

City of Carpinteria
City Council Regular Meeting Agenda
Monday, February 22, 2016
Council Chamber, 5775 Carpinteria Avenue

5:30 p.m. Regular Session

INFORMATION ABOUT CITY COUNCIL MEETINGS:

- The time at which an item on the agenda is scheduled to be heard is an estimate only. The City Council may consider and act on an agenda item in any order it deems appropriate. In addition, an item may be considered earlier or later than the Estimated Time, depending on the length of time which is devoted to other agenda items. All persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure that they are present when the item is called.
- The regular meeting will be broadcast live over Government Access Television Channel 21. The City Council meetings will be rebroadcast on Wednesdays at 8:00 p.m. and Saturdays at 5:00 p.m.
- Materials related to an Agenda item submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 5775 Carpinteria Avenue, Carpinteria, during normal business hours. Such documents are also available on the City of Carpinteria website at www.carpinteria.ca.us subject to staff's ability to post the documents before the meeting.
- Any written or printed material and/or exhibits presented at a City Council meeting or work session become the property of the City.
- Any information presented to the City Council by the public on any agenda item and during Public Comment using electronic media to be displayed on the overhead projector must be arranged with staff for review of materials in advance of the meeting and no later than close of business Wednesday prior to the Council meeting.
- As a courtesy to others and to avoid interference with the public address system, please refrain from using cell phones in the Council Chambers and please turn off all audible pagers and rings.
- If you wish to speak on a matter scheduled for consideration in a closed session, you will have an opportunity to address the City Council before the Council retires to its closed session deliberations.

**ESTIMATED
TIME:**

5:30 p.m. **CALL TO ORDER**

5:30 p.m. **ROLL CALL**

5:31 p.m. **PLEDGE OF ALLEGIANCE**

5:32 p.m. **INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS**

5:32 p.m. **PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS**

5:33 p.m. **CITY MANAGER'S REPORT**

The City Manager will report to the City Council regarding various City and/or community events and/or matters of interest. There will be no City Council discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

5:35 p.m. **PRESENTATIONS BY CITIZENS/PUBLIC COMMENT**

This is a time for public comments on matters not otherwise on the agenda but within the subject matter jurisdiction of the City Council. The Public Comment period is limited to 15 minutes and divided among those persons desiring to speak. No person shall speak longer than three minutes; however, the Mayor may establish shorter periods based on the time available and/or the number of persons waiting to speak. Persons wishing to speak on a specific item will be recognized at the time the agenda item is considered.

Please be aware that items on the consent calendar are considered to be routine and are normally enacted by one unanimous vote of the Council. If you wish to speak on a consent calendar item, or on a matter scheduled for consideration in a closed session at the end of the agenda, please do so during the Presentations by Citizens/Public Comment portion of the meeting.

The City and the City Council are not responsible for the content of statements made during the public comment period, or the factual accuracy of any such statements.

AGENDA MODIFICATIONS: The City Council may modify the regular agenda by tabling items, adding urgency items to the agenda, or changing

the order in which items are considered. Changes to the Consent Calendar are considered at the time the Consent Calendar is considered.

5:50 p.m.

CONSENT CALENDAR (to be approved by roll call vote on one motion with all resolutions and ordinances as read by title only). Individual items may be removed and considered separately at the request of a Councilmember. Any item, which is removed from the Consent Calendar, will be added to the end of the agenda under Other Business.

1. Minutes of the regular meeting held February 8, 2016.
2. Expenditures for the period beginning January 30, 2016 and ending February 17, 2016.
3. Waive reading, adopt and read by title only Ordinance 709, Amending Chapters 3.04, 3.08, 3.12, 3.20, 3.28, 3.45 and 5.04 of the Carpinteria Municipal Code.

This ordinance would impose a “pay first”, litigate later” obligation for litigating tax and assessment disputes, requiring persons challenging such taxes and assessments to make payments to the City prior to commencing any actions in court.

ADMINISTRATIVE MATTER(S): None

PUBLIC HEARING(S): None

OTHER BUSINESS:

5:55 p.m.

4. Receive recommendations on the Community Development Block Grant (CDBG) Public Services Grant Applications and Allocate Programs Funds for 2016-2017

Recommendation: Allocate funding pursuant to the recommendations of the CDBG Committee as follows:

1. Peoples’ Self-Help Housing – Housing the Homeless Program \$7,426.00 (50%)
2. Peoples’ Self-Help Housing – Youth Education Enhancement Program \$7426.00 (50%)

Staff presenter: Shanna Farley-Judkins, Assistant Planner

- a. Staff Report

- b. Public Comment
- c. City Council Determination

- 6:05 p.m. 5. Memorandum of Understanding (MOU) with Carpinteria Skate Foundation

Recommendation: Authorize the Mayor to execute the MOU with the Carpinteria Skate Foundation.

Staff presenter: Matt Roberts, Director of Parks and Recreation

- a. Staff Report
- b. Public Comment
- c. City Council Determination

- 6:25 p.m. 6. Review of Fiscal Year 2015-16 Mid-Year Financial Results and Adjustment of Appropriations

Recommendation: Approve mid-year adjustments to the budget as summarized in Attachment C of the Staff Report.

Staff presenter: Dave Durlinger, City Manager and John Thornberry, Administrative Services Director

- a. Staff Report
- b. Public Comment
- c. City Council Determination

- 6:55 p.m. 7. Authorization to Submit Caltrans Scope and Cost Change Funding Forms 6-B and 6-D for the Carpinteria Avenue Bridge Replacement Project

Recommendation: Authorize the submittal of Caltrans Funding Forms 6-B and 6-D for the Carpinteria Avenue Bridge Replacement Project

Staff presenter: Matt Maechler, Civil Engineer

- a. Staff Report
- b. Public Comment
- c. City Council Determination

- 6:45 p.m. 8. Ordinance No. 710, Adopting Chapter 9.46 of the Carpinteria Municipal Code

This Ordinance would prohibit the storage, provision, sale or distribution of synthetic drugs from any property within the City, and would define a violation of the ordinance as a public nuisance, punishable through administrative remedies and business license suspension or revocation.

Recommendation: Approve Ordinance No. 710, as read by title only (first reading).

Staff presenter: Dave Durflinger, City Manager

- a. Staff Report
- b. Public Comment
- c. City Council Determination

- 7:10 p.m. 9. A Letter of Opposition to Senate Bill 876 (Liu) a Proposed Law That Would, in Part, Preempt Local Regulations That Prohibit Camping in Public Spaces and on Private Properties Open to the Public

Recommendation: Approve for the Mayor's signature a letter of opposition to Senate Bill 876.

Staff presenter: Dave Durflinger, City Manager

- a. Staff Report
- b. Public Comment
- c. City Council Determination

7:50 p.m. **COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS
PRESENTED BY COUNCILMEMBERS**

Informational reports from Councilmember representatives on the committees, commissions and organizations listed below. This is also an opportunity for Councilmembers to request information from staff or seek support from fellow Councilmembers for future agenda items.

- 1. Representatives to Regional Agencies and Committees
 - a. Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) (Shaw/Alt. Carty)
 - b. California Joint Powers Insurance Authority (CJPIA) (Clark/Alt. Shaw)
 - c. Channel Counties Division, League of California Cities (Nomura/Alt. Shaw)

- d. Santa Barbara County Association of Governments (SBCAG)(Clark/Alt. Nomura)
- e. Santa Barbara County Air Pollution Control District (APCD)(Clark/Alt. Nomura)
- f. Santa Barbara Joint Housing Task Group (Carty & Shaw)
- g. Central Coast Collaborative on Homelessness (C3H) (Clark)
- h. South Coast Task Force on Youth Gangs Leadership and Executive Council (Carty & Clark)

2. Joint and Standing Committees

- a. City Council/Chamber of Commerce Board of Directors Committee (Carty & Nomura)
- b. City Council/Public Safety Committee (Clark & Shaw)
- c. City Council/School Board Committee (Stein & Carty)
- d. City Council/Utilities Committee (Stein & Nomura)
- e. City Council/First District Supervisor Committee (Stein & Carty)
- f. City Council Finance/Budget Committee (Stein & Clark)

3. Ad Hoc Committees

- a. Public Facility Site Acquisition/Development Committee (Carty & Nomura)
- b. Transportation Committee (Stein & Shaw)
- c. Joint City Council / Planning Committee General Plan and Coastal Plan Update Committee (Stein & Clark)
- d. Housing Assistance Benefit Committee

4. City Representatives on other Committees

- a. Community Media Access Center (Gary Dobbins)
- b. Santa Barbara Coastal Vector Control District (Ronald Hurd)
- c. Santa Barbara Metropolitan Transit District (Chuck McQuary)

7:53 p.m.

ADJOURNMENT

The next regular meeting to be held on **Monday, March 14, 2016 at 5:30 P.M.**, in the Council Chamber, City Hall, 5775 Carpinteria Avenue, Carpinteria, California.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at 755-5405 or the California Relay Service

at (866) 735-2929. Notification 2 business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

This agenda was posted on Wednesday, February 17, 2016, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.

**City of Carpinteria
City Council Minutes
Regular Meeting
Council Chambers
Monday, February 8, 2016**

CALL TO ORDER

Mayor Carty called the meeting to order at 5:30 p.m.

ROLL CALL

Councilmembers present:

Councilmember Al Clark
Councilmember Wade Nomura
Councilmember J. Bradley Stein
Vice Mayor Fred Shaw
Mayor Gregg Carty

Staff members present:

Dave Durflinger, City Manager
Peter Brown on behalf of Brownstein Hyatt Farber Schreck, LLP, acting as City Attorney of the City of Carpinteria
Jena Acos on behalf of Brownstein Hyatt Farber Schreck, LLP, acting as City Attorney of the City of Carpinteria
Fidela Garcia, City Clerk
Steve Goggia, Acting Community Development Director
Shana Farley-Judkins, Assistant Planner
Matt Roberts, Parks and Recreation Director

PLEDGE OF ALLEGIANCE

All present were led in the salute to the flag by Mayor Carty.

INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS:

1. Presentation to Chip Messmore on Recognition of Service.

Mayor Carty noted that Chip Messmore was unable to attend the City Council meeting; therefore, the presentation would be given at a future date.

PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS: None.

CITY MANAGER'S REPORT

- Second and fourth Saturday of each month is antifreeze, battery, oil, and paint (ABOP) collection days at City Hall. The next collection event will be held on February 13 from 10:00 a.m. to 2:00 p.m. Residents are encouraged to drop off materials that are inappropriate for the waste stream. Household electronics may also be dropped off.
- City Hall will be closed on Monday, February 15, in observance of the Presidents' Day Holiday.
- The City's annual mid-year budget review is scheduled for the February 22 City Council Meeting. Residents are encouraged to participate.

Mayor Carty stated that he would be adjourning the meeting in honor and in memory of Bill Connell, the Hot Dog Man.

PRESENTATIONS BY CITIZENS / PUBLIC COMMENT

Rick Morse stated that he had sent an email to the City a few weeks ago with before and after photographs depicting facial burns and Chicken Pox with the marijuana topical solution, and he also submitted a PowerPoint and a draft prototype ordinance for the City Council's consideration. He noted that Rob Schultz from the City of Morro Bay assisted him with this draft ordinance, and the City of Fresno was planning on adopting the ordinance. He stated that he met with staff members, the Planning Commission, and the City of Santa Barbara, and he received a copy of their application process and City ordinance, which he believes to be complicated. He suggested it would be a good ordinance with a few minor revisions. He noted that the City of Santa Barbara is banning growing marijuana in the city limits and requires the growing to be in the Counties of Santa Barbara, Ventura, or San Luis Obispo. He suggested the City Council explore the ordinances that have worked throughout the State.

Jason Rodriguez, representing The Food Liaison, thanked the City and the Carpinteria Valley Chamber of Commerce for selecting The Food Liaison as Small Business of the Year. He stated that in appreciation The Food Liaison would be hosting a special mixer on February 24 from 5:00 p.m. to 7:00 p.m. at 1029 Casitas Pass Road next to their current space where they will be featuring many local artists, music, floral arrangements, and food. He spoke about 2 ½-year old Forrest Holt, who is suffering from end stage renal disease and who is facing a kidney transplant as well as several major surgeries. He stated that The Food Liaison hosted a fundraiser for him by donating all of the profit from their lunch counter plus tips, and matched the tips to give to Forrest. He noted that their total net sales from February 5 were \$2,089.12 and tips were \$1,581.26, which was matched by him and his wife, for a total of \$5,251.64. He stated that he and his wife hold a special connection to Forrest because they had a son who lived only three days and who also suffered from similar kidney failure. He thanked the community for their support in the fundraiser.

W. Scott Burns presented a photo of the Tournament of Roses Parade float to the City Council from Donate Life that handles organ donations and kidney transplants. He stated that he received a kidney transplant on Memorial Day last year. He thanked Councilmember Nomura for making this presentation at the Tournament of Roses Parade, and he thanked the City Council for issuing a proclamation recognizing the month of April as Donate Life Month. He invited the City Council to participate in a Run Walk in Fullerton in April.

Joyce Donaldson, representing the Carpinteria Valley Chamber of Commerce, acknowledged Vice Mayor Shaw for speaking at the Legislative Breakfast on February 5. She noted that Senator Hannah-Beth Jackson and Greg Hart from Caltrans also spoke at this event. She invited everyone to the following events: ribbon cutting event and celebration of the Chinese New Year on February 9 at 5:00 p.m. at the Hara Healing Center; Surfs Up, Get on Board Chamber Bagel and Brew Crew at Rabobank on February 11; and Mega Mixer at Shepard's Plaza on February 24. She stated that beginning in March LinkedIn will be one of their new members and they will be presenting a series of Pop Your Profile seminars at the Chamber office on March 4.

AGENDA MODIFICATIONS: None

CONSENT CALENDAR

Motion by Councilmember Stein, seconded by Vice Mayor Shaw, to approve the Consent Calendar as presented and resolutions as read by title only.

Upon voice vote motion carried unanimously, with Councilmember Nomura abstaining from Item 5.

2. Minutes of the regular meeting held January 25, 2016.
3. Expenditures for the period beginning January 20, 2016 and ending January 29, 2016.
4. Resolution No. 5637, authorizing the application for grant funds from the California State Parks Division of Boating and Waterways Beach Restoration and Erosion Control Program for a Shoreline Protection Feasibility Study.
5. Approval of Revisions to the Freeway Maintenance Agreement with the California Department of Transportation associated with Linden Avenue/Casitas Pass Road Interchangers Project.

ADMINISTRATIVE MATTERS: None

PUBLIC HEARINGS:

6. Introduction (first reading) Of Ordinance No. 708 amending provisions of the City's Local Coastal Program and Zoning Code regarding Short-term Rentals (Home Stays and Vacation Rentals) and amending the City's Zoning Map to establish a Vacation Rental Overlay District. Changes to the Zoning Code include: the addition of Chapter 14.47 titled, "Vacation Rental Overlay District" and Chapter 14.52 titled, "Home Stays"; the amendment of Section 14.04.060 Overlay Districts, adding new overlay districts; the amendment of Chapter 14.08 Definitions, adding terms related to the Short-Term Rental provisions; and the amendment of Chapter 14.12 R-1 Single-Family Residential District, Chapter 14.14 PRD Planned Residential Development District, and Chapter 14.16 PUD Planned Unit Development District, adding new use types, as read by title only.

Recommendation: City Council approve Resolution No. 5644, as read by title only, certifying that Ordinance No. 708 is intended to carry out the policies of the City's Coastal Land Use Plan consistent with the California Coastal Act and direct the proposed amendments and additions to the Zoning Code, as part of Ordinance No. 708, be transmitted to the California Coastal Commission; and approve Ordinance No. 708 as read by title only (first reading).

Councilmember Stein recused himself from this item because his wife works for Sunset Shores. Councilmember Nomura recused himself from this item because his wife is a realtor. Councilmembers Stein and Nomura stepped down from the dais and exited the Council Chambers at 5:47 p.m.

Peter Brown on behalf of Brownstein Hyatt Farber Schreck, LLP, acting as City Attorney of the City of Carpinteria, noted that the Government Code provides that when the City Council adopts an ordinance a majority vote is required of the full City Council; therefore, three affirmative votes would be needed in order to adopt the ordinance and the resolution.

Peter Durflinger, City Manager, presented the staff report.

Shana Farley-Judkins presented a PowerPoint presentation of proposed Ordinance No. 708 and Administrative Policy.

Jena Acos on behalf of Brownstein Hyatt Farber Schreck, LLP, acting as City Attorney of the City of Carpinteria, spoke regarding the broad police powers that authorizes cities to regulate short-term vacation rentals.

Councilmember Carty inquired regarding the State of California's regulations for short-term vacation rentals. Jena Acos on behalf of Brownstein Hyatt Farber Schreck, LLP, acting as City Attorney of the City of Carpinteria responded that she believed the State Legislature was still the process of creating a bill; however, she believed it does not affect how local agencies regulate short-term rentals. She also stated she believed the State regulations would deal with enforcement that will affect Airbnb and vacation rent

by owner (VRBO), and may address transient occupancy tax (TOT) requirements. Peter Brown on behalf of Brownstein Hyatt Farber Schreck, LLP, acting as City Attorney of the City of Carpinteria Peter Brown added that nothing had come before the Legislature for final action at this point.

Councilmember Clark inquired whether short-term vacation rentals were currently legal in commercial business district zones. Ms. Farley-Judkins responded that short-term vacation rentals could be permitted under the current bed and breakfast permit or motel regulation as part of a development plan. She noted there were a number of properties that could convert to short-term vacation rentals; however, they would need to go before the Planning Commission as part of a development permit.

Councilmember Clark inquired whether the side street areas on Linden next to the commercial business district could become legal areas for short-term vacation rentals. Ms. Farley-Judkins referred to the zoning map and noted that the Downtown T is one block from Linden. She also noted that small motels and small apartment units fall under older vacation rental regulations and these units would not be permitted as short-term vacation rentals in the future.

Councilmember Clark noted there were issues and concerns regarding home stays due to inability to regulate these units and he inquired whether there would be a cap placed on the number of guests who can stay in home stay units. Ms. Farley-Judkins responded that regulations for home stays would be similar to the short-term vacation rentals with the exception that the permanent homeowners are included in the number of guests.

Councilmember Clark noted that the proposed ordinance was based upon significant research on policies and regulations from several coastal resort cities. He inquired whether staff had explored the policies and regulations from the City of Santa Barbara. Ms. Farley-Judkins responded that staff had explored these policies and regulations. She stated that the City of Santa Barbara is an anomaly because of their different view of regulations. She also stated that it was her understanding that the City of Santa Barbara enforces a prohibition of vacation rentals in their residential neighborhoods.

Councilmember Clark referred to the ordinance section regarding Purpose and Intent regarding the Rental Overlay District and noted that short-term vacation rentals would only be allowed in the Vacation Rental Overlay District. He inquired whether short-term vacation rentals could exist anywhere else in the City. Ms. Farley-Judkins responded that short-term vacation rentals would only be permissible in this overlay boundary and home stays could be permitted in residential districts.

Vice Mayor Shaw noted that correspondence was received regarding concerns with takings and licensing. Jena Acos on behalf of Brownstein Hyatt Farber Schreck, LLP, acting as City Attorney of the City of Carpinteria responded that legal counsel did not believe the City would have liability regarding takings; however, there would always be

the possibility that a challenge could be brought forth. She stated that in this situation a license does not grant a permanent right and a license might add value to the property.

Mayor Carty opened the Public Hearing at 7:00 p.m.

Gay McMichael, beach area property owner, stated that she purchased her condominium for personal use and for vacation rental. She noted that her condominium has been licensed as a vacation rental since 2007. She spoke in support of the transferability language in the ordinance. She expressed concern with property values for properties with and without a license. She also expressed concern that during the Planning Commission meeting comments were made that there were very few complaints; however, comments were made during this meeting that there were complaints, which caused this process to move forward. She noted that her condominium is in Subarea 1 and she questioned the differentiation within Subarea 1. She asked for clarification on the legal requirement for the property owner to post contact information on the outside of the property. Dave Durlinger, City Manager, responded that differentiation was based on comment letters the City received in part on the City's history. He stated that it was suggested in the comment letters that not all things are equal in the beach neighborhood defined as Subarea 1. For example, some properties are closer to the beach and there are differences in development pattern and density.

Alec Bruice, President of Santa Barbara Association of Realtors, noted the Association submitted a letter regarding this issue. He thanked the City Council on its approach related to the vacation rental issue in order to strike a balance on how a property owner may utilize their property and ensure that they are good neighbors. He asked the City Council to reconsider the quantitative cap because it is unnecessary with the Vacation Rental Overlay zone and it could become problematic as soon as the cap is reached. He urged the City Council to remove the provision for a quantitative cap so that all property owners within the Vacation Rental Overlay zone would have the same rights.

Stella Anderson suggested that the City Council consider the sale of one of these properties and the fact that certain properties have increased in value 25 to 35 percent due to the fact that the property owners may rent their properties on a short-term basis. She expressed concern on how a property would be valued based on whether it could be rented on a short-term basis. She suggested that when a property is sold the new owner should have the first option for a permit for a short-term rental.

Leslie Gascoigne, resident on Olive Avenue, stated she was opposed to short-term rentals in the City. She also stated she lives in the beach area near one of the recommended vacation short-term rental zones. She referred to the General Plan and read the following, "The goal of the community is to preserve the essential character of their small beach town, its family-oriented residential neighborhoods, its unique visual and natural resources, and its open rural surroundings while enhancing recreational, cultural, and economic opportunities for our citizens." She stated she wanted to focus

on the fact that residents, not tourists, live in residential neighborhoods, and she noted that the General Plan also states that the City has an inadequate amount of housing compared to the number of jobs. She commented that VRBOs do not improve this situation, and there were currently five hotels being considered for Carpinteria that have the potential to house hundreds of tourists. She expressed concern with the amount of extra work the City will need to do if VRBOs are approved. She requested that the City Council consider a fair approach so that the impacts are distributed throughout the City versus specific zone districts, place a cap on the amount of short-term rentals, and create a lottery system.

Jim Reginato asked the City Council to reject the ordinance as a whole. He suggested the City Council look at how the City of Santa Barbara handles short-term vacation rentals by rejecting them all. He stated that people who move into a residential area expect it to be residential, and zoning areas should remain how they were adopted.

Michael Noling, Boardmember, Treasurer, and unit owner of the Solimar Sands Condominium Homeowners Association, expressed concern that the proposed ordinance restricts Solimar Sands condominium owners from renting their units now or in the future. He stated that the proposed ordinance would restrict property owners of their property rights by revoking short-term rental rights when they transfer or sell their units. He also stated that the proposed ordinance would negatively impact their property value and reduce their rental operation income. He expressed that he believed the beach neighborhood should continue to be the primary area for licensed vacation rentals. He suggested that should the City Council go forward with adopting this ordinance, that the City Council consider increasing the number of eligible vacation rental licenses in the beach neighborhood to 250 units. He also suggested that if quantitative caps are adopted on vacation rentals in the beach neighborhood, that the City Council allow owners to transfer a vacation rental license upon sale and explain how the ordinance and staff will manage the administrative process.

Gail Marshall stated that she supports adequate affordable housing for individuals who work in Carpinteria. She also stated there were currently 218 known vacation rental properties, enforcement is difficult and expensive, there is not enough staff, and permitting is a very long, problematic process. She also stated that she did not see the prudence in increasing the number of vacation rentals, and it takes away from affordable rentals for local workers.

Dana Rosenberg, 20-year resident and renter in Carpinteria, stated she is an attorney who has represented several local property owners and two homeowners associations on Sandy Land Road. She indicated that she recognizes the need to house the local critical workforce community. She stated there needed to be some differentiation in Subarea 1 because these units were purchased with the knowledge that some of the units would be used as vacation rentals. She expressed concern that quantitative capping of the number of vacation rentals does not serve the goal of the law to avoid nuisances, does not increase the rental market, and would not create low-income or

moderate housing. She asked the City Council to reconsider the quantitative cap instead of basing this on how many units are currently rented, and consider units that are professionally managed.

Lynn Gates, local realtor, stated she manages rentals and short-term rentals in the beach area. She noted that addresses and information are not posted on VRBOs due to security reasons. She asked that the City Council look at vacation rentals as a whole in the downtown and in residential areas. She stated that she believed Subarea 1 is different and not allowing short-term rentals would leave the units vacant, bring less business to the downtown, and create a loss of activities in those areas. She asked the City Council to consider quantitative caps in Subarea 1. She also stated that she did not believe that eliminating vacation rentals would create more rental housing opportunities.

Eileen Mira, accompanied by Gail McAdcar, stated they own four properties on Sandy Land. She noted that three of their units have a professional onsite manager with two of the units having licenses and the third in the midst of remodeling with the intent of renting the unit. She stated that she believed there was only one single-family residence on Sandy Lane, and many people have rented units in Sandy Land for 30 to 40 years. She expressed her hopes that her license will be transferable, and stated that she believed it would be detrimental to place a cap. She also stated she believed the proposed ordinance should be considered for the right of the property owners and for what is right for Carpinteria.

Mary Clark, 45-year resident of Carpinteria, stated that she owns a condominium in the beach area and she has lived in the unit for 27 years. She also stated that once she is physically unable to live in her unit, she would like to have the ability for her or her family to rent out her unit.

Mayor Carty closed the Public Hearing at 7:35 p.m.

Mayor Carty noted that Sandy Land Corridor Subarea 1 has been the primary short-term vacation rental area in Carpinteria. He expressed his support that the Sandy Land Corridor not have a quantitative cap.

Vice Mayor Shaw stated that he agreed with Mayor Carty; however, there was an issue of fairness for the people who live between there and the railroad tracks who own duplexes and triplexes, and who would also like to have transferability of their properties. He inquired what would occur should the City Council cease allowing short-term vacation rentals or place a cap on them, and what would that do as far as the transferability and property tax values of the entire Sandy Land Corridor. He also inquired regarding the fee schedule for renewing the annual license and suggested the fee should be tiered for those who already have a license. He also inquired regarding the addition of 10 short-term vacation rentals in Subarea 4 and he expressed concern because there are a lot of single-family homes in that area along Palm Avenue and near

Main School. He also expressed concern with parking, especially in Subarea 4 and Subarea 3.

Councilmember Clark expressed his opinion that the City Council should not have permitted short-term vacation rentals in residential and PRD zones. He expressed concern with the availability of affordable housing for local workers and families. He also expressed concern that the City could be encouraging bad practice when there are hotels available for tourists. He addressed the comments made regarding property rights and suggested that property owners should refer to the property's zoning designation. He stated he was not in favor of zone districts in the proposed ordinance, but believes there is value in regulating short-term vacation rentals. He stated that he could support continuing to allow short-term vacation rentals in the beach area and give further consideration to the Sandy Land issue. He also stated he would not support short-term vacation rentals in any of the PRD zones, and he would support eliminating Zones 2, 3, and 4.

Motion by Councilmember Clark to authorize staff to go back and research his suggestions, and send it to the Planning Commission.

Vice Mayor Shaw stated he would be comfortable with eliminating Zones 3 and 4 completely. He noted that Zone 2 is long-standing. He also stated he could support breaking off Sandy Land on its own, allowing short-term vacation rentals in Zone 1, and allowing what is currently in Zone 2.

Mayor Carty stated he supports the Sandy Land Corridor not having a quantitative cap on residences that face Sandy Land and on the beach side. He also stated he supports increasing Subarea 2 to 20 short-term vacation rental units instead of 12, and increasing Subarea 3 by three more short-term vacation rentals for a total of five.

Councilmember Clark's motion failed for lack of a second.

Motion by Mayor Carty to approve staff's recommendation with the exception of making the Sandy Land Corridor without a quantitative cap.

Mr. Durflinger stated that based on the City Council's discussion, it appeared the City Council would support creating a Sandy Land Corridor district to be a subpart of Subarea 1 and if there is no cap then the transfer issue would not apply. He stated there were other options available for the remainder of Subarea 1 including no transfer of license. He also stated that if the City Council wanted to create some special conditions rather than the lottery process, such as a first right of refusal from a new owner, that staff could bring back information regarding this alternative.

Councilmember Clark expressed his support for keeping the caps as they currently exist.

Ms. Farley-Judkins stated there were currently 300 total units that fall within the boundary of units fronting Sandy Land Road either on the beach or mountainside. She also stated that there were 140 licensed vacation rentals in that boundary, and the area not fronting Sandy Land included 200 total units with 30 vacation rentals.

Councilmember Clark expressed his concern with having 300 units in Sandy Land area that could become vacation rentals and with the impacts for that area.

Motion restated by Mayor Carty to approve staff's recommendation and splitting off Sandy Land Corridor without a quantitative cap, and a quantitative cap of 150 short-term vacation rentals in the remainder of Subarea 1. Motion died for lack of a second.

Mr. Durflinger stated that if the City Council could not take action to approve the ordinance with the required three votes nor agree on direction, then the matter would end tonight and the status quo would continue.

Mayor Carty stated that he wanted to maintain residential neighborhoods and maintain short-term vacation rentals. He noted that Sandy Land has always been a primary vacation rental area.

Councilmember Clark requested that the City Manager fully enforce the PRD Zone Code and not permit any more short-term rentals in PRD Zone Code.

It was the consensus of the City Council to have Sandy Land stand alone from Subarea 1, eliminate areas 2, 3, 4 by a two-year amortization period, and have staff take these options back to the Planning Commission for deliberation.

Mr. Durflinger noted that the City Council did not discuss home stays under the short-term rental umbrella, and without further direction home stays regulations would remain status quo.

The City Council expressed their concern with home stays in residential areas due to traffic impacts.

Mr. Durflinger noted the first alternative considered and rejected by the Planning Commission was to treat home stays the same as short-term vacation rentals and apply the same limits that home stays would not be permitted in single-family residences. He stated that staff would take back to the Planning Commission parking and occupancy standards to describe what the standards would be in the proposed ordinance, research other jurisdictions' regulations and approaches, discuss transferability options, and bring back to the City Council after the Planning Commission's deliberation.

The City Council recessed to a break at 8:30 p.m. and reconvened at 8:39 p.m.

Councilmembers Nomura and Stein returned to the Council Chambers and took their seats at the dais.

OTHER BUSINESS:

7. 2015 Annual Integrated Pest Management (IPM) Report

Recommendation: Receive and file.

Matt Roberts, Parks and Recreation Director, presented the staff report.

Councilmember Clark inquired regarding the status of the IPM Committee. Mr. Roberts responded that staff attempted five times to call a meeting of the IPM Committee; however, they were unable to have a quorum and the committee did not meet the past year. He noted that City staff operated under the intent of the IPM policy.

Councilmember Nomura noted that last year they discussed injecting some of the Cambien trees for tree bores. He inquired whether the results were tracked and whether they were successful. Mr. Roberts responded that the only tree application done last year were to the Tipuana trees on Linden Avenue for an insecticidal soap. He noted that injection to the Cambien trees were done two years ago; however, there was a concern because the product used could move into the bee population. Councilmember Nomura noted that the City recently received a notice of the Asian Citrus Psyllid and he inquired whether this was being addressed. Mr. Roberts responded that this was not being addressed in the parks system; however, it might be that it was being addressed by the Agriculture Commission or the USDA working with areas that have citrus trees. Councilmember Nomura suggested placing articles regarding the City's IPM efforts.

There were no Public Comments.

Motion by Councilmember Stein, seconded by Vice Mayor Shaw, to receive and file 2015 Annual Integrated Pest Management (IPM) Report.

Upon voice vote, motion carried unanimously.

8. Ordinance No 709, Amending Chapters 3.04, 3.08, 3.12, 3.20, 3.38, 3.45 and 5.04 of the Carpinteria Municipal Code.

This ordinance would impose a "pay first", litigate later" obligation for litigating tax and assessment disputes, requiring persons challenging such taxes and assessments to make payments to the City prior to commencing any actions in court.

Recommendation: Approve Ordinance 709, as read by title only (first reading).

Peter Brown, on behalf of Brownstein Hyatt Farber Schreck, LLP, acting as City Attorney of the City of Carpinteria, presented the staff report.

There were no Public Comments.

Motion by Councilmember Clark, seconded by Councilmember Nomura, to approve and adopt Ordinance No. 709, as read by title only (first reading).

Upon voice vote, motion carried unanimously.

COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS PRESENTED BY COUNCILMEMBERS:

Vice Mayor Shaw reported that he, Mayor Carty, and Acting Community Development Director Steve Goggia attended the Santa Barbara Joint Housing Task Force meeting the previous week where representatives from the University of California Santa Barbara and Santa Barbara City College discussed their efforts in housing development.

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

ADJOURNMENT

The meeting was adjourned at 9:02 p.m. by Mayor Carty, in honor and in memory of Bill Connell, the Hot Dog Man.

Gregg A. Carty, Mayor

ATTEST:

Fidela Garcia, CMC, City Clerk



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 22, 2016

ITEM FOR COUNCIL CONSIDERATION

Expenditures for the period beginning January 30, 2016 and ending February 17, 2016.

STAFF RECOMMENDATION

Action Item ____ ; Non-Action Item X

Motion: That the City Council accept this report concerning the current list of warrants pursuant to Carpinteria Municipal Code 2.08.150(F).

DISCUSSION

As part of each regular City Council agenda, a list of all checks (attached) dispersed since the last reporting period is presented to the City Council pursuant to C.M.C. 2.08.150(F). The report is provided for City Council and public information and serves as Staff's verification that the expenditures have been reviewed and are within budgeted appropriations.

FINANCIAL CONSIDERATIONS

The warrant register included as an attachment is designed to communicate fiscal activity since the prior reporting period. No action is requested as part of this report.

ATTACHMENTS

Attachment A: Warrant Register for the period beginning January 30, 2016 and ending February 17, 2016.

Staff contact: Monique Epley, Finance Supervisor
(805) 684-5405 ext. 406

moniquee@ci.carpinteria.ca.us


Signature

Reviewed by: John Thornberry, Admin. Services Director



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

2:01 PM
02/17/16

CITY OF CARPINTERIA
Warrant Register
January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
02/10/16	87537	GRACENOTE	GRACENOTE	VOID: 0671473	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87537	76 FLEET SERVICES	76 FLEET SERVICES	INVOICE 43887011	1000101 · Operating Cash 10	
01/31/16	43887011		76 FLEET SERVICES	VEHICLE FUEL	1013307 · Vehicle Oper & Mainten...	(3.00)
			76 FLEET SERVICES	VEHICLE FUEL	2531307 · Vehicle Oper & Mainten...	(77.26)
			76 FLEET SERVICES	VEHICLE FUEL	3332307 · Vehicle Oper & Mainten...	(212.02)
TOTAL						(292.28)
02/10/16	87538	HUGO'S AUTO DETAIL	HUGO'S AUTO DE...	VOID: JANUARY 2016 SERVICES	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87538	ALL AROUND LANDSCAPE SUPPLY	ALL AROUND LAN...	S1851363.001	1000101 · Operating Cash 10	
01/12/16	S1851363.0...		ALL AROUND LAN...	ROW	3332308 · Supplies & Materials 32	(28.35)
TOTAL						(28.35)
02/10/16	87538	HUGO'S AUTO DETAIL	HUGO'S AUTO DE...	JANUARY 2016 SERVICES	1000101 · Operating Cash 10	
02/01/16	JAN 2016 S...		HUGO'S AUTO DET...	JAN 2016 SERVICES	1013307 · Vehicle Oper & Mainten...	(32.00)
TOTAL						(32.00)
02/10/16	87539	JOHNSON, ZOE & GIB	JOHNSON, ZOE & ...	VOID: PROJ 1805 REFUND	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87539	BAY ALARM	BAY ALARM	ACCOUNT 544852	1000101 · Operating Cash 10	
01/15/16	5448521601...		BAY ALARM	MONITORING SERVICE FEE	4866308 · Supplies & Materials 66	(186.75)
TOTAL						(186.75)
02/10/16	87539	JOHNSON, ZOE & GIB	JOHNSON, ZOE & ...	VOID: PROJ 1805 REFUND	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87540	LAWSON PRODUCTS INC	LAWSON PRODUC...	VOID: 9303823807	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87540	BUENA TOOL COMPANY	BUENA TOOL COM...	C2590	1000101 · Operating Cash 10	

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
 January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
01/12/16	86855		BUENA TOOL COM...	PW SHOP	3332308 · Supplies & Materials 32	(367.20)
01/14/16	86695		BUENA TOOL COM...	GONZALEZ SAFETY ACCOUNT	1013197 · Indiv Equip Reimburse...	(58.32)
01/19/16	87202		BUENA TOOL COM...	PW SHOP	2531308 · Supplies & Materials 31	(53.08)
TOTAL						(478.60)
02/10/16	87540	LAWSON PRODUCTS INC	LAWSON PRODUC...	9303823807	1000101 · Operating Cash 10	
01/15/16	9303823807		LAWSON PRODUC...	GENERAL SHOP SUPPLIES	3332308 · Supplies & Materials 32	(134.49)
TOTAL						(134.49)
02/10/16	87541	LINCOLN AQUATICS	LINCOLN AQUATICS	VOID: INVOICE #SI281885	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87541	C S M F O	C S M F O	2016 CSMFO MEMBERSHIP RENEWAL	1000101 · Operating Cash 10	
02/01/16	2016 RENE...		C S M F O	2016 CSMFO RENEWAL	1014305 · Dues & Subscriptions 14	(110.00)
TOTAL						(110.00)
02/10/16	87542	MISSION UNIFORM SERVICE	MISSION UNIFORM...	VOID: JANUARY 2016 UNIFORM	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87542	CARPINTERIA VALLEY WATER DISTRICT	CARPINTERIA VAL...	JAN 2016 BILLING	1000101 · Operating Cash 10	
01/28/16	JAN 2016 BI...		CARPINTERIA VAL...	CIVIC CENTER	1013312 · Utility - Water 13	(355.88)
			CARPINTERIA VAL...	PARKING	3332312 · Utility - Water 32	(1,287.59)
			CARPINTERIA VAL...	PARKS	2361312 · Utility - Water 23	(7,165.36)
			CARPINTERIA VAL...	POOL	4866312 · Utility - Water 66	(687.00)
			CARPINTERIA VAL...	VETS HALL	4865309 · Misc Operating Expens...	(211.23)
			CARPINTERIA VAL...	PROJ 4865	1000251 · Development Deposits	(428.87)
TOTAL						(10,135.93)
02/10/16	87543	MNS ENGINEERS INC	MNS ENGINEERS I...	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87543	CHANNEL ISLANDS DO IT BEST	CHANNEL ISLAND...	10001	1000101 · Operating Cash 10	
01/31/16	JAN 2016 S...		CHANNEL ISLAND...	CODE ENFORCEMENT	1022308 · Supplies & Materials 22	(8.06)
			CHANNEL ISLAND...	BEACHES	2862308 · Supplies & Materials 62	(12.62)
			CHANNEL ISLAND...	CIVIC CENTER	1013224 · Interior Maintenance	(11.64)
			CHANNEL ISLAND...	PARKS	2361221 · Miscellaneous Contracts	(32.03)
			CHANNEL ISLAND...	POOL	4866308 · Supplies & Materials 66	(51.63)
			CHANNEL ISLAND...	PARKS	2361221 · Miscellaneous Contracts	(4.85)
			CHANNEL ISLAND...	PROJ 4865	1000251 · Development Deposits	(53.57)
			CHANNEL ISLAND...	PROJ 4865	1000251 · Development Deposits	(13.58)

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
 January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
			CHANNEL ISLAND...	CIVIC CENTER	1013308 · Supplies & Materials 13	(11.66)
			CHANNEL ISLAND...	POOL	4866308 · Supplies & Materials 66	(51.21)
			CHANNEL ISLAND...	POOL	4868308 · Supplies & Materials 68	(5.80)
			CHANNEL ISLAND...	PARKS	2361221 · Miscellaneous Contracts	(19.43)
			CHANNEL ISLAND...	POOL	4868308 · Supplies & Materials 68	(1.94)
			CHANNEL ISLAND...	PROJ 4865	1000251 · Development Deposits	(113.03)
			CHANNEL ISLAND...	SEAL FOUNTAIN	2862308 · Supplies & Materials 62	(22.69)
			CHANNEL ISLAND...	SIGNAGE	2862308 · Supplies & Materials 62	(6.66)
			CHANNEL ISLAND...	POOL	4866308 · Supplies & Materials 66	(32.06)
TOTAL						(452.46)
02/10/16	87543	MNS ENGINEERS INC	MNS ENGINEERS I...		1000101 · Operating Cash 10	
01/20/16	66526		MNS ENGINEERS I...	PROJ 1742	1000251 · Development Deposits	(462.50)
01/20/16	66527		MNS ENGINEERS I...	ENGINEERING SERVICES	2536226 · Engineering Retainer	(200.00)
TOTAL						(662.50)
02/10/16	87544	MORAGA, VIC	MORAGA, VIC	VOID: FEBRUARY FIRST FRIDAY	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87544	CHANNEL ISLANDS YMCA	CHANNEL ISLAND...	POOL REFUND	1000101 · Operating Cash 10	
02/04/16	POOL REF...		CHANNEL ISLAND...	POOL USE REFUND	4848426 · POOL SPECIAL EVEN...	(1,390.00)
TOTAL						(1,390.00)
02/10/16	87545	PRAXAIR	PRAXAIR	VOID: 54677504	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87545	COAST AUTO PARTS, INC.	COAST AUTO PAR...	JAN 2016 BILLING	1000101 · Operating Cash 10	
01/31/16	JAN 2016 BI...		COAST AUTO PAR...	TRACTOR	2862308 · Supplies & Materials 62	(7.88)
			COAST AUTO PAR...	PW SHOP	2531307 · Vehicle Oper & Mainten...	(16.44)
			COAST AUTO PAR...	CIVIC CENTER	1013224 · Interior Maintenance	(8.97)
			COAST AUTO PAR...	UNIT 320	2531307 · Vehicle Oper & Mainten...	(13.10)
			COAST AUTO PAR...	TRACTOR	2531307 · Vehicle Oper & Mainten...	(27.64)
			COAST AUTO PAR...	VEHICLE MAINTENANCE	2531308 · Supplies & Materials 31	(8.20)
			COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(22.94)
TOTAL						(105.17)
02/10/16	87545	PRAXAIR	PRAXAIR	54677504	1000101 · Operating Cash 10	
01/20/16	54677504		PRAXAIR	PW SUPPL,IES	2531308 · Supplies & Materials 31	(28.18)
TOTAL						(28.18)

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
 January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
02/10/16	87546	PROFESSIONAL WASH CENTER	PROFESSIONAL W...	VOID: 8581	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87546	COLSON'S TOWING INC	COLSON'S TOWIN...	INVOICE 42316	1000101 · Operating Cash 10	
12/11/15	42316		COLSON'S TOWIN...	TOWING EXPENSE	2531307 · Vehicle Oper & Mainten...	(65.00)
TOTAL						(65.00)
02/10/16	87547	ROCKWELL PRINTING	ROCKWELL PRINT...	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87547	DAL POZZO TIRE CORP	DAL POZZO TIRE ...	INVOICE 076562	1000101 · Operating Cash 10	
01/14/16	076562		DAL POZZO TIRE C...	VEHICLE REPAIR & SERVICE	2531307 · Vehicle Oper & Mainten...	(172.50)
TOTAL						(172.50)
02/10/16	87548	S & S SEEDS	S & S SEEDS	VOID: INVOICE #OP-56604-16	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87548	FIDELITY SECURITY LIFE INSURANCE	FIDELITY SECURIT...	INVOICE #9041647	1000101 · Operating Cash 10	
02/01/16	9041647		FIDELITY SECURIT...	FEBRUARY 2016	1016194 · Wellness 16	(8.78)
			FIDELITY SECURIT...	FEBRUARY 2016	1041194 · Wellness 41	(8.78)
			FIDELITY SECURIT...	FEBRUARY 2016	1030194 · Wellness 30	(8.78)
			FIDELITY SECURIT...	FEBRUARY 2016	1030194 · Wellness 30	(25.81)
			FIDELITY SECURIT...	FEBRUARY 2016	1022194 · Wellness 22	(17.56)
			FIDELITY SECURIT...	FEBRUARY 2016	2531194 · Wellness 31	(25.81)
			FIDELITY SECURIT...	FEBRUARY 2016	1069194 · Wellness 69	(8.78)
			FIDELITY SECURIT...	FEBRUARY 2016	1051194 · Wellness 51	(16.68)
			FIDELITY SECURIT...	FEBRUARY 2016	1011194 · Wellness 11	(8.78)
			FIDELITY SECURIT...	FEBRUARY 2016	1069194 · Wellness 69	(25.81)
			FIDELITY SECURIT...	FEBRUARY 2016	1044194 · Wellness 44	(16.68)
			FIDELITY SECURIT...	FEBRUARY 2016	2531194 · Wellness 31	(8.78)
			FIDELITY SECURIT...	FEBRUARY 2016	1012194 · Wellness 12	(16.68)
TOTAL						(197.71)
02/10/16	87549	SANTA BARBARA COUNTY, PLANNING & ...	SANTA BARBARA ...	VOID: INVOICE DEC15RCTS	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87549	FIRST BANKCARD	FIRST BANKCARD	5246	1000101 · Operating Cash 10	
01/27/16	5246		FIRST BANKCARD	PARKS	2361221 · Miscellaneous Contracts	(48.59)
			FIRST BANKCARD	POOL	4868308 · Supplies & Materials 68	(169.89)
			FIRST BANKCARD	SIGNAGE	2862308 · Supplies & Materials 62	(818.00)

2:01 PM
02/17/16

CITY OF CARPINTERIA
Warrant Register
January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
			FIRST BANKCARD	SIGNAGE	2361221 · Miscellaneous Contracts	(46.35)
			FIRST BANKCARD	SIGNAGE	4863308 · Special Events Expenses	(28.69)
			FIRST BANKCARD	COACH HATHAWAY	4868308 · Supplies & Materials 68	(95.00)
			FIRST BANKCARD	COACH YOUNGS	4868308 · Supplies & Materials 68	(35.00)
			FIRST BANKCARD	CLUB MEMBERSHIP	4868308 · Supplies & Materials 68	(245.00)
			FIRST BANKCARD	COACH ORGANISTA	4868308 · Supplies & Materials 68	(95.00)
TOTAL						(1,581.52)
02/10/16	87550	SANTA BARBARA COUNTY, SHERIFF'S D...	SANTA BARBARA ...	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87550	GRACENOTE	GRACENOTE	0671473	1000101 · Operating Cash 10	
02/01/16	0671473		GRACENOTE	PROJ 4863 GATV LISTING	1000251 · Development Deposits	(59.71)
TOTAL						(59.71)
02/10/16	87551	SANTA BARBARA PEST CONTROL	SANTA BARBARA ...	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87552	SANTA BARBARA SAND & TOP SOIL CORP	SANTA BARBARA ...	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87553	SBCA	SBCA	VOID: INVOICE #7241	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87553	SBCA	SBCA	INVOICE #7241	1000101 · Operating Cash 10	
02/10/16	7241		SBCA	2016 MEMBERSHIP RENEWAL	1030305 · Dues & Subscriptions 30	(400.00)
TOTAL						(400.00)
02/10/16	87554	SERIGRAPH INDUSTRIES, INC	SERIGRAPH INDU...	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87554	LINCOLN AQUATICS	LINCOLN AQUATICS	INVOICE #SI281885	1000101 · Operating Cash 10	
12/30/15	SI281885		LINCOLN AQUATICS	POOL SUPPLIES	4866308 · Supplies & Materials 66	(552.44)
TOTAL						(552.44)
02/10/16	87554	SERIGRAPH INDUSTRIES, INC	SERIGRAPH INDU...		1000101 · Operating Cash 10	

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
12/02/15	006495		SERIGRAPH INDU...	SWIM TEAM SHIRTS	4868308 · Supplies & Materials 68	(2,169.02)
12/16/15	006520		SERIGRAPH INDU...	SWIM TEAM SHIRTS	4866308 · Supplies & Materials 66	(542.00)
TOTAL						(2,711.02)
02/10/16	87555	SO CA EDISON	SO CA EDISON	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87555	MISSION UNIFORM SERVICE	MISSION UNIFORM...	JANUARY 2016 UNIFORM	1000101 · Operating Cash 10	
01/31/16	JAN 2016 U...		MISSION UNIFORM...	UNIFORM EXPENSE	2531198 · Uniform Rental 31	(114.40)
			MISSION UNIFORM...	UNIFORM EXPENSE	3332198 · Uniform Rental 32	(114.36)
			MISSION UNIFORM...	UNIFORM EXPENSE	1013198 · Uniform Rental 13	(57.20)
			MISSION UNIFORM...	UNIFORM EXPENSE	2361198 · Uniform Rental 61	(57.20)
TOTAL						(343.16)
02/10/16	87556	SO CA GAS COMPANY	SO CA GAS COMP...	VOID: 016-913-9500-6	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87557	SOLID WASTE SOLUTIONS INC	SOLID WASTE SO...	VOID: INVOICE #121	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87557	MORAGA, VIC	MORAGA, VIC	FEBRUARY FIRST FRIDAY	1000101 · Operating Cash 10	
02/01/16	FEB FIRST ...		MORAGA, VIC	FEB 2016 FIRST FRIDAY	1044302 · Marketing Materials	(200.00)
TOTAL						(200.00)
02/10/16	87558	STAPLES ADVANTAGE	STAPLES ADVANT...	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87558	PROFESSIONAL WASH CENTER	PROFESSIONAL W...	8581	1000101 · Operating Cash 10	
01/12/16	8581		PROFESSIONAL W...	PBIAAB BANNERS	3332308 · Supplies & Materials 32	(18.75)
TOTAL						(18.75)
02/10/16	87559	THE BOTTOM LINE	THE BOTTOM LINE	VOID: INVOICE #9100	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87559	ROCKWELL PRINTING	ROCKWELL PRINT...		1000101 · Operating Cash 10	
01/15/16	27506		ROCKWELL PRINTI...	BUSINESS CARDS - DURFLINGER	1012308 · Supplies & Materials 12	(45.36)

2:01 PM
02/17/16

CITY OF CARPINTERIA
Warrant Register
January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
02/04/16	27480		ROCKWELL PRINTI...	OFFICE SUPPLIES - ENVELOPES	1013308 · Supplies & Materials 13	(679.11)
TOTAL						(724.47)
02/10/16	87560	TRI-COUNTY OFFICE FURNITURE	TRI-COUNTY OFFI...	VOID: INVOICE #90407	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87560	S & S SEEDS	S & S SEEDS	INVOICE #OP-56604-16	1000101 · Operating Cash 10	
01/13/16	OP-56604-16		S & S SEEDS	LANDSCAPING MATERIALS	3332308 · Supplies & Materials 32	(388.80)
TOTAL						(388.80)
02/10/16	87561	VAN ATTA ASSOCIATES INC	VAN ATTA ASSOCI...	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87561	SANTA BARBARA COUNTY, PLANNING & ...	SANTA BARBARA ...	INVOICE DEC15RCTS	1000101 · Operating Cash 10	
01/15/16	DEC15RCTS		SANTA BARBARA ...	PROJ 1769	1000251 · Development Deposits	(75.90)
TOTAL						(75.90)
02/10/16	87562	VERIZON CALIFORNIA	VERIZON CALIFOR...	VOID: 011711114329800406	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87562	SANTA BARBARA SAND & TOP SOIL CORP	SANTA BARBARA ...		1000101 · Operating Cash 10	
01/13/16	171798		SANTA BARBARA ...	PUBLIC WORKS YARD	2531308 · Supplies & Materials 31	(355.50)
01/15/16	171733		SANTA BARBARA ...	PUBLIC WORKS YARD	2531308 · Supplies & Materials 31	(363.47)
TOTAL						(718.97)
02/10/16	87563	WEST COAST ARBORIST INC	WEST COAST ARB...	VOID: 112562-A	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87564	ZUMAR INDUSTRIES INC.	ZUMAR INDUSTRI...	VOID:	1000101 · Operating Cash 10	
TOTAL						0.00
02/10/16	87565	SO CA EDISON	SO CA EDISON		1000101 · Operating Cash 10	
01/30/16	2-30-652-42...		SO CA EDISON	SEASIDE BUILDING	4865309 · Misc Operating Expens...	(72.51)
01/30/16	2-32-832-75...		SO CA EDISON	PROJ 4865	1000251 · Development Deposits	(640.75)
			SO CA EDISON	VETS HALL	4865309 · Misc Operating Expens...	(315.58)

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
 January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
TOTAL						(1,028.84)
02/10/16	87566	SO CA GAS COMPANY	SO CA GAS COMP...	016-913-9500-6	1000101 · Operating Cash 10	
02/05/16	016-913-95...		SO CA GAS COMP...	CIVIC CENTER	1013314 · Utility - Natural Gas	(737.91)
TOTAL						(737.91)
02/10/16	87567	SOLID WASTE SOLUTIONS INC	SOLID WASTE SO...	INVOICE #121	1000101 · Operating Cash 10	
02/01/16	121		SOLID WASTE SOL...	AB949 COORDINATION	3937221 · Solid Waste	(215.00)
TOTAL						(215.00)
02/10/16	87568	STAPLES ADVANTAGE	STAPLES ADVANT...		1000101 · Operating Cash 10	
01/15/16	3289833817		STAPLES ADVANT...	OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(53.09)
01/16/16	3290026736		STAPLES ADVANT...	OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(834.46)
TOTAL						(887.55)
02/10/16	87569	THE BOTTOM LINE	THE BOTTOM LINE	INVOICE #9100	1000101 · Operating Cash 10	
02/06/16	9100		THE BOTTOM LINE	QUICKBOOKS CONSULTING	1018220 · System Administration	(1,125.00)
TOTAL						(1,125.00)
02/10/16	87570	TRI-COUNTY OFFICE FURNITURE	TRI-COUNTY OFFI...	INVOICE #90407	1000101 · Operating Cash 10	
01/27/16	90407		TRI-COUNTY OFFI...	OFFICE FURNITURE	1013224 · Interior Maintenance	(1,794.59)
TOTAL						(1,794.59)
02/10/16	87571	WEST COAST ARBORIST INC	WEST COAST ARB...	112562-A	1000101 · Operating Cash 10	
01/15/16	112562-A		WEST COAST ARB...	TREE MAINTENANCE	2732220 · Public Tree Maintenanc...	(16,271.00)
TOTAL						(16,271.00)
02/10/16	87572	ALL AROUND LANDSCAPE SUPPLY	ALL AROUND LAN...	S1852841.001	1000101 · Operating Cash 10	
01/20/16	S1852841.0...		ALL AROUND LAN...	ROW	3332308 · Supplies & Materials 32	(18.00)
TOTAL						(18.00)
02/10/16	87573	BILL SPIEWAK	BILL SPIEWAK	INVOICE #104246	1000101 · Operating Cash 10	
01/17/16	104246		BILL SPIEWAK	ARBORIST SERVICES	3332220 · Public Tree Maintenance	(320.00)
TOTAL						(320.00)

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
 January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
02/10/16	87574	C3 INTELLIGENCE, INC	C3 INTELLIGENCE,...	INVOICE 8272	1000101 · Operating Cash 10	
02/01/16	8272		C3 INTELLIGENCE,...	RECRUITMENT	1016320 · Pre-placement Health S...	(180.00)
TOTAL						(180.00)
02/10/16	87575	CARPINTERIA VALLEY LUMBER CO	CARPINTERIA VAL...	ACCOUNT 164	1000101 · Operating Cash 10	
01/31/16	JAN 2016 BI...		CARPINTERIA VAL...	POOL	4866308 · Supplies & Materials 66	(20.03)
			CARPINTERIA VAL...	VEGA SAFETY EQUIPMENT	2531197 · Indiv Equip Reimburse...	(16.90)
			CARPINTERIA VAL...	PROJ 4865	1000251 · Development Deposits	(38.87)
			CARPINTERIA VAL...	ROW	3332308 · Supplies & Materials 32	(35.06)
			CARPINTERIA VAL...	COMMUNITY GARDEN GRANT	2000261 · Deferred Revenue 20	(1,554.11)
			CARPINTERIA VAL...	PARKS	2361221 · Miscellaneous Contracts	(37.75)
			CARPINTERIA VAL...	STREETS	2531308 · Supplies & Materials 31	(8.63)
			CARPINTERIA VAL...	SIGNAGE	3332308 · Supplies & Materials 32	(27.54)
			CARPINTERIA VAL...	ROW	3332308 · Supplies & Materials 32	(50.79)
			CARPINTERIA VAL...	ROW	3332308 · Supplies & Materials 32	(54.45)
			CARPINTERIA VAL...	ROW	3332308 · Supplies & Materials 32	(23.95)
			CARPINTERIA VAL...	PARKING LOTS	2923313 · Parking Lot Lighting	(2.55)
			CARPINTERIA VAL...	GRAFFITI	3332223 · Chemical Treatment	(105.21)
			CARPINTERIA VAL...	TOWERS	2862308 · Supplies & Materials 62	(6.36)
			CARPINTERIA VAL...	POOL	4866308 · Supplies & Materials 66	(12.16)
			CARPINTERIA VAL...	PROJ 4865	1000251 · Development Deposits	(11.43)
			CARPINTERIA VAL...	PW SHOP	3332308 · Supplies & Materials 32	(11.21)
			CARPINTERIA VAL...	COMMUNITY GARDEN GRANT	2000261 · Deferred Revenue 20	(618.14)
			CARPINTERIA VAL...	ROW	3332308 · Supplies & Materials 32	(36.20)
01/31/16	JAN 2016 S...		CARPINTERIA VAL...	ROW	2779611 · Misc. Concrete Repairs ...	(35.02)
			CARPINTERIA VAL...	COMMUNITY GARDEN GRANT	2000261 · Deferred Revenue 20	(103.68)
TOTAL						(2,810.04)
02/10/16	87576	DISABILITY ACCESS CONSULTANTS, L L C	DISABILITY ACCE...	INVOICE #15-164 2	1000101 · Operating Cash 10	
01/19/16	15-164 2		DISABILITY ACCE...	DISABILITY ACCESS CONSULTANT SERVICES	1030221 · Contract Services 30	(609.35)
			DISABILITY ACCE...	DISABILITY ACCESS CONSULTANT SERVICES	2734223 · Civil Engineering Retai...	(390.65)
TOTAL						(1,000.00)
02/10/16	87578	SO CA EDISON	SO CA EDISON	2-26-504-7225	1000101 · Operating Cash 10	
02/02/16	2-26-504-72...		SO CA EDISON	STREET LIGHTING	2923220 · Street Lighting	(32.64)
TOTAL						(32.64)
02/10/16	87579	STAPLES ADVANTAGE	STAPLES ADVANT...		1000101 · Operating Cash 10	
01/17/16	3290184358		STAPLES ADVANT...	POOL RESTROOMS	4866308 · Supplies & Materials 66	(57.22)
01/17/16	3290184360		STAPLES ADVANT...	PW SUPPLIES	1030308 · Supplies & Materials 30	(11.21)
01/21/16	3290355642		STAPLES ADVANT...	OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(35.97)
TOTAL						(104.40)

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
 January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
02/10/16	87580	VERIZON CALIFORNIA	VERIZON CALIFOR...	011711114329800406	1000101 · Operating Cash 10	
01/28/16	0117111143...		VERIZON CALIFOR...	CIVIC CENTER	1013301 · Telephone 13	(169.15)
			VERIZON CALIFOR...	PW	2531301 · Telephone 31	(7.54)
			VERIZON CALIFOR...	BEACH	2862301 · Telephone 62	(120.80)
			VERIZON CALIFOR...	POOL	4866301 · Telephone 66	(235.25)
			VERIZON CALIFOR...	CONCESSION	2864308 · Supplies & Materials 64	(113.71)
TOTAL						(646.45)
02/10/16	87581	JOHNSON, ZOE & GIB	JOHNSON, ZOE & ...	PROJ 1805 REFUND	1000101 · Operating Cash 10	
02/04/16	PROJ 1805 ...		JOHNSON, ZOE & ...	PROJ 1805 REFUND	1000251 · Development Deposits	(401.58)
TOTAL						(401.58)
02/11/16	87582	PACIFIC AUTO BODY	PACIFIC AUTO BO...	VEHICLE REPAIR	1000101 · Operating Cash 10	
02/01/16	120800		PACIFIC AUTO BO...	PROJ 1717 CMAX REPAIR	1000251 · Development Deposits	(7,910.09)
TOTAL						(7,910.09)
02/11/16	87583	PITZER-JELVANI, TESS	PITZER-JELVANI, T...	PAYROLL 07-23-15	1000101 · Operating Cash 10	
02/11/16	PAYROLL 0...		PITZER-JELVANI, T...	PAYROLL 07-23-15	1000101 · Operating Cash 10	(9.76)
TOTAL						(9.76)
02/17/16	87584	AERIOCONNECT	AERIOCONNECT	800908	1000101 · Operating Cash 10	
02/03/16	800908		AERIOCONNECT	DSL MONTHLY SERVICE CHARGE - FEBRUAR...	1018222 · Equipment Maintenance	(66.06)
TOTAL						(66.06)
02/17/16	87585	ALAMO SELF STORAGE	ALAMO SELF STO...	OFFSITE STORAGE FEES	1000101 · Operating Cash 10	
02/17/16			ALAMO SELF STO...	OFFSITE STORAGE FEES	1013221 · Miscellaneous Contract...	(335.00)
TOTAL						(335.00)
02/17/16	87586	BARCO PRODUCTS COMPANY	BARCO PRODUCT...	BP00034679	1000101 · Operating Cash 10	
02/04/16	BP00034679		BARCO PRODUCT...	RECYCLED PLASTIC GRANT	2000261 · Deferred Revenue 20	(484.11)
TOTAL						(484.11)
02/17/16	87587	BOB TRAUTZ LAND DEV CO, INC	BOB TRAUTZ LAN...	INVOICE 4938	1000101 · Operating Cash 10	
12/29/15	4938		BOB TRAUTZ LAN...	COMMUNITY GARDEN GRANT	2000261 · Deferred Revenue 20	(9,605.32)

2:01 PM
02/17/16

CITY OF CARPINTERIA
Warrant Register
January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
TOTAL						(9,605.32)
02/17/16	87588	CALIFORNIA STATE DISBURSEMENT UNIT	CALIFORNIA STAT...	CASE NUMBER 0850182383-01	1000101 · Operating Cash 10	
02/17/16	PAYROLL 0...		CALIFORNIA STAT...	PAYROLL WITHHOLDING 02-18-16	1000105 · ICMA Cash	(330.46)
TOTAL						(330.46)
02/17/16	87589	CARPINTERIA LOCK & KEY	CARPINTERIA LOC...	INVOICE #1033	1000101 · Operating Cash 10	
01/26/16	1033		CARPINTERIA LOC...	VETS HALL	4865309 · Misc Operating Expens...	(34.56)
TOTAL						(34.56)
02/17/16	87590	CARPINTERIA VETERINARY HOSPITAL INC	CARPINTERIA VET...		1000101 · Operating Cash 10	
01/06/16	249239		CARPINTERIA VET...	DOG LICENSE	1047213 · Animal Sheltering	(35.00)
01/14/16	249712		CARPINTERIA VET...	DOG LICENSE	1047213 · Animal Sheltering	(50.00)
01/22/16	250088		CARPINTERIA VET...	DOG LICENSE	1047213 · Animal Sheltering	(35.00)
01/29/16	250480		CARPINTERIA VET...	DOG LICENSE	1047213 · Animal Sheltering	(35.00)
TOTAL						(155.00)
02/17/16	87591	COAST OFFICE TECHNOLOGY	COAST OFFICE TE...	2016101	1000101 · Operating Cash 10	
02/08/16	2016101		COAST OFFICE TE...	COMPUTER HARDWARE	1070417 · Computer Hardware	(367.07)
TOTAL						(367.07)
02/17/16	87592	COX COMMUNICATIONS	COX COMMUNICA...	001-3011-022093901	1000101 · Operating Cash 10	
02/01/16	0130116022...		COX COMMUNICA...	INTERNET SERVICES	1018222 · Equipment Maintenance	(132.00)
TOTAL						(132.00)
02/17/16	87593	DRAKE HAGLAN & ASSOCIATES, INC.	DRAKE HAGLAN &...	INVOICE #12034-41	1000101 · Operating Cash 10	
02/10/16	12034-41	15016	DRAKE HAGLAN & ...	HBR GRANT	2000261 · Deferred Revenue 20	(1,630.66)
		15016	DRAKE HAGLAN & ...	HBR GRANT	2079614 · FHWA HBR 20	(1,630.68)
		15016	DRAKE HAGLAN & ...	DIF PROGRAM HIGHWAY BRIDGES & INTERC...	3100232 · DIF Highway Interchange	(211.28)
		15016	DRAKE HAGLAN & ...	DIF PROGRAM HIGHWAY BRIDGES & INTERC...	3179616 · FHWA HBR 31	(211.28)
TOTAL						(3,683.90)
02/17/16	87594	EDD	EDD	ACCT #932-0283-6	1000101 · Operating Cash 10	
02/01/16	L0696431808		EDD	DOTTS	4866184 · Unemployment Insuran...	(45.00)
TOTAL						(45.00)
02/17/16	87595	EDD-SDI	EDD-SDI	776-5147-9	1000101 · Operating Cash 10	

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
 January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
02/17/16	PAYROLL 0...		EDD-SDI	PAYROLL 02-18-16	1000223 · SDI Withheld	(901.15)
TOTAL						(901.15)
02/17/16	87596	EDD-SIT	EDD-SIT	932-0283-6	1000101 · Operating Cash 10	
02/17/16	PAYROLL 0...		EDD-SIT	PAYROLL 02-18-16	1000221 · SIT Withheld	(3,659.56)
TOTAL						(3,659.56)
02/17/16	87597	FEDEX	FEDEX	5-311-78385	1000101 · Operating Cash 10	
02/05/16	5-311-78385		FEDEX	SHIPPING CHARGES	2862308 · Supplies & Materials 62	(31.78)
TOTAL						(31.78)
02/17/16	87598	LEAGUE OF CA CITIES	LEAGUE OF CA CI...	INVOICE #102500	1000101 · Operating Cash 10	
12/01/15	102500		LEAGUE OF CA CI...	2016 LOCAL STREETS & ROADS NEEDS ASS...	1030305 · Dues & Subscriptions 30	(200.00)
TOTAL						(200.00)
02/17/16	87599	REAL GREEN GARDENING	REAL GREEN GAR...		1000101 · Operating Cash 10	
10/16/15	001422		REAL GREEN GAR...	MONTE VISTA PARK	2361221 · Miscellaneous Contracts	(50.00)
10/17/15	001420		REAL GREEN GAR...	PROJ 4865	1000251 · Development Deposits	(1,018.49)
			REAL GREEN GAR...	VETS HALL	4865309 · Misc Operating Expens...	(38.28)
			REAL GREEN GAR...	PROJ 4865	1000251 · Development Deposits	(77.72)
10/19/15	001418		REAL GREEN GAR...	SEASIDE BUILDING	4865309 · Misc Operating Expens...	(72.00)
10/19/15	001425		REAL GREEN GAR...	SALT MARSH PARK	2361221 · Miscellaneous Contracts	(330.00)
10/20/15	001423		REAL GREEN GAR...	MEMORIAL PARK	2361221 · Miscellaneous Contracts	(90.00)
10/20/15	001419		REAL GREEN GAR...	FRANKLIN CREEK PARK	2361221 · Miscellaneous Contracts	(72.00)
10/29/15	001426		REAL GREEN GAR...	TOMOL PARK	2361221 · Miscellaneous Contracts	(1,361.60)
10/31/15	001421		REAL GREEN GAR...	LINDEN FIELD	2361221 · Miscellaneous Contracts	(481.00)
10/31/15	OCT 2015		REAL GREEN GAR...	BAILARD	2361306 · Bluffs Park Expense	(540.00)
			REAL GREEN GAR...	CARP CREEK	2361225 · Park Maintenance 61	(540.00)
			REAL GREEN GAR...	PROJ 4865	1000251 · Development Deposits	(75.00)
			REAL GREEN GAR...	PALM TO LINDEN TRAIL GRANT	2000261 · Deferred Revenue 20	(540.00)
			REAL GREEN GAR...	MARSH PARK	2861225 · Marsh Park Maintenance	(450.00)
			REAL GREEN GAR...	MONTE VISTA	2361225 · Park Maintenance 61	(1,375.00)
			REAL GREEN GAR...	SEASIDE	4865220 · Grounds Maintenance 65	(275.00)
			REAL GREEN GAR...	COASTAL VISTA	2861225 · Marsh Park Maintenance	(360.00)
			REAL GREEN GAR...	TAR PITS	2861225 · Marsh Park Maintenance	(450.00)
			REAL GREEN GAR...	PROJ 4865	1000251 · Development Deposits	(120.60)
			REAL GREEN GAR...	VETS HALL	4865309 · Misc Operating Expens...	(59.40)
			REAL GREEN GAR...	VIOLA	2361306 · Bluffs Park Expense	(720.00)
11/05/15	001417		REAL GREEN GAR...	CARP CREEK PARK	2361221 · Miscellaneous Contracts	(240.00)
TOTAL						(9,336.09)
02/17/16	87600	SEUI LOCAL 620	SEUI LOCAL 620	PAYROLL 02-18-16	1000101 · Operating Cash 10	

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
 January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
02/17/16	PAYROLL 0...		SEUI LOCAL 620	PAYROLL 02-18-16	1000229 · SEIU Local 620	(184.90)
TOTAL						(184.90)
02/17/16	87601	SO CA EDISON	SO CA EDISON	2-01-201-6465	1000101 · Operating Cash 10	
02/06/16	2-01-201-64...		SO CA EDISON	STREET LIGHTING	2923220 · Street Lighting	(7,449.42)
TOTAL						(7,449.42)
02/17/16	87602	T. ROWE PRICE	T. ROWE PRICE	PAYROLL CONTRIBUTION - ANTHONY VEGA	1000101 · Operating Cash 10	
02/17/16	PAYROLL 0...		T. ROWE PRICE	PAYROLL 02-18-16 - ANTHONY VEGA	1000105 · ICMA Cash	(50.00)
TOTAL						(50.00)
02/17/16	87603	THE STORAGE PLACE	THE STORAGE PL...	STORAGE FEBRUARY 2016	1000101 · Operating Cash 10	
12/02/15	FEB 2016 S...		THE STORAGE PL...	OFFSITE STORAGE RENTAL	1013221 · Miscellaneous Contract...	(325.00)
TOTAL						(325.00)
02/17/16	87604	UCSB ECONOMIC FORECAST PROJECT	UCSB ECONOMIC ...	2016 SPONSORSHIP	1000101 · Operating Cash 10	
12/02/15	412		UCSB ECONOMIC ...	SPONSORSHIP	1044220 · Contract Services 44	(1,250.00)
TOTAL						(1,250.00)
02/17/16	87605	UNITED WAY OF SANTA BARBARA COUN...	UNITED WAY OF S...	PAYROLL 02-18-16	1000101 · Operating Cash 10	
02/17/16	PAYROLL 0...		UNITED WAY OF S...	PAYROLL 02-18-16	1000224 · United Way Payable	(24.00)
TOTAL						(24.00)
02/17/16	87606	US BANK	US BANK	INVOICE #95462880	1000101 · Operating Cash 10	
02/16/16	95462880		US BANK	3/1/16 COP PAYMENT	1078511 · City Hall Debt	(164,694.79)
TOTAL						(164,694.79)
02/17/16	87607	VAN ATTA ASSOCIATES INC	VAN ATTA ASSOCI...		1000101 · Operating Cash 10	
01/22/16	5502		VAN ATTA ASSOCI...	COMMUNITY GARDEN GRANT	2000261 · Deferred Revenue 20	(335.00)
01/22/16	5512		VAN ATTA ASSOCI...	PALM TO LINDEN TRAIL GRANT	2000261 · Deferred Revenue 20	(395.00)
TOTAL						(730.00)
02/17/16	87608	VANTAGEPOINT TRANSFER AGENTS - 457	VANTAGEPOINT T...	PAYROLL 02-18-16	1000101 · Operating Cash 10	
02/17/16	PAYROLL 0...		VANTAGEPOINT T...	PAYROLL 02-18-16	1000105 · ICMA Cash	(1,075.00)

2:01 PM

02/17/16

CITY OF CARPINTERIA
Warrant Register
January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
TOTAL						(1,075.00)
02/17/16	87609	WESTERN EXTERMINATOR COMPANY	WESTERN EXTER...	JAN 2016 BILLING	1000101 · Operating Cash 10	
01/31/16	JAN 2016 BI...		WESTERN EXTER...	PROJ 4865 MEDICAL CLINIC	1000251 · Development Deposits	(48.50)
TOTAL						(48.50)
02/17/16	87610	A-OK POWER EQUIPMENT	A-OK POWER EQU...	INVOICE #147324	1000101 · Operating Cash 10	
01/27/16	147324		A-OK POWER EQU...	PW SHOP	3332308 · Supplies & Materials 32	(8.64)
TOTAL						(8.64)
02/17/16	87611	ASBURY ENVIRONMENTAL SVCS	ASBURY ENVIRON...	CIT510	1000101 · Operating Cash 10	
01/27/16	130569342		ASBURY ENVIRON...	USED OIL COLLECTION	2000261 · Deferred Revenue 20	(75.00)
TOTAL						(75.00)
02/17/16	87612	AVILA AND ASSOCIATES	AVILA AND ASSOC...	INVOICE #1902	1000101 · Operating Cash 10	
01/28/16	1902		AVILA AND ASSOC...	PROJ 1522 FEMA MAP REVISION	1000251 · Development Deposits	(1,686.56)
TOTAL						(1,686.56)
02/17/16	87613	BARCO PRODUCTS COMPANY	BARCO PRODUCT...	BP00034733	1000101 · Operating Cash 10	
02/09/16	BP00034733		BARCO PRODUCT...	DISPENSER BAGS	4863308 · Special Events Expenses	(24.84)
TOTAL						(24.84)
02/17/16	87614	BIG GREEN CLEANING COMPANY	BIG GREEN CLEA...	471330	1000101 · Operating Cash 10	
01/27/16	471330		BIG GREEN CLEAN...	ROW	3332221 · Miscellaneous Contract...	(270.00)
TOTAL						(270.00)
02/17/16	87615	BROWNSTEIN HYATT FARBER SCHRECK	BROWNSTEIN HYA...	INVOICE #626840	1000101 · Operating Cash 10	
01/26/16	626840		BROWNSTEIN HYA...	CITY ATTORNEY RETAINER	1017220 · City Attorney Retainer	(62,827.08)
TOTAL						(62,827.08)
02/17/16	87616	COLSON'S TOWING INC	COLSON'S TOWIN...	INVOICE 1195	1000101 · Operating Cash 10	
01/27/16	1195		COLSON'S TOWIN...	VEHICLE REPAIR	2531307 · Vehicle Oper & Mainten...	(733.48)
TOTAL						(733.48)

2:01 PM
02/17/16

CITY OF CARPINTERIA
Warrant Register
January 30 through February 17, 2016

Date	Num	Name	Source Name	Memo	Account	Paid Amount
02/17/16	87617	SANTA BARBARA COUNTY, SHERIFF'S D...	SANTA BARBARA ...		1000101 · Operating Cash 10	
01/18/16	16-169		SANTA BARBARA ...	SHERIFF OVERTIME	1021215 · Sheriff's Overtime	(66.41)
01/19/16	16-167		SANTA BARBARA ...	SHERIFF OVERTIME	1021215 · Sheriff's Overtime	(1,257.71)
01/19/16	16-168		SANTA BARBARA ...	SHERIFF OVERTIME	1021215 · Sheriff's Overtime	(994.46)
01/20/16	16-172		SANTA BARBARA ...	CONTRACT SERVICES	1021214 · SB County Sheriff	(276,199.42)
			SANTA BARBARA ...	CONTRACT SERVICES	1000150 · COPS Grant Receivable	(8,333.33)
			SANTA BARBARA ...	CONTRACT SERVICES	1121214 · SB County Sheriff 11	(1,303.25)
01/27/16	16-177		SANTA BARBARA ...	SHERIFF OVERTIME	1021215 · Sheriff's Overtime	(780.55)
TOTAL						(288,935.13)
02/17/16	87618	SANTA BARBARA PEST CONTROL	SANTA BARBARA ...		1000101 · Operating Cash 10	
01/22/16	68451		SANTA BARBARA ...	RODENT CONTROL	3332223 · Chemical Treatment	(65.00)
01/22/16	68668		SANTA BARBARA ...	PROJ 4865	1000251 · Development Deposits	(83.75)
			SANTA BARBARA ...	VETS HALL	4865309 · Misc Operating Expens...	(41.25)
TOTAL						(190.00)
02/17/16	87619	SERIGRAPH INDUSTRIES, INC	SERIGRAPH INDU...	INVOICE 006550	1000101 · Operating Cash 10	
01/28/16	006550		SERIGRAPH INDU...	SWIM TEAM SHIRTS	4867308 · Supplies & Materials 67	(300.15)
TOTAL						(300.15)
02/17/16	87620	STAPLES ADVANTAGE	STAPLES ADVANT...		1000101 · Operating Cash 10	
01/28/16	3290993482		STAPLES ADVANT...	POOL OFFICE SUPPLIES	4866308 · Supplies & Materials 66	(298.40)
01/28/16	3290993483		STAPLES ADVANT...	OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(81.74)
TOTAL						(380.14)

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TOTAL \$618,369.20



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 22, 2016

ITEM FOR COUNCIL CONSIDERATION

Second reading of Ordinance No. 709, Amending Chapters 3.04, 3.08, 3.12, 3.20, 3.28, 3.45, and 5.04 of the Carpinteria Municipal Code

This ordinance would impose a “pay first, litigate later” obligation for litigating tax and assessment disputes, requiring persons challenging such taxes and assessments to make payments to the City prior to commencing any actions in court.

STAFF RECOMMENDATION

Action Item X Non-Action Item

Adopt Ordinance No. 709 as read by title only (second reading)

Motion: I move to approve and adopt Ordinance No. 709 as read by title only.

BACKGROUND

The City of Carpinteria Municipal Code establishes various local taxes and assessments that are collected through various means, e.g., A Transient Occupancy Tax (hotel bed tax) is paid by lodging guests directly to the lodging operator, whom is required to remit the tax to the City. Taxes and assessments are sometimes disputed through the City's appeal process and/or challenged in court. Many local jurisdictions include provisions within their municipal codes that ensure that the tax or assessment due is paid prior to an appeal or litigation. The benefit of this requirement is that it ensures the City receives tax or assessment revenues necessary to support critical local government services. Ordinance No. 709 would amend the Municipal Code in order to establish regulations that make clear that anyone electing to challenge a City tax or assessment must first pay the amount due.

DISCUSSION

A taxpayer ordinarily must pay a tax before commencing a court action to challenge the collection of the tax. This rule, commonly known as “pay first, litigate later,” is well established and is based on a public policy reflected in the state constitution, several statutes, and numerous court opinions. Specifically, section 32 of article XIII of the California Constitution provides:

“No legal or equitable process shall issue in any proceeding in any court against this State or any officer thereof to prevent or enjoin the collection of any tax. After payment of a tax claimed to be illegal, an action may be maintained to recover the tax paid, with interest, in such manner as may be provided by the Legislature.”

The purpose of the “pay first, litigate later” rule is to ensure that funds necessary for essential public services are not unnecessarily withheld during litigation and to allow local governments to predict future tax revenues. The fear that persistent interference with the collection of public revenues will destroy the effectiveness of government has been expressed in many judicial opinions.

There is no constitutional provision that expressly applies the “pay first, litigate later” doctrine to local government taxes and assessments. While some California courts have concluded that the “pay first, litigate later” doctrine applies to local governments as a matter of public policy, some plaintiffs have successfully challenged local taxes and assessments claiming that the doctrine does not apply to local governments unless local governments explicitly incorporate the doctrine into their municipal codes.

The City of Carpinteria’s municipal code does not contain any express requirements to pay taxes and assessments before pursuing litigation. It is therefore advisable for the City to revise its municipal code to clarify that those who disagree with a tax or assessment must pay the deficiency in full prior to challenging the tax in court. Adoption of the proposed ordinance will protect the City against delay that could preclude payment of taxes and assessments legitimately due and owing to the City for several years.

ENVIRONMENTAL

The proposed Ordinance is exempt from CEQA pursuant to State CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (this activity is not a project as defined in section 15378) and 15061(b)(3) (the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment). See Attachment B for more details.

FINANCIAL CONSIDERATIONS

There are no adverse financial impacts in adopting this ordinance. Instead, adoption of this ordinance will protect the City from the costly fiscal impacts of having to defend against tax and fee refund litigation before the taxes and assessments that are the subject of the litigation are paid.

LEGAL

The City Attorney recommends minor changes to certain municipal code sections to protect the City from challenges that could impair the continued functioning of local law enforcement, public safety, and other local governmental services for which the City of Carpinteria residents rely on a daily basis. The absence of such revisions could potentially damage the City's ability to provide essential services through the withholding of tax payments, no matter how unfounded a claim might be.

OPTIONS

1. The Council could determine to not approve the second reading of the Ordinance, and direct staff to modify the proposed Ordinance pursuant to discussion at the hearing.
2. The Council could decline approve the Ordinance thereby leaving the City's current regulations in place.

ATTACHMENTS

Attachment A	Ordinance No. 709
Attachment B	CEQA Notice of Exemption

Report prepared by and Staff contact: Steve Goggia,
Acting Community Development Director
(805) 755-4414 / steveg@ci.carpinteria.ca.us


Signature


Signature

Reviewed by: Dave Durflinger, City Manager

Attachment A
Ordinance No. 709

Carpinteria Pay First Ordinance
Second Read

February 22, 2016

ORDINANCE NO. 709

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA, CALIFORNIA AMENDING CHAPTERS 3.04, 3.08, 3.12, 3.20, 3.28, 3.45, AND 5.04 OF THE MUNICIPAL CODE

WHEREAS, Article XIII, Section 32 of the California Constitution requires taxpayers to pay first before seeking judicial review of a tax to allow revenue collection to continue during litigation, to ensure that funds necessary for essential public services are not unnecessarily withheld, and to allow local governments to predict future tax revenues; and

WHEREAS, recent court decisions have created a question as to whether the “pay first, litigate later” doctrine is applicable to local government taxes and assessments in the absence of an explicit “pay first, litigate late” code provision; and

WHEREAS, the proposed ordinance updates the municipal code and adds explicit “pay first, litigate later” provisions to certain sections of the municipal code; and

WHEREAS, adoption of this ordinance will protect the City from the costly financial impacts of having to defend against tax and assessment refund litigation before the taxes and assessments that are the subject of the litigation are paid.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARPINTERIA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Amendment of the Carpinteria Municipal Code

The Carpinteria Municipal Code is hereby amended to add the following new sections, which shall read as follows:

3.04.050- Payment Prior to Litigation

Payment of all taxes, assessments, and interest shall be required as a condition precedent to seeking judicial review of the validity or application of any such taxes, assessments, or interest imposed by the City pursuant to this Title 3.

3.08.190- Payment Prior to Litigation

Payment of all taxes, assessments, and interest shall be required as a condition precedent to seeking judicial review of the validity or application of any such taxes, assessments, or interest imposed by the City pursuant to this Chapter 3.08.

3.12.130- Payment Prior to Litigation

Payment of all taxes, assessments, and interest shall be required as a condition precedent to seeking judicial review of the validity or application of any

such taxes, assessments, or interest imposed by the City pursuant to this Chapter 3.12.

3.20.190- Payment Prior to Litigation

Payment of all taxes, assessments, and interest shall be required as a condition precedent to seeking judicial review of the validity or application of any such taxes, assessments, or interest imposed by the City pursuant to this Chapter 3.20.

3.28.060- Payment Prior to Litigation

No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the City or an officer thereof to prevent or enjoin the collection of taxes, fees or fines sought to be collected pursuant to any provision, resolution or ordinance of the City for the payment of all taxes, fees or fines. Payment of all taxes, assessments, and interest shall be required as a condition precedent to seeking judicial review of the validity or application of any such taxes, assessments, or interest imposed by the City pursuant to this Title 3.

3.45.040- Payment Prior to Litigation

Payment of all taxes, assessments, and interest shall be required as a condition precedent to seeking judicial review of the validity or application of any such taxes, assessments, or interest imposed by the City pursuant to this Chapter 3.45.

5.04.610 - Payment Prior to Litigation

Payment of all taxes, assessments, and interest shall be required as a condition precedent to seeking judicial review of the validity or application of any such taxes, assessments, or interest imposed by the City pursuant to this Chapter 5.04.

All other provisions of Chapters 3.04, 3.08, 3.12, 3.20, 3.28, 3.45, and 5.04 shall remain unchanged and in full force and effect.

Section 2. Effective Date

This Ordinance shall be in full force and effect 30 days following its enactment in accordance with California law; and before the expiration of 15 days following passage, this ordinance shall be published once with the names of the members of the City Council voting for and against the same in the Coastal View News, a newspaper of general circulation, published in the City of Carpinteria.

Section 3. Severability

If any section, subsection, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this ordinance, and each provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

Section 4. CEQA Exemption

The City Council finds that this ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly) and 15061(b)(3) (it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment).

Section 5. Publication

The City Clerk shall certify as to the passage of this Ordinance and cause the same to be published and posted in the manner prescribed by California law.

PASSED, APPROVED, AND ADOPTED this 22 day of February 2016, by the following called vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBER:

ABSENT: COUNCILMEMBER:

Mayor of the City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 22th day of February 2016.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck,
LLP, acting as City Attorney of the
City of Carpinteria

Attachment B
CEQA Notice of Exemption

Carpinteria Pay First Ordinance
Second Read

February 22, 2016

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Santa Barbara

105 East Anapamu Street

Santa Barbara, CA 93101

From: (Public Agency): City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013

(Address)

Project Title: "pay first, litigate later" Ordinance

Project Applicant: City of Carpinteria

Project Location - Specific:

Citywide Carpinteria

Project Location - City: Carpinteria

Project Location - County: Santa Barbara

Description of Nature, Purpose and Beneficiaries of Project:

This ordinance would impose a "pay first, litigate later" obligation for litigating tax and assessment disputes, requiring persons challenging such taxes and assessments to make payments to the City prior to commencing any actions in court.

Name of Public Agency Approving Project: City of Carpinteria

Name of Person or Agency Carrying Out Project: City of Carpinteria

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: 15060(c)(2), 15060(c)(3) and 15061(b)(3)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project is not subject to CEQA as the activity proposed in the project would not result in a direct or reasonably foreseeable indirect physical change in the environment; the activity is not considered a project as defined in Section 15378; and the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

Lead Agency

Contact Person: Steve Goggia, CDD Director

Area Code/Telephone/Extension: (805) 755-4414

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 22, 2016

ITEM FOR COUNCIL CONSIDERATION

Receive recommendations on the Community Development Block Grant (CDBG) Public Services Grant Applications and allocate program funds for 2016 - 2017.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Allocate funding pursuant to the recommendations of the Community Development Block Grant Committee as follows:

1. Peoples' Self-Help Housing – Housing the Homeless Program \$7,426.00 (50%)
2. Peoples' Self-Help Housing – Youth Education Enhancement Program \$7,426.00 (50%)

Motion: I move to allocate Community Development Block Grant Funding in the amounts recommended by the CDBG Committee.

BACKGROUND

Under the 2016-2017 Comprehensive Notice of Funding Availability, the County of Santa Barbara invited applications for funding through the federal Community Development Block Grant (CDBG) program. The funding is made available by the United States Department of Housing and Urban Development. As a lead agency, the County of Santa Barbara heads up the CDBG Urban County which includes the cities of Santa Maria, Lompoc, Goleta, Buellton, Solvang and Carpinteria. A Notice of Funding Availability (NOFA) was issued for the 2016-2017 Fiscal Year on November 2, 2015. The NOFA was distributed to local agencies and service providers through a mailed and emailed notice. Applications for the CDBG program were due by January 8, 2016.

In November 2006, the County of Santa Barbara received approval of an application for Urban County status to allow participation in the Community Development Block Grant Program. To assist in allocating the grant funds from this program, the Council appointed a three-member committee comprising one City Planning Commissioner and two members of the public who reside in the City. The Committee serves as a review body and each year reviews the submitted applications and makes recommendations to the City Council on

grant funding to support the following priorities identified in the County of Santa Barbara's Consolidated Plan:

- ☐ **Goal I – Decent, Affordable Housing:** Provide decent, affordable housing for the community's lowest income households, including households with special needs.
- ☐ **Goal II – Suitable Living Environment:** Improve the living environment / quality of life in low-income neighborhoods.
- ☐ **Goal III – Expanded Economic Opportunity:** Create economic opportunities for residents and businesses in low-income areas of the community.

The City's first program year was 2007, when it received an allocation of \$20,335. The allocation grew to a high of \$26,000 in 2009 and has declined each year since the CDBG program has been cut through the federal budget process. Applications to the City are indicative of need, having consistently exceeded funds available. Given the potential modification of the final CDBG allocation, the committee's recommendation includes both a monetary and percentage allocation as part of the recommended action. The City's historic annual allocation amounts and the Council's history of grant awards is included in Attachment A of this staff report.

DISCUSSION

The CDBG Committee met on January 27, 2016. A presentation was made by Peoples' Self-Help Housing representatives stating their mission, accomplishments and goals for the Youth Education Enhancement Program (YEEP) and Housing the Homeless Program. The programs meet the Committee's goals by providing decent, affordable housing for the community's lowest income households and improving the quality of life in low income neighborhoods. The Committee voiced their strong support for both programs and recommended splitting the 2015 - 2016 CDBG funding of \$14,852.00 in half, allocating \$7,426.00 (50% of the total amount) for each program. Minutes of the meeting are included as Attachment B.

Peoples' Self-Help Housing Corporation – Housing the Homeless and Homelessness Prevention

Peoples' Self-Help Housing's "Housing the Homeless" program seeks to prevent homelessness for at risk individuals and encourage independent living by working to implement many of the policies outlined in the County of Santa Barbara's Ten-Year Plan to End Chronic Homelessness. The program provides outreach and supportive services to ensure that individuals stay in permanent housing. The program director and case worker work directly with families at risk of homelessness. The program is limited to the residents of Peoples' projects. Case management may include counseling, budgeting, working with employer insurance programs, job search, medical assistance, school liaisons, and emergency funds for food and household goods. Additionally, there is collaboration with various other community agencies such as the Rescue Mission, Casa Esperanza and Domestic Violence Solutions.

Target populations benefited by the Supportive Housing Program which operates in three counties (San Luis Obispo, Santa Barbara and Ventura) are 85% Latino homeless individuals and families, and low income and very-low income residents of Peoples' Self-Help Housing's affordable rental complexes. In Carpinteria, the Dahlia Court Apartments provide 88 units and Chapel Court provides 28 low income units to local families. In 2016, the program expanded to Casas de las Flores which provides 43 housing units. Households that remain in housing for more than six months are considered stable.

The applicant's goals for the 2016 funding cycle in the Carpinteria facilities is to help 10 homeless individuals transition into permanent affordable housing from homelessness, 42 clients at risk of homelessness will received clinical case management to prevent them from becoming homeless and provide 1,500 hours of clinical case management which will be provided by a social worker.

The Committee appreciated the need for a regional effort to address the issue of chronic homelessness and recognized that the program provides services directly within the City. The applicant requested \$15,000; the Committee recommended funding of \$7,426.00 (50% of the CDBG allocation) to the Housing the Homeless Program. The application is included as Attachment C-1.

Peoples' Self-Help Housing Corporation – Youth Education Enhancement Program and Safe Summer Enrichment Program

The Youth Education Enhancement Program (YEEP) and Safe Summer Enrichment Program (SSEP) is a year-round educational program for children from kindergarten to 12th grade that operates at both the Casas de Las Flores and Dahlia Court Apartments complexes. This year will be first year operating the summer program in Carpinteria, at the newly constructed Casas de las Flores site. The program provides individualized lesson plans, one-on-one instruction and regular communication between parents and teachers. The objectives of the program are to maintain an average daily attendance, improve students' study habits, survey parents to obtain feedback on the program's success and incorporate volunteers into the program. The programs aim to increase grade levels in math and language arts and improve assessment test scores in math and English. The programs also provide parent educational workshops which reinforce their children's school success and include topics in college preparation, scholarship opportunity, drug and gang prevention and career exploration. Additionally, the programs receive no school district funding for the after-school services which are provided free of charge at the two learning centers, one at Dahlia Court Apartments and one at Casas de las Flores Apartments.

Funding will support educator salaries, supplies and kindle downloads for the YEEP and SSEP. The programs primary goal is to improve literacy focused year round programs serving the whole family. The SSEP will include a six week Read to Lead Program, which is an online, individual reading program. The program will serve 120 students and their parents in Carpinteria's two sites. Success in the program will be tracked with assessments

and tracking of success each year. The program aims to improve 100% of the students overall reading level by two grade levels by the end of the 2016-2017 program year. The programs aim to services to each student two hours a day, four days a week. The program goals include improvement of one grading mark throughout the program year of at least 85% of the students. The program also includes several goals to include improve students abilities in math, language arts, and all general education areas.

The Committee expressed strong support for the program, particularly in its ability to directly and efficiently provide services to a large number of low income families in the City and its mission to complement the education that students receive in our local schools. The applicant requested \$20,000; the Committee recommended allocating \$7,426.00 (50% of the CDBG allocation). The application is included as Attachment C-2.

POLICY CONSISTENCY

This item is consistent with the City's Housing Element policies of supporting the funding of programs that meet the goals of the Santa Barbara County HOME Consortium and CDBG Urban County 2015-2020 Consolidated Plan. The application requests support implementation of Housing Element Program Category 2 and 4, policies specifically assigned to provide transitional housing, homeless services and suitable affordable housing. Support for both Peoples' Self-Help Housing Programs has been constant since 2007.

FINANCIAL CONSIDERATIONS

The City's CDBG funds are intended to be used to support improved community facilities and services that support affordable housing, suitable living environments and expanded economic opportunities. The amount of money the City receives is determined by HUD through a statutory formula, which uses several objective measures of community needs including the extent of poverty, population, housing overcrowding and age of housing.

LEGAL

HUD has approved the Urban County as a long-term CDBG-eligible program. Therefore, the City can expect to continue to receive funds through the CDBG program into the future.

Administration and compliance monitoring are managed by the Santa Barbara County Housing and Community Development Division of the Community Services Department.

OPTIONS

- A. The Council could choose to modify the Committee's recommendation and disburse the funds differently.

- B. The Council could choose to award the grants as recommended by the Committee as well as supplement those awards with general fund money as has been done on a limited exceptional basis in past years.
- C. The Council could also choose to fund only one of the requests and defer the remainder of the funding until next year's allocation cycle. However, the City cannot stockpile the money indefinitely under this program and would eventually have to allocate the funds or they would be lost.

PRINCIPAL PARTIES EXPECTED AT MEETING

Peoples' Self-Help Housing representatives.

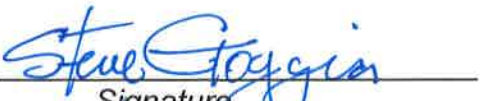
ATTACHMENTS

- A. Prior Grant Awards – 2007 to 2015
- B. Community Development Block Grant Committee Minutes of January 27, 2016
- C. 2015 - 2016 Community Development Block Grant Public Service Applications
 - C-1: Peoples' Self-Help Housing – Housing the Homeless Program
 - C-2: Peoples' Self-Help Housing – Youth Education Enhancement Program for Low-Income Youth (YEEP)

Staff contact: Shanna Farley-Judkins, Assistant Planner
Phone: 805-755-4505
Email: shannaf@ci.carpinteria.ca.us


Signature

Reviewed by: Steve Goggia, Acting Community Development Director
Phone: 805-755-4414
Email: steveg@ci.carpinteria.ca.us


Signature

Reviewed by: Dave Durlinger, City Manager


Signature

**City Council
February 22, 2016
Community Development Block Grant
Public Services Grant**

Attachment A

Prior Grant Awards – 2007 to 2015

City Council Allocations for CDBG Public Services Grants 2007 – 2015

2015

Peoples' Self-Help Housing – Supportive Housing Program	\$7,447.50
Peoples' Self-Help Housing – After School Youth Education	\$7,447.50

2014

Peoples' Self-Help Housing – Youth Education Enhancement Program	\$10,252
Peoples' Self-Help Housing – Supportive Housing Program	\$10,252
Unitarian Society of Santa Barbara – Freedom Warming Centers	\$ 2,278

2013

Friendship Adult Day Care Center, Inc. – Adult Day Care Program	\$ 3,636 ¹
Girls, Inc. Carpinteria - Academic Coordinator for Low Income Students	\$ 5,000
Peoples' Self-Help Housing – Supportive Housing Program	\$ 5,000
Peoples' Self-Help Housing – Youth Education Enhancement Program	\$ 5,000

2012

Friendship Adult Day Care Center, Inc. – Adult Day Care Program	\$ 4,500
Girls, Inc. Carpinteria – Academic Coordinator for Low Income Students	\$ 4,000
Peoples' Self-Help Housing – Supportive Housing Program	\$ 4,500
Peoples' Self-Help Housing – Youth Education Enhancement Program	\$ 4,000
United Boys & Girls Club of Santa Barbara County – Carpinteria Club	\$ 4,000

2011

Bringing Our Community Home - Homeless Inmate Discharge Program	\$ 1,500
Peoples' Self-Help Housing – Supportive Housing Program	\$ 8,000
Peoples' Self-Help Housing – Youth Education Enhancement Program	\$ 6,404
United Boys & Girls Club of Santa Barbara County – Carpinteria Club	\$ 6,404

2010

City of Santa Barbara - Rental Housing Mediation Task Force	\$ 8,000
Peoples' Self-Help Housing – Youth Education Enhancement Program	\$ 7,500
Peoples' Self-Help Housing – Supportive Housing Program	\$ 8,000
Bringing Our Community Home – Homeless Inmate Discharge Program	\$ 1,500

2009

City of Santa Barbara, Rental Housing Mediation Task Force	\$ 7,500
Boys and Girls Club, Carpinteria Clubhouse Daycare Program	\$ 6,000
Peoples Self Help Housing - Youth Education Enhancement Program	\$ 7,500
Peoples Self Help Housing – Supportive Housing Program	\$ 5,000

2008

Peoples' Self-Help Housing – Youth Education Enhancement Program	\$ 5,000
City of Santa Barbara - Rental Housing Mediation Task Force	\$ 7,500
Peoples' Self-Help Housing – Supportive Housing Program	\$ 2,071
Boys and Girls Club – Carpinteria Clubhouse Daycare Program	\$ 5,000

2007

Peoples' Self-Help Housing – Youth Education Enhancement Program	\$ 4,000
Peoples' Self-Help Housing – Supportive Housing Program	\$ 4,000
City of Santa Barbara - Rental Housing Mediation Task Force	\$10,000
Casa Esperanza – Bringing Our Community Home	\$ 2,335

¹ Funds not accepted and reallocated to the 2014 - 2015 funding cycle.

**City Council
February 22, 2016
Community Development Block Grant
Public Services Grant**

Attachment B

Community Development Block Grant Committee
Meeting Minutes
January 27, 2016

City of Carpinteria
Community Development Department
5775 Carpinteria Avenue
Carpinteria, CA 93013
(805) 684-5405 - www.carpinteria.ca.us

Community Development Block Grant Committee
Michelle Robertson
Lisa Guravitz
Jane Benfield



COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE MEETING MINUTES

Monday, January 27, 2016
City Hall/Side Conference Room

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Shanna R. Farley-Judkins, Assistant Planner, at 1:03 p.m. Michelle Robertson and Jane Benfield present and Lisa Guravitz absent.

2. WELCOME AND INTRODUCTORY COMMENTS

In attendance were staff from Peoples' Self-Help Housing; Social Worker Jacquelyn Meissner and Program Manager Alejandra Mahoney and Steve Goggia, Acting Community Development Director for the City of Carpinteria.

3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

4. PUBLIC SERVICES APPLICATIONS REVIEW

Peoples' Self-Help Housing

Housing the Homeless

Peoples' Self-Help Housing

Youth Education Enhancement Program
for Low-Income Youth (YEEP)

A presentation was made by Peoples' Self-Help Housing stating their mission, accomplishments and program goals for the upcoming year. Committee members asked several questions to the organization's representatives. Jacquelyn Meissner, of Peoples' self-Help Housing indicated that they desired that the allocation be split 50% to each of the two programs. After further discussion, the Committee made its funding recommendations.

5. RECOMMENDATION TO CITY COUNCIL

The CDBG Committee unanimously voted to recommend a 50-50 split of grant money to each program.

2016 Public Services Grant Awards Recommendations

Applicant	Proposed Program	Amount Recommended
Peoples' Self-Help Housing	Housing the Homeless/Homeless Prevention Program	\$7,426.00/50%
Peoples' Self-Help Housing	Youth Education Enhancement Program (YEEP) and Safe Summer Enrichment Program	\$7,426.00/50%

6. CLOSING COMMENTS/MEETING ADJOURNMENT

Steve Goggia, Acting Community Development Director, thanked the Committee members and staff for their work and reminded the Committee and those in attendance that the City Council will consider the recommendations at its meeting on Monday, February 22nd at 5:30 p.m. in the Council Chamber.

Shanna Farley-Judkins indicated that each of the committee members terms would end at the end of the 2016 funding cycle and new appointments would be required for the next four year cycle.

**City Council
February 22, 2016
Community Development Block Grant
Public Services Grant**

Attachment C-1

**Peoples' Self-Help Housing
Housing the Homeless and Homelessness Prevention**

2016 - 2017 Community Development Block Grant Public Services Grant Application



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County of Santa Barbara
Community Services Department, Div. of Housing and Community Development
2016-2017 CDBG Public Services
1/11/2016 deadline

Peoples' Self-Help Housing Housing the Homeless and Homelessness Prevention

\$ 15,000 Requested

Submitted: 1/6/2016 4:02:51 PM (Pacific)

Project Contact

Monica de Malleville
annettem@pshhc.org
Tel: 805-540-2458

Additional Contacts

none entered

Peoples' Self-Help Housing

3533 Empleo Street
San Luis Obispo, CA 93401
United States

President/CEO

John Fowler
johnf@pshhc.org

Telephone (805) 540-2458
Fax (805) 544-1901
Web www.pshhc.org
EIN 95-2750154
DUNS 096414412
SAM Expires 4/2/2016

Application Questions

1. Total Requested Program Funding by Jurisdiction. Enter amounts requested from each jurisdiction (the use of '\$' is not necessary).

Minimum \$15,000 grant request for Santa Barbara County. If you are applying for Carpinteria, Solvang, or Buellton funds - you must upload support letters from applicable cities in the Documents tab.

	Santa Barbara County
15000	Carpinteria
	Solvang
	Buellton
15,000.00	TOTAL

2. Have you, or will you also be applying for program funding through any of the listed jurisdictions' NOFAs?

Enter amounts requested from each jurisdiction by typing amounts only, no '\$' necessary.

	Goleta
	Lompoc
5000	Santa Maria
15000	City of Santa Barbara
20,000.00	TOTAL

APPLICANT INFORMATION

3. List the name(s) of the organization's representative(s) who attended mandatory training

Monica Scholl

4. Provide the address or addresses where the proposed services will be provided and identify the Supervisorial District)

i.e. Street number, Street name, Street type (blvd, ct, ave, etc.), City, State, Zip Code. See map of Supervisorial Districts in the Library tab.

Dahlia Court Apartments I & II, 1300 Dahlia Court, Carpinteria 87 rental units
Chapel Court Apartments, 681 Ash Ave., Carpinteria (farm worker housing) 28 rental units
Casas de las Flores, 4096 Via Real, Carpinteria 43 rental units

Approx. 550 low and extremely low income residents

First District Supervisorial District.

5. Agency Mission Statement

To develop affordable housing and programs leading to self-sufficiency for low-income families, seniors, and other special needs groups on California's Central Coast.

6. Years of operation

indicate the number of years next to each

46	Agency
13	Program
59.00	TOTAL

7. If the proposed program was not funded by the County in 2015, is it a new program or a continuing program but with an increased service level?

Explain the new program or how the existing program will increase its current service level. Provide information on the increased demand for services and proposed increased outcomes over the prior year.

The program was funded by the County in 2015. The program needs to expand because 43 additional families moved into Casas de las Flores (former Carpinteria Camper Park), so that has added another approx. 150 residents.

8. Is your agency a 501(c)(3) Non-Profit organization?

If yes, upload the organization's IRS designation letter, By-Laws, and Articles of Incorporation under the Documents tab

- ☐ No
☒ Yes

9. Is your agency a Faith-Based Organization?

i.e.; congregations; national denomination networks (ex: Catholic Charities, Lutheran Social Services), and networks of related organizations (such as YMCA and YWCA); and freestanding religious organizations, which are incorporated separately.

- ☒ No
☐ Yes

10. Please describe all of your Agency's programs and services.

This may be provided in bullet point format or narrative

From a \$2,000 loan in 1970 from a local church to help to build a few sweat equity houses, Peoples' has grown to be the largest nonprofit affordable housing developer on the Central Coast. Peoples' Self-Help Housing has adapted to the changing housing and human services needs in our communities and has developed 1,620 affordable residential apartments for low-income households, the elderly, veterans, the disabled, the formerly homeless, and special needs groups. In addition, we have given nearly 1,200 low income households the opportunity to build and own their first home. In Santa Barbara County, we have 2,495 low income resident adults and children living at our properties. Another 2,200 residents live in our San Luis Obispo and Ventura County properties. Approximately, 85% of the low income adults and children that we serve are Hispanic.

In addition to providing much needed affordable housing, we offer free supportive social services, youth education and health programs, financial education, first time home buyer education, counseling, and case management to our tenants, neighbors, and community.

In addition, in 2014 we permanently housed over 40 formerly homeless individuals in our properties. Peoples' has four decades of providing public services in the affordable housing arena that is heavily audited and monitored. Our experienced staff is highly skilled in providing human services that are reported to and monitored by federal, state, and local government entities, as well as private foundations and corporate foundation.

We currently operate four low income housing sites in Carpinteria: Dahlia Court I, Dahlia Court II, Chapel Court, and Casas de las Flores.

PROGRAM INFORMATION

11. Program Type

Select the activity that best describes your agency's proposed program for which you are seeking funding.

- ☐ General Operating Costs
☐ Senior Services
☐ Handicapped Services
☐ Legal Services
☐ Youth Services
☐ Transportation Services
☐ Substance Abuse Services
☐ Services for Battered and Abused Spouses
☐ Employment Training
☐ Crime Awareness or Neighborhood Cleanups
☐ Fair Housing Activities

- ☐ Tenant/Landlord/Housing Counseling
- ☐ Child Care Services
- ☐ Health Services
- ☐ Services for Abused and Neglected Children
- ☐ Mental Health Services
- ☐ Food Banks
- ☐ Subsistence Payments
- ☒ Homeless Assistance
- ☐ Rental Housing Subsidies or Security Deposits

12. Enter the number of beneficiaries, by income, expected to be served during the fiscal year July 1, 2016 - June 30, 2017.
 Count "households" when the entire household is served, e.g. food banks and housing; count "persons" for services such as mental health counseling. For Area Benefit activities, enter the # of low-income persons in the service area census tracts.

12	Persons: 0% - 30% AMI
20	Persons: >30% - 50% AMI
	Persons: >50% - 80% AMI
	Persons >80% > AMI
32.00	TOTAL

13. Provide the program service area and address(es). Include the census tracts located in the service area. (Upload map showing service area in the Documents tab.)

If you are qualifying the program under Area Benefit, refer to the map and instructions on how to find low-income census tracts in the Library tab.

Dahlia Court Apartments I & II, 1300 Dahlia Court, Carpinteria 87 rental units
 Chapel Court Apartments, 681 Ash Ave., Carpinteria (farm worker housing) 28 rental units
 Casas de las Flores, 4096 Via Real, Carpinteria 43 rental units

(Census tract 16.02 56.5% low income).

14. Program Description

Describe the program to be funded, including the type of activities that will be provided. Include how CDBG funds will be used and percent of CDBG to other sources of funds for the program.

The Supportive Housing Program (SHP) is a clinical case management and social services program, which assists residents with gaining access to community services or provides direct "hands-on" assistance. The program's goal is to ensure that all residents, including those who are transitioning from homelessness to permanent housing, live stable, independent lives.

Peoples' Self-Help Housing (PSHH) recognized over 12 years ago that our work is more than just building safe, affordable rental housing; it is also about providing our residents with the opportunity to access needed health and social services in order to successfully transition from homelessness, to stabilize, and to improve the quality of their lives. All Peoples' Self-Help Housing rental Housing residents are eligible for SHP services. Access to supportive housing services is free, confidential and voluntary. Tenants are encouraged to utilize SHP whenever needed.

The Supportive Housing Program has three social workers in Santa Barbara County and a supervisor who work with our current and incoming residents to help transition the formerly homeless to permanent affordable housing, and prevent current residents from falling into homelessness. CDBG funds are used for social worker salaries. Less than 3% of our overall SHP budget comes from CDBG funding. This CDBG grant would help support a social worker who serves Carpinteria residents at her on-site office at Dahlia Court II Apartments in Carpinteria.

15. Describe the unmet need to be addressed and how it was determined that there is a gap in services for the need. Include which other agencies or programs offer the same service and steps taken to collaborate and avoid duplication

Peoples' addresses a different unmet need than other agencies in Carpinteria because we are the only affordable housing provider in the City of Carpinteria. No other agency is meeting that need. No other agency is housing the homeless in Carpinteria that we are aware of. There is no Housing Authority in Carpinteria.

In addition to government agencies, social workers link families to other community resources to provide support. Such agencies include: Catholic Charities, Food Bank for food; rental assistance through the Veterans Assistance program, etc. Such linkages are useful in getting the appropriate support for a household in need, which strengthens the ability to remain stably housed. Peoples' also works with local churches who provide transport of donated food, gift cards for shoes, holiday gifts, move-in kits for formerly homeless households, and furniture and household supplies for new residents. The churches include Carpinteria Community Church, All Saints by the Sea Episcopal, Our Lady of Mt. Carmel, and St. Joseph's.

16. How are clients referred to the program?

By a property manager, self-referral, social service agencies, veteran's program, mental health department, the City, local government, churches, shelters, etc.

17. Does the program provide services to all income levels, only low- to moderate-income persons, or other population? If serving low- to moderate-income clientele, how is income eligibility determined?

To qualify for an award of CDBG funds, the applicant must collect income on all clients to determine that at least 51% are low to moderate income. (Income eligibility must be determined in accordance with CFR 24 Part 5.) Enter N/A if No. 18 is true

We serve all low and extremely low income persons as verified by application to our rental housing, which includes proof of income including pay stubs, tax records, bank information, etc. Peoples' employs three full time Compliance Officers who monitor the files of each resident. Income certification is required annually.

18. Does the agency exclusively serve one or more of the populations listed below? Check all that apply. If the agency does not EXCLUSIVELY serve one or more of these populations check N/A.

*Agencies that exclusively serve one or more of the populations listed below do not have to income-qualify clients. *The definition of severely disabled adults is provided in the Library tab*

- ☐ Abused children
- ☐ Battered spouses
- ☐ Elderly persons (62 years of age +)
- ☐ Severely disabled adults*
- ☐ Homeless persons
- ☐ Illiterate adults
- ☐ Persons living with HIV/AIDS
- ☐ Migrant farm workers
- ☒ N/A

19. Is the applicant willing to collect and report to the County the race and ethnicity of each client served?

To qualify for an award of CDBG funds, the agency must collect race and ethnicity information from all clients. A list of race categories and ethnicity is provided in the Library tab.

- ☒ Yes
- ☐ No

20. List at least 3 quantifiable outputs/performance targets of the proposed program? What outcomes are expected?

Output examples: # of services provided, e.g. meals, classes, counseling or case management sessions, utility payments, etc. Outcome examples: improve nutrition/health, increased self-sufficiency, change in economic status, etc.

10 individuals will move into housing from homelessness; 42 individuals will be provided clinical case management services to prevent them from becoming homeless; 1,500 hours of service provided.

21. What method will be used to collect beneficiary data?

e.g. intake forms, surveys, reports, census data

Beneficiary data is collected on resident's rental application, including proof of income, pay stubs, bank records, etc. Clinical beneficiary data is collected by the social worker, including case plan and progress towards goals, client meeting notes, etc. This information is maintained on a secure Supportive Housing Program database.

22. Describe your Agency's experience and capacity in assisting clients and meeting goals and objectives.

PSHH social workers are extremely knowledgeable in assisting clients, meeting goals & objectives, and accessing community resources for referral to our clients. After a household is referred to the Supportive Housing Program, the social worker completes an assessment of the family/situation and determines what the appropriate service, case plan, or possible referrals should be. Depending on the situation, referrals may be made to the Department of Alcohol and Drug to provide alcohol/substance abuse treatment or mental health services; the Housing Authority of the County of Santa Barbara to secure rental subsidy; Department of Social Services for benefits (general relief, food stamps, etc.) or in cases of suspected child/elder/dependent persons abuse; and the Public Health Department for medical treatment.

Dahlia Court II community building in Carpinteria has clinical offices where a clinician works five days a week. In addition, medical services can be provided on site at the medical office. In addition, free after school education is provided for parents with K-8 families in the Learning Center. Property managers also coordinate with the Food Bank for low cost food for residents as well as healthy snacks for the students.

23. List the staff positions that will be dedicated to the proposed program.

For each position, include: a) name and title, b) experience and qualifications, c) projected number of hours per week dedicated to the proposed program, d) whether it is an existing position or will be a new hire and e) whether paid or unpaid

Jacquelyn Meissner, MFT Bilingual Social Worker. Jacquelyn holds a B.A. degree in Women's Social Justice and Change from Fairhaven College and a Master's Degree in Clinical Psychology from Antioch University. While at Antioch University she participated in a traineeship program where she provided group facilitation to court ordered clients enrolled in the family violence treatment program and drug diversion program, and provided support and referrals to positive community resources to individuals and their families. As a case manager she assisted residents 16-21 years old with public benefits, independent living skills, and offered crisis intervention. She has worked for Peoples' for four years.

Ms. Meissner is supervised by Rick Gulino, LCSW (not funded by this program). Mr. Gulino has six years experience managing HUD and CDBG human service programs. He supervises a staff of eight case workers in three counties. He holds a Masters in Social Work from California State University, Long Beach and a B.S. degree in Social/Psychology from the University of Massachusetts. His background includes managing a school-based treatment program for troubled youth, working at a rehabilitation facility for those with psycho-social disturbances, and as an outreach worker for the homeless and the mentally ill.

24. Does the applicant have sufficient cash reserves to pay for program costs as they are incurred?

CDBG funds are provided on a cost-reimbursement basis; proof of payment will be required prior to CDBG reimbursement.

- ☒ Yes
- ☐ No

CAPACITY

25. Does your Agency comply with Generally Accepted Accounting Principles?

- ☐ No

☒ Yes

26. Does your Agency comply with 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards?

Copy the following link into your browser for more info: <http://portal.hud.gov/hudportal/documents/huddoc?id=15-01sdn.pdf>

☐ No

☒ Yes

FINANCIAL

27. What is your Agency's fiscal year period?

July 1-June 30

28. Does your Agency have any outstanding litigation or other legal issues? (Type N/A if a governmental entity)

If yes, please explain. Otherwise type "No" in the answer box.

No

29. Are there any outstanding financial audit findings which remain unresolved? If yes, please explain; otherwise type "No"

No

30. Does your Agency have a personnel policy with an affirmative action plan and a grievance procedure?

This is required by HUD regulations and must be made available to the County, HUD or other federal entity for review, upon request.

☐ No

☒ Yes

31. Did the agency expend \$750,000 or more in federal funds in its last fiscal year? If yes, has a single audit been completed?

Requirement of 2 CFR 200 Subpart F.

Please provide a link to the audit or upload the results in the Documents tab. Web address of audit requirements:

<http://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-part200-subpartF.pdf>

Yes

32. In the spaces below, provide the expiration date (MM/DD/YYYY) next to each insurance instrument. Type "N/A" in each answer box if a governmental entity.

Upload each insurance document in the Documents tab. Note that a separate endorsement showing the County as an additional insured will be required if funded.

03/01/2016 General Liability

03/01/2016 Automobile insurance

04/01/2016 Workers Compensation

0.00 TOTAL

33. Does the organization agree to upload updated insurance immediately upon expiration?

☐ No

☒ Yes

Budget

Funding Sources

CDBG - County of SB/City of Carpinteria

Federal Funds - HUD, Neighborworks

Agency Property Contributions

Donations/Foundations

Total

Committed

Uncommitted

\$ 15,000.00

\$ 172,540.00

\$ 539,400.00

\$ 97,500.00

\$ 0.00

\$ 824,440.00

Funding Uses/Expenses

Salaries and Benefits

Employment Services

Mileage

Travel

Professional Training

Meals

Dues

Utilities

Supplies

Postage

Equipment Lease

Total Project Budget

County CDBG

County other

Private

Other

\$ 680,030.00

\$ 15,000.00

\$ 0.00

\$ 665,030.00

\$ 500.00

\$ 500.00

\$ 7,650.00

\$ 7,650.00

\$ 7,060.00

\$ 7,060.00

\$ 4,530.00

\$ 4,530.00

\$ 1,035.00

\$ 1,035.00

\$ 590.00

\$ 590.00

\$ 1,200.00

\$ 1,200.00

\$ 305.00

\$ 305.00

\$ 1,800.00

\$ 1,800.00

\$ 160.00

\$ 160.00

Repairs/Maintenance	\$ 1,425.00				\$ 1,425.00
Computer Supplies	\$ 4,860.00				\$ 4,860.00
Telephone	\$ 6,925.00				\$ 6,925.00
Printing	\$ 890.00				\$ 890.00
Insurance	\$ 2,030.00				\$ 2,030.00
Taxes and Licenses	\$ 350.00				\$ 350.00
Advertising	\$ 40.00				\$ 40.00
Indirect	\$ 95,205.00				\$ 95,205.00
Depreciation	\$ 7,855.00				\$ 7,855.00
Total	\$ 824,440.00	\$ 15,000.00	\$ 0.00	\$ 0.00	\$ 809,440.00

Budget Narrative

This is the budget for the agency-wide Supportive Housing Program.

Documents

Documents Requested *

Agency Certification

[download template](#)

W-9

[download template](#)

Form 990

[download template](#)

Articles of Incorporation and By-Laws

Federal Tax Exemption letter

Organizational Chart

Most Recent Audited Financial Statements

Conflict of Interest Statement

[download template](#)

Blank client intake form with signature block for intake staff/supervisor

Resumes of project team

Letters of funding support from applicable cities and funding commitment letters.

Map of service area (include census tracts if qualifying the program under Area Benefit).

Insurance: Upload General Liability, Automobile and Workers Compensation

Required?



Attached Documents *

[Agency certification](#)

[W-9](#)

[W9](#)

[Form990](#)

[990 Form PSHH](#)

[Articles of Incorporation PSHH](#)

[Federal Tax Exemption Letter](#)

[Organizational Chart](#)

[Audit](#)

[Conflict of interest statement](#)

[Client intake document](#)

[Staff bios](#)

[Insurance](#)

[Letter of Support](#)

[Census Tract](#)

[Insurance](#)

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Application ID: 48587

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**City Council
February 22, 2016
Community Development Block Grant
Public Services Grant**

Attachment C-2

**Peoples' Self-Help Housing
Youth Education Enhancement Program and Safe Summer
Enrichment Program**

2016 - 2017 Community Development Block Grant Public Services Grant Application



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County of Santa Barbara
Community Services Department, Div. of Housing and Community Development
2016-2017 CDBG Public Services
1/11/2016 deadline

Peoples' Self-Help Housing

Youth Education Enhancement Program and Safe Summer Enrichment Program

\$ 30,000 Requested

Submitted: 1/8/2016 12:06:34 PM (Pacific)

Project Contact

Monica de Malleville
annetm@pshhc.org
Tel: 805-540-2458

Additional Contacts

monicad@pshhc.org

Peoples' Self-Help Housing

3533 Empleo Street
San Luis Obispo, CA 93401
United States

President/CEO

John Fowler
johnf@pshhc.org

Telephone (805) 540-2458
Fax (805) 544-1901
Web www.pshhc.org
EIN 95-2750154
DUNS 096414412
SAM Expires 4/2/2016

Application Questions

1. Total Requested Program Funding by Jurisdiction. Enter amounts requested from each jurisdiction (the use of '\$' is not necessary).

Minimum \$15,000 grant request for Santa Barbara County. If you are applying for Carpinteria, Solvang, or Buellton funds - you must upload support letters from applicable cities in the Documents tab.

10000	Santa Barbara County
20000	Carpinteria
	Solvang
	Buellton
30,000.00	TOTAL

2. Have you, or will you also be applying for program funding through any of the listed jurisdictions' NOFAs?

Enter amounts requested from each jurisdiction by typing amounts only, no '\$' necessary.

0	Goleta
0	Lompoc
0	Santa Maria
0	City of Santa Barbara
0.00	TOTAL

APPLICANT INFORMATION

3. List the name(s) of the organization's representative(s) who attended mandatory training

Alejandra Mahoney and Monica Demalleville

4. Provide the address or addresses where the proposed services will be provided and identify the Supervisorial District)

i.e. Street number, Street name, Street type (blvd, ct, ave, etc.), City, State, Zip Code. See map of Supervisorial Districts in the Library tab.

Casas de las Flores

4096 Via Real, Carpinteria, CA, 93013 - District 1

Dahlia Court
1300 Dahlia Court, Carpinteria, CA, 93013 - District 1
Mariposa Townhomes
290 Parkview South Orcutt, CA 93455 - District 4

5. Agency Mission Statement

The mission of Peoples' Self-Help Housing is to provide affordable housing and programs leading to self-sufficiency for low-income families, seniors and other special needs groups on California's Central Coast.

6. Years of operation

indicate the number of years next to each

45	Agency
12	Program
57.00	TOTAL

7. If the proposed program was not funded by the County in 2015, is it a new program or a continuing program but with an increased service level?

Explain the new program or how the existing program will increase its current service level. Provide information on the increased demand for services and proposed increased outcomes over the prior year.

It is an existing program. We are also increasing services by expanding our literacy program that has been used with great success at 2 of our 9 sites. This is the first summer program for students at CDLF in Carpinteria since it is a new site.

8. Is your agency a 501(c)(3) Non-Profit organization?

If yes, upload the organization's IRS designation letter, By-Laws, and Articles of Incorporation under the Documents tab

- ☐ No
☒ Yes

9. Is your agency a Faith-Based Organization?

i.e.; congregations; national denomination networks (ex: Catholic Charities, Lutheran Social Services), and networks of related organizations (such as YMCA and YWCA); and freestanding religious organizations, which are incorporated separately.

- ☒ No
☐ Yes

10. Please describe all of your Agency's programs and services.

This may be provided in bullet point format or narrative

45 years ago Peoples' Self Help Housing was founded by a group of volunteers concerned about the lack of housing for the poor and the effects of poverty on people's lives. Forty five years later, PSHHC has grown to be the largest, non-profit housing developer on the Central Coast offering not only affordable housing and sweat equity housing opportunities, but also providing much needed services in the area of supportive housing and education for all of our residents. PSHHC has perfected the housing plus model by offering housing and services necessary for low-income, families and individuals to become sustainable and successful. Our eviction prevention program matches residents with master level clinicians to help them with budgeting, counseling, and acquiring local resources. Peoples' Self-Help Housing has expanded its programs to also serve particularly underserved groups such as frail seniors, the mentally and physically disabled, veterans and the formerly homeless. PSHHC offers educational programs for children and adults. First time home buyer classes, financial literacy, healthy living, and family literacy are some of the classes offered at our sites. The Youth Education Enhancement Program (YEEP) is an afterschool and summer program that serves over 250 students a day. The summer program runs for 6 weeks. YEEP creates an effective team of afterschool and summer educators, classroom teachers, parents and volunteers that motivate students to complete daily homework, improve grades, graduate on time and go to college. The program runs Monday-Friday 2pm-6pm during the school year and Monday-Friday 12pm-4pm during the summer. There are currently 9 YEEP centers. YEEP serves a total of 250 children grades K-8 in Paso Robles, Arroyo Grande, Guadalupe, Santa Maria, Orcutt, Santa Barbara (2 sites), and Carpinteria (2 sites). YEEP has been very effective in increasing Math and Language Art skills and in making sure students are at grade level or above in Language Arts and Math. Currently 79% of YEEP students are at or above grade level in Language Arts and 90% of YEEP students are at or above grade level in Math. Peoples' has four decades of providing public services in the affordable housing arena that is heavily audited and monitored. Our experienced staff and Executive Director are highly skilled in providing services that are reported to and monitored by federal, state and local government entities, as well as private foundations and corporate foundations.

PROGRAM INFORMATION

11. Program Type

Select the activity that best describes your agency's proposed program for which you are seeking funding.

- ☐ General Operating Costs
☐ Senior Services
☐ Handicapped Services
☐ Legal Services
☒ Youth Services
☐ Transportation Services
☐ Substance Abuse Services
☐ Services for Battered and Abused Spouses

- ☐ Employment Training
- ☐ Crime Awareness or Neighborhood Cleanups
- ☐ Fair Housing Activities
- ☐ Tenant/Landlord/Housing Counseling
- ☐ Child Care Services
- ☐ Health Services
- ☐ Services for Abused and Neglected Children
- ☐ Mental Health Services
- ☐ Food Banks
- ☐ Subsistence Payments
- ☐ Homeless Assistance
- ☐ Rental Housing Subsidies or Security Deposits

12. Enter the number of beneficiaries, by income, expected to be served during the fiscal year July 1, 2016 - June 30, 2017.

Count "households" when the entire household is served, e.g. food banks and housing; count "persons" for services such as mental health counseling. For Area Benefit activities, enter the # of low-income persons in the service area census tracts.

60	Persons: 0% - 30% AMI
50	Persons: >30% - 50% AMI
10	Persons: >50% - 80% AMI
	Persons >80% > AMI
120 00	TOTAL

13. Provide the program service area and address(es). Include the census tracts located in the service area. (Upload map showing service area in the Documents tab.)

If you are qualifying the program under Area Benefit, refer to the map and instructions on how to find low-income census tracts in the Library tab.

Casa de las Flores- 4096 Via Real, Carpinteria, CA 93013 Census Tract 0016.01

Dahlia Ct. Apartments - 1300 Dahlia Court, Carpinteria, CA 93013 Census Tract 0016.01

Mariposa Townhomes - 290 Parkview South Orcutt, CA 93455 Census Tract 0020.09

14. Program Description

Describe the program to be funded, including the type of activities that will be provided. Include how CDBG funds will be used and percent of CDBG to other sources of funds for the program.

The Youth Education Enhancement Program and Safe Summer Enrichment Program

PSHHC is requesting funds for educator salaries, supplies and kindle downloads for our Youth Education Enhancement Program (YEEP), and our Safe Summer Enrichment Program (SSEP) Read to Lead. It is our goal to continue our program during the summer with a focus on literacy for the whole family. Our Read to Lead Summer Program is a 6 week, evidenced based, on-line, and individualized literacy program. We are using it at other YEEP sites and are having much success. The 120 students at Carpinteria (2 sites) and Orcutt and their parents will have access to the program during YEEP hours and can also access the program from home. Our trained educators will work with students Monday-Thursday. Fridays will be field trip days and library downloads for students on their individual Kindles. They can then take the Kindles home during the weekend and read on their own. Parents will also sign up for the program. As part of the reading program, every week students and parents will receive a report showing progress. YEEP educators will go over these results with parents and students on a weekly basis. The students will do an initial assessment at the beginning of the school year that will be compared to the final reading assessment at the end of the 6 week Safe Summer Enrichment Program. First semester grades for the following academic year will also be compared to the last semester of the previous year to make sure there was no summer slide. YEEP Educators also attend first semester parent teacher conferences and ask the student's teachers if students returned to school well prepared. The \$10,000 for each of the three sites- Casa de las Flores, Dahlia (Carpinteria) and Mariposa (Orcutt) will provide 38% of total budget for these three sites.

15. Describe the unmet need to be addressed and how it was determined that there is a gap in services for the need. Include which other agencies or programs offer the same service and steps taken to collaborate and avoid duplication

Our work with individual school districts and our resident families has proven the need for highly academic and evidence based afterschool and summer programming. Teachers and administrators support our program because it is the only program that is free, on-site (where students live) and accessible to parents and children throughout the school year and during the summer and winter breaks. Our educators go to parent teacher conferences and have contact with teachers during the school year through email and site visits.

YEEP uses afterschool and summer programs as a means to close the achievement gap by providing children with opportunities to develop skills, competency and mastery in an environment that values children, the love of learning and achievement.

16. How are clients referred to the program?

Students are referred by teachers, counselors, parents, social workers and property managers.

17. Does the program provide services to all income levels, only low- to moderate-income persons, or other population? If serving low- to moderate-income clientele, how is income eligibility determined?

To qualify for an award of CDBG funds, the applicant must collect income on all clients to determine that at least 51% are low to moderate income.

(Income eligibility must be determined in accordance with CFR 24 Part 5.) Enter N/A if No. 18 is true

Although we provide services to all income levels, over 95% of our students are extremely low to moderate income as verified through yearly certification. Income eligibility is based on an income statement which is documented by two years of tax returns, bank records, and pay stubs.

Eligibility is certified annually by our two compliance officers. Each family and each student has a hard copy file with documentation.

18. Does the agency exclusively serve one or more of the populations listed below? Check all that apply. If the agency does not EXCLUSIVELY serve one or more of these populations check N/A.

*Agencies that exclusively serve one or more of the populations listed below do not have to income-qualify clients. *The definition of severely disabled adults is provided in the Library tab*

- ☐ Abused children
- ☐ Battered spouses
- ☐ Elderly persons (62 years of age +)
- ☐ Severely disabled adults*
- ☐ Homeless persons
- ☐ Illiterate adults
- ☐ Persons living with HIV/AIDS
- ☐ Migrant farm workers
- ☒ N/A

19. Is the applicant willing to collect and report to the County the race and ethnicity of each client served?

To qualify for an award of CDBG funds, the agency must collect race and ethnicity information from all clients. A list of race categories and ethnicity is provided in the Library tab.

- ☒ Yes
- ☐ No

20. List at least 3 quantifiable outputs/performance targets of the proposed program? What outcomes are expected?

Output examples: # of services provided, e.g. meals, classes, counseling or case management sessions, utility payments, etc. Outcome examples: improve nutrition/health, increased self-sufficiency, change in economic status, etc.

87% will attend 4 days a week for at least 2 hours a day. 85% will improve grades by at least 1 grading mark over the course of the 2016-2017 school year. 100% in literacy program will improve by 2 grade levels. 98% of parents will report progress.

21. What method will be used to collect beneficiary data?

e.g. intake forms, surveys, reports, census data

YEEP educators collect and evaluate report cards for all three grading periods during the academic school year. They also meet with teachers. Each student has a file with an individualized learning plan. The reading program will generate weekly reports on student progress. The annual survey will be given to parents at the end of the Safe Summer Enrichment Program and parents will evaluate the whole year of YEEP. Intake forms and income eligibility information will be kept in a file in the property manager's office.

22. Describe your Agency's experience and capacity in assisting clients and meeting goals and objectives.

Peoples' Self Help Housing has been very successful in assisting students and meeting goals and objectives. For the academic school year 2014-2015 (most recent data):

94% of students improved in Math

74.5% of students improved in language Arts

72.5% of students improved in both Math and Language Arts

61% of students improved in All Areas

In the first 3 weeks of the reading program 3 students have improved by one grade level.

PSHHC's devotion to education as a primary tool for children's achievement has been a 12 year project. It has evolved into much more than an afterschool program. It involves the whole family and the community. Currently, 27 students living at PSHHC properties are attending colleges such as Cal Poly, Mount St. Mary's, Fresno State, UCSD, Chico, etc. and a whole new group is receiving acceptance letters in the months to come. These students become mentors for the younger students and help to create a Community of Learners where education is valued and excellence is expected.

23. List the staff positions that will be dedicated to the proposed program.

For each position, include: a) name and title, b) experience and qualifications, c) projected number of hours per week dedicated to the proposed program, d) whether it is an existing position or will be a new hire and e) whether paid or unpaid

Yanelly Vital- 20 hrs/week- existing.

Yanelly Vital joined PSHHC as an ASES Para-Educator at the Los Adobes de Maria YEEP Learning Center and since then has become the Lead Educator at Mariposa YEEP Learning Center in Orcutt. She holds a Bachelor's degree in sociology from San Francisco State University. Yanelly worked as a tutor in the America Reads Tutor and Jumpstarts Corps programs in San Francisco.

Jennifer Davis 20hrs/week- existing.

Jennifer A. Davis is a Co-Educator at the Dahlia Court II YEEP Learning Center in Carpinteria. Jennifer holds a Bachelor's Degree in Mathematics from the University of Colorado. Her professional experience includes tutoring as a Math Teaching Assistant for EOPS & Gateway, as well as substituting and teaching seventh grade for Notre Dame School/Santa Barbara Christian School.

Isabel Rivera 20 hours/week-existing.

Isabel Rivera is a Co-Educator at the Dahlia Court II YEEP Learning Center in Carpinteria. Isabel has worked as a Youth Development Professional with the Boys & Girls Club of the San Geronio Pass in Banning, California where she planned and implemented programs for 3-10 year old youths. She is currently attending Mt. San Jacinto College to further her education and in the process of completing transfer program to a university. Isabel is bilingual in Spanish and bicultural.

Alejandra Mahoney 10 hours/week-existing.

Alejandra Mahoney is the Program Manager for the Youth Education Enhancement Program. Alejandra holds a Bachelor's Degree in Liberal Arts from University of the State of New York and her major at Cal Poly was Psychology and Human Development. She has been at Peoples' for 9 years. Before working at Peoples' Alejandra worked extensively in education, developing programs for limited English speakers and their children through the Santa

Maria Adult Education Office, Santa Maria Joint Union High School District and Santa Barbara County Education Office. She is bilingual in English and Spanish.

All positions are paid positions

24. Does the applicant have sufficient cash reserves to pay for program costs as they are incurred?

CDBG funds are provided on a cost-reimbursement basis; proof of payment will be required prior to CDBG reimbursement.

☒ Yes

☐ No

CAPACITY

25. Does your Agency comply with Generally Accepted Accounting Principles?

☐ No

☒ Yes

26. Does your Agency comply with 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards?

Copy the following link into your browser for more info: <http://portal.hud.gov/hudportal/documents/huddoc?id=15-01sdn.pdf>

☐ No

☒ Yes

FINANCIAL

27. What is your Agency's fiscal year period?

July 1 - June 30

28. Does your Agency have any outstanding litigation or other legal issues? (Type N/A if a governmental entity)

If yes, please explain. Otherwise type "No" in the answer box.

None

29. Are there any outstanding financial audit findings which remain unresolved? If yes, please explain; otherwise type "No"

None

30. Does your Agency have a personnel policy with an affirmative action plan and a grievance procedure?

This is required by HUD regulations and must be made available to the County, HUD or other federal entity for review, upon request.

☐ No

☒ Yes

31. Did the agency expend \$750,000 or more in federal funds in its last fiscal year? If yes, has a single audit been completed? Requirement of 2 CFR 200 Subpart F.

Please provide a link to the audit or upload the results in the Documents tab. Web address of audit requirements:

<http://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-part200-subpartF.pdf>

Yes

32. In the spaces below, provide the expiration date (MM/DD/YYYY) next to each insurance instrument. Type "N/A" in each answer box if a governmental entity.

Upload each insurance document in the Documents tab. Note that a separate endorsement showing the County as an additional insured will be required if funded.

03/01/2016 General Liability

03/01/2016 Automobile insurance

04/01/2016 Workers Compensation

0.00 TOTAL

33. Does the organization agree to upload updated insurance immediately upon expiration?

☐ No

☒ Yes

Budget

Funding Sources

CDBG - County of Santa Barbara

CDBG - City of Carpinteria

Agency Property Contributions

Committed

Uncommitted

\$ 10,000.00

\$ 20,000.00

\$ 39,080.00

Donations/Foundations		\$ 9,750.00
Total	\$ 39,080.00	\$ 39,750.00

Funding Uses/Expenses	Total Project Budget	County CDBG	County other	Private	Other
Salaries and Benefits	\$ 51,760.00	\$ 28,000.00			\$ 23,760.00
Mileage	\$ 305.00	\$ 0.00			\$ 305.00
Travel	\$ 50.00	\$ 0.00			\$ 50.00
Workshops/Training	\$ 900.00				\$ 900.00
Meals	\$ 375.00				\$ 375.00
Supplies	\$ 7,725.00				\$ 7,725.00
Postage	\$ 40.00				\$ 40.00
Computer Supplies	\$ 7,935.00	\$ 2,000.00			\$ 5,935.00
Telephone	\$ 1,685.00				\$ 1,685.00
Insurance	\$ 290.00				\$ 290.00
Indirect	\$ 7,765.00				\$ 7,765.00
Total	\$ 78,830.00	\$ 30,000.00	\$ 0.00	\$ 0.00	\$ 48,830.00

Budget Narrative

Total budget in this application is the annual budget for three afterschool and summer youth education enhancement programs; two located in Carpinteria and the third in Orcutt.

Documents

Documents Requested *

Agency Certification
[download template](#)

W-9
[download template](#)

Form 990
[download template](#)

Articles of Incorporation and By-Laws

Federal Tax Exemption letter

Organizational Chart

Most Recent Audited Financial Statements

Conflict of Interest Statement
[download template](#)

Blank client intake form with signature block for intake staff/supervisor

Resumes of project team

Letters of funding support from applicable cities and funding commitment letters.

Map of service area (include census tracts if qualifying the program under Area Benefit).

Insurance: Upload General Liability, Automobile and Workers Compensation

Required?



Attached Documents *

[Agency Certification](#)

[W-9](#)

[Form990](#)

[Articles of Incorporation and By-Laws](#)

[Federal Tax Exemption Letter](#)

[Organizational Chart](#)

[EYE15 Audit](#)

[Conflict of Interest Statement](#)

[Resumes of Project Team](#)

[Letter of Support](#)

[Map of Service Area](#)

* ZoomGrants™ is not responsible for the content of uploaded documents.

Application ID: 46277

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City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 22, 2016

ITEM FOR COUNCIL CONSIDERATION

Memorandum of Understanding (MoU) with the Carpinteria Skate Foundation

STAFF RECOMMENDATION

Action Item; ☒ Non-Action Item ☐

Authorize the Mayor to execute the MoU with the Carpinteria Skate Foundation.

MOTION: I move to authorize the Mayor to execute the MoU with the Carpinteria Skate Foundation.

BACKGROUND

On October 26, 2015, the City Council directed Staff to author a two party MoU with the Carpinteria Skate Foundation to define each party's role in the pursuit of a skate park in Carpinteria at the City Hall Campus.

Staff prepared an MoU after discussions with representatives of the Foundation. The Final Draft is attached to this report. The MoU has been authored with assistance of the City Attorney's office and is presented for City Council consideration already signed by the Foundation.

DISCUSSION

The MoU defines roles and responsibilities through five significant phases of the skate park's design, approval process and park operations. It also describes the funding responsibilities of each party for each phase.

The five phases are as follows;

1. The Design Phase where detailed project plans are developed.

2. The Permitting Phase where both regulatory and discretionary development and coastal development permits are sought.
3. The Operational Commitment Phase where an operational plan for the park will be authored and agreed to by both parties.
4. The Construction Phase where project public bidding and construction management is accomplished.
5. The Ongoing Operations and Maintenance Phase where the park is open and in service to the public. This phase will be enduring if the park is successfully developed.

Should the City Council authorize the signing of the MoU. The Design Phase can begin. As a design is refined, the City's Public Facility Site Acquisition/Development Committee (Carty / Nomura) will be asked to review and provide input on the project. A proposed design concept will then be brought to the City Council for review and authorization to proceed to the Permitting Phase.

POLICY CONSIDERATIONS

The City's General Plan supports new park and recreation projects.

Open Space, Recreation & Conservation Element

Objective OSC-14. *Provide for adequate park and recreation facilities to meet the needs of the community and visitors.*

Implementation Measure 61. *Support development of new or expanded park and recreation facilities as demand/need dictates. When latent demand for parks and recreation facilities is identified, adequate parkland and facilities shall be identified and pursued.*

FINANCIAL CONSIDERATIONS

The MoU defines the City's financial contribution to the Skate Park to be limited to Staff time for project administration and permitting. Cash needed to fund the Project is contributed by the Foundation. Each phase of the project will be funded as needed to carry out that phase. For example, the Foundation will not be required to deposit funds with the City for the Construction Phase until that phase is initiated.

LEGAL

A memorandum of understanding describes an agreement between two or more parties. It expresses a convergence of will between the parties, indicating an intended common line of action. It is often used in cases where parties do not imply a legal commitment. It is a more formal alternative to a gentlemen's agreement.

The City Attorney's office has prepared the MoU in its final form and is available for questions.

OPTIONS

1. Direct staff to amend the proposed MoU at the City Council's discretion.
2. Do not authorize execution of the MoU and provide additional direction to Staff.

PRINCIPAL PARTIES EXPECTED AT MEETING

Representative of the Carpinteria Skate Foundation

ATTACHMENTS

The proposed Memorandum of Understanding between the City and the Carpinteria Skate Foundation.

Minutes of the Carpinteria Skate Foundation's meeting February 4, 2016

Staff contact: Matthew Roberts, Parks and Recreation Director

(805) 684-5405 x449 Mattr@ci.Carpinteria.ca.us

Reviewed by: Dave Durflinger, City Manager



Signature



Signature

**MEMORANDUM OF UNDERSTANDING
REGARDING A SKATE PARK DEVELOPMENT AT 5775 CARPINTERIA AVENUE**

This **Memorandum of Understanding Regarding Skate Park Development** ("MOU") is entered into in Santa Barbara County, California, this ___ day of _____, 2016 by and between **CARPINTERIA SKATE FOUNDATION, INC.**, a nonprofit 501(c)(3) organization (tax-exempt ID # 3214751) located in Carpinteria, California ("**Foundation**"), and the **CITY OF CARPINTERIA**, a municipal corporation formed under the California Constitution ("**City**") (Foundation and City may be referred to as "**Parties**" or "**Party**," as appropriate) with reference to the following facts and intentions:

RECITALS:

- A. **WHEREAS**, on January 13, 2014, the City Council directed staff to prepare a Skate Park Feasibility Study ("**Feasibility Study**") to analyze the costs and benefits of developing a skate park as an addition to the City park system. The Feasibility Study analyzed design options, operational concerns, and possible locations; and
- B. **WHEREAS**, the Feasibility Study concluded that demand for a skate park had been durable over the past decade, that the liability involved with a skate park is comparable to other recreational amenities, and that a local private sponsoring organization would be critical to a skate park's success; and
- C. **WHEREAS**, on December 14, 2014, the City Council instructed staff to receive the Feasibility Study; analyze a site at the eastern-most portion of the City Hall campus at 5775 Carpinteria Avenue ("**Eastern City Hall Site**"); and consider site design alternatives, funding, and operational agreements with the Foundation; and
- D. **WHEREAS**, on October 26, 2015, the Carpinteria City Council approved a motion directing staff to work with the Foundation to negotiate an MOU for City Council consideration and to proceed with a concept design for a skate park at the Eastern City Hall Site ("**Project**"); and
- E. **WHEREAS**, the Project is envisioned as a City-owned public project where detailed project plans and construction specifications must be prepared and the Project permitted through the City's discretionary approval process; and
- F. **WHEREAS**, The Foundation will fund the Project, provide design input, and ultimately provide operational support for the completed Project.

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions hereinafter set forth, the sufficiency of which is hereby acknowledged, the Parties agree as follows:

1. Purpose and Intent

- 1.1 **Purpose.** The purpose of this MOU is to further City's and Foundation's interest in actively working together to develop and operate the Project and to clearly identify the roles and responsibilities of each Party. This MOU does not bind either party to execute any future agreement.
- 1.2 **Project Phasing.** Five phases have been identified for the development and operation of the Project: 1) Design, 2) Permitting, 3) Operational Commitments, 4) Project Construction, and 5) Ongoing Operations and Maintenance.

2. Project Phases

2.1 Design Phase

2.1.1 Process Overview

2.1.1.1 **Joint Development of Budget.** After the execution of this MOU, the Parties will cooperate in good faith to reach agreement on a budget for the Design Phase.

2.1.1.2 **Site Plan Creation.** The Parties understand and agree that they will work in cooperation to create a Site Plan for the Project, tentatively planned for the Eastern City Hall Site. This Site Plan will be prepared by a design professional to be hired by the City.

2.1.1.3 **Committee Review.** The Public Facility Site Acquisition/ Development Committee ("**Committee**") will review the Site Plan as needed and render recommendations for the City Council on any proposed modifications.

2.1.1.4 **City Council Review.** City staff will present the Site Plan and any Committee recommendations to the City Council for its consideration and authorization to submit a permit application for the Project.

2.1.2 **Foundation Obligations.** The Foundation understands and agrees that it shall be responsible for the following:

2.1.2.1 Providing funding for the retention of a design professional to create the Site Plan. The Foundation must provide the City with the necessary funds prior to a professional services contract being signed.

2.1.2.2 Assisting the City in the selection of a qualified design professional and providing input on Project design.

2.1.3 **City Obligations.** The City understands and agrees that it shall be responsible for the following:

2.1.3.1 Providing a topographic site survey for design purposes.

2.1.3.2 Contracting with a qualified design professional agreed upon by the City and the Foundation.

2.1.3.3 Managing the contract of the qualified design professional.

2.2 **Permitting Phase**

2.2.1 **Review Process.** The Parties understand and agree that the Project is subject to discretionary review and approval by the City including the Architectural Review Board and Planning Commission. Because the Project is in the Coastal Zone, the requirements for a Coastal Development Permit will also apply.

2.2.2 **Design Subject to Change.** The Parties understand that Project design is subject to refinement through the permitting process and that many factors could impact final Project design. The Parties additionally understand that the discretionary approval process may result in a modified version of the Project or Project denial.

2.2.3 **Foundation Obligations.** The Foundation understands and agrees that it shall be responsible for the following:

2.2.3.1 Funding for professional consultants required to complete the permit application for the Park, environmental review documents, or other materials required for submission during the Permitting Phase.

2.2.3.2 Advocacy for the Park as appropriate before local, state, and federal regulatory bodies, and before any funding entities.

2.2.4 **City Obligations.** The City understands and agrees that it shall be responsible for the following:

2.2.4.1 Contracting with professional consultants agreed upon by the City and Foundation as necessary to complete the Permitting Phase.

2.2.4.2 Funding staff time required to process permit applications, conduct development review, and hold public meetings as necessary to the approval process.

2.3 **Operational Commitment Phase**

- 2.3.1 **Park Operational Plan and Operations & Maintenance Agreement.** The Foundation and City staff will cooperate in good faith to create a Park Operational Plan (“POP”) and execute an Operations & Maintenance (“O & M Agreement”).
- 2.3.2 **Required contents of the POP.** The POP must include sufficient detail to determine the ongoing, annual expenses and revenue associated with the Project. The POP should include operational details including but not limited to: hours of operation; inspection protocols; the number and timing of special events; rules of use; insurance; conditions for park closure; programming; and compatibility with existing uses at the City Hall campus.
- 2.3.3 **Required contents of O & M Agreement.** The O & M Agreement must specify how the Parties will share skate park (“Park”) obligations, including but not limited to:
 - 2.3.3.1 Day-to-day Park management and maintenance, including enforcement of rules, and documentation and reporting of violations.
 - 2.3.3.2 Programming and direct supervision/oversight of Park users under 12 years of age.
 - 2.3.3.3 Park maintenance inspections and related documentation and reporting.
 - 2.3.3.4 Volunteer recruitment, training, and retention to help manage the Park.
 - 2.3.3.5 Funding ongoing operations and maintenance.
- 2.3.4 **Foundation Obligations.** The Foundation understands and agrees that it shall be responsible for:
 - 2.3.4.1 Providing input and advice on the POP.
 - 2.3.4.2 Negotiating an O & M Agreement in good faith that includes the contractual obligations outlined in 2.3.3.
 - 2.3.4.3 Providing liability insurance as required by the City.
- 2.3.5 **City Obligations.** The City understands and agrees that it shall be responsible for:
 - 2.3.5.1 Consulting with the Foundation in drafting the POP.
 - 2.3.5.2 Drafting the O & M Agreement between the City and Foundation .

2.3.5.3 Presenting the POP and the O & M Agreement for consideration and approval by the City Council.

2.4 **Construction Phase**

2.4.1 **Public bidding.** The Parties understand and agree that a public bidding process will take place for Project construction.

2.4.2 **Commencement of Construction.** The Parties understand and agree that construction may not begin until 1) the POP has been recommended by the Foundation and approved by the City Council, 2) an O & M Agreement has been executed by the Parties, and 3) the Parties have reached agreement on the amount and required timing of construction funding.

2.4.3 **Foundation Obligations.** The Foundation understands and agrees that it shall be responsible for the following:

2.4.3.1 Reviewing and providing input on construction specifications and bid results.

2.4.3.2 Funding construction activities, with the total amount and timeline to be memorialized in an agreement prior to the City's award of a construction contract.

2.4.4 **City Obligations.** The City understands and agrees that it shall be responsible for the following:

2.4.4.1 Overseeing the public bidding process in compliance with the Public Contract Code.

2.4.4.2 Managing the construction contract.

2.5 **Ongoing Operations and Maintenance Phase**

2.5.1 **Party Obligations.** The Parties understand and agree that they shall cooperate to operate the Park in accordance with the O & M Agreement and the POP.

2.5.2 **General Terms.**

2.5.2.1 The Park will be regulated by the City as a public park and will be subject to the rules and regulations as amended from time to time set forth in applicable local, state, and federal laws.

2.5.2.2 The City, as a public agency property owner, will retain complete discretion over the Park site and improvements, including authority to alter or remove Park improvements.

2.5.2.3 The City will strive to keep the Park open to the public during normal times; however, the Park will be subject to temporary or long-term closure if it is determined to be unsafe until such time as any hazardous condition or defect can be remedied or repaired.

2.5.2.4 If the Park is subject to a catastrophic failure or if hazardous conditions need to be repaired and repair funds cannot be raised, the Park may be closed indefinitely.

3. **Funding**

- 3.1 **Foundation Responsibility.** The Foundation understands and agrees that the City has not committed any funds for the Project, and that the Foundation will be responsible for facilitating all funding necessary to complete the Project. However, the City agrees to assist the Foundation with grant applications to fund the Park where the City's participation is necessary and appropriate.
- 3.2 **Pre-Funding of Project Phases.** The funding anticipated as necessary to complete the Design Phase, Permitting, and Construction Phase must be provided to the City prior to the commencement of each respective phase. Funding commitments for the Ongoing Operations and Maintenance Phase will be negotiated by the Parties and memorialized in the O & M Agreement prior to the commencement of Project construction.
- 3.3 **Further Agreements.** The Parties understand that they may need to enter into further agreements at a later date more clearly setting forth the Foundation's funding obligations and deadlines.
- 3.4 **Termination for Failing to Fund.** The Foundation understands and agrees that if it fails to provide funding for any part of the Project, City will halt all work on the Project and may resume work once funding is provided or may terminate the Project.

4. **Indemnification**

The Foundation agrees to indemnify, defend, and hold harmless the City, its officers, agents and employees from any and all liabilities, claims, or losses of any nature, including attorneys' fees, to the extent caused by, arising out of, or in connection with, the Foundation's acts or omissions pursuant to this Agreement, whether such acts and omissions are willful or negligent, either active or passive.

5. **General Provisions.**

- 5.1 **Recitals.** Recitals A through F set forth above are true and correct and are material to this Agreement and are expressly incorporated herein by this reference.

- 5.2 **Further Assurances.** The Parties each agree to cooperate with one another, to use their best efforts, to act in good faith and to promptly perform such acts and to execute such documents or instruments as are reasonably necessary and proper to consummate the transactions contemplated by this Agreement.
- 5.3 **Entire Agreement.** This Agreement supersedes any prior agreements, negotiations, and communications, oral or written, and contains the entire agreement between the Parties hereto as to the subject matter hereof, except that the Parties anticipate entering into further agreements to implement the provisions of this MOU as described herein.
- 5.4 **Applicable Law.** This Agreement shall be governed and construed in accordance with the laws of the State of California.
- 5.5 **No Waiver.** Any failure to enforce any of the provisions of this Agreement shall in no way affect the validity of this Agreement, or any part hereof, and shall not be deemed a waiver of the rights of either Party to enforce any and each such provision. Any consent or approval given pursuant to this Agreement shall be limited to its express terms and shall not otherwise increase the obligations of the Party giving such consent or approval or otherwise reduce the obligations of the Party receiving such consent or approval.
- 5.6 **Amendments.** The terms of this Agreement may not be modified or amended except by an instrument in writing executed by the Parties and recorded in the Office of the County Recorder, County of Santa Barbara, State of California.
- 5.7 **Counterparts and Execution.** This Agreement may be executed in two (2) or more counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one (1) agreement, notwithstanding that all of the Parties are not signatories to the original or to the same counterpart.
- 5.8 **Severability.** If any term, provision, covenant or condition of this Agreement shall be or become illegal, null, void or against public policy, or shall be held by any court of competent jurisdiction to be illegal, null or void or against public policy, the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected, impaired or invalidated thereby. The term, provision, covenant or condition that is so invalidated, voided or held to be unenforceable shall be modified or changed by the Parties to the extent possible to carry out the intentions and directives stated in this Agreement.
- 5.9 **Authority.** All individuals executing this and other documents on behalf of the respective Parties certify and warrant that they have the capacity and have been duly authorized to so execute the documents on behalf of the entity so indicated. Each signatory shall also indemnify the other Party to this Agreement, and hold them harmless, from any and all damages, costs, attorneys' fees, and other expenses, if the signatory is not so authorized.

5.10 **Integration.** This Agreement contains the entire understanding and agreement of the Parties, and there have been no promises, representations, agreements, warranties or undertakings by any of the parties, either oral or written, of any character or nature hereafter binding except as set forth herein.

5.11 **Notices.** Any notices, approvals, consents or requests permitted or required hereunder shall be in writing and shall be deemed to have been given when 1) personally delivered or 2) sent by sent by facsimile to the number set forth below if said facsimile is followed by certified mail notice as provided below, or 3) on the second business day after the date on which mailed by certified or registered mail, postage prepaid, or at such other address, notice of which is given as provided herein:

To Foundation:

Carpinteria Skate Foundation, Inc.
Peter Bonning
President of the Board
P.O. Box 1090
Carpinteria, CA 93013
T: (805) 517-4758
Email: JasonC@carpskatepark.org
Web: <http://www.carpskatepark.org>

To City:

Dave Durflinger
City Manager
5775 Carpinteria Ave.
Carpinteria, CA 93013
T: (805) 684-5405
F: (805) 684-5304

With Copy To:

Peter N. Brown
1020 State Street
Santa Barbara, CA 93101
T: (805) 882-1401
F: (805) 965-4333

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

FOUNDATION:
A 501 C(3)

CITY OF CARPINTERIA,
a Municipal Corporation

By: 
Carpinteria Skate Foundation, Inc.
Peter Bonning
President of the Board

By: _____
Dave Durflinger, City Manager

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
acting as City Attorney of the City of
Carpinteria



Minutes of special meeting of the board of directors of The Carpinteria Skate Foundation

A meeting of the board members of the Carpinteria Skate Foundation was duly called and held on Feb 4th, 2015.

The President of this 501(c)(3), Peter Boning, presided as Chairman of the meeting and determined that a quorum was present and that the meeting could conduct business.

The board approved a resolution to not alter the memorandum of understanding draft wording provided by the City of Carpinteria to the Carpinteria Skate Foundation for review.

The board further approved a resolution authorizing the formal partnership to commence as outlined in the memorandum of understanding.

RESOLVED that all acts taken and all documents executed by an officer of the corporation are hereby ratified and adopted.

There being no further business, upon motion made and carried, the meeting was adjourned.

Secretary

Jason Campbell

Name

A handwritten signature in black ink, appearing to be 'Jason Campbell', written over a horizontal line.

Signature

2/5/16

Date



City of Carpinteria

COUNCIL AGENDA STAFF REPORT FEBRUARY 22, 2016

ITEM FOR COUNCIL CONSIDERATION

Review of Fiscal Year 2015-16 Mid-Year Financial Results and Adjustment of Appropriations

STAFF RECOMMENDATION

Action Item x

Approve mid-year adjustments to the budget as summarized in Attachment C.

Motion: I move to amend the adopted budget as provided for in Attachment C.

BACKGROUND

Each fiscal year the City conducts a mid-year review of the budget in order to examine financial results and trends as they compare to budget projections. This report compares mid-year results of the current budget year to the full year revenue and expenditure estimates in order to identify corrections or adjustments that may be necessary.

This report also reviews the condition of significant revenue and expenditure categories and other important conditions known or anticipated at this time that are expected to impact the budget. In this context, the mid-year budget also informs early staff work being done for the next fiscal year's Budget.

The mid-year results indicate that the City's budget projections within each fund were generally sound. Of primary interest is the General Fund, which is the funding source for a majority of the City's basic services including law enforcement. The adopted 2015-16 budget projected General Fund revenues short of expenditures by (\$382,899) including (\$500,000) in funding for a special pavement project.

Attachment A shows the General Fund Actuals for Fiscal years 2013 thru 2015, the Adopted budget for 2016, and the Mid Year 2016 as per staff recommendations. In addition the attachment shows the variance between adopted and mid year. Overall, with the recommended adjustments to revenue and expense accounts, the General Fund is expected to show expenditures and other fund subsidies in excess of revenues. The resulting operational deficit is (\$355,900) which is \$27K favorable to the adopted budget. In addition, because actual audited 2015 expenditures were less than predicted in June the increase in the General Fund economic uncertainty reserve will be \$87K less thus increasing the General Fund Available Fund Balance (AFB). These two favorable variances combined with the (\$49K) unfavorable variance resulting from the CAFR as presented to your Council on January 25 result in a Mid year ending AFB of \$1,431,859, \$66K favorable to the Adopted AFB.

DISCUSSION

Property Tax revenue estimates from the County Assessor result in a \$54K increase. Sales tax revenue is expected to be (\$34K) less than the adopted budget. Interest income will increase \$10K due to a generous discount offered by PERS for prepaying pension payments. Charges for Services will increase \$10K due to the Planning Department being able to bill more hours for various development projects. Miscellaneous Income will increase \$28K due to a decision by the State Controller's Office to make payment on several SB90 Mandated Cost reimbursements.

Overall, total revenues are expected to be \$8,930,477, \$123K favorable to the adopted budget.

Two partial year management vacancies and infill result in a net \$114K savings for the year. Pension costs are increased (\$42K) including a (\$30K) increase in public safety pensions. Contract Services costs are increased (\$105K) including new appropriations for a special assessment district study, (\$40K) and a cost/fee study (\$20K). Other operating costs are increased (\$36K) including (\$25K) for 50th Anniversary costs. Minor Capital is increased by (\$18K) for costs related to the new phone and copier installations.

Total Expenditures are (\$99K) unfavorable to the Adopted Budget.
Net Income is \$24K favorable.

Transfers In are \$5K favorable due to the correction to an erroneous beginning fund balance in the Trust & Agency fund. Subsidies to other funds are (\$2K) unfavorable to Adopted; see Attachment B for details.

The Operational Deficit of (\$355,900) is \$27K favorable to the adopted budget. Increases in reserves necessary to maintain policy levels are \$87K less (favorable) to the adopted budget.

The change in the AFB is \$114K favorable to the adopted budget.
The AFB is reduced by (\$49K) due to audit/CAFR adjustments.

POLICY CONSISTENCY

Revising and amending the budget is consistent with the City's fiscal and budgeting policies

FINANCIAL CONSIDERATIONS

Amending the budget at mid year is a procedural matter conducted annually.

LEGAL

None

OPTIONS

City Council may direct staff to modify any or all individual budget line items

PRINCIPAL PARTIES EXPECTED AT MEETING

Unknown

ATTACHMENTS

Attachment A; Fiscal Year 2013 thru 2015 Actuals, 2016 Adopted Budget, Proposed 2016 Mid Year Budget showing major categories of Revenues, Expenditures, Transfers, Subsidies and Reserve Changes and Variances between Adopted and Mid Year

Attachment B; All Funds Adopted, Mid Year and Variance Summary

Attachment C; Detailed listing of all individual line items recommended to be changed.

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Reviewed by: Dave Durflinger, City Manager



Signature

Signature

Attachment A

Fiscal Year 2013 thru 2015 Actuals, 2016 Adopted Budget, Proposed 2016 Mid Year Budget showing major categories of Revenues, Expenditures, Transfers, Subsidies and Reserve Changes and Variances between Adopted and Mid Year

CITY OF CARPINTERIA
Mid Year 2015-16
GENERAL FUND

The General Fund is the general operating, and largest, fund of the City. This fund is used to account for all financial resources except those resources required to be accounted for in another fund. The projected ending balance of this fund is considered a contingency reserve for unexpected purposes during the course of the fiscal year.

	ACTUAL 13		ACTUAL 14		ACTUAL 15		ADOPTED 16		MID YEAR 16		Variance
Taxes											
Property Taxes	\$2,875,356	38.8%	\$2,861,510	36.1%	\$2,962,919	33.2%	\$3,040,571	34.5%	\$3,094,713	34.7%	54
Sales Taxes	1,739,414	23.4%	1,900,971	24.0%	2,054,033	23.0%	2,130,000	24.2%	2,096,000	23.5%	(34)
Franchise Taxes	552,787	7.5%	602,583	7.6%	634,781	7.1%	621,152	7.1%	621,152	7.0%	(0)
Bed Taxes	1,631,428	22.0%	1,923,538	24.3%	2,369,762	26.6%	2,278,431	25.9%	2,278,431	25.5%	0
Other Taxes	113,790	1.5%	127,167	1.6%	140,827	1.6%	106,000	1.2%	106,000	1.2%	0
Total Taxes	6,912,774	93.2%	7,415,769	93.6%	8,162,322	91.5%	8,176,154	92.8%	8,196,296	91.8%	20
Interest	23,348	0.3%	61,375	0.8%	(86,270)	-1.0%	93,987	1.1%	103,721	1.2%	10
Licenses & Permits	189,220	2.6%	109,909	1.4%	106,271	1.2%	143,452	1.6%	143,722	1.6%	0
Charges for Services	164,167	2.2%	205,934	2.6%	411,559	4.6%	286,360	3.3%	340,986	3.8%	55
Fines & Forfeitures	81,422	1.1%	100,454	1.3%	74,911	0.8%	72,478	0.8%	82,546	0.9%	10
Intergov Grants	33,299	0.4%	32,220	0.4%	234,960	2.6%	35,000	0.4%	34,610	0.4%	(0)
Miscellaneous	15,566	0.2%			13,822	0.2%	320	0.0%	28,596	0.3%	28
TOTAL REVENUE	\$7,419,796	100.0%	\$7,925,661	100.0%	\$8,917,575	100.0%	\$8,807,751	100.0%	\$8,930,477	100.0%	123
Regular Wages	\$1,865,960	24.9%	\$2,035,668	26.4%	\$2,060,157	25.7%	\$2,240,725	26.2%	\$2,126,444	24.5%	114
Part-time Wages	42,089	0.6%	30,930	0.4%	28,784	0.4%	38,941	0.5%	46,205	0.5%	(7)
Overtime Wages	10,902	0.1%	7,486	0.1%	8,908	0.1%	5,400	0.1%	10,939	0.1%	(6)
Other Wages	37,806	0.5%	42,573	0.6%	40,186	0.5%	44,658	0.5%	44,658	0.5%	0
Total Wages	1,956,757	26.2%	2,116,657	27.5%	2,138,035	26.7%	2,329,724	27.2%	2,228,246	25.7%	101
Health/Life/Dental Insurance	435,503	5.8%	467,167	6.1%	462,695	5.8%	488,207	5.7%	487,204	5.6%	1
Retirement	352,702	4.7%	395,475	5.1%	414,769	5.2%	406,971	4.7%	449,046	5.2%	(42)
Unemployment Insurance	5,137	0.1%	4,160	0.1%	4,284	0.1%	4,482	0.1%	4,489	0.1%	(0)
MediTax	28,410	0.4%	30,699	0.4%	30,988	0.4%	32,494	0.4%	32,542	0.4%	(0)
Other Benefits	9,836	0.1%	2,060	0.0%	9,605	0.1%	10,895	0.1%	11,213	0.1%	(0)
Total Benefits	831,588	11.1%	899,561	11.7%	922,341	11.5%	943,049	11.0%	984,494	11.4%	(41)
TOTAL WAGES & BENEFITS	2,788,345	37.3%	3,016,218	39.2%	3,060,376	38.2%	3,272,773	38.2%	3,212,740	37.1%	60
Contract Services	824,515	11.0%	738,945	9.6%	849,900	10.6%	1,056,222	12.3%	1,161,496	13.4%	(105)
Sheriff Contract	3,283,473	43.9%	3,320,423	43.1%	3,347,676	41.8%	3,448,656	40.2%	3,448,656	39.8%	0
Utilities	43,913	0.6%	40,232	0.5%	37,231	0.5%	41,023	0.5%	40,000	0.5%	(36)
Other Operating Exp.	179,760	2.4%	173,881	2.3%	162,932	2.0%	199,115	2.3%	235,161	2.7%	0
Non-Operating Exp.	211,311	2.8%	273,595	3.6%	370,807	4.6%	424,006	4.9%	424,006	4.9%	0
Minor Capital	65,739	0.9%	21,594	0.3%	11,706	0.1%	15,000	0.2%	32,677	0.4%	(18)
Debt Service	82,963	1.1%	113,788	1.5%	176,138	2.2%	111,386	1.3%	111,386	1.3%	0
TOTAL EXPENDITURES	\$7,480,019	100.0%	\$7,698,676	100.0%	\$8,016,766	100.0%	\$8,568,181	100.0%	\$8,666,762	100.0%	(99)
NET INCOME / (LOSS)	(\$60,223)		\$226,985		\$900,809		\$239,570		\$263,715		24
Transfers In	406,424		735,278		649,639		639,162		644,465		5
Transfers (Out)	(129,227)		(147,868)		(550,493)		(745,700)		(745,700)		0
NET TRANSFERS	277,197		587,410		99,146		(106,538)		(101,235)		5
Subsidies Received / (Provided)	(497,955)		(477,257)		(424,141)		(515,931)		(518,380)		(2)
Operational Excess / (Deficit)	(280,981)		337,138		575,814		(382,899)		(355,900)		27
Decrease / (Increase) in Reserves	116,110		(160,989)		(142,054)		(272,102)		(184,607)		87
CHANGE IN AVAILABLE FUND BALAN	(164,871)		176,149		433,760		(655,001)		(540,507)		114
Beginning Fund Balance	1,527,328		1,362,457		1,538,606		2,021,023		1,972,366		(49)
ENDING AVAILABLE FUND BALANCE	\$1,362,457		\$1,538,606		\$1,972,366		\$1,366,022		\$1,431,859		66

Non Spendable Reserve	205,646	4,167	4,167	4,167	4,167
Restricted for PEG	324,734	324,734	217,091	206,111	206,111
Total Restricted Reserves	530,380	328,901	221,258	210,278	210,278
Uncertainty Reserve	3,673,615	4,006,054	4,126,315	4,303,587	4,101,963
General Reserve	1,054,182	1,065,548	1,076,681	1,130,083	1,186,640
Replacement / Repair Reserve	1,009,568	1,019,562	1,030,222	1,083,645	1,140,202
Total Committed Reserves	5,737,365	6,091,164	6,233,218	6,517,315	6,428,805
Unassigned Fund Balance (AFB)	1,362,457	1,538,606	1,972,366	1,366,022	1,431,859
Total Fund Balances	7,630,202	7,958,671	8,426,842	8,093,615	8,070,942

Attachment B

All Funds Adopted, Mid Year and Variance Summary

Adopted Budget Fiscal Year Ending June 30, 2016

	Available Fund Balance Jun-15			Transfers In		Transfers Out		Opelational Excess / (Deficit)		Fund Balance Jun-16	
	Revenue	Expenditures				Subsidies		Reserve Changes			
TOTAL	\$5,395,771	\$12,957,289	100.00%	\$1,689,836	\$14,429,992	100.00%	\$1,689,836	\$0	(\$1,472,703)	(\$272,102)	\$3,650,966
10 GENERAL FUND	2,021,023	8,807,751	67.98%	639,162	8,568,181	57.81%	745,700	(515,931)	(382,899)	(272,102)	1,366,022
11 TRAFFIC SAFETY FUND	54	21,101	0.16%	0	21,522	0.15%	0	367	(54)		0
20 REVOLVING FUND	42,915	1,140,000	8.80%	0	1,140,000	10.09%	0	0	0		42,915
21 REPLACEMENT FUND	591	1,032	0.01%	0	1,623	0.06%	0	0	(591)		0
22 PARK DEVELOPMENT FUND	0	543	0.00%	0	35,149	0.25%	0	34,606	0		0
23 PARK MAINTENANCE FUND	0	233,000	1.80%	61,022	427,572	2.36%	84,004	217,554	0		0
25 GAS TAX FUND	104,876	325,000	2.51%	225,433	504,814	3.30%	129,734	0	(84,115)		20,761
26 LOCAL TRANSPORTATION FUND	10	10,771	0.08%	0	10,000	0.07%	402	0	369		379
27 MEASURE A FUND	837,953	762,499	5.88%	608,991	1,174,750	10.69%	115,958	0	80,782		918,735
28 TIDELANDS TRUST FUND	249,205	273,879	2.11%	0	179,630	1.19%	114,994	0	(20,745)		228,460
29 STREET LIGHTING FUND	1,058,565	297,876	2.30%	0	478,500	1.68%	192,611	0	(373,235)		685,330
31 TRUST & AGENCY FUND	0	192,546	1.49%	0	180,000	1.50%	7,243	0	5,303		5,303
33 R-O-W ASSESSMENT DISTRICT F	0	193,900	1.50%	145,228	353,182	2.15%	54,347	68,401	0		0
38 PBIA FUND	45,048	30,396	0.23%	0	27,975	0.20%	0	0	2,421		47,469
39 AB 939 FUND	310,553	183,125	1.41%	0	66,500	0.39%	191,564	0	(74,939)		235,614
41 MEASURE D FUND	724,978	0	0.00%	0	625,000	3.98%	0	0	(625,000)		99,978
42 CAPITAL IMPROVEMENT FUND	0	37,720	0.29%	0	37,720	0.26%	0	0	0		0
48 RECREATION SERVICES FUND	0	446,150	3.44%	10,000	597,874	3.88%	53,279	195,003	0		0

Mid Year Budget

Fund	Available Fund Balance Jun-15			Transfers In		Transfers Out		Opelational Excess / (Deficit)		Fund Balance Reserve	
	Revenue	Expenditures				Subsidies Received/(Provider)		Reserve Changes			
TOTAL	\$5,277,582	\$13,255,485	100.00%	\$1,695,139	\$14,692,291	100.00%	\$1,695,139	\$0		ERR	
10 GENERAL FUND	1,972,366	8,930,477	67.37%	644,465	8,666,762	58.99%	745,700	(518,380)	(355,900)	(184,607)	1,431,859
11 TRAFFIC SAFETY FUND	1,236	21,110	0.16%	0	21,522	0.15%	0	0	(412)		824
20 REVOLVING FUND	42,915	1,140,000	8.60%	0	1,140,000	7.76%	0	0	0		42,915
21 REPLACEMENT FUND	7,582	1,032	0.01%	0	0	0.00%	0	0	1,032		8,614
22 PARK DEVELOPMENT FUND	0	1,000	0.01%	0	35,149	0.24%	0	34,149	0		0
23 PARK MAINTENANCE FUND	0	233,348	1.76%	61,022	376,826	2.56%	84,004	166,460	0		0
25 GAS TAX FUND	185,994	321,788	2.43%	225,433	496,038	3.38%	129,734	0	(78,551)		107,443
26 LOCAL TRANSPORTATION FUND	48,655	10,771	0.08%	0	10,000	0.07%	402	0	369		49,024
27 MEASURE A FUND	814,105	762,499	5.75%	608,991	1,174,750	8.00%	115,958	0	80,782		894,887
28 TIDELANDS TRUST FUND	91,761	273,879	2.07%	0	237,911	1.62%	114,994	0	(79,026)		12,735
29 STREET LIGHTING FUND	1,077,831	351,775	2.65%	0	478,500	3.26%	192,611	0	(319,336)		758,495
31 TRUST & AGENCY FUND	0	292,546	2.21%	0	310,000	2.11%	12,546	30,000	0		0
33 R-O-W ASSESSMENT DISTRICT F	0	193,900	1.46%	145,228	366,171	2.49%	54,347	81,390	0		0
38 PBIA FUND	45,450	30,396	0.23%	0	27,975	0.19%	0	0	2,421		47,871
39 AB 939 FUND	315,893	183,125	1.38%	0	66,565	0.45%	191,564	0	(75,004)		240,889
41 MEASURE-D FUND	678,285	7,328	0.06%	0	625,000	4.25%	0	0	(617,672)		60,613
42 CAPITAL IMPROVEMENT FUND	0	37,720	0.28%	0	37,720	0.26%	0	0	0		0
48 RECREATION SERVICES FUND	(4,491)	462,791	3.49%	10,000	621,402	4.23%	53,279	206,361	4,491		0

Mid Year Variance to Adopted Budget

	Available Fund Balance Jun-15			Transfers In		Transfers Out		Opelational Excess / (Deficit)		Fund Balance Reserve	
	Revenue	Expenditures				Subsidies Received/(Provider)		Reserve Changes			
TOTAL	(\$118,189)	\$298,196		\$5,303	(\$262,299)		\$5,303	(\$4,898)	\$41,605		(\$81,482)
10 GENERAL FUND	(48,657)	122,726		5,303	(98,581)		0	(2,449)	26,999		65,837
11 TRAFFIC SAFETY FUND	1,182	9		0	0		0	367	376		824
20 REVOLVING FUND	0	0		0	0		0	0	0		0
21 REPLACEMENT FUND	6,991	0		0	1,623		0	0	1,623		8,614
22 PARK DEVELOPMENT FUND	0	457		0	0		0	457	914		0
23 PARK MAINTENANCE FUND	0	348		0	50,746		0	51,094	102,188		0
25 GAS TAX FUND	81,118	(3,212)		0	8,776		0	0	5,564		86,682
26 LOCAL TRANSPORTATION FUND	48,645	0		0	0		0	0	0		48,645
27 MEASURE A FUND	(23,848)	0		0	0		0	0	0		(23,848)
28 TIDELANDS TRUST FUND	(157,444)	0		0	(58,281)		0	0	(58,281)		(215,725)
29 STREET LIGHTING FUND	19,266	53,899		0	0		0	0	53,899		73,165
31 TRUST & AGENCY FUND	0	100,000		0	(130,000)		5,303	(30,000)	(54,697)		(5,303)
33 R-O-W ASSESSMENT DISTRICT F	0	0		0	(12,989)		0	(12,989)	(25,978)		0
38 PBIA FUND	402	0		0	0		0	0	0		402
39 AB 939 FUND	5,340	0		0	(65)		0	0	(65)		5,275
41 MEASURE-D FUND	(46,693)	7,328		0	0		0	0	7,328		(39,365)
42 CAPITAL IMPROVEMENT FUND	0	0		0	0		0	0	0		0
48 RECREATION SERVICES FUND	(4,491)	16,641		0	(23,528)		0	(11,378)	(18,265)		0

Attachment C

Detailed listing of line items recommended to changed.

ALL FUNDS

FUND	DEPT	OBJ	SUB	DESCRIPTION	ACTUAL 14	ACTUAL 15	ADOPTED 16	MID YEAR 16	Variance	Type
10	10	11	1	SECURED, CURRENT YEAR	2,716,607	2,864,464	2,875,933	2,973,069	97,136	Property Taxes
10	10	11	3	PRIOR YEAR, SEC/UNSEC	14,994	2,684	42,631	5,000	(37,631)	Property Taxes
10	10	11	4	PROPERTY TAX PENALTIES	5,752	7,395	14,583	2,000	(12,583)	Property Taxes
10	10	11	5	SUPPLEMENTAL ROLL	55,027	3,382	31,204	36,434	5,230	Property Taxes
10	10	11	2	UNSECURED, CURRENT YEAR	69,130	84,994	76,220	78,210	1,990	Property Taxes
10	10	12	1	SALES TAX	1,844,966	1,985,027	2,072,000	2,038,000	(34,000)	Sales Taxes
10	10	10	7	DISCOUNTS TAKEN				9,734	9,734	Interest
10	10	17	5	OVER-SIZE LOAD PERMITS	2,266	2,858	1,248	1,518	270	Licenses & Permits
10	10	18		PLANNING CHARGES	149,411	168,405	100,000	154,626	54,626	Charges for Services
10	10	13	3	LOCAL FINES & PENALTIES	12,769	25,879	11,478	15,300	3,822	Fines & Forfeitures
10	10	10	8	PAID FINANCE CHARGES	2,398	6,397	4,000	10,246	6,246	Fines & Forfeitures
10	10	14	6	HOMEOWNERS EXEMPTION 10	10,067	9,996	10,000	9,610	(390)	Subventions / Intergovernmental
10	10	16	5	SB90 CLAIMS				16,705	16,705	Miscellaneous
10	10	16	2	WAGE REIMBURSE INS., JURY		44,897		4,345	4,345	Miscellaneous
10	10	16	4	MISCELLANEOUS INCOME 10		13,502		1,576	1,576	Miscellaneous
10	14	16	2	Regular Salary 14	200,400	199,807	225,195	230,955	(5,760)	Regular Wages
10	16	16	2	Regular Salary 16	92,436	91,946	122,751	129,791	(7,040)	Regular Wages
10	12	16	2	Regular Salary 12	244,537	222,600	242,076	187,657	54,419	Regular Wages
10	41	16	2	Regular Salary 41	358,468	370,386	388,387	315,725	72,662	Regular Wages
10	45	16	4	Part-time Wages 45	10,426	8,529	4,185	11,449	(7,264)	Part-time Wages
10	41	16	5	Overtime Pay 41	916	1,308	1,800	3,391	(1,591)	Overtime Wages
10	30	16	5	Overtime Pay 30		374		307	(307)	Overtime Wages
10	13	16	5	Overtime Pay 13	5,178	3,120		3,641	(3,641)	Overtime Wages
10	13	19	4	Wellness 13	17,810	18,157	20,804	19,363	1,441	Health/Life/Dental Insurance
10	12	19	1	Life Insurance Premiums 12	2,127	1,941	834	1,272	(438)	Health/Life/Dental Insurance
10	16	19	2	Paid PERS-Employee16	6,788	6,509	8,395	6,770	1,625	Retirement
10	42	19	3	Paid PERS Employer 42	14,392	13,076	13,470	13,258	212	Retirement
10	44	19	2	Paid PERS-Employee44	6,882	6,601	6,572	6,770	(198)	Retirement
10	69	19	2	Paid PERS-Employee69	12,833	12,309	12,256	12,624	(368)	Retirement
10	44	19	3	Paid PERS Employer 44	8,881	8,866	8,313	8,182	131	Retirement
10	11	19	2	Paid PERS-Employee	10,018	9,697	9,778	10,071	(293)	Retirement
10	69	19	3	Paid PERS Employer 69	16,562	16,534	15,502	15,257	245	Retirement
10	42	19	2	Paid PERS-Employee42	11,151	9,711	10,650	10,970	(320)	Retirement
10	22	19	3	Paid PERS Employer 22	17,640	17,610	16,510	16,249	261	Retirement
10	30	19	3	Paid PERS Employer 30	28,443	33,461	32,556	48,310	(15,754)	Retirement
10	16	19	3	Paid PERS-Employee 16	8,729	8,866	8,313	8,182	131	Retirement
10	13	19	3	Paid PERS-Employee 13	5,148	5,161	4,939	4,861	78	Retirement
10	21	19	3	Safety Plan - PERS	66,832	89,017	89,012	119,268	(30,256)	Retirement
10	14	19	2	Paid PERS-Employee14	15,038	14,241	12,539	14,709	(2,170)	Retirement
10	12	19	3	Paid PERS-Employee 12	22,099	20,797	17,955	19,305	(1,350)	Retirement
10	13	19	2	Paid PERS-Employee13	3,873	3,834	3,905	4,022	(117)	Retirement
10	22	19	2	Paid PERS-Employee22	13,668	13,109	13,053	13,445	(392)	Retirement
10	12	19	2	Paid PERS-Employee-12	16,996	15,432	19,298	11,084	8,214	Retirement
10	11	19	3	Paid PERS-Employee 11	13,037	13,161	12,367	12,171	196	Retirement
10	14	19	3	Paid PERS-Employee 14	19,268	19,266	15,859	17,777	(1,918)	Retirement
10	41	19	3	Paid PERS Employer 41	35,893	35,792	33,595	33,627	(32)	Retirement
10	45	18	4	Unemployment Insurance 45	21	17	8	15	(7)	Unemployment Insurance
10	45	18	6	MediTax 45	151	124	61	109	(48)	MediTax
10	12	18	5	Deferred Compensation		8,256	8,358	8,676	(318)	Other Benefits
10	72	21	7	WM Program Implementation	7,279	2,442	25,000	30,000	(5,000)	Contract Services
10	14	22	8	Accounting Services		9,315	74	2,797	(2,723)	Contract Services
10	41	22	4	Drafting/Mapping	500	500	500	2,300	(1,800)	Contract Services
10	13	22	1	Miscellaneous Contracts 13	11,257	7,810	12,444	9,049	3,395	Contract Services
10	18	22		System Administration	41,286	40,594	30,000	49,601	(19,601)	Contract Services
10	12	22		Contract Services 12				7,500	(7,500)	Contract Services
10	18	22	2	Equipment Maintenance	16,465	21,411	17,000	21,345	(4,345)	Contract Services
10	18	22	4	Software Maintenance	23,138	20,470	44,000	48,200	(4,200)	Contract Services
10	30	22	1	Contract Services 30	33,588	29,310	176,346	236,346	(60,000)	Contract Services
10	11	22	1	Contract Services 11	3,341	3,208	7,000	10,500	(3,500)	Contract Services
10	13	31	7	Utility - Sewer 13	3,696	3,822	3,823	3,440	383	Utilities
10	11	30	5	Dues & Subscriptions 11	363	285	300	510	(210)	Other Operating Expenditures
10	12	30	5	Dues & Subscriptions 12	9,182	150	1,200	1,272	(72)	Other Operating Expenditures
10	15	30	8	Supplies & Materials 15	27	86	100	1,021	(921)	Other Operating Expenditures
10	22	30	8	Supplies & Materials 22	(1,418)	(4,870)	(1,305)	(1,259)	(46)	Other Operating Expenditures
10	13	30	2	Postage 13	9,265	12,848	8,426	11,166	(2,740)	Other Operating Expenditures
10	12	30	6	Meetings & Travel 12	1,507	328	400	877	(477)	Other Operating Expenditures
10	51	31		Public Relations 51	1,680	4,957	4,800	29,800	(25,000)	Other Operating Expenditures
10	70	41	7	Computer Hardware	21,594	11,706	15,000	32,677	(17,877)	Minor Capital
10	10	31	9	FROM TRUST & AGENCY 10	39,066		7,243	12,546	5,303	Transfers In
11	11	10	1	INTEREST INCOME 11	57	(369)	1	10	9	Interest
11	22	18	4	Unemployment Insurance 22 (11)	9	21	11	89	(78)	Unemployment Insurance
11	22	18	6	MediTax		70	78		78	MediTax
21	70	41	7	Computer Hardware 21			1,623		1,623	Minor Capital
22	22	22	5	NEW CONSTRUCTION TAX	21,072	4,543	543	1,000	457	Other Taxes
23	23	10	1	INTEREST INCOME 23	150	(1,115)		35	35	Interest
23	23	16	6	DONATIONS 23				313	313	Miscellaneous
23	61	16	2	Regular Salary 61	47,410	50,493	53,063	50,850	2,213	Regular Wages
23	61	19	1	Life Insurance Premiums 61	763	707	559	644	(85)	Health/Life/Dental Insurance
23	61	19	4	Wellness 61	17,978	18,132	20,804	19,928	876	Health/Life/Dental Insurance
23	61	19	2	Paid PERS-Employee 61	3,800	3,645	3,629	3,738	(109)	Retirement
23	61	19	3	Paid PERS-employer 61	4,904	4,896	4,590	4,517	73	Retirement
23	62	22	1	Beach Dune Maintenance			20,000		20,000	Contract Services
23	61	22	5	Marsh/Bluffs Maintenance	8,991	78,450	70,000	130,000	(60,000)	Contract Services
23	61	22	1	Miscellaneous Contracts	61,794	69,405	65,000	47,365	17,635	Contract Services
23	61	22	5	Park Maintenance 61	80,553	78,450	60,000	130,000	(70,000)	Contract Services
23	62	22		Contract Services (Berm Permit)			10,189		10,189	Contract Services
23	61	31	7	Utility - Sewer 23	2,681	3,864	4,000	4,046	(46)	Utilities
25	25	25	7	SECTION 2107.5 FUNDS	(13,050)	6,000	6,000	3,000	(3,000)	Subventions / Intergovernmental

ALL FUNDS

FUND	DEPT	OBJ	SUB	DESCRIPTION	ACTUAL 14	ACTUAL 15	ADOPTED 16	MID YEAR 16	Variance	Type
25	25	25	5	SECTION 2106 FUNDS	40,069	48,591	45,229	47,759	2,530	Subventions / Intergovernmental
25	25	25	4	TRAFFIC CONGESTION RELIEF			75,399	72,362	(3,037)	Subventions / Intergovernmental
25	25	25	6	MISCELLANEOUS INCOME 25	413			327	327	Subventions / Intergovernmental
25	25	25	6	SECTION 2107 FUNDS	104,625	111,342	114,543	114,511	(32)	Subventions / Intergovernmental
25	31	16	5	Overtime Pay 31	1,508	2,669	2,000	2,755	(755)	Overtime Wages
25	31	19	3	Paid PERS-Employer 31	12,126	12,332	16,169	11,170	4,999	Retirement
25	31	19	2	Paid PERS-Employee31	8,994	8,980	12,783	8,661	4,122	Retirement
25	31	22	1	Miscellaneous Contracts 31				(410)	410	Contract Services
27	70	41	5	Public Works Vehicles 27				30,000	(30,000)	Minor Capital
28	62	22	1	Beach Dune Maintenance	20,509	18,453	10,000	21,000	(11,000)	Contract Services
28	62	30	5	Dues & Subscriptions 62	9,000	9,000	9,000	9,500	(500)	Other Operating Expenditures
28	62	32	9	Jr Lifeguard Expenses	13,540	2,844		66	(66)	Other Operating Expenditures
28	64	30	8	Supplies & Materials 64	5,682	3,600		1,000	(1,000)	Other Operating Expenditures
28	79	41	8	Lifeguard Tower	593	80,300	15,000	31,715	(16,715)	Major Capital
28	70	41	4	Lifeguard Tower Refit	467		1,000	31,000	(30,000)	Minor Capital
28	70	41		Beach Wheelchair ADA	9,643		1,000		1,000	Minor Capital
29	29	29	5	PROPERTY TAX SECURED	272,418	287,393	264,300	318,024	53,724	Property Taxes
29	29	29	6	PROPERTY TAX UNSECURED	12,224	15,048	13,597	13,772	175	Property Taxes
31	31	31	4	CITY HALL IMPROVEMENTS		53,721		100,000	100,000	Intergov Grants
31	79	61	4	City Hall Improvements		53,721		130,000	(130,000)	Major Capital
31	90	10	9	To General 31	39,066	13,501	7,243	12,546	(5,303)	Transfers (Out)
33	32	16	5	Overtime Pay 32	2,774	2,591	2,000	4,712	(2,712)	Overtime Wages
33	32	19	3	Paid PERS Employer 32	14,994	14,641	9,215	14,430	(5,215)	Retirement
33	32	19	2	Paid PERS-Employee32	11,763	10,877	7,286	12,348	(5,062)	Retirement
39	37	22	4	ABOP Collection	3,172	3,948	4,000	4,065	(65)	Contract Services
41	41	10	1	INTEREST INCOME 41	5,860	(13,911)		7,328	7,328	Interest
48	48	40	8	FAMILY/CORPORATE PASS 48	8,755	4,825	5,000	8,000	3,000	Charges for Services
48	48	16	8	TRIATHLON REVENUE	83,839	80,714	82,000	66,000	(16,000)	Charges for Services
48	48	41	3	SWIM TEAM TUITIONS	46,301	42,300	40,000	50,000	10,000	Charges for Services
48	48	18		SENIOR PROGRAM REVENUE		1,177		891	891	Charges for Services
48	48	28	7	KAYAK REVENUE	535	11,805	10,000	12,950	2,950	Charges for Services
48	48	41	8	LOCKER RENTALS	2,144	1,701	1,500	1,800	300	Charges for Services
48	48	41	4	ENDURANCE/MASTERS	1,407	2,623	1,000	1,500	500	Charges for Services
48	48	28	1	JR LIFEGUARD FEES		93,090	75,000	90,000	15,000	Charges for Services
48	67	16	4	Part-time Wages 67		49,883	47,000	61,624	(14,624)	Part-time Wages
48	65	16	4	Part-time Wages 65	13,279	14,578	20,000	15,635	4,365	Part-time Wages
48	64	16	4	Part-time Wages 64		17,708	15,000	19,092	(4,092)	Part-time Wages
48	67	16	5	Overtime Pay 67		16		1,110	(1,110)	Overtime Wages
48	68	16	5	Overtime Pay 68	2,113	1,933	250	6,000	(5,750)	Overtime Wages
48	66	16	5	Overtime Pay 66	902	721	1,000	1,416	(416)	Overtime Wages
48	68	19	4	Wellness 68	7,342	14,460	17,036	15,163	1,873	Health/Life/Dental Insurance
48	68	19	1	Life Insurance Premiums 68	498	785	439	833	(394)	Health/Life/Dental Insurance
48	68	19	2	Paid PERS-Employee68	4,081	3,641	3,850	3,966	(116)	Retirement
48	68	19	3	Paid -PERS Employer 68	5,267	8,135	7,785	11,287	(3,502)	Retirement
48	64	18	4	Unemployment Insurance 64		35	30	33	(3)	Unemployment Insurance
48	67	18	4	Unemployment Insurance 67		11	94	127	(33)	Unemployment Insurance
48	68	18	4	Unemployment Insurance 68	121	222	240	275	(35)	Unemployment Insurance
48	64	18	6	Meditax 64		254	218	239	(21)	MediTax
48	68	18	6	Meditax 68	900	1,608	1,740	2,030	(290)	MediTax
48	67	18	6	Meditax 67		78	682	1,052	(370)	MediTax
48	66	31	7	Utility - Sewer 66		8,402	8,500	7,800	700	Utilities
48	66	31	3	Utility - Electric 66	12,776	15,947	14,000	18,000	(4,000)	Utilities
48	68	30	8	Supplies & Materials 68	11,917	10,285	10,000	20,159	(10,159)	Other Operating Expenditures
48	67	30	8	Supplies & Materials 67		2,781	10,500	20,000	(9,500)	Other Operating Expenditures
48	66	30	6	Meetings & Travel 66	138		250	286	(36)	Other Operating Expenditures
48	64	30	8	Supplies & Materials 64		488	500	1,500	(1,000)	Other Operating Expenditures
48	63	30		Triathlon Expense	51,991	54,906	50,000	46,000	4,000	Other Operating Expenditures
48	62	32	9	Jr Lifeguard Expenses	7,514	14,566	20,000	150	19,850	Other Operating Expenditures
48	66	30	1	Telephone 66	4,065	4,600	4,600	3,465	1,135	Other Operating Expenditures



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 22, 2016

ITEM FOR COUNCIL CONSIDERATION

Authorization to Submit Caltrans Scope and Cost Change Funding Forms 6-B and 6-D for the Carpinteria Ave. Bridge Replacement Project

STAFF RECOMMENDATION

Action Item _X_ ; Non-Action Item ___

Authorize the submittal of Caltrans Funding Forms 6-B and 6-D for the Carpinteria Ave. Bridge Replacement Project.

Motion: I move to authorize the submittal of Caltrans Funding Forms 6-B and 6-D for the Carpinteria Ave. Bridge Replacement Project.

BACKGROUND

Carpinteria Avenue, including the Carpinteria Creek Bridge, serves as the main east-west roadway in the City. The roadