vicious animals.
  - v. Training exercises or approved demonstrations.
- c. Authorized Use
- d. Only officers who have received POST certification in the use chemical agents are authorized to use chemical agents
- e. Training Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors.
- f. Lifespan  
5 years from manufacturing date.

- g. Fiscal Impact  
No annual maintenance.
- h. Legal and Procedural Rules  
Use is established under Policy Section 404 and the SWAT Manual. It is the policy of the SBPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**8. PepperBall Launcher: A device that discharges irritant projectiles.**

- a. Description, quantity, capabilities, and purchase cost
  - i. TIPPMANN LAUNCHER, cost: \$700, quantity 2. A compressed-air powered launcher designed to fire non-lethal PepperBall projectiles.
  - ii. PepperBall PROJECTILE, cost: \$2 per projectile, quantity 500. The basic PepperBall projectile contains 2% PAVA pepper powder, and is designed for direct impact and area saturation, especially in confined, interior spaces. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 0.5% PAVA Powder.
  - iii. PepperBall LIVE-X PROJECTILE, cost: \$3 per projectile, quantity 500. The Live Projectile contains a concentrated amount of PAVA pepper powder. One round of LIVE-X contains the equivalent to 10 PepperBall rounds. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 5% PAVA Powder.
- b. Purpose  
To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include but, are not limited to:
  - i. Self-destructive, dangerous and/or combative individuals.
  - ii. Riot/crowd control and civil unrest incidents.
  - iii. Circumstances where a tactical advantage can be obtained.
  - iv. Potentially vicious animals.
  - v. Training exercises or approved demonstrations.
- c. Authorized Use  
Only those officers who have been trained in the use of PepperBall launchers are authorized to use the PepperBall launchers.
- d. Training

Sworn members utilizing PepperBall launchers and projectiles are trained in their use by POST certified less lethal and chemical agent instructors.

e. Lifespan

- i. Tippmann Launcher - 20 years
- ii. PepperBall Live Projectile- 3 years
- iii. PepperBall Live-X Projectile- 3 years

f. Fiscal impact

No annual maintenance cost.

g. Legal and Procedural Rules

Use is established under Policy Section 303. It is the policy of the SBPD to utilize PepperBall only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

9. Breaching Shotgun: Firearm which is used to force entry into doors and other materials.

a. Description, quantity, capabilities, and purchase cost

- i. Remington 870 12-gauge shotgun, \$1000, quantity: three.
- ii. Polyshok IRP 12-gauge breaching ammunition, quantity: 50, \$5. Polyshok IRP is specifically designed to expend its energy into a door or locking mechanism, defeating the door or lock without penetrating through whatever material it is fired into.
- iii. Safariland 3105 Breaching TKO 12-gauge rounds, quantity 25, \$5. Round IRP is specifically designed to expend its energy into a door or locking mechanism, defeating the door or lock without penetrating through whatever material it is fired into.

b. Purpose

To allow tactical teams to quickly gain access to desired areas without unduly endangering anyone inside.

c. Authorized Use

Only SWAT officers trained in its use are authorized to utilize the breaching shotgun and Polyshok or TKO ammunition.

d. Training

Authorized users are trained by firearms range training officers.

e. Lifespan

No expiration date given for shotguns or ammunition. Shotguns commonly remain in use for 20+ years.

f. Fiscal Impact

No annual maintenance cost.

g. Legal and Procedural Rules

The use of the breaching shotgun is authorized by the SBPD SWAT manual. It is the policy of the SBPD to utilize the breaching shotgun only for official law enforcement purposes, pursuant to State and Federal law.

B. MAINTENANCE OF MILITARY USE SUPPLY LEVELS

When stocks of military equipment have reached significantly low levels or have been exhausted, the Department may order up to 10% of stock in a calendar year without City Council approval to maintain essential availability for the Department's needs. SBPD is authorized to acquire additional stock of items listed here from other law enforcement agencies of CalOES in the event of an emergency when approved by the COP or designee.

## Governing Body Specific Equipment Approval

### 707.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of California Government Code defined military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

#### 707.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

**Governing body** – The elected or appointed body that oversees the Department.

**California Government Code defined Military equipment** – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

# Santa Barbara Police Department

Santa Barbara PD Policy Manual 2022

## *Governing Body Specific Equipment Approval*

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### **707.2 POLICY**

It is the policy of the Santa Barbara Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

### **707.3 SPECIFIC EQUIPMENT COORDINATOR**

The Chief of Police should designate a member of this department to act as the specific equipment coordinator. The responsibilities of the specific equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as, or defined as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all \_ equipment defined as military per government code or requiring additional oversight by council direction, at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Santa Barbara Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  - 1. Publicizing the details of the meeting.
  - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

### **707.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the Department:

- (a) **Robot:** A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers.
- (b) **Armored Vehicles:** Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.
- (c) **Mobile Incident Command Vehicle (MIC):** A vehicle used mobile office that provides shelter, access to Department computer and communication systems during extended events.

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- (d) **40 MM Launchers and Rounds:** 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds, and for delivery of chemical agents.
- (e) **Less Lethal Shotgun:** Less Lethal Shotgun is used to deploy the less lethal 12-gauge Safariland 3027 Drag-Stabilized round.
- (f) **Distraction Devices:** A device used to distract dangerous persons.
- (g) **Rifles:** Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.
- (h) **Chemical Agents and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed. The chemical agent "CS" is commonly referred to as tear gas. "OC" refers to oleoresin capsicum, commonly referred to as pepper spray.
- (i) **PepperBall Launcher:** A device that discharges irritant projectiles.
- (j) **Breaching Shotgun:** Firearm which is used to force entry into doors and other materials.

### **707.5 APPROVAL**

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

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### **707.6 COORDINATION WITH OTHER JURISDICTIONS**

Military equipment used by any other jurisdiction that are providing mutual aid to this jurisdiction shall comply with their respective military equipment use policies in rendering mutual aid.

### **707.7 ANNUAL REPORT**

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

[See attachment: SBPD military equipment inventory 2022.pdf](#)

### **707.8 COMMUNITY ENGAGEMENT**

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

## **Attachments**

## **SBPD military equipment inventory 2022.pdf**

# **SANTA BARBARA POLICE DEPARTMENT MILITARY USE EQUIPMENT INVENTORY 2022**

1. Robot: A remotely controlled unmanned machine that operates on the ground, which is utilized to enhance the safety of the community and officers.
  - a. Description, quantity, capabilities, and purchase cost  
iRobot 110 FirstLook, cost \$25,000, quantity:1. Lightweight unmanned ground vehicle.
  - b. Purpose  
To be used to remotely gain visual/audio data, deliver negotiation phone, open doors, disrupt packages, and clear buildings.
  - c. Authorized Use  
Assigned SWAT operators.
  - d. Expected Life Span 8-10 years.
  - e. Fiscal Impact  
No ongoing maintenance costs.
  - f. Training  
Robot operators trained per the instructions included with the robot.
  - g. Legal and Procedural Rules  
It is the practice of the SBPD to utilize a robot only for official law enforcement purposes, and in a manner that respects the privacy of our community, pursuant to State and Federal law.
2. Armored Vehicles: Commercially produced wheeled armored personnel vehicle utilized for law enforcement purposes.
  - a. Description, quantity, capabilities, and purchase cost  
LENCO BEARCAT, G2, cost: \$315,000, quantity: 1. The Lenco Bearcat, G2, is an armored vehicle that seats 10-12 personnel with open floor plan that allows for rescue of down personnel. It can stop various projectiles, which provides greater safety to citizens and officers beyond the protection level of shield and personal body armor.
  - b. Purpose  
To be used in response to critical incidents to enhance officer and community safety, improve scene containment and stabilization, and assist in resolving critical incidents.
  - c. Authorized Use  
The use of armored vehicles shall only be authorized by a watch commander or SWAT commander, based on the specific circumstances of a given critical incident. Armored vehicles shall be used only by officers trained in their deployment and in a manner consistent with Department policy and training.
  - d. Lifespan  
Lenco Bearcat model G2, 25 years.

e. Fiscal Impact

Annual maintenance cost of approximately \$5,000.

f. Training

All driver/operators shall be trained in vehicle operations and practical driving instruction.

g. Legal and Procedural Rules

Use is established under Policy section 706. It is the policy of the Department to utilize armored vehicles only for official law enforcement purposes, and pursuant to State and Federal law.

**3. Mobile Incident Command Vehicle (MIC):** A vehicle used mobile office that provides shelter, access to Department computer and communication systems during extended events.

a. Description, quantity, capabilities, and purchase cost

Ford F59 Aluminum Body chassis with gas engine, (custom built) vehicle by LDV Custom Specialty Vehicles, cost: \$250,000, quantity: 1. The MIC can also be utilized for SWAT/CNRT and other critical incidents, preplanned large events, searching for missing persons, natural disasters, and community events. The vehicle requires at a minimum a Class C Driver's License.

b. Purpose

To be used based on the specific circumstances of a given critical incident, large event, natural disaster or community event that is taking place.

c. Authorized Use

Only officers trained in their deployment and operations in a manner consistent with Department policy and training are authorized to operate the MIC. Situations which the MIC is authorized for use would include but not be limited to critical incidents, emergencies and natural disasters.

d. Lifespan

The MIC, 20-year lifespan on chassis and vehicle structure. Upgrades needed in 7 years to maintain IT systems.

e. Fiscal Impact

Annual maintenance cost is approximately \$12,000.

f. Training

The driver/operator shall receive training in the safe handling of the vehicle on a closed training course, supervised by a CNRT and/or Fleet Supervisor. Once the operator has shown competence in vehicle handling, the driver/operator will drive the vehicle throughout the city with an experienced driver.

g. Legal and Procedural Rules

It is the policy of the Department to use the MIC only for official law enforcement purposes, and in accordance with California State law regarding the operation of motor vehicles.

h. Training

Once completing a closed training course, the operator will drive the vehicle throughout the city with an experienced MIC vehicle driver.

i. Legal Procedural Rules

Use shall be in accordance with California State law regarding the operation of motor vehicles.

4. 40 MM Launchers and Rounds: 40MM Launchers are utilized by department personnel as a less lethal tool to launch impact rounds, and for delivery of chemical agents.

a. Description, quantity, capabilities, and purchase cost

- i. DEFENSE TECHNOLOGY, 40MM SINGLE SHOT LAUNCHER, cost: \$1000, quantity: 2. The 40MM Single Launcher is a tactical single shot launcher that features a tactical stock and adjustable front grip with light rail. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It is only authorized to be used by trained personnel.
- ii. LEWIS MACHINE AND TOOL (LMT) 40MM SINGLE SHOT LAUNCHER, cost \$700, quantity: 2, a tactical single-shot launcher with pistol grip and tactical stock. It will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. It is only authorized to be used by trained personnel.
- iii. PENN ARMS 40MM MULTI-SHOT LAUNCHER, cost \$1500, quantity:1. 40MM launcher that can be loaded with up to six less-lethal projectiles. It will fire standard 40mm ammunition and is only authorized for use by trained personnel.
- iv. DEFENSE TECHNOLOGY, 40MM EXACT IMPACT SPONGE, #6325, cost: \$18, quantity: 80. A less lethal 40mm lightweight plastic and foam projectile fired from a single or multi-round purpose built 40mm grenade launcher with a rifled barrel at 325 FPS. The 30-gram foam projectile delivers 120 ft/lbs. of energy on impact. The 40mm Exact Impact Sponge Round provides accurate and effective performance when fired from the approved distance of not less than five (5) feet and as far as 131 feet from the target.
- v. DEFENSE TECHNOLOGY, FERRETT 40MM LIQUID CS BARRICADE PENETRATOR ROUND, cost: \$23, quantity: 10. A chemical agent 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small chemical payload inside of a structure or vehicle. In a tactical deployment situation, the 40mm Ferret is primarily used to dislodge barricaded subjects from confined areas. Its purpose is to minimize the risks to all parties through pain compliance, temporary discomfort and/or incapacitation of potentially violent or dangerous subjects.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.
- ii. Riot/crowd control and civil unrest incidents.
- iii. Circumstances where a tactical advantage can be obtained.
- iv. Potentially vicious animals.
- v. Training exercises or approved demonstrations.

d. Training

Sworn members utilizing 40MM less lethal impact rounds are trained in their use by POST certified less lethal and chemical agent instructors.

e. Lifespan

Defense Technology launcher- 25 years.

LMT launcher – 25 years.

Exact Impact Sponge round - 5 years.

Defense Technology chemical munitions - 5 years.

f. Fiscal Impact

No annual maintenance cost for launchers or ammunition.

g. Legal and Procedural Rules

Use is established under Policy Sections 303 and 404. It is the policy of the SBPD to utilize the 40mm only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

5. Less Lethal Shotgun: Less Lethal Shotgun is used to deploy the less lethal 12-gauge Safariland 3027 Drag-Stabilized round.

a. Description, quantity, capabilities, and purchase cost

- i. REMINGTON 870 LESS LETHAL SHOTGUN, cost: \$1000, quantity: 8. The Remington 870 Less Lethal Shotgun is used to deploy the less lethal 12-gauge round up to a distance of 50 feet. The range of the weapon system helps to maintain space between officers and a suspect reducing the immediacy of the threat which is a principle of de-escalation.
- ii. 12-GAUGE SAFARILAND 3027 DRAG-STABILIZED ROUND, cost: \$5, quantity: 200. A less lethal 2.4-inch 12-gauge shotgun round firing a ballistic fiber bag filled with lead shot at a velocity of 270 feet per second (FPS). The rounds are discharged from a dedicated 12-gauge shotgun that is distinguishable by an orange butt stock and fore grip. This round provides accurate and effective performance when fired from the approved distance of not fewer than five (5) feet.

b. Purpose

To limit the escalation of conflict where employment of lethal force is prohibited or undesirable.

c. Authorized Use

Situations for use of the less lethal weapon systems may include, but are not limited to:

- i. Self-destructive, dangerous and/or combative individuals.

- ii. Riot/crowd control and civil unrest incidents.
  - iii. Circumstances where a tactical advantage can be obtained.
  - iv. Potentially vicious animals.
  - v. Training exercises or approved demonstrations.
- d. Lifespan
  - Remington 870 Less Lethal Shotgun- 25 years.
  - Safariland 3027 round – No expiration date.
- e. Fiscal Impact
  - No annual maintenance cost for shotguns.
- f. Training
  - All officers are trained in the 12 gauge less lethal shotgun as a less lethal option by in-service training. SWAT personnel receive additional training internally when they transfer to the unit.
- g. Legal and Procedural Rules
  - Use is established under Policy Section 303. It is the policy of the SBPD to utilize the less lethal shotgun only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**6. Distraction Devices: A device used to distract dangerous persons.**

- a. Description, quantity, capabilities, and purchase cost
  - i. DEFENSE TECHNOLOGY 25 LIGHT/SOUND DISTRACTIONARY DEVICE, cost: \$50, quantity: 35. A non-bursting, non-fragmenting device that produces a thunderous bang with an intense bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
- b. Purpose
  - A distraction device is ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations. To produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (6 - 8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage.
- c. Authorized Use
  - Diversionary Devices shall only be used:
    - i. By officers who have been trained in their proper use.
    - ii. In hostage and barricaded subject situations.
    - iii. In high-risk warrant (search/arrest) services where there may be extreme hazards to officers.
    - iv. During other high-risk situations where their use would enhance officer safety.
    - v. During training exercises.
- d. Lifespan
  - Until used.
- e. Fiscal Impact
  - No annual maintenance cost.

f. Training

Prior to use, SWAT officers must attend divisionary device training that is conducted by Post certified instructors.

g. Legal and Procedural Rules

Use is established under the SBPD SWAT Manual and Policy Section 404. It is the policy of the SBPD to utilize diversion devices only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

h. Rifles: Guns that are fired from shoulder level, having a long spirally grooved barrel intended to make bullets spin and thereby have greater accuracy over a long distance.

i. Description, quantity, capabilities, and purchase cost

- i. Colt M4 Carbine, semi-automatic, quantity: 46, cost \$900. A rifle that fires an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. It is a short-barreled rifle which allows a trained officer better control inside of structures with greater accuracy than a handgun. This version of the rifle is used by patrol officers.
- ii. Colt AR-15A3 rifle, semi-automatic, quantity: 34, cost \$900. A rifle that fires an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. It allows a trained officer better control inside of structures with greater accuracy than a handgun. This version of the rifle is used by patrol officers.
- iii. Colt M-16 automatic rifle in the following variants: M4, LE6946 Carbine, M-16 rifle. Quantity: 21, cost \$900. A rifle that fires an intermediate-power cartridge (.223) which is more powerful than a standard pistol but less powerful than a standard rifle. These variants are fully-automatic. Only trained and certified SWAT Officers are authorized to deploy these rifles.
- iv. Tactical Operations Tango 51 .308 caliber Sniper Rifle. Quantity: 4, cost \$8000. A highly accurate sniper rifle capable of precision fire at distance. Only trained and certified SWAT snipers are authorized to deploy these rifles.
- v. Remington 700P .308 caliber Sniper Rifle. Quantity: 1, cost: \$700. A highly accurate sniper rifle capable of precision fire at distance. Only trained and certified SWAT snipers are authorized to deploy these rifles.
- vi. Noveske N-6 .308 caliber Sniper Rifle. Quantity: 1, cost \$6,500. A highly accurate sniper rifle capable of precision fire at distance. Only trained and certified SWAT snipers are authorized to deploy these rifles.

- vii. Surgeon CSR .308 caliber Sniper Rifle. Quantity: 4, cost \$10,000. A highly accurate sniper rifle capable of precision fire at distance. Only trained and certified SWAT snipers are authorized to deploy these rifles.
- viii. Winchester .223 Caliber 62 Grain Rifle Ammunition, cost: \$360 per case of 1000, quantity: approximately 18 cases. Standard law enforcement ammunition for .223 rifles and carbines.
- ix. Federal Premium LE .308 caliber 168 Grain Rifle Ammunition. cost: \$400 per case of 500, quantity: 10 cases. Standard law enforcement ammunition for .308 caliber sniper rifles.

j. Purpose

To be used as precision weapons to address a threat with more precision and/or greater distances than a handgun, if present and feasible.

k. Authorized Use

Only members that are POST certified are authorized to use a patrol rifle. Fully-automatic rifles and .308 caliber sniper rifles are only deployed by authorized and trained SWAT personnel.

l. Lifespan

Colt AR-15 rifles – no expiration. Rifles typically stay in service 20+ years.

Colt M-16, M4 and variant rifles - no expiration.

Winchester rifle ammunition - no expiration.

Federal rifle ammunition - no expiration.

m. Fiscal Impact

Annual maintenance is approximately \$400, total, for all rifles.

n. Training

Prior to using a rifle, officers must be certified by POST instructors in the operation of the rifle. Additionally, all members that operate any rifle are required to pass an annual range qualification. SWAT officers deploying .308 rifles and/or automatic .223 caliber rifles are trained and certified in those rifles and qualify in their use regularly.

o. Legal and Procedural Rules

Use is established under Policy Sections 306, 404, and the SWAT Manual. It is the policy of the SBPD to utilize rifles only for official law enforcement purposes, and pursuant to State and Federal law regarding the use of force.

**7. Chemical Agents and Smoke Canisters:** Canisters that contain chemical agents that are released when deployed. The chemical agent “CS” is commonly referred to as tear gas. “OC” refers to oleoresin capsicum, commonly referred to as pepper spray.

a. Description, quantity, capabilities, and purchase cost

- i. DEFENSE TECHNOLOGY, TRIPLE-CHASER SEPARATING CANISTER, CS, #1026, cost: \$47, quantity: 10. The Triple-Chaser CS consists of three separate canisters pressed together with separating charges between each. When deployed, the canisters separate and land approximately 20 feet apart allowing increased area

coverage in a short period of time. This canister can be hand thrown or launched from a fired delivery system. The canister is 6.5 in. by 2.7 in. and holds an approximately

3.2 oz. of active agent payload. It has an approximate burn time of 20-30 seconds.

- ii. DEFENSE TECHNOLOGY, RIOT CONTROL CONTINUOUS DISCHARGE GRENADE, CS, #1082, cost: \$27, quantity: 10. The Riot Control CS Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 2.7 oz. of active agent.
- iii. DEFENSE TECHNOLOGY, FLAMELESS TRI-CHAMBER CS GRENADE, #1032, cost \$45, quantity: 20. The design of the Tri-Chamber Flameless CS Grenade allows the contents to burn within an internal can and disperse the agent safely with reduced risk of fire. The grenade is designed primarily for indoor tactical situations to detect and/or dislodge a barricaded subject. This grenade will deliver approximately .70 oz. of agent during its 20-25 seconds burn time. The Tri-Chamber Flameless Grenade can be used in crowd control as well as tactical deployment situations by Law Enforcement and Corrections but was designed with the barricade situation in mind. Its applications in tactical situations are primarily to detect and/or dislodge barricaded subjects. The purpose of the Tri-Chamber Flameless Grenade is to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects. The Tri-Chamber Flameless Grenade provides the option of delivering a pyrotechnic chemical device indoors, maximizing the chemicals' effectiveness via heat and vaporization, while minimizing or negating the chance of fire to the structure.
- iv. DEFENSE TECHNOLOGY, MAXIMUM HC SMOKE LARGE STYLE CANISTER, #1073, cost: \$38, quantity: 5. It is a slow burning, high volume, continuous discharge grenade designed for outdoor use in crowd management situations. Emits grey-white smoke only for approximately 1.5 to 2 minutes.
- v. DEFENSE TECHNOLOGY, RIOT CONTROL CONTINUOUS DISCHARGE OC GRENADE, #1080, cost \$41, quantity: 10 - The Riot Control OC Grenade is designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds through four gas ports located on the top of the canister. This grenade can be used to conceal tactical movement or to route a crowd. The volume of smoke and agent is vast and obtrusive. This launchable grenade is 6.0 in. by 2.35 in. and holds approximately 0.88 oz. of active agent.

- vi. DEFENSE TECHNOLOGY, OC VAPOR AEROSOL GRENADE, #1056, cost: \$49, quantity: 5. The Defense Technology OC Vapor Aerosol Grenade is for law enforcement and corrections use to deliver a high concentration of Oleoresin Capsicum (OC) in a powerful mist. The grenade is designed for indoor use in confined areas and, once deployed, inflames the mucous membranes and exposed skin resulting in an intense burning sensation. The incapacitating effect of the OC Vapor on the subject is dramatic with minimal decontamination needed. Removing the subject from the affected area to fresh air will resolve respiratory effects within minutes. The OC Vapor Aerosol Grenade is ideal for cell extractions or barricade situations where the use of pyrotechnic, powder or liquid devices is not practical or desired.
- vii. Defense Technology Pocket Tactical CS Grenade #1016, cost \$35, quantity: 9. Lightweight grenade containing .9 oz of active ingredient, burns for 20-40 seconds. The device is intended to be hand-deployed in exigent circumstances, to minimize the risks to all parties through pain compliance, temporary discomfort, and/or incapacitation of potentially violent or dangerous subjects
- viii. DEFENSE TECHNOLOGY SPEDE-HEAT CS canisters, cost: \$30, quantity: 12. The Spede-Heat is a pyrotechnic round designed specifically for outdoor use in crowd control situations with a high-volume continuous burn that expels its payload in approximately 20-40 seconds from a single source. The Spede-Heat family may be used to conceal tactical movement or to route a crowd.
- b. Purpose  
To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include, but are not limited to:
  - i. Self-destructive, dangerous and/or combative individuals.
  - ii. Riot/crowd control and civil unrest incidents.
  - iii. Circumstances where a tactical advantage can be obtained.
  - iv. Potentially vicious animals.
  - v. Training exercises or approved demonstrations.
- c. Authorized Use
- d. Only officers who have received POST certification in the use chemical agents are authorized to use chemical agents
- e. Training Sworn members utilizing chemical agent canisters are certified by POST less lethal and chemical agent instructors.
- f. Lifespan  
5 years from manufacturing date.

- g. Fiscal Impact  
No annual maintenance.
- h. Legal and Procedural Rules  
Use is established under Policy Section 404 and the SWAT Manual. It is the policy of the SBPD to utilize chemical agents only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**8. PepperBall Launcher: A device that discharges irritant projectiles.**

- a. Description, quantity, capabilities, and purchase cost
  - i. TIPPMANN LAUNCHER, cost: \$700, quantity 2. A compressed-air powered launcher designed to fire non-lethal PepperBall projectiles.
  - ii. PepperBall PROJECTILE, cost: \$2 per projectile, quantity 500. The basic PepperBall projectile contains 2% PAVA pepper powder, and is designed for direct impact and area saturation, especially in confined, interior spaces. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 0.5% PAVA Powder.
  - iii. PepperBall LIVE-X PROJECTILE, cost: \$3 per projectile, quantity 500. The Live Projectile contains a concentrated amount of PAVA pepper powder. One round of LIVE-X contains the equivalent to 10 PepperBall rounds. Discharged from a PepperBall Launcher, the projectile has a velocity of 280-350 FPS. The projectile has a direct impact of 60ft and an area of saturation of 150+ft. The projectile contains 5% PAVA Powder.
- b. Purpose  
To limit the escalation of conflict where employment of lethal force is prohibited or undesirable. Situations for use of the less lethal weapon systems may include but, are not limited to:
  - i. Self-destructive, dangerous and/or combative individuals.
  - ii. Riot/crowd control and civil unrest incidents.
  - iii. Circumstances where a tactical advantage can be obtained.
  - iv. Potentially vicious animals.
  - v. Training exercises or approved demonstrations.
- c. Authorized Use  
Only those officers who have been trained in the use of PepperBall launchers are authorized to use the PepperBall launchers.
- d. Training

Sworn members utilizing PepperBall launchers and projectiles are trained in their use by POST certified less lethal and chemical agent instructors.

e. Lifespan

- i. Tippmann Launcher - 20 years
- ii. PepperBall Live Projectile- 3 years
- iii. PepperBall Live-X Projectile- 3 years

f. Fiscal impact

No annual maintenance cost.

g. Legal and Procedural Rules

Use is established under Policy Section 303. It is the policy of the SBPD to utilize PepperBall only for official law enforcement purposes, and pursuant to State and Federal law, including those regarding the use of force.

**9. Breaching Shotgun: Firearm which is used to force entry into doors and other materials.**

a. Description, quantity, capabilities, and purchase cost

- i. Remington 870 12-gauge shotgun, \$1000, quantity: three.
- ii. Polyshok IRP 12-gauge breaching ammunition, quantity: 50, \$5. Polyshok IRP is specifically designed to expend its energy into a door or locking mechanism, defeating the door or lock without penetrating through whatever material it is fired into.
- iii. Safariland 3105 Breaching TKO 12-gauge rounds, quantity 25, \$5. Round IRP is specifically designed to expend its energy into a door or locking mechanism, defeating the door or lock without penetrating through whatever material it is fired into.

b. Purpose

To allow tactical teams to quickly gain access to desired areas without unduly endangering anyone inside.

c. Authorized Use

Only SWAT officers trained in its use are authorized to utilize the breaching shotgun and Polyshok or TKO ammunition.

d. Training

Authorized users are trained by firearms range training officers.

e. Lifespan

No expiration date given for shotguns or ammunition. Shotguns commonly remain in use for 20+ years.

f. Fiscal Impact

No annual maintenance cost.

g. Legal and Procedural Rules

The use of the breaching shotgun is authorized by the SBPD SWAT manual. It is the policy of the SBPD to utilize the breaching shotgun only for official law enforcement purposes, pursuant to State and Federal law.

B. MAINTENANCE OF MILITARY USE SUPPLY LEVELS

When stocks of military equipment have reached significantly low levels or have been exhausted, the Department may order up to 10% of stock in a calendar year without City Council approval to maintain essential availability for the Department's needs. SBPD is authorized to acquire additional stock of items listed here from other law enforcement agencies of CalOES in the event of an emergency when approved by the COP or designee.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA  
BARBARA ADOPTING A MILITARY EQUIPMENT USE POLICY  
FOR THE SANTA BARBARA POLICE DEPARTMENT

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

SECTION 1. Findings.

- A. On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481, relating to the use of military equipment by law enforcement agencies.
- B. Assembly Bill 481, codified at California Government Code sections 7070 through 7075, requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a “military equipment” use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term “military equipment” is defined in California Government Code section 7070.
- C. Assembly Bill 481 allows the governing body of a city to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it makes specified determinations.
- D. The proposed military equipment use policy is found within Santa Barbara Police Department Policy manual section 707.
- E. The Santa Barbara Police Department Policy manual section 707 and the Santa Barbara Police Department Military Equipment inventory list meets the requirements of California Government Code section 7070, subdivision (d).

SECTION 2. Determinations

Based on the findings above the City Council determines as follows:

1. The military equipment identified in the Santa Barbara Police Department Military Equipment Inventory list is necessary, because there are no reasonable alternatives that can achieve the same objectives of officer and civilian safety.

2. Santa Barbara Police Department Policy manual section 707 is approved and adopted.



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** Public Works Downtown Team Division, Public Works Department

**SUBJECT:** Adoption Of A Resolution Authorizing The Allocation Of The City's Share Of Transportation Development Act Funds For Bicycle And Pedestrian Projects

### **RECOMMENDATION:**

That Council adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Authorizing the Filing of a Claim with the Santa Barbara County Association of Governments for Allocation of \$98,892 in Transportation Development Act Funds for Fiscal Year 2023.

### **DISCUSSION:**

The Transportation Development Act (TDA), enacted by California Legislature in 1971, provides funding to be allocated to transit and non-transit-related purposes that comply with regional transportation plans. The TDA funds a wide variety of transportation programs, including planning and program activities, pedestrian and bicycle facilities, community transit services, public transportation, and bus and rail projects.

The funds available to the City of Santa Barbara (City) are based on a formula previously agreed to by the County of Santa Barbara, the cities within the County, and the Santa Barbara County Association of Governments (SBCAG). Each year, the City is required to adopt a resolution authorizing the Public Works Director to file a claim for the City's share of area-wide TDA Funds. The claim that will be submitted to the SBCAG for Fiscal Year 2023 includes \$98,892 for bicycle facilities. Staff will be using these funds towards bicycle improvements, and/or matching monies for Measure A Program and Active Transportation Program grant awarded projects.

### **BUDGET/FINANCIAL INFORMATION:**

By submitting a claim for allocation of TDA funds, the Public Works Department will increase revenue and expenditure appropriations of \$98,892 in the Fiscal Year 2023 Transportation Development Act Fund budget for bicycle and pedestrian projects. The TDA allocation will be included in the Fiscal Year 2023 Recommended Budget.

Council Agenda Report

Adoption Of A Resolution Authorizing The Allocation Of The City's Share Of  
Transportation Development Act Funds For Bicycle And Pedestrian Projects

April 12, 2022

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**PREPARED BY:** Jessica W. Grant, Interim Public Works Downtown Manager/em

**SUBMITTED BY:** Clifford M. Maurer, P.E., Public Works Director

**APPROVED BY:** City Administrator's Office

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SANTA BARBARA AUTHORIZING THE FILING OF A CLAIM  
WITH THE SANTA BARBARA COUNTY ASSOCIATION OF  
GOVERNMENTS FOR ALLOCATION OF \$98,892 IN  
TRANSPORTATION DEVELOPMENT ACT FUNDS FOR  
FISCAL YEAR 2023

WHEREAS, the Transportation Development Act (TDA), as amended (Public Utilities Code Section 99200 et. seq.), provides for the allocation of funds from the Local Transportation Fund for use by eligible claimants for various transportation purposes; and

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

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

SECTION 1. The City's Public Works Director is authorized to execute and file an appropriate claim pursuant to the terms of the TDA, as amended, and pursuant to the applicable rules and regulations promulgated thereunder, together with all the necessary supporting documents, with SBCAG, for an allocation of TDA funds in Fiscal Year 2023.

SECTION 2. The authorized claim includes \$98,892 for bicycle facilities.

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



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** Streets Operations and Infrastructure Management Division,  
Public Works Department

**SUBJECT:** Adoption Of Resolution Regarding Appropriations For Best Interest  
Waiver With Venco Power Sweeping Inc. For Commercial Street  
Sweeping

**RECOMMENDATION:** That Council:

- A. Find it in the City's best interest to waive the formal bid process as authorized by Municipal Code Section 4.52.070(L) – Best Interest Waiver, and authorize the General Services Manager to issue a purchase order to Venco Power Sweeping Inc., as the City's commercial street sweeping vendor for the duration of the bid contract term; and
- B. Adopt, by reading of title only, a Resolution of the Council of the City of Santa Barbara Amending Resolution No. 21-045, Adopting the Budget for Fiscal Year 2022, to Provide Additional Appropriations for Commercial Street Sweeping.

### DISCUSSION:

The Public Works Department is responsible for commercial and residential area street sweeping, which is an important part of stormwater pollution prevention. There are approximately 150 commercial curb miles swept on a weekly basis, which is performed through contracted services. In August 2020, Pacific Sweep was awarded the commercial street sweeping contract as the lowest bidder. As of February 28, 2022, Pacific Sweep cancelled their contract due to financial hardship. ASAP Construction was the second lowest responsible bidder but could not meet contracted responsibilities with the City due to the impacts of COVID-19. Venco Power Sweeping Inc., (Venco) was the third-lowest bidder from the original bid. The City currently holds a contract with Venco for residential street sweeping and they meet the qualifications to perform the work. Venco has performed well with the residential sweeping, and we anticipate good results having them perform the commercial sweeping routes as well.

### BUDGET/FINANCIAL INFORMATION:

Council Agenda Report

Adoption Of Resolution Regarding Appropriations For Best Interest Waiver With Venco Power Sweeping Inc. For Commercial Street Sweeping

April 12, 2022

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The Streets Operations and Infrastructure Division requests an additional one-time appropriation of \$10,000 from the Streets Operating Fund reserves to fund the additional commercial street sweeping contract costs with Venco Power Sweeping, Inc. Inadequate expenditure appropriations exist in the Fiscal Year 2022 Streets Sweeping Fund Budget. Adequate and available reserve funds exist in the Streets Operating Fund in order to approve the recommendation in this report.

With the recommended appropriation there will be sufficient appropriated funds in the Street Sweeping Fund to fund commercial street sweeping this fiscal year. The Streets Operating Fund does not have a formal Council policy reserve, however, the proposed appropriation is projected to not reduce the Fund reserves below internal reserve policy targets.

**PREPARED BY:** Jim Dewey, Streets Operations and Infrastructure Manager/rb

**SUBMITTED BY:** Clifford M. Maurer, P.E., Public Works Director

**APPROVED BY:** City Administrator's Office

## RESOLUTION NO.

### A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING RESOLUTION NO. 21-045, ADOPTING THE BUDGET FOR FISCAL YEAR 2022, TO PROVIDE ADDITIONAL APPROPRIATIONS FOR COMMERCIAL STREET SWEEPING

WHEREAS, in accordance with the City Charter, the City Administrator filed with the Council a proposed budget for the fiscal year beginning July 1, 2021;

WHEREAS, the City Council is required to adopt a budget before the beginning of the fiscal year on July 1, 2021;

WHEREAS, the City Charter provides that at any public meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the affirmative votes of at least a majority of the total members of the City Council; and

WHEREAS, this Resolution adopted by City Council shall memorialize that action to amend the budget as provided herein.

NOW, THEREFORE, be it resolved by the Council of the City of Santa Barbara that in accordance with the provisions of Section 1205 of the City Charter, the budget for the fiscal year 2022, as adopted by Resolution No. 21-045, is hereby amended as follows:

1. The Council authorizes the transfer of available reserve funds in the Streets Operating Fund in the amount of \$10,000 to increase expenditure and revenue appropriations in the Fiscal Year 2022 Street Sweeping Fund Budget in the amount of \$10,000 in order to fund the Venco Power Sweeping, Inc. contract for commercial street sweeping for the remainder of fiscal year 2022.



## **CITY OF SANTA BARBARA**

### **COUNCIL AGENDA REPORT**

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** Brian D'Amour, Interim Airport Director

**SUBJECT:** Professional Services Agreements With Hiltachk Marketing Group For Marketing Of Commercial Air Services At Santa Barbara Airport

**RECOMMENDATION:** That Council:

- A. Authorize the Airport Interim Director to amend Professional Services Agreement 25,939 with Hiltachk Marketing Group to increase the contract amount by \$50,000 for a not to exceed amount of \$420,000;
- B. Authorize the Airport Interim Director to enter into an one year Professional Services Agreement with Hiltachk Marketing Group in for an amount not to exceed \$150,000 commencing on July 1, 2022; and
- C. Approve an increase in FY 2022 appropriations in the Airport Operating Fund in the amount of \$200,000, funded from reserves, for the services of Hiltachk Marketing Group.

#### **DISCUSSION:**

Hiltachk Marketing Group, based in Sacramento, was selected as part of a competitive Request for Proposals process in 2017. The firm's services augment the modest in-house staffing resources available for air service marketing in Santa Barbara, and to support the Airport's partnerships with Visit Santa Barbara and the Santa Barbara South Coast Chamber of Commerce. Hiltachk also assists the Airport with the development of its annual marketing and advertising strategic plans. The overall objective is to increase the number of passengers who choose Santa Barbara Airport. Achieving this objective helps with retaining and increasing robust air service, which in turn fosters a competitive environment and economical airfares as compared to other alternative airports.

On July 25, 2017, Council approved a two-year with one two-year option professional services contract with Hiltachk Marketing Group to provide marketing and public outreach support for the Airport's air service development efforts for an amount not to exceed

\$120,000 for the initial two-year term. On September 24, 2019, Council amended the agreement to increase the not to exceed amount by \$250,000. On June 29, 2021, Council approved an amendment to extend the agreement for an additional year and increase funding in an amount not to exceed \$100,000 for a total contract amount of \$370,000. This agreement will expire on June 30, 2022.

Hiltachk Marketing Group has played an integral role since 2016 in the effort to secure service by Southwest Airlines. Hiltachk produced some of the first marketing materials and templates for presentations given by Airport staff in meetings with the airline. In conjunction with the start of service in April 2022, the Airport made a commitment, as part of its Air Service Incentive Program, to fund and manage a marketing and advertising program on behalf of Southwest to promote its successful introduction into the market. It is in the Airport's best interest to maintain the continuity of Hiltachk's services over the course of this commitment in 2022-23. As such, staff recommends that Council authorize the Interim Airport Director to amend Professional Services Agreement 25,939 to increase the existing agreement that will expire on June 30, 2022 by \$50,000, and to enter into a new one year professional service agreement beginning on July 1, 2022 in the amount not to exceed \$150,000.

**BUDGET/FINANCIAL INFORMATION:**

With approval of this appropriation request, adequate expenditure appropriation will be available in the Airport's FY2022 operating budget.

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

**PREPARED BY:** Jonathan Abad, Business Manager

**SUBMITTED BY:** Brian D'Amour, Interim Airport Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** Environmental Services Division, Sustainability and Resilience Department

**SUBJECT:** Approval Of Agreement With R3 Consulting Group, Inc. To Conduct A Competitive Procurement Process For Franchise Solid Waste Collection Services

### **RECOMMENDATION:**

That Council authorize the Sustainability and Resilience Director to execute a Professional Services Agreement with R3 Consulting Group, Inc. for consulting services in the amount of \$149,550 and approve expenditures of up to \$14,955 for extra services that may result from necessary changes in the scope of work.

### **DISCUSSION:**

The City's current franchise agreement with Marborg Industries for the collection of recyclables, organics and solid waste will terminate on June 7, 2023. On October 12, 2021 staff provided an update on the solid waste system to Council, which outlined the steps to prepare for the contract expiration. A key component of the contract update is obtaining specialized consultant services to provide technical knowledge and experience in solid waste contract negotiation and procurement specific to municipal jurisdictions. Consultant services are essential in managing the procurement process, ensuring a cost-effective, high-diversion modern franchise services agreement that is performance based, transparent and in alignment with industry standards.

Due to the long-term nature of the franchised hauler contract, it has been over 12 years since a comprehensive update has occurred. During this time needs in the community have changed, new legislation related to waste management has been introduced, and industry standards have changed. Staff reviewed these areas closely and created an in-depth and specific scope of work to be conducted on an expedited timeline in accordance with the upcoming contract expiration. Proposals were requested from consulting firms that specialize in developing and negotiating solid waste franchise agreements for jurisdictions. As a result of the process, one proposal was received from R3 Consulting Group, Inc (R3). The proposal was comprehensive in addressing each item in the detailed scope of work within the required timeline. The fee proposal from R3 is \$149,550

## Council Agenda Report

### Approval Of Agreement With R3 Consultanting Group, Inc. To Conduct A Competitive Procurement Process For Franchise Solid Waste Collection Services

April 12, 2022

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is in alignment with standard industry rates based on the complexity of the contract, staff expertise, and expedited schedule for completion of the work.

R3 has specialized in providing a diverse range of solid waste management consulting services to public agencies for over two decades. In the last five years, R3 has supported jurisdictions throughout California in 22 successful competitive procurements. R3 is also at the forefront of current waste management legislation, including Senate Bill (SB) 1383 (California's Short-Lived Climate Pollutant Reduction Strategy), which is the most significant piece of legislation impacting materials management in recent history. R3's work in compliance planning and implementation of SB 1383 and their participation in the SB 1383 rule-making process will provide the City with the expertise needed to navigate these new legislative requirements within the new franchise agreement.

#### **BUDGET/FINANCIAL INFORMATION:**

There are sufficient expenditure appropriations in the Adopted Solid Waste Fund Budget in Fiscal Year 2022 to fund the maximum cost of \$164,505 under the proposed agreement with R3.

#### **SUSTAINABILITY IMPACT:**

Consulting services to conduct a competitive procurement process for municipal franchised collection services will provide for a high-diversion modern franchise services agreement that ensures the City's material diversion goals are met.

A copy of the contract may be requested from the Sustainability and Resilience Department for public review; please contact [DMartin@SantaBarbaraCA.gov](mailto:DMartin@SantaBarbaraCA.gov) to request a copy.

**PREPARED BY:** Lorraine Cruz Carpenter, Acting Environmental Services Manager

**SUBMITTED BY:** Alelia Parenteau, Acting Sustainability and Resilience Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** City Administrator's Office

**SUBJECT:** First Amendment To Agreement With The National Association Of Civilian Oversight Of Law Enforcement (NACOLE)

**RECOMMENDATION:** That Council:

- A. Approve and authorize the City Administrator to execute an amendment to the agreement (Professional Services Agreement #22100254) with NACOLE increasing the contract amount by \$20,000, for a total not to exceed \$55,000.
- B. Appropriate \$20,000 of General Fund Reserves.

### **DISCUSSION:**

On June 8, 2021, the City of Santa Barbara entered into an agreement with the National Association for Civilian Oversight of Law Enforcement. As the only professional organization in the field of civilian oversight of law enforcement, NACOLE plays an essential role in identifying effective practices and guiding principles in the complex arena of civilian oversight of law enforcement. Over the last ten months, NACOLE has assisted the Community Formation Commission (CFC) in developing a recommendation of a civilian review system for the City of Santa Barbara Police Department.

NACOLE has assisted with the technical aspect and considerations related to the creation of a civilian oversight mechanism. This included but was not limited to virtual attendance at commission meetings every second and fourth Wednesday of the month, assistance with obtaining relevant examples of different types of oversight models throughout the United States, revision of documents, and training as needed on specific topics applicable to the work of the Commission. The original agreement included compensation for services not to exceed \$35,000 unless an amendment to the contract is approved by the City. NACOLE has reached the max for compensation of consultation to the Community Formation Commission.

An increase in the contract with NACOLE in the amount of \$20,000 is necessary to cover the remaining weeks of NACOLE's anticipated services as the CFC's facilitator during focus group meetings and the Special meeting that will provide the Santa Barbara City Council with final recommendations that guide the creation of a civilian oversight system for the Santa Barbara Police Department.

**BUDGET/FINANCIAL INFORMATION:**

The Fiscal Year 2022 budget did not include funding for the services described above. The increase of \$20,000 to the contract will lead to a total contract amount of \$55,000, requiring Council approval. There are not sufficient funds in the City Administrator's Office Fiscal Year 2022 budget to cover this cost, so an additional appropriation from General Fund reserves is necessary. The most current General Fund FY2022 projection shows a surplus resulting in the replenishment of contingency reserves by the end of the fiscal year; however, the preliminary FY2023 General Fund budget projection shows the required use of reserves and implementing other budget balancing measures in order to balance the General Fund budget.

**PREPARED BY:** Sam Ramirez, Administrative Analyst III

**SUBMITTED BY:** John Doimas, Assistant City Attorney

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works Department

**SUBJECT:** Amendment To Increase The Contract Design Services For The El Estero Water Resource Center Chlorine Contact Chamber Rehabilitation Project

### **RECOMMENDATION:**

That Council authorize the Public Works Director to execute Amendment No. 1 to City Professional Services Agreement No. 26,887 with Stantec Consulting Services, Inc., for design services for the El Estero Water Resource Center Chlorine Contact Chamber Rehabilitation Project, in the amount of \$34,350, for a total contract expenditure authority of \$214,173.

### **DISCUSSION:**

#### Background

On March 2, 2021, Council approved Contract No. 26,887 with Stantec Consulting Services, Inc. (Stantec), to provide design services for the El Estero Water Resource Center Chlorine Contact Chamber Rehabilitation Project (Project). Stantec was selected through a competitive Request for Proposal (RFP) process in which a total of three firms responded. The Project will eliminate a single point of failure in the treatment process at the El Estero Water Resource Center (El Estero) and is necessary for providing uninterrupted wastewater treatment and permit compliance. Servicing of the Chlorine Contact Chamber (CCC) currently requires a full process shutdown, and this Project will install system components to allow for bypass of the CCC, which increases operational flexibility and system resilience. Rehabilitation of the existing CCC was identified as a high priority capital improvement project in the 2018 El Estero Master Plan.

#### Current Status

Following authorization to proceed in March 2021, Stantec completed an alternatives analysis that evaluated various options for rehabilitating the existing CCC. At the time of the initial design RFP, a number of design elements remained unknown regarding operational constraints, potential disinfection options, and the extent of repairs needed. Preliminary assumptions were made to estimate Stantec's anticipated level of effort to

complete the Project's design, with the understanding that changes may be needed once the final design scope was developed. These design elements were defined during the alternatives analysis through field investigations and hydraulic modeling.

Based on Stantec's analysis, City staff has selected the preferred design alternative to move forward into final design. The recommended contract amendment reflects the increase in Stantec's scope and services for additional mechanical and integration elements that are needed to support the selected design alternative through design completion.

#### **BUDGET/FINANCIAL INFORMATION:**

##### Funding

The following summarizes the expenditures recommended in this report:

#### **DESIGN SERVICES CONTRACT FUNDING SUMMARY**

	<b>Base Contract</b>	<b>Extra Services Allowance</b>	<b>Total</b>
Initial Contract Amount	\$163,476	\$16,347	<b>\$179,823</b>
Proposed Increase	\$34,350	\$0	<b>\$34,350</b>
<b>Total</b>	<b>\$197,826</b>	<b>\$16,347</b>	<b>\$214,173</b>

With approval of the recommended amendment, the total design services contract expenditure authority will be increased to \$214,173.

There are sufficient expenditure appropriations in the Wastewater Capital Fund Budget in Fiscal Year 2022 to cover all remaining design costs, including the recommended contract amendment with Stantec. Additional funds will be allocated to cover the costs of construction in future budget cycles.

#### **ENVIRONMENTAL REVIEW:**

Amending the current contract does not require California Environmental Quality Act (CEQA) review. The Project is subject to review under both CEQA and the City's Local Coastal Program and Coastal Land Use Plan. Applications will be developed based on the selected design alternative and environmental determinations will be made during preliminary design.

#### **WATER COMMISSION RECOMMENDATION:**

The Water Commission reviewed this item at its meeting on March 17, 2022, and recommended this item on to Council in a vote of 5-0 in favor of the recommendation.

Council Agenda Report

Amendment To Increase The Contract Design Services For The El Estero Water  
Resource Center Chlorine Contact Chamber Rehabilitation Project

April 12, 2022

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**PREPARED BY:** Philip Maldonado, P.E., Interim Principal Engineer/CSW/Im

**SUBMITTED BY:** Clifford M. Maurer, P.E., Public Works Director

**APPROVED BY:** City Administrator's Office



## **CITY OF SANTA BARBARA**

### **COUNCIL AGENDA REPORT**

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Reallocation Of Returned Community Development Block Grant Funding To Other Eligible Projects

**RECOMMENDATION:** That Council:

- A. Approve reallocation of \$71,167 in Community Development Block Grant (CDBG) funds from Program Year 2021;
- B. Authorize the Community Development Director to execute an Amendment to Agreement No. 26,973 with the Parks and Recreation Department increasing the CDBG grant by \$21,167; and
- C. Authorize the Community Development Director to execute an Amendment to Agreement No. 26,712 with Transition House increasing the CDBG grant by \$50,000.

#### **DISCUSSION:**

The City receives annual Community Development Block Grant (CDBG) program funds from the U.S. Department of Housing and Urban Development (HUD) that may be used for a variety of activities to provide decent housing, a suitable living environment, or expanded economic opportunities to low- and moderate-income persons.

The Jewish Federation was awarded \$71,167.75 in CDBG capital grant funds for program year 2021 but declined the award prior to beginning construction on their capital project. Staff has identified two CDBG-eligible projects described below that are able to expend the additional funding quickly in accordance with HUD's timeliness requirements, provided that the proposed funding reallocations are approved by City Council. Both projects were previously only partially funded with CDBG capital funds. Increasing CDBG assistance to both projects will reduce gap funding and cover additional unforeseen construction costs caused by rapid inflation in the construction industry.

### Proposed Eligible Projects

#### *Transition House Homeless Shelter – 434 East Ortega Street (\$50,000)*

Transition House's shelter facility has nine private bathrooms that were constructed in 2006 during a massive renovation of the building. Due to the expense at the time of renovation, an industrial surfacing product was installed in place of ceramic tile. In the ensuing years, the surfacing material has severely deteriorated, and the sink countertops and drains are also beginning to fail. The project will cover the cost of replacing wall surfacing and floors with ceramic tile, replacing counters with Corian, and installing new plumbing fixtures in five of the shelter's nine bathrooms.

#### *Eastside Park – Soledad and Yanonali Streets (\$21,167)*

The Eastside Neighborhood Park Renovation Project will provide a new playground, picnic area, flexible grass field, community garden improvements, accessibility upgrades for disabled residents, and additional recreational space in an underutilized and underfunded neighborhood park on Santa Barbara's Eastside. Planned improvements are designed to address neighborhood concerns relating to alcohol, drugs, gambling in the park, cleanliness, and security.

### Community Development and Human Services Committee Approval

The Community Development and Human Services Committee, which originally recommended the above grants to Council, voted at its January 25, 2022 meeting to approve the reallocation of funding and the increased grant amounts.

### **BUDGET/FINANCIAL INFORMATION:**

There is no budgetary impact associated with the recommendations. The request is to amend contracts and redistribute the allocation of CDBG funding for these capital projects. There is a \$0 net change associated with the proposed amendments.

Copies of the grant amendments are available for public review by contacting Community Development Programs Specialist Lindsey Drewes at [ldrewes@santabarbaraca.gov](mailto:ldrewes@santabarbaraca.gov).

**PREPARED BY:** Laura Dubbels, Housing and Human Services Manager

**SUBMITTED BY:** Elias Isaacson, Community Development Director

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** Planning Division, Community Development Department

**SUBJECT:** Designation Of Proposed Development At 540 W. Pueblo Street  
(Cancer Center Of Santa Barbara) As A Community Benefit Project

### RECOMMENDATION:

That Council designate the proposed project at 540 W. Pueblo Street as a Community Benefit Project pursuant to Santa Barbara Municipal Code Chapter 30.170 and allocate 1,614 square feet (net) of nonresidential floor area to the project from the Nonresidential Growth Management Program's Community Benefit Category.

### DISCUSSION:

Adopted in 2013, the City's Nonresidential Growth Management Program limits certain new nonresidential growth to a total of 1.35 million net new square feet until December 31, 2033. This floor area limitation is divided among three development categories: Community Benefit Projects, Small Additions, and Vacant Property. The initial allocations by City Council were: 600,000 square feet for Community Benefit Projects; 400,000 square feet for Small Additions; and 350,000 square feet for Vacant Property.

Community Benefit Projects include three subcategories: Community Priority Projects, Economic Development Projects, and New Vehicle Sales Projects. The applicant requests designation of this proposed project as a Community Priority Project, which is defined in Santa Barbara Municipal Code (SBMC) Section 30.170.020 as a project that has a broad public benefit, not principally operated for private profit, and necessary to meet a present or projected need directly related to public health, safety, or general welfare (e.g., museums, childcare facilities, health clinics). The proposed project is an expansion of an existing health facility and would therefore qualify as a Community Priority Project.

New nonresidential projects must be allocated floor area from one or more of the three categories, and must also be consistent with the City's Traffic Management Strategy as implemented by SBMC Section 30.170.030.

## Council Agenda Report

### Designation Of Proposed Development At 540 W. Pueblo Street (Cancer Center Of Santa Barbara) As A Community Benefit Project

April 12, 2022

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In 2010, City Council designated the Cancer Center of Santa Barbara as a Community Priority/Community Benefit Project (under the previous Nonresidential Growth Management Program in SBMC Chapter 28.85) and approved an allocation of 5,845 square feet to the project. The applicant is now requesting an allocation of 1,614 square feet from the Community Benefit Category to accommodate a proposed addition to the building. See attached applicant letter (Dudek, January 14, 2022).

#### Proposed Project

On June 10, 2010, the Planning Commission approved a new comprehensive outpatient cancer treatment facility and rental housing for the Cancer Center of Santa Barbara. The project site consisted of ten lots located between Junipero and Pueblo Streets, which were merged into one 3.38-acre lot. The existing main medical building was replaced with a new 53,407-square-foot, three-story medical facility, which began operation in September of 2017.

The cancer treatment facility currently includes two linear accelerators (devices used to deliver high-energy X-rays or electrons as radiation treatment for cancer patients). It has recently been determined that an additional linear accelerator could expand existing treatment capacity by 50 percent; however, there is not enough room in the existing facility to accommodate it. Linear accelerator treatment can only be administered in a specially constructed vault with lead and concrete walls that provide the required shielding. Additional administrative office space would also be needed to support the expansion of the treatment capacity. The amount of space needed is 2,107 square feet. As discussed in the applicant letter, some square footage credits can be applied to the project, resulting in the need for an allocation of only 1,614 square feet.

#### Community Benefit Project Designation

The 1,614 square feet of requested Community Benefit Project floor area for 540 W. Pueblo Street represents 0.26 percent of the original 600,000 square feet allocated to Community Benefit Projects in the Nonresidential Growth Management Program until 2033. To date, City Council has allocated a total of 191,219 square feet from the Community Benefit Category to 12 projects, as identified in the table below. Additionally, 102,712 square feet of expired Small Addition floor area has been reallocated to the Community Benefit category by the Planning Commission since 2013 when the allocations were initially established. A total of 501,318 square feet, or 83.5 percent, of the floor area remains available for Community Benefit Projects through 2033.

<b>Allocations</b>	<b>Entity</b>	<b>Amount (sf)</b>
Originally Allocated		600,000
1130 State Street	Santa Barbara Museum of Art	(8,990)
400 Hitchcock Way	Tesla	(9,700)
6100 Hollister Avenue	Direct Relief	(110,000)

350 Hitchcock Way	Maserati	(34,389)
402 S. Hope Avenue	Mercedes-Benz	(242)
35 Anacapa Street	Museum of Contemporary Art	(3,007)
115 W. Anapamu Street	Sanctuary Center Care Clinic	(3,600)
115 W. Anapamu Street	Sanctuary Center Care Clinic	(7,928)
2407 Bath Street	Cottage Hospital medical office	(10,011)
621 W. Micheltorena Street	Westside Medical/Dental Clinic	(3,352)
402 S. Hope Avenue	Automobile Dealership	(6,061)
3237 State Street	American Indian Health & Services	(2,500)
Subtotal after allocated cases		400,220
Expired/ Reallocated Small Addition		102,712
<b>Total Community Benefit area available</b>		<b>502,932</b>
<i>540 W. Pueblo Street</i>		<i>(1,614)</i>
<b>Total that will remain</b>		<b>501,318</b>

#### **BUDGET/ FINANCIAL INFORMATION:**

The requested designation would have no budgetary or financial impact.

#### **ENVIRONMENTAL REVIEW:**

The designation of a project as a Community Benefit Project and reservation of floor area enables the City to accept the development application for processing, but does not commit City Council, the Planning Commission, or the Architectural Board of Review to a definite course of action (CEQA Guidelines §15352(a)); therefore, the Community Benefit designation and allocation of floor area are not subject to environmental review pursuant to the California Environmental Quality Act. If the requested Community Benefit floor area is allocated for the project, an application may be submitted and reviewed through the City's standard process. Environmental review would be completed as part of the development application review.

#### **CONCLUSION:**

The existing facility was designated as a Community Benefit/Community Priority Project. The current proposal is an expansion of the existing facility; therefore, the Cancer Center of Santa Barbara would again qualify as a Community Benefit/Community Priority Project and can be allocated 1,614 square feet from the Community Benefit category.

In addition, the proposed project is consistent with the City's Traffic Management Strategy as implemented by SBMC Section 30.170.030 because it is located in the Downtown Development Area, which allows allocations from the Community Benefit category by the City Council.

**ATTACHMENT:** Applicant Letter (Dudek, Dated January 14, 2022)

**PREPARED BY:** Kathleen Kennedy, Project Planner

**SUBMITTED BY:** Elias Isaacson, Community Development Director

**APPROVED BY:** City Administrator's Office



621 CHAPALA STREET  
SANTA BARBARA, CA 93101  
805.963.0651

January 14, 2022

City of Santa Barbara  
Community Development  
Attn: Ms. Kathleen Kennedy  
630 Garden Street  
Santa Barbara, CA 93101

***Subject: Request for Community Benefit Project Designation Under SBMC Section 30.170.010  
Cancer Center of Santa Barbara – Addition of Linear Accelerator Vault and Associated Office Space***

Dear Ms. Kennedy:

The purpose of this submittal is to request the City Council to designate a building addition to accommodate an additional linear accelerator vault and associated offices at the Cancer Center of Santa Barbara as a Community Benefit Project under Santa Barbara Municipal Code (SBMC) Section 30.170.010.

## Justification

With the benefit of several years of operating experience for the facility, the Cancer Center has identified linear accelerator treatment capacity as the most critical limitation in the ability to serve the cancer treatment needs of the community. Other types of treatment therapies offered at CCSB are more flexible in terms of the design and construction of rooms or spaces for the treatment; the linear accelerator treatment can only be provided in a specially constructed vault. Converting conventional medical clinic space in the existing main facility structure to vault construction is not considered technically feasible due to the extensive foundation and structural modifications that would be involved, and therefore an addition to the building footprint is proposed to accommodate a new vault and administrative office space to support the expansion of the treatment capacity.

## Community Benefit Project Designation Request

According to SBMC Section 30.170.020, a project may be designated a Community Benefit Project by the City Council under several different sub-categories, including Community Priority Project, as defined below.

1. Community Priority Project. A Community Priority Project is a project that has a broad public benefit, is not principally operated for private profit, and is necessary to meet a present or projected need directly related to public health, safety or general welfare (e.g., museums, childcare facilities, health clinics).

The proposed treatment vault addition would represent expansion of a health clinic, a land use which is specifically referenced in the Community Priority Project definition. The existing Cancer Center of Santa Barbara facility was designated as a Community Priority Project; thus, expansion would also meet the same definition.

Functionally, the provision of an additional linear accelerator at the Cancer Center would expand existing treatment capacity based on this technology by 50%, thereby accommodating a far greater number of patients that require this treatment and avoiding their need to potentially travel outside the area for medical care. Another treatment vault would also avoid the inconvenience and various costs, to patients and providers, of having to expand treatment hours well beyond business hours in an attempt to satisfy local demands using only existing treatment facilities. Increasing the availability of this treatment capacity within Santa Barbara would result in an undeniable benefit to community members, and we therefore request an allocation under the Community Benefit Project (Community Priority Project) classification of SBMC Section 30.170.010 for the space to accommodate the linear accelerator vault and associated office space.

Recent changes to the method used for SBMC Section 30.170.020 space allocation allows for “infrastructure” (or mechanical) space to be excluded from the allocation. Based upon this new method, Table 1 illustrates the previously approved commercial space for the main facility and learning center structures, the portion of these structures devoted to infrastructure (which could be credited toward the proposed addition), and the resulting net commercial space request for the linear accelerator and office space addition.

**Table 1 – SBMC Section 30.170.020 Allocation Request Breakdown**

Existing Development	Approved Total (square feet)	Infrastructure Space (square feet)
Main Facility Structure	53,407	425
Learning Center	2,388	68
Total Measure E Credit for Existing Infrastructure Space		493
Proposed Addition	Square Feet	
New Building Space	2,107	
Credits for Existing Infrastructure	(493)	
Net Commercial Space Measure E Community Benefit Project Allocation Requested	1,614	

Based on the information in Table 1, please accept this request for the building addition to be designated a **Community Benefit Project** and to be granted an allocation of **1,614 square feet** under the Community Benefit Project category.

## Concluding Remarks

We strongly believe the proposed addition of a third linear accelerator and associated office space to the Cancer Center, as proposed, would deliver substantial benefits to the community in the form of increased local treatment capacity. The additional space would represent expansion of a medical clinic, which meets the definition of a Community Priority Project under SBMC Section 30.170.020. We therefore are confident the City Council can find the request for Community Benefit Project designation is warranted. If you have any questions, require additional information, or wish to discuss this request with the applicant, please do not hesitate to contact me.

**DUDEK**



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**JONATHAN V. LEECH, AICP**

Senior Project Manager

cc: Brian Cearnal, The Cearnal Collective  
Lisa Liles, The Cearnal Collective  
Dick Drew, Sansum Clinic  
Lori Willis, Cancer Foundation of Santa Barbara



## **CITY OF SANTA BARBARA**

### **COUNCIL AGENDA REPORT**

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** City Clerk's Office

**SUBJECT:** Recruitment For City Advisory Groups

**RECOMMENDATION:** That Council:

- A. Authorize and direct the City Clerk's Office to accept applications through Monday, May 9, 2022, at 5:00 p.m. to fill scheduled vacancies on various City Advisory Groups and the unscheduled vacancies resulting from resignations received in the City Clerk's Office through Thursday, April 21, 2022;
- B. Direct scheduling of City Council interviews of applicants for vacancies on various City Advisory Groups on Tuesday, May 24, 2022, at 4:00 p.m. (Estimated Time), Tuesday, June 7, 2022, at 4:00 p.m. (Estimated Time), and Tuesday, June 14, 2022, at 6:00 p.m. (Estimated Time); and
- C. Direct scheduling of City Council appointments to fill the vacancies on various City Advisory Groups on Tuesday, June 28, 2022.

**PREPARED BY:** Niko Lopez, Deputy City Clerk

**SUBMITTED BY:** Rebecca Bjork, City Administrator

**APPROVED BY:** City Administrator's Office



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

**FROM:** City Attorney's Office  
City Administrator/City Clerk's Office

**SUBJECT:** Introduction Of An Ordinance Approving The Electoral Redistricting Map Referred By The Independent Redistricting Commission

### RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, an Uncodified Ordinance of the Council of the City of Santa Barbara Approving the 2020 Census Electoral District Map as Referred by the Independent Redistricting Commission Pursuant to City Charter Section 1301.

### EXECUTIVE SUMMARY:

City Charter Section 1301 requires the City Council to approve the Independent Redistricting Commission's (IRC) final electoral redistricting map "by ordinance and without amendment." The IRC's redistricting map, as approved by City Council ordinance, is subject to voter referendum.

### DISCUSSION:

On March 16, 2015, the City entered into a Stipulated Judgment which established by-district elections in Santa Barbara for the City Council, but not the Mayor, pursuant to the requirements of the California Voting Rights Act (CVRA). The Stipulated Judgment resolved litigation entitled *Banales, et al. v. City of Santa Barbara*, Santa Barbara Superior Court No. 1468167 by, among other things, setting forth procedural and substantive requirements for the development of an electoral district map that included six City Council electoral districts.

The *Banales* Stipulated Judgment required the City's electoral district map to comply with the United States Constitution, the California Constitution, the CVRA, the California

Elections Code, and the federal Voting Rights Act of 1965. On March 30, 2015, the City Council adopted a judicially-approved electoral district map as required by the *Banales* litigation. (Reso. No. 15-019.) Thereafter, on November 6, 2018, the voters of Santa Barbara approved a City Charter amendment, which included the operative provisions of the *Banales* Stipulated Judgment.

City Charter Section 1301 requires establishment of an Independent Redistricting Commission (IRC) comprising three retired state or federal judges who are qualified California voters and who are not residents of Santa Barbara County. The IRC has the duty to adopt and refer to the City Council a redistricting map, if necessary. That redistricting map shall remain in force and effect through the 2031 City Council Elections. Electoral district maps must include districts that are as nearly equal in population as practicable. A new electoral district map is necessary because the current map has a total population deviation of 18.5% between the largest and smallest districts. The United States Supreme Court has held that a total population deviation in excess of 10% is presumptively unconstitutional.

On March 30, 2021, the City Council appointed the Honorable Melinda A. Johnson (Ret.) as Chairperson of the IRC. The Honorable Abraham Khan (Ret.) and the Honorable Elizabeth Allen White (Ret.) were appointed as Commissioners. At that time, we informed the City Council that, due to delays in the 2020 Census, it would be impossible to meet the November 1, 2021 Charter redistricting deadline. On June 22, 2021, the IRC requested that the City Council authorize litigation to reform the Charter to extend the November 1, 2021 Charter deadline for the IRC to refer a map to the City Council until April 1, 2022, so that the Council could approve the map before April 17, 2022. This request was based upon the nearly identical situation faced by the State of California and described in *Legislature v. Padilla* (2020) 9 Cal.5th 867.

On July 26, 2021, the City filed litigation entitled *Santa Barbara City Council v. Paul Casey, Santa Barbara City Clerk*, Santa Barbara Superior Court Case No. 21CV02939. On July 30, 2021, the Honorable Donna D. Geck issued an alternative writ and order directing the City Clerk, “[t]o accept the final redistricting map produced by the City of Santa Barbara Independent Redistricting Commission up to April 1, 2022, . . .” so that the City Council could adopt the map no later than April 17, 2022.

On September 20, 2021, the IRC approved an extensive civic engagement plan, which included provisions for bilingual Spanish document, news release, and translation services, including an accessible website. The IRC introduced the public to the online mapping system and conducted a technical training session on November 8, 2021. The

City's demographer, National Demographics Corporation, stated that it would accept draft electoral district maps from the public through December 31, 2021, before presenting any of its own draft maps to the IRC. These actions were timed to give the public nearly two months to prepare and submit proposed electoral district maps.

The IRC conducted public hearings on January 20, February 12, March 3, March 9, March 14, and March 30, 2022. In addition, on March 3, 2022, the IRC conducted a site visit tour in order to gather information on the City's neighborhoods, geography, and topography, which could not be properly represented otherwise.

On March 30, 2022, the IRC adopted and referred an electoral redistricting map to the City Council, via the City Clerk, after full compliance with the Charter (including, without limitation, the provision of bilingual notices, the conduct of accessible hearings, and preparation of proposed maps), the *Banales* Stipulated Judgment, and state and federal law. The referred electoral redistricting map and the associated demographic data are attached to the accompanying ordinance as Exhibit A.

The City Council has a mandatory duty to approve the IRC's final map by ordinance and without amendment. The *Banales* Stipulated Judgment and City Charter allow the voters ultimate control over the process by making the ordinance subject to referendum.

#### **BUDGET/FINANCIAL INFORMATION:**

Council has previously authorized the following contract services related to the redistricting effort:

Nielsen Merksamer Parrinello Gross & Leoni, LLP (Legal Services & Litigation)	\$ 170,000
IRC Judges	\$ 60,000
National Demographic Corporation (Demographer)	\$ 50,000
<b>Total Funding</b>	<b>\$280,000</b>

We will report separately on the final accounting for the project.

**PREPARED BY:** Ariel Calonne, City Attorney  
Michelle Sosa-Acosta, Deputy City Attorney  
Brandon Beaudette, Senior Ass't to the City Administrator's Office

**SUBMITTED BY:** Ariel Calonne, City Attorney  
Rebecca Bjork, City Administrator/City Clerk

Council Agenda Report

Introduction Of An Ordinance Approving The Electoral Redistricting Map Referred By The  
Independent Redistricting Commission

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**APPROVED BY:** City Administrator's Office

ORDINANCE NO. \_\_\_\_\_

AN UNCODIFIED ORDINANCE OF THE COUNCIL OF THE  
CITY OF SANTA BARBARA APPROVING THE 2020  
CENSUS ELECTORAL DISTRICT MAP AS REFERRED BY  
THE INDEPENDENT REDISTRICTING COMMISSION  
PURSUANT TO CITY CHARTER SECTION 1301

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

SECTION 1. Findings and Determinations.

A. On March 16, 2015, the City entered into a Stipulated Judgment which established by-district elections in Santa Barbara for the City Council, but not the Mayor, pursuant to the requirements of the California Voting Rights Act (CVRA). The Stipulated Judgment resolved litigation entitled *Banales, et al. v. City of Santa Barbara*, Santa Barbara Superior Court No. 1468167 by, among other things, setting forth procedural and substantive requirements for the development of an electoral district map that included six City Council electoral districts.

B. The *Banales* Stipulated Judgment required the electoral district map to comply with the United States Constitution, the California Constitution, the CVRA, the California Elections Code, and the federal Voting Rights Act of 1965.

C. On March 30, 2015, the City Council adopted a judicially-approved electoral district map as required by the *Banales* litigation. (Reso. No. 15-019.)

D. On November 6, 2018, the voters of Santa Barbara approved a City Charter amendment which included the operative provisions of the *Banales* Stipulated Judgment.

E. City Charter Section 1301 requires establishment of an Independent Redistricting Commission (IRC) comprising three retired state or federal judges who are

qualified California voters and who are not residents of Santa Barbara County. The IRC has the duty to adopt and refer to the City Council a redistricting map, if necessary. That redistricting map shall remain in force and effect through the 2031 City Council Elections.

F. Electoral district maps must include districts that are as nearly equal in population as practicable. A new electoral district map is necessary because the current map has a total population deviation of 18.5% between the largest and smallest districts. The United States Supreme Court has held that a total population deviation in excess of 10% is presumptively unconstitutional.

G. On March 30, 2021, the City Council appointed the Honorable Melinda A. Johnson (Ret.) as Chairperson of the IRC. The Honorable Abraham Khan (Ret.) and the Honorable Elizabeth Allen White (Ret.) were appointed as Commissioners.

H. On March 30, 2021, the City Council was informed that, due to delays in the 2020 Census, it would be impossible to meet the November 1, 2021 Charter redistricting deadline.

I. On June 22, 2021, the IRC requested that the City Council authorize litigation to reform the Charter to extend the November 1, 2021 Charter deadline for the IRC to refer a map to the City Council until April 1, 2022, so that the Council could approve the map before April 17, 2022. This request was based upon the identical situation faced by the State of California and described in *Legislature v. Padilla* (2020) 9 Cal.5th 867.

J. On July 26, 2021, the City filed litigation entitled *Santa Barbara City Council v. Paul Casey, Santa Barbara City Clerk*, Santa Barbara Superior Court Case No. 21CV02939.

K. On July 30, 2021, the Honorable Donna D. Geck issued an alternative writ and order directing the City Clerk, “[t]o accept the final redistricting map produced by the City of Santa Barbara Independent Redistricting Commission up to April 1, 2022, . . .” so that the City Council could adopt the map no later than April 17, 2022.

L. On March 30, 2022, the IRC adopted and referred an electoral redistricting map to the City Council, via the City Clerk, after full compliance with the Charter (including, without limitation, the provision of bilingual notices, the conduct of accessible hearings, and preparation of proposed maps), the *Banales* Stipulated Judgment, and state and federal law. The referred electoral redistricting map and the associated demographic data are attached to this Ordinance as Exhibit A.

M. City Charter Section 1301 requires the City Council to approve the IRC’s final map by ordinance and without amendment. The IRC’s redistricting map, as approved by City Council ordinance, is subject to voter referendum.

SECTION 2. The electoral district map and demographic data referred by the IRC and attached as Exhibit A are incorporated by this reference and approved by the City Council.

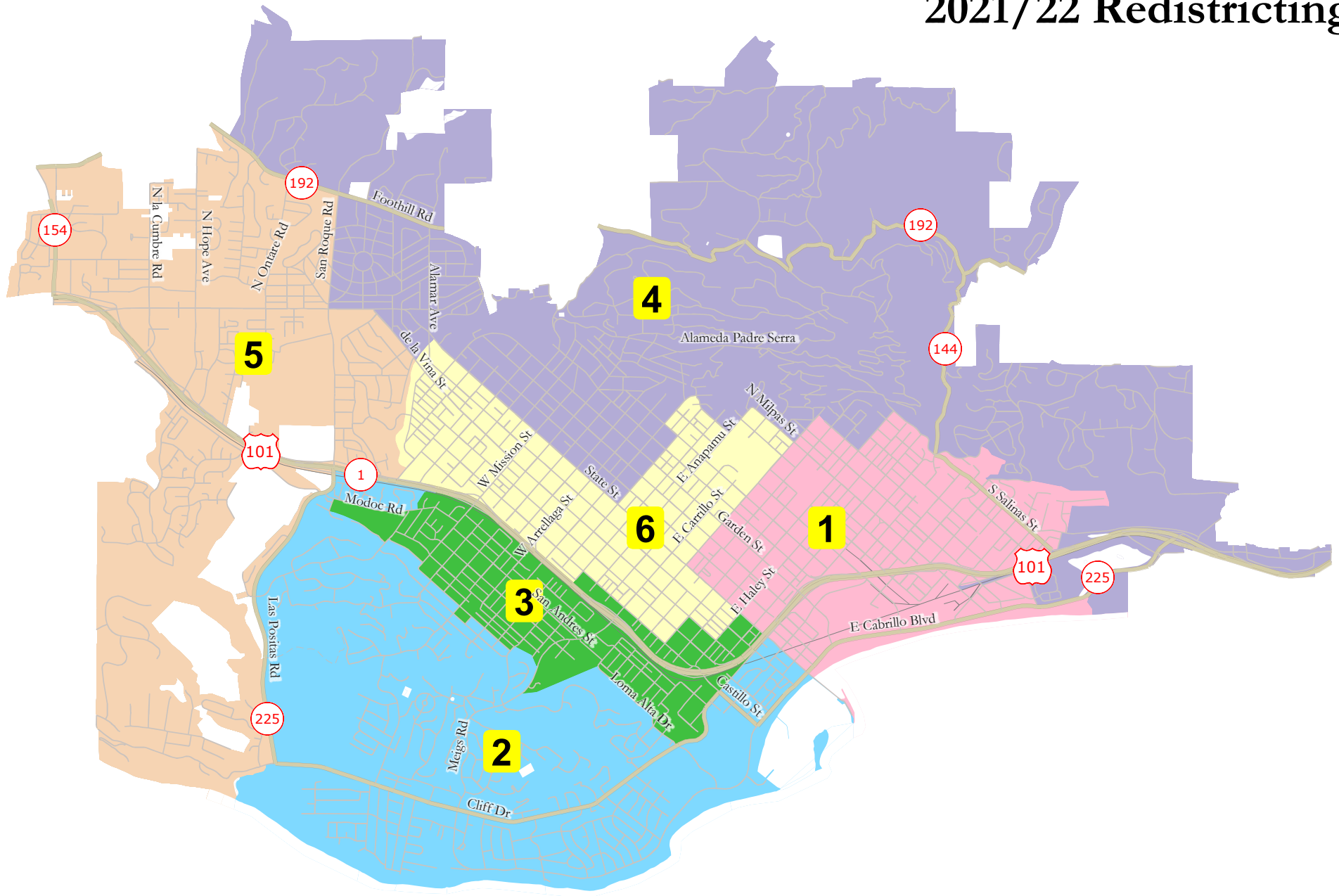
SECTION 3. The City Clerk is directed to accept the electoral district map and the associated demographic data.

SECTION 4. The City Clerk is directed to take all actions necessary or desirable to implement the electoral district map at the next City Council election.

SECTION 5. The City Clerk is directed to store and retain all records related to the 2020 Census redistricting process for a minimum of 10 years.

# Exhibit A

## City of Santa Barbara 2021/22 Redistricting



### Exhibit A

Category	Field	1	2	3	4	5	6	Total
2020 Census	Total Population	14,245	14,789	14,593	15,142	15,345	14,814	88,928
	Population Deviation	-576	-32	-228	321	524	-7	1,100
	Pct. Deviation	-3.89%	-0.22%	-1.54%	2.17%	3.54%	-0.05%	7.42%
Total Pop.	Hispanic/Latino	67.6%	21.2%	63.9%	16.1%	27.1%	39.2%	38.8%
	NH White	25.4%	67.5%	28.5%	74.1%	61.7%	50.6%	51.7%
	NH Black	1.9%	1.8%	1.4%	1.2%	1.6%	2.1%	1.7%
	NH Asian/Pac.Isl.	3.7%	7.7%	5.0%	6.8%	7.9%	6.3%	6.3%
	NH Native Amer.	0.9%	1.1%	0.7%	1.2%	1.0%	1.2%	1.0%
Citizen Voting Age Pop	Total	8,234	11,698	7,280	13,688	11,368	11,302	63,571
	Hisp	50.4%	18.3%	43.4%	8.9%	19.5%	22.7%	24.3%
	NH White	40.2%	74.9%	50.0%	84.9%	73.9%	68.0%	68.3%
	NH Black	6.3%	1.8%	2.6%	0.2%	1.7%	2.7%	2.3%
	Asian/Pac.Isl.	3.0%	4.6%	4.1%	5.6%	4.9%	6.5%	4.9%
	Native Amer.	0.2%	0.8%	1.1%	0.1%	0.9%	1.8%	0.8%
Voter Registration (Nov 2020)	Total	6,697	10,684	6,722	12,237	10,342	8,952	55,634
	Latino est.	52%	14%	44%	10%	17%	23%	23%
	Spanish-Surnamed	48%	13%	40%	10%	16%	21%	22%
	Asian-Surnamed	2%	2%	2%	2%	2%	2%	2%
	Filipino-Surnamed	1%	1%	2%	0%	1%	1%	1%
	NH White est.	45%	84%	56%	88%	79%	74%	75%
	NH Black	5%	1%	2%	0%	2%	2%	2%
Voter Turnout (Nov 2020)	Total	5,502	9,600	5,516	11,197	9,349	7,839	49,003
	Latino est.	50%	13%	41%	10%	16%	22%	21%
	Spanish-Surnamed	46%	12%	37%	9%	15%	20%	20%
	Asian-Surnamed	2%	2%	2%	2%	2%	2%	2%
	Filipino-Surnamed	1%	1%	2%	0%	1%	1%	1%
	NH White est.	45%	84%	56%	88%	79%	74%	75%
	NH Black	5%	1%	2%	0%	2%	2%	2%
Voter Turnout (Nov 2018)	Total	3,846	7,663	3,867	9,164	7,348	5,850	37,738
	Latino est.	44%	11%	34%	8%	13%	18%	18%
	Spanish-Surnamed	41%	11%	31%	8%	12%	17%	17%
	Asian-Surnamed	2%	2%	2%	2%	2%	2%	2%
	Filipino-Surnamed	1%	1%	2%	0%	1%	1%	1%
	NH White est.	48%	85%	62%	90%	82%	77%	78%
	NH Black est.	5%	1%	2%	0%	2%	2%	2%
Age	age0-19	23%	19%	28%	17%	19%	14%	20%
	age20-60	58%	54%	58%	48%	47%	66%	55%
	age60plus	20%	27%	14%	35%	34%	20%	25%
Immigration	immigrants	27%	23%	34%	12%	15%	23%	22%
	naturalized	38%	34%	22%	57%	47%	42%	37%
Language spoken at home	english	48%	72%	40%	85%	78%	66%	66%
	spanish	49%	21%	56%	8%	16%	27%	29%
	asian-lang	1%	2%	2%	2%	2%	3%	2%
	other lang	2%	4%	2%	5%	4%	5%	4%
Language Fluency	Speaks Eng. "Less than Very Well"	23%	11%	31%	3%	9%	13%	15%
Education (among those age 25+)	hs-grad	40%	26%	34%	23%	32%	35%	31%
	bachelor	22%	34%	17%	32%	34%	28%	28%
	graduatedegree	11%	23%	9%	35%	21%	18%	21%
Child in Household	child-under18	29%	19%	38%	19%	21%	15%	22%
Pct of Pop. Age 16+	employed	77%	65%	72%	65%	61%	76%	69%
Household Income	income 0-25k	19%	15%	18%	8%	14%	22%	16%
	income 25-50k	18%	21%	22%	10%	12%	20%	17%
	income 50-75k	15%	13%	22%	16%	14%	18%	16%
	income 75-200k	35%	33%	31%	36%	43%	32%	35%
	income 200k-plus	14%	19%	7%	29%	16%	8%	16%
Housing Stats	single family	57%	66%	50%	72%	61%	34%	57%
	multi-family	43%	34%	50%	28%	39%	66%	43%
	rented	64%	46%	73%	37%	51%	82%	58%
	owned	36%	54%	27%	63%	49%	18%	42%

Total population data from California's adjusted 2020 Census data. Citizen Voting Age Population, Age, Immigration, and other demographics from the 2015-2019 American Community Survey and Special Tabulation 5-year data. Turnout and Registration data from California Statewide Database ("Latino" figures calculated by NDC using Census Bureau's Latino undercount by surname estimate).



## **CITY OF SANTA BARBARA**

### **COUNCIL AGENDA REPORT**

**AGENDA DATE:** April 12, 2022

**TO:** Mayor and Councilmembers

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

**SUBJECT:** Update On Efforts To Address Homelessness And Its Related Impacts In The City Of Santa Barbara

#### **RECOMMENDATION:**

That Council receive an update on the City's and partnering agencies' actions to address homelessness.

#### **EXECUTIVE SUMMARY:**

With more than 580,000 estimated persons experiencing homelessness, America faces a national crisis—and Santa Barbara is no exception. Locally, preliminary data shows a slight decrease in the number of persons experiencing homelessness in Santa Barbara; however, that number still exceeds the number of available shelters and housing options, leaving hundreds living on the streets.

The City has made significant investments to mitigate the community impacts of homelessness and secure housing for homeless residents. This report provides an update to Council on homelessness outreach and housing services provided by City staff as well as contracted partners Santa Barbara Alliance for Community Transformation (SB ACT), the Santa Barbara City Homelessness Collaborative, and City Net.

#### **DISCUSSION:**

Homelessness is a rapidly expanding national crisis fueled by rising housing costs, mental illness, substance use disorders, disabilities, low income, and domestic violence. The 2020 Point-in-Time Count, a nationwide snapshot count of persons experiencing homelessness, found more than 580,000 people living without a home either on the streets or at shelters, a number that has increased each year since 2017. At 28 percent, California has the largest percentage of the nation's homeless population. More notably, California has more than half of the unsheltered population in the country, i.e., people

who are living in places not intended for human habitation and are more vulnerable to health problems, violence and trauma, and longer periods of homelessness.

In the city of Santa Barbara, the number of persons experiencing homelessness has averaged around 927. Preliminary results of the 2022 Point-in-Time Count identified 822<sup>1</sup> homeless individuals living in Santa Barbara. Although this represents a 10 percent decrease since the last count, this total still represents 41 percent of the homeless population countywide. According to the County of Santa Barbara 2020–2021 HUD performance data, 3,347 persons experiencing homelessness were served countywide during this period, while the countywide Point-in-Time count estimates 1,962 persons. The number of homeless individuals in the City far outpaces the number of existing shelter beds, transitional housing, or permanent supportive housing units available.<sup>2</sup>

For many years, the City has dedicated substantial resources in the form of staff time and funding to nonprofit social service agencies to reduce homelessness. In the past, many of the city's cross-departmental efforts took place independently of one another. More recently, the City has dedicated staff and funding to new initiatives, which has enabled the various groups throughout the city organization and community partners to better collaborate and enhance one another's efforts. The purpose of this report is to provide an update to Council on current collaborative efforts to address homelessness.

### City Roles and Initiatives

**Community Development Department** – The Department provides funding and oversees various partner agencies that help persons experiencing homelessness, such as People Assisting The Homeless (PATH), which provides temporary shelter; New Beginnings, which facilitates safe parking for people living in their vehicles; City Net, which provides street outreach services; and SB ACT, which coordinates the community-wide response to homelessness. Most recently, the Department has reassigned the Senior Community Development Programs Specialist to coordinate the City's internal and external efforts related to homelessness and to help recommend, promote, and coordinate implementation of the City's homelessness-related goals.

**Encampment Response Program** – The Environmental Services Division of the Sustainability and Resilience Department coordinates the City's Encampment Response team, which includes the Parks and Recreation Department, Streets and Creeks Divisions, City Attorney's Office, and the Police and Fire Departments. In 2019, Environmental Services staff implemented a web-based centralized system that allows residents, staff, and visitors to report encampments or to report an individual in need of non-urgent outreach. Staff access each report and coordinates the response of various

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<sup>1</sup> Point-in-Time provides only a snapshot of the state of homelessness within the community on a single given date. Homeless Management Information System data shows the numbers could be higher.

<sup>2</sup> According to the Santa Barbara County Community Action Plan to Address Homelessness, the south coast needs 369 additional shelter beds, 537 Rapid Rehousing Slots, 602 Permanent Supportive housing units, and 270 long term subsidies to meet the need.

resources, including City Net outreach teams, Fire Inspectors, Police Officers, cleanup contractors, and Park Rangers. The Encampment Response Team has built strong working relationships with CalTrans and Union Pacific to effectively coordinate cleanups and address encampment related issues within the city limits. The Encampment Response Team also coordinates with City Net to ensure outreach services and proper shelter are offered prior to an encampment cleanup. City staff ensures that 72-hour advance notice is posted at that campsite of the impending cleanup. City Staff prioritize protecting encampment occupants' rights to their property and providing the opportunity to access services and voluntarily relocate before a cleanup begins. Staff also ensures that the City's abandoned property policy is followed, meaning only property where there is reasonable evidence that the owner intended to dispose of the property is disgarded. Moreover, disabled persons are provided additional time to gather their belongings as needed.

In calendar year 2021, the city received 584 reports related to encampments and 36 individual-in-need reports. Since the project launch in 2019, Environmental Services staff have processed 2,916 reports to date, cleaned 685 encampments removing more than 81.4 tons of waste from public spaces, and directed 320 City Net outreach contacts.

**Santa Barbara Police Department Activities** – The Santa Barbara Police Department (SBPD) has undertaken a number of efforts to address the impacts of homelessness. Following is a description of efforts over the past year:

- **Co-Response Officer** – In January 2021, the SBPD added a Co-Response Officer position, who is trained in responding to and helping people in crisis, and is partnered with a licensed mental health clinician. Together, the team has responded to approximately 600 calls involving people in crisis, many involving persons experiencing homelessness, who often suffer from mental health issues and/or drug or alcohol addiction. The Co-Response Officer also works to reunite persons living on the street with family, and connects them with assistance programs or work opportunities. Over the last year, the SBPD has successfully reunified 63 people.
- **Crisis Intervention Training (CIT)** – SBPD is in the process of getting all sworn officers trained in Crisis Intervention Training, which is a nationally recognized model for police interactions with persons experiencing mental or emotional distress or other mental health challenges. In the last year, the SBPD has trained approximately 65 Officers in the 10-hour CIT class.
- **Street Crimes Unit (SCU)** – The Street Crimes Unit plays a critical role in addressing complaints and crimes involving homeless residents. This team consists of five Bike Patrol Officers, the Co-Response Officer, and one Sergeant, and is responsible for enforcing municipal code violations, street-level drug use, drug dealing, and all camping complaints that come to the police department. SCU also works closely with City Net, SB ACT, New Beginnings Safe Parking, Parks and Recreation, Creeks, Environmental Services, and community groups.

- **Homeless Liaison** – SBPD has recently identified the SCU Sergeant as the department's homeless liaison. This liaison will be responsible for ensuring proper handling of property during coordinated encampment cleanups and will update the department about current homeless resources to use when assisting homeless residents.

**Parks and Recreation Rangers** – In the past year, the department has been able to fully staff the Park Ranger program with four rangers operating seven days a week, throughout the day. The Park Rangers spend a large portion of their time addressing homelessness-related issues in parks. As a result of daily patrols, rangers are able to build one-on-one relationships and become aware of the services individuals are receiving. Rangers are trained to connect with City Net and County service providers when individuals need help and can coordinate with police if needed.

**Library Activities** – Similarly, the Library Department has undertaken a number of efforts to address the impacts of homelessness. Workforce development services are provided at the Central and Eastside libraries to teach job search techniques, résumé review and development, interview strategies, technology skills, and other job skills learning. As many as 50 percent of clients of this program are homeless or at risk of losing housing. Additionally, through a Community Connections grant, Library staff and volunteers receive training in community resources, enabling them to refer people in need of social services to the appropriate resources. Council approved a contract with Family Service Agency to hire a full-time social worker to engage homeless residents who frequent the Library, though the position has not been successfully filled.

**Downtown Ambassadors** – A continuous presence and valuable resource since 2017, the Downtown Ambassadors operate 9 a.m.–6 p.m. daily along State Street, from Cabrillo Boulevard to Sola Street. They have established relationships with service providers, area businesses, and members of the public, including people experiencing homelessness in the area, and have gained an intimate understanding of the situation on the ground. The Ambassadors participate in SB ACT work groups and Coordinated Outreach Team meetings (discussed later in this report), and are a vital conduit of information to service providers.

#### Partner Agencies

**SB ACT** – Since Fiscal Year 2020, the City has contracted with the Santa Barbara Alliance for Community Transformation (SB ACT) to assist the City in developing a unified, strategic response to homelessness. At the core of SB ACT's work has been the development of a Common Agenda/Strategic Plan to address homelessness to be achieved by the end of 2023. Guided by a steering committee of community stakeholders (which includes Council members, the Library director, the Interim Assistant City Administrator, and Community Development staff), the plan identifies four main goals: increase the number of affordable housing units by 20 percent; increase the rate of housing retention by five percent; reduce the percentage of people entering

homelessness from a housed situation by ten percent; and strengthen the coordination and availability of outreach and case management services by 25 percent. SB ACT will be discussing the first year's progress and sharing performance data from partner agencies in their presentation to Council. A written report is also included as Attachment 1. Other SB ACT initiatives are discussed in the next section of this report.

**City Net** – Since 2019, the City has contracted with City Net to provide street outreach and case-management services to persons experiencing homelessness in Santa Barbara. Prior to establishing a partnership with City Net, street outreach was sporadic and done by volunteers. Having dedicated outreach workers operating on a citywide basis in collaboration with the City's network of service providers has been instrumental in increasing the number of street exits. City Net works closely with Cottage Hospital, Santa Barbara Police Department, SB ACT, and various service providers to coordinate outreach services, and is often the first line of response to our unhoused population. City Net will make a presentation on its work as part of this report.

City Net operates countywide and currently employs four outreach workers in the City. City Net's work is funded by money from the State of California's Permanent Local Housing Allocation Program, which the City receives annually, and the Homeless Emergency Aid Program, a one-time grant that expired in June 2021.

In early 2021, the city provided \$480,000 in Socio-Economic Mitigation Funds (SEMP) to City Net for a bridge housing program at local motels. This program allowed individuals who were better suited for non-congregate shelter, as opposed to congregate shelter with shared sleeping quarters, to be provided with ongoing shelter and case management support. The program initially expected to house 25 individuals until funds were depleted, however a total of 30 persons were provided with bridge housing.

### Collaborative Efforts

**Expanded Partnership with Santa Barbara County** – The City has worked in conjunction with the County of Santa Barbara to address homelessness regionally. The city participates on the County-sponsored Elected Leaders Forum on Homelessness, whereby local elected representatives learn about concerns and demographic trends, discuss best practices in housing solutions, and prepare for future grant and funding opportunities on a regional level.

Recently, the City partnered with the County and other county cities to secure \$2.5 million in Encampment Resolution Program funds through the state. Staff from Environmental Services and Community Development are working with the County to establish a memorandum of understanding for implementation of the collaborative program.

Additionally, Community Development staff and Downtown Ambassadors have started attending South County Coordinated Outreach Team meetings led by County staff to

more accurately assess the day-to-day situation on the streets and more effectively coordinate resources.

Another collaborative effort is the partnership with Dignity Moves, a nonprofit organization that provides interim housing solutions. Dignity Moves and the County are working to create a transitional housing project at the Juror Parking Lot located on the 1000 block of Garden Street. This project will place 33 temporary, small, portable housing units and related facilities to provide the unhoused population with shelter and supportive services. The project is expected to be operational in the coming months. The County has committed to targeting unhoused residents with an established history in downtown Santa Barbara as priority recipients of housing. Outreach and inclusion in the Coordinated Entry System is already underway. The initial term of the project is for three years, with a goal of serving at least 66 individuals.<sup>3</sup>

**SB ACT Regional Action Plans and Neighborhood Navigation Centers** – SB ACT has been leading weekly working groups of housing agencies, service providers, and individuals with lived experience to increase coordination and collaboration. Staff from the Rental Housing Mediation Program, Library, and Environmental Services among other City operations participate in these work groups.

In addition, SB ACT has convened regular neighborhood-centered group meetings known as Regional Action Plans (RAPs) that bring together area stakeholders to discuss issues of concern, inform the public about efforts to address homelessness, and develop strategies to reduce the impacts of homelessness. There currently are four RAPs for the State Street (downtown) area, Eastside neighborhood, Upper State Street area, and at the Waterfront. Meetings are attended by residents, business leaders, and service providers. City staff from the Encampment Response Team, Police and Fire, Library, and Community Development actively participate in the meetings and address issues of concern among the community.

In 2021, SB ACT formalized and expanded the Neighborhood Navigation Center (NNC) model in which service providers come together in a “one-stop-shop” location. Services include case management, food distribution, medical and veterinary care, sanitation services, and more provided by many nonprofit organizations. The Library is one of the service providers at the Neighborhood Navigation Centers. Utilizing the Library on the Go outreach van, homeless individuals are provided with computer and internet access; phone charging and printing stations; workforce development and/or literacy program intakes; assistance obtaining vital documents or applying for government benefits (i.e., MediCal, CalFresh, lifeline phones, low-cost internet, etc.); and Welcome Cards, a library

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<sup>3</sup> As a result of the Dignity Moves project, a portion of the County-owned parking lot will not be usable for County and Superior Court employees. To partner with the County on this needed project, the City offered to provide up to 46 parking permits, valued at \$294,400, for use in the City’s Parking Lot 6 (Granada Garage) for the duration of the project.

card for persons without a verifiable permanent address.<sup>4</sup> SB ACT staff continues to engage new partnerships to become part of the collaborative including faith groups and meal providers at parks.

#### Major Coordinated Effort – Rose Garden Inn

The City's investment in forging these partnerships facilitated a strategic and coordinated response following the May 2021 Loma Fire. In early June, Council voted to declare a State of Emergency due to human encampments in fire-prone areas. As part of this declaration, Council contracted with City Net to master-lease the Rose Garden Inn to temporarily house persons living in illegal encampments that were deemed at highest risk of fire by the Encampment Response Team. Some of the identified sites were located on CalTrans property, and due to existing collaboration agreements, the Encampment Resolution Team was able to respond quickly. As a result of previous coordination with City Net, the City was able to offer temporary housing at the Rose Garden Inn to persons displaced from the high risk encampments prior to cleanup. In turn, SB ACT created a Regional Action Plan for the area surrounding the temporary housing motel to address neighborhood concerns. The Police Department created an overtime detail consisting of two officers that proactively patrolled the surrounding neighborhood. City Net also conducted additional street outreach in the area to connect with individuals who were not part of the project and in need of assistance.

The Rose Garden Inn project operated from July 5, 2021, to January 31, 2022. In the nearly seven months of the project, the following was achieved:

- 63 persons were served – 43 men, 20 women
- 12 persons were placed into permanent housing or other safe locations
- 33 clients became document ready<sup>5</sup>
- 13 people were connected to mental health and substance abuse treatment

During their exit interviews, individuals housed during this period reported improvement in various factors, such as physical disabilities, mental health disorders, and chronic health conditions. Over the duration of the project, 20 clients were asked to leave for not following program rules.

At project's end, 27 persons returned to the streets. This was partially due to COVID outbreaks, which caused closures at local shelters leaving these individuals with no other options. A few elected not to go to any other shelter situation. City Net continues to case manage the former motel residents. Although the project was budgeted at \$3.23 million, actual expenditures through January 30 totaled \$2,310,552. Of this amount, \$122,552

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<sup>4</sup> NNCs operate Thursdays at Alameda Park and Tuesdays at the Carrillo Commuter Lot. A third NNC recently started operating on Wednesdays at the Rescue Mission to serve the Eastside.

<sup>5</sup> Document-ready clients have obtained necessary documentation to secure housing, such as identification, social security card, etc., and have been added to housing waiting lists through the Housing Authority, or have access to other rapid-rehousing funds in the event a unit becomes available.

was paid with State Permanent Local Housing Allocation funds. Additionally, the City was able to secure \$542,517 in Emergency Services Grant funds from the County of Santa Barbara to reimburse a portion of the City's expenditures for hotel housing.

The Rose Garden Inn project should be noted for the successes made during such a brief period. As previously reported, persons living in encampments tend to be more resistant to going to a congregate shelter. Additionally, the process of making unsheltered persons document ready is typically a lengthy process due to the vulnerability of persons living on the street, where, as previously noted, they are more susceptible to health problems, violence and trauma, and longer periods of homelessness.

#### City Financial Support to Address Homelessness

**Funds for services** – The City of Santa Barbara has a long history of providing grants to nonprofit social service agencies serving City residents. In Fiscal Year 2021, the City granted approximately \$1.8 million to nonprofit homeless service providers for prevention, coordination, shelter, supportive services, and rental subsidies. Eighteen percent (\$345,766) came directly from the General Fund, and the remaining 82 percent (\$1,526,757) came from State and Federal funding, such as Homeless Emergency Aid Funding (HEAP), and Community Development Block Grant funding. Attachment 2 provides a Fiscal Year 2022 mid-year update of these providers and the type of assistance that they provide.

**Costs to Respond to Homelessness in the City** – In addition to supporting housing and services for people experiencing homelessness, in Fiscal Year 2021 the City expended \$5.6 million mitigating the effects on homelessness. A Fiscal Year 2022 mid-year update is included as Attachment 3.

#### Conclusion

Homelessness is a pervasive societal issue that cannot be solved solely by the City of Santa Barbara; however, the City is demonstrating leadership and initiative in ensuring collaboration among the various groups working to address this crisis. Staff will continue building on its current efforts to expand interdepartmental coordination and enhance communication with the community on its efforts to address homelessness. Other initiatives include working with shelter providers to expand utilization of shelters, and partnering with agencies to identify more options for housing across the spectrum—from interim to permanent housing, and prevention of homelessness. And as the State of California continues to make significant investments and propose new legislation to address homelessness, staff will track new legislation and pursue new funding opportunities made available by the State and Federal governments. As previously reported to Council, some of those funds include Project Homekey, HOME American Rescue Plan, and Homeless Housing, Assistance and Prevention funds.

#### **BUDGET/FINANCIAL IMPACT:**

There is no budgetary impact associated with the recommendation.

**ATTACHMENTS:**     1. SB ACT Report Update  
                             2. City Grants to Social Service Agencies – Mid Year  
                             3. Cost of City Services Related to Homelessness – Mid Year

**PREPARED BY:**     Liz Stotts, Senior Community Development Programs Specialist

**SUBMITTED BY:**     Eli Isaacson, Community Development Director

**APPROVED BY:**     City Administrator's Office

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## Santa Barbara Alliance for Community Transformation

**AGENDA DATE:** April 12, 2022  
**TO:** Mayor and Councilmembers  
**FROM:** Santa Barbara Alliance for Community Transformation  
**SUBJECT:** ACT on Homelessness Collaborative Strategic Plan Update

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### Background

The City of Santa Barbara City Council entered into a public-private partnership on June 1, 2019 for the purpose of initiating a collective impact driven collaborative to address the issue of homelessness in the City of Santa Barbara. With an investment of \$100,000, matched with a \$100,000 grant from the Santa Barbara Foundation, the ACT on Homelessness Collaborative was launched.

During the first year of the collaborative, an 18-member Steering Committee was formed that provided the leadership and expertise to create a Common Agenda. Though many challenges were experienced by collaborative partners during the planning phase due to the onset and response to the COVID-19 pandemic, all five components of the Common Agenda were completed with only a four-month delay. The plan was adopted by the City Council on December 15, 2020 as the *Three-Year Strategic Plan to Reduce Homelessness and Its Impacts in the City of Santa Barbara*.

### First Year Progress

The ACT on Homelessness (AOH) Collaborative Strategic Plan has four measurable goals to be achieved over a three-year period (2021 – 2023).

Goal #1: Increase the number of affordable housing units in the City of Santa Barbara by 20%

According to the *Santa Barbara County Phase II Action Plan to Address Homelessness*, the City of Santa Barbara has a need for 232 permanent supportive housing units according to the 2020 Point-in-Time Count of 914 individuals experiencing homelessness as well as data collected through the Coordinated Entry System (CES) and the Homelessness Management Information System (HMIS). The City of Santa Barbara also needs 120 units of bridge housing and 158 units of other permanent housing (with no disability required).

Though no new affordable housing developments opened within the City of Santa Barbara last year, there are two major developments on the horizon that will help address our affordable housing needs. This includes Vera Cruz Village at 116 East Cota Street that will have 28 studio units for individuals experiencing homelessness as well

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### Santa Barbara Alliance for Community Transformation

as 200 North La Cumbre Road that will have 48 units of affordable rental housing for low-income families.

Moreover, the Housing Authority of the City of Santa Barbara facilitated the access to 89 Emergency Housing Vouchers (EHV) over the past seven months that were 100% utilized by case management partners including City Net, New Beginnings Counseling Center, Salvation Army, and PATH. This placed 89 individuals in permanent housing units while providing financial incentives for private landlords and three years of supportive services to housed clients.

In March 2020, the City of Santa Barbara City Council also invested in a scattered site bridge housing program that provided 15 units of transitional housing for six months that served 22 individuals through service provider partner, City Net. Several months later in June, the City Council also invested in a temporary, safe shelter project to clear encampments in high fire prone areas in the aftermath of the Loma Fire. This project transitioned displaced, unhoused individuals from encampments into motel rooms for 120 days. Due to the success of the project mitigating encampment related fires as well as the opportunity to stabilize and house more individuals, the City Council extended the project for three more months. At its close, a total of 63 people were served with 12 individuals being placed into permanent supportive housing units. Thirty-three clients became document ready and five people achieved employment. Though 27 individuals returned to being unsheltered at the end of the temporary project because shelter providers were unable to take new client referrals due to a surge in positive cases for COVID-19, all clients continue to be case managed by City Net as they search for available permanent supportive housing units.

Due to the increase in federal and state funding for individuals experiencing homelessness in response to the COVID-19 pandemic, ACT on Homelessness Collaborative service provider partners have been able to make significant progress in placing individuals in permanent supportive housing units over the past year. However, it is important to note that there continues to be a need for 262 emergency shelter beds to provide a safe environment for our unhoused population to sleep and access the services they need. This will continue to be a top priority for the AOH Collaborative over the next two years.

Goal #2: Strengthen the capacity of organizations that provide permanent housing placement services to increase the rate of housing retention by 5%

Given the unique needs of vulnerable individuals experiencing chronic homelessness transitioning into a housed environment, the AOH Collaborative is prioritizing the expansion and sustainability of intensive supportive services for these individuals to successfully retain their housing. A Housing Retention Working Group has been created and is being co-facilitated with the County of Santa Barbara Continuum of Care to be

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## Santa Barbara Alliance for Community Transformation

able to address the systemic challenges that are experienced by providers in supporting clients in permanent housing.

The top challenges have been identified as: (1) the lack of life skill-building regarding maintaining a household and managing a personal budget; (2) difficulty in building a trusted peer group in a new housing environment; and (3) substance abuse and addiction that requires more specialized and trained staffing to overcome. This has initially resulted in projects like the creation of a Good Neighbor Handbook that emphasizes the life skills and household management that is necessary to be a good tenant, as well as advocating for supportive services to be attached to the Emergency Housing Vouchers for a minimum of three years.

Though the housing retention rate is 92% countywide, the AOH Collaborative recognizes that there is a significant amount of case management hours that are not captured in ensuring this rate is sustained and increased over time. The AOH Collaborative will continue to advocate for more resources to be directed for this purpose and appreciate the recent prioritization of this support by the City Council in its distribution of HOME ARPA funds.

Goal #3: Create a culture of diversion and prevention among collaborative partners to reduce the percentage of individuals, youth and families entering homelessness from a housed situation by 10%

At the launch of the ACT on Homelessness Collaborative and the formalization of the first Neighborhood Navigation Center site at Alameda Park, the focus was on training service provider partners and volunteers on diversion including relocation and reunification support for individuals newly experiencing homelessness. This approach would complement the City of Santa Barbara's Restorative Policing Program that is also successfully facilitating a significant number of relocations and reunifications of individuals with family and friends including housing and employment opportunities in other regions. In 2021, the ACT on Homelessness Collaborative was able to facilitate 11 relocations and reunifications through or Regional Action Plans and Neighborhood Navigation Centers.

In addition to implementing these strategies of diverting individuals from the emergency shelter system, there was an influx of financial resources to support individuals and families that were economically impacted by the COVID-19 pandemic. Much of the focus on homelessness prevention was to increase access to and distribution of funds from the Emergency Rental & Utility Assistance Program (ERAP). This program was facilitated by the County of Santa Barbara in partnership with the United Way of Santa Barbara County and distributed \$17,269,684 in funding to 1,904 households of which 1,054 households are located in Supervisorial Districts 1 and 2 that include the City of Santa Barbara.

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## Santa Barbara Alliance for Community Transformation

### Goal #4: Strengthen the coordination and availability of outreach and case management services for individuals, youth and families experiencing homelessness by 25%

In December 2020, as the City of Santa Barbara City Council adopted the Three-Year Strategic Plan, the ACT on Homelessness Collaborative was also able to successfully advocate for an increase – in a team of two – of outreach and case management workers dedicated to serve unhoused individuals in the City of Santa Barbara funded through the Permanent Local Housing Allocation (PLHA). This expanded outreach capacity to four individuals through the City of Santa Barbara’s primary outreach and case management provider, City Net. Though this capacity was diminished at the end of June 2021 due to the SB Connect Home project ending, the ACT on Homelessness Collaborative was able to supplement this capacity with dedicated case management and outreach through the Neighborhood Navigation Centers (NNCs).

With this additional capacity, ACT on Homelessness Collaborative service provider partner City Net was able to achieve a total of 99 temporary or permanent “Street Exits” in the four Regional Action Plan neighborhoods (Eastside, Waterfront, Downtown, and Upper State Street) closing in on our goal of 100 “Street Exits” by the end of 2021. From baseline data collected in September 2020 in the first three Regional Action Plan neighborhoods, this a 29% reduction in the number of individuals experiencing homelessness in the City of Santa Barbara (99 individuals of 340 total counted). This data is also correlating with the preliminary results of the 2022 Point-in-Time Count (822) that notes a decrease of 92 individuals experiencing homelessness in the City of Santa Barbara from the 2020 Point-in-Time Count (914).

Moreover, the City of Santa Barbara Resilience & Sustainability Department has worked tirelessly over the past year to create a reporting system that captures data gathered from City staff and departments, residents, business owners, and service providers that is utilized to strategically target resources to address unsafe and illegal activities in encampments as well provide outreach and case management to individuals experiencing homelessness. This tool has created a system of transparency and accountability among ACT on Homelessness Collaborative partners and with the residents of the City of Santa Barbara that has exponentially increased our ability to deploy limited resources and staffing capacity where they are needed the most. This information is also shared monthly by the City of Santa Barbara Resilience & Sustainability Department through the four Regional Action Plans.

### **Next Steps**

Though the ACT on Homelessness Collaborative has been able to make substantial progress over the past year, we fully acknowledge that there is considerably more work

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### Santa Barbara Alliance for Community Transformation

that needs to be done to address the unique needs of individuals experiencing homelessness in the City of Santa Barbara as well as to reduce the impacts of homelessness in our neighborhoods. The AOH Collaborative will continue to report on progress quarterly through the next year as we focus on achieving another 100 “Street Exits” by the end of 2022.

The Collaborative also recently launched the third Neighborhood Navigation Center site on the Eastside at the end of March that yields a total of three NNC sites that operate on Tuesday, Wednesday, and Thursday every week. The NNCs are fulfilling a significant need in providing services to the unsheltered population as well as creating a safe environment and consistent day/time/location for service providers to support existing clients and provide outreach to new individuals.

Proposals to continue the efforts of the ACT on Homelessness Collaborative as well as the Neighborhood Navigation Centers have been submitted to City staff for consideration in the new fiscal year budgeting process.



## City Grants to Social Service Agencies

July 1, 2021 - December 31, 2021 (FY22 - 6 months)

Organization	Description	Type	Community Development Block Grant	Human Services-General Fund	General Fund (GF) Other	HOME	Other State or Federal	Total	Outcomes
<b>Prevention</b>									
Rental Housing Mediation Program		Prevention		\$ 16,072				\$ 16,072	506 individuals served
Transition House	Homelessness Prevention	Prevention		\$ 13,661				\$ 13,661	Daycare for children of working homeless parents
				\$ 29,733				\$ 29,733	
<b>Rent Subsidy</b>									
Housing Authority	Rental Assistance	Rent Subsidy				\$ 120,715		\$ 120,715	9 housed
New Beginnings	Rental Assistance	Rent Subsidy				\$ 6,535		\$ 6,535	3 newly housed
Transition House	Rental Assistance	Rent Subsidy				\$ 17,046		\$ 17,046	7 newly housed
						\$ 144,296		\$ 144,296	
<b>Shelter Services</b>									
Domestic Violence Solutions	Emergency Shelter	Shelter Services	\$ 16,500					\$ 16,500	87 sheltered
Noah's Anchorage Youth Shelter	Youth Shelter	Shelter Services		\$ 18,000				\$ 18,000	209 served
PATH	Interim Housing	Shelter Services	\$ 9,287				\$ 50,383	\$ 59,670	184 sheltered
Safe Parking Program	Vehicular Homeless	Shelter Services	\$ 21,612					\$ 21,612	323 served
Transition House	Interim Housing	Shelter Services	\$ 38,942					\$ 38,942	142 sheltered
Good Samaritan	Freedom Warming Centers	Shelter Services		\$ 10,792				\$ 10,792	59 sheltered
			\$ 86,341	\$ 28,792	\$ -		\$ 50,383	\$ 165,516	
<b>Supportive Services</b>									
CADA Project Recovery	Detox	Supportive Services		\$ 6,750				\$ 6,750	73 served
S.B. Neighborhood Clinics	Dental Care for the Homeless	Supportive Services		\$ 23,740				\$ 23,740	183 served
St. Vincent's	Family Strengthenin	Supportive Services		\$ 8,100				\$ 8,100	36 served
				\$ 38,590			\$ -	\$ 38,590	
<b>Interim Housing</b>									
City Net	Rose Garden	Interim Housing			\$ 1,784,075		\$ 122,552	\$ 1,906,627	63 sheltered; 12 permanently housed
City Net	Bridge Housing	Interim Housing			\$ 332,729			\$ 332,729	30 sheltered
			\$ -	\$ -	\$ 2,116,804	\$ -	\$ 122,552	\$ 2,239,356	
<b>Coordination of Services</b>									
SB Act	Homelessness Collaborative	Other			\$ 61,605			\$ 61,605	Provided community collaborative services
					\$ 61,605			\$ 61,605	
<b>Total</b>			\$ 86,341	\$ 97,115	\$ 2,178,409	\$ 144,296	\$ 172,935	\$ 2,679,096	

## Cost of City Services Related to Homelessness

July 1, 2021 - December 31, 2021 (FY22 - 6 months)

DEPARTMENT	AREA	TYPE	TOTAL	OUTCOMES
<b>Provision of Human Services</b>				
Library	All Library Staff	Service Referral and Local Agency Support	\$ 192,277	Provided accurate and immediate information to homeless individuals through daily inquiry assistance and proactive referrals that connects individuals and families to needed resources such as veteran's benefits, local human services agencies, and other related information support.
Library	Library Staff	Library On the Go Outreach	\$ 24,593	Outreach to Neighborhood Navigation Centers and other local agencies 10 hours per week providing charging station and printing, library card, workforce development and literacy intakes, assistance obtaining vital documents or applying for government benefits
Library	Preventative	SBPL Works! Job Placement	\$ 35,517	Staff in SBPL Works! support clients in reaching workforce readiness goals and attaining employment. In the first 6 months of Fiscal Year 22, 73 consultation sessions were held.
Police Department	Co-Response	Mental Health Outreach in Partnership with Behavioral Wellness	\$ 76,236	Response to calls for service involving people in mental health crisis. Conducted 63 reunifications. Provided Crisis Intervention Training to over 60 Officers.
Public Works	Ambassadors	Engagements	\$ 53,335	Engaging with unsheltered people, connecting to services and resources, logging engagements, issuing warnings for Municipal Code violations.
Community Development	Scattered Site Bridge Housing	Bridge Housing	\$ 423,074	A total of 38 persons were provided temporary bridge housing while receiving case management services.
Community Development	Rose Garden Inn	Fire Prevention	\$ 1,847,790	A total of 63 persons from six high-fire prone encampments were provided bridge housing. Twelved ultimately were permanently housed and 33 became document ready to help obtain housing.
			<b>\$ 2,652,822</b>	
<b>Public Safety and Enforcement</b>				
Airport	Dispatch Patrol	Responding to Security Incidents	\$ 2,249	FY 21, Airport Law Enforcement responded to 38 calls for service that can be directly attributed to homeless issues (i.e. encampments, disturbances, suspicious circumstances, crimes, welfare checks, mental health evaluations/interventions, etc.). This means that the primary reason the call for service was generated was due to an individual's unsheltered status.
Fire Department	Firefighters	Firefighters, Fire Inspectors, Fire Investigators	\$ 652,464	The Fire Department responds to medical emergencies, hazardous conditions, accidents, fires and other calls for service. The Fire Prevention Bureau conducts activities that include: fire code enforcement, inspection of encampments and fire investigations. Prevention personnel also coordinate with other City Departments and CityNet to assist with outreach and intervention. The number and cost of calls for service have increased largely due to: 1) More thorough reporting/documentation, 2) Increased number of fires in all areas of the City, not just the high-fire areas, 3) Vulnerable population that uses the 911 system as the initial point of medical contact.
Library	Librarians	Responding to Security Incidents	\$ 5,277	Response to 87 incidents and provided assistance with 14 calls to 911.
Library	Security Guards	Responding to Security Incidents	\$ 30,003.00	Supported staff and library patrons by monitoring the exterior and interior library grounds, enforcing rules of conduct and calling law enforcement as needed.
Parks & Recreation	Creeks	Enforcement - Code Enforcement Officer	\$ 18,464	The Creeks Division Enforcement officer estimates they spend 35% of their time related to this issue.
Parks & Recreation	Parks	Enforcement - Park Rangers	\$ 216,055	Staff costs associated with park ranger enforcement of homeless-related park issues.
Police Department	Daily Patrol Calls	Enforcement	\$ 800,526	The Department responded to 5,284 calls related to homelessness; including encampments and disturbances.

Police Department	Street Crimes Unit	Enforcement	\$ 625,128	The team's mission is to maintain a proactive police presence, which can include, addressing homelessness issues and facilitating a connection to social services.
Police Department	Patrol - Overtime	Enforcement	\$ 6,844	Overtime for focused patrols related to homelessness on the north end of State Street - Approx. 80 hrs.
Sustainability and Resilience	Environmental Services	Enforcement - Code Enforcement Officer	\$ 33,419	Process all encampment reports submitted to City online system, analyze each situation and dispatch services according to policies, coordinate city staff, coordinate contractors and clean-ups, attend RAP meetings and assist in programming and policy related planning.
Waterfront Department	Harbor Patrol	Medical Responses	\$ 9,500	95 medical calls responding to homeless individuals. Response time , pt. Assessment and treatment
Waterfront Department	Harbor Patrol	Enforcement	\$ 12,000	120 calls for service include wefare checks, enforcement of illegal entrants into locked marinas and facilities and camping on the beach
			<b>\$ 2,411,928</b>	
<b>Encampment Cleanup</b>				
Airport Patrol	Dispatch Patrol	Encampment Cleanups	\$ 3,054	38 calls for service resulted to one day's worth of clean up.
Parks & Recreation	Parks	Encampment Cleanup	\$ 60,100	Numerous small encampments including Plaza del Mar, Ortega Park, Dwight Murphy, Alameda, Pershing, Dolphin Fountain area, Bird Refuge, and Oak Park.
Parks & Recreation	Creeks	Encampment Cleanup	\$ 22,624	The Creeks Division has a contract with Southern Coastal Janitorial to perform cleanups in creeks and beach areas. This is the estimated cost of encampment clean-up during the first half of FY22.
Sustainability and Resilience	Environmental Services	Encampment Cleanups	\$ 72,500	553 Encampment Reports received and processed from the public via the City's encampment website. 137 Clean-Ups conducted. Bi-weekly clean-ups of four City underpasses.
Waterfront Department	Harbor Patrol	Encampment Cleanup	\$ 3,000	Encampment cleanup/removal at East Beach
			<b>\$ 161,278</b>	
<b>Staff Support</b>				
Community Development	Community Development	Staff Support	\$ 73,979	Administration special projects, such as SB ACT Collaborative, City Net outreach services, rental assistance grans, and staff support to various City initiatives to address homelessness, including the Fire-Prone Encampment project, and participation in the Santa Barbara County Continuum of Care program.
Library	Administration Staff	Local Agency Support	\$ 9,408	Participated in meetings with SB Act and other local agencies and working groups to share, collaborate, and problem solve issues impacting those experiencing homelessness.
Parks & Recreation	Parks & Recreation Facilities	Staff Support	\$ 52,593	Costs associated with recreation program and facility staff communicating with program and camp participants, parents, facility renters, parks maintenance staff and park rangers on issues surrounding clean-up requests, and misuse and illegal behaviors.
Sustainability and Resilience	Environmental Services	Staff Support	\$ 9,298	Administration of multi-department centralized clean-up program including technical support for reporting system, attendance at RAP meetings and payment processing.
			<b>\$ 145,278</b>	
<b>Other Impacts</b>				
Library	All Library Staff	Training	\$ 5,000	Increased capacity through each staff member participating in 100 hours of training annually, of which 20% is dedicated to safety and resources that provide support for those experiencing homelessness or at risk of becoming homeless. Further training is currently being developed for the remainder of the year.

Library	Custodial	Restroom/Facility Cleaning	\$ 21,209	Required cleaning/maintenance to maintain clean restrooms, library grounds, and furniture throughout the Library due to high use by individuals experiencing homelessness.
Library	Library Donations	Lost Revenue - Fear of misuse	\$ 50,000	Santa Barbara Public Library Foundation reports that potential major donors have declined to contribute to the Plaza Campaign for fear of misuse of the revitalized space by people experience homelessness, due to previous history and lack of alternative gathering spaces.
Library	Library Facilities	Misuse impact to facility and users	\$ 3,915	Attributing 10-15 percent of all facility repairs and maintenance to this population.
Library	Library Facilities	Lost Revenue - Deterrent Costs	\$ 5,000	Community members have stated they will not rent spaces within the Central Library due to the extensive number of people experiencing homelessness.
Parks & Recreation	Recreation	Two (2) Portable Toilets	\$ 2,073	Portable toilets provided at Dwight Murphy for program users and permitted facility rentals to use due to the unwelcoming and at times aggressive and dangerous behaviors that occur in the permanent park restrooms.
Parks & Recreation	Creeks	Two (2) Portable Toilets and Fencing	\$ 4,732	These costs have increased over the previous year due to additional restrooms and more frequent service being added.
Parks & Recreation	Parks & Recreation Facilities	Security at Cabrillo Pavilion	\$ 35,813	Cost of contract to patrol Cabrillo Pavilion
Parks & Recreation	Parks	Restroom Cleaning and Supply Stocking	\$ 11,989	Cost of additional cleaning and supplies required for restrooms related to misuse and vandalism.
Parks & Recreation	Parks	Misuse impact to parks	\$ 45,000	Cost to repair / replace vandalized irrigation equipment, fencing, restrooms, lights, signage, and other park amenities.
Parks & Recreation	Parks	Powerwashing Parks restrooms and Hardscape	\$ 1,921	Cost of contract to powerwash park restrooms and hardscape. Does not include in-house powerwashing.
Parks & Recreation	Parks	Security Fencing at Various Parks	\$ 3,760	Cost of contract for additional security fencing
Public Works	Facilities Management	Broken Windows	\$ 2,586	Replace Broken Windows (smashed in and broken windows) at La Vista (3Xs), Carrillo Gym, and City Surveyor's Office
Public Works	Facilities Management	Damaged/Vandalized Doors & Locks	\$ 1,175	Replace/repair doors kicked in, transients break-ins, doors locks & key locks tampered/vandalized by transients at Alameda Park, Carrillo Gym, Chase Palm Park, MacKenzie Park, & Eastside Neighborhood Park
Public Works	Facilities Management	Damaged Electrical Outlets	\$ 1,750	Replace/repair damaged outlet covers and electrical outlet boxes that have been tampered with by transients at Police Dept., Skater's Park, Parks, 630 Garden-CD
Public Works	Facilities Management	Restroom Vandalism/Theft	\$ 2,292	Replace/repair broken TP dispensers (transients taking toilet papers) at Dwight Murphy Park, MacKenzie Parks, & Oak Park
Public Works	Facilities Management	Pressure Washing/Cleanup	\$ 1,384	Pressure washing & transient cleanups at Casa Las Palmas, FS#1, 630 Garden, Bohnett Park, & Central Library
Public Works	Downtown Parking Maintenance	Janitorial Services	\$ 2,517	Cleaning and disinfecting soiled stairwells, removing debris from lots, paseos, and State Street.
Public Works	Downtown Parking Maintenance	Pressure washing	\$ 10,504	Extra pressure washing of soiled stairwells, sidewalks, and paseos.
Public Works	Downtown Parking Maintenance	Hazardous waste cleanup	\$ 658	Cleanup of human waste, sharps, and other biohazards
Public Works	Downtown Parking Maintenance	Graffiti cleanup; sign damage and repair	\$ 915	Cleanup and repair of vandalism.
Public Works	Downtown Parking Maintenance	Abandoned Property Removal	\$ 65	Posting notices and removal of abandoned property.
Public Works	Downtown Parking Maintenance	Plumbing & Restroom Repairs	\$ 1,215	Repair of restroom vandalism, clogged toilets and sinks, damaged fixtures.
Public Works	Streets Operations	Right of way waste cleanup	\$ 1,777	Cleaned, sanitized, and disinfected area
			<b>\$ 217,249</b>	
<b>Total</b>			<b>\$ 5,588,555</b>	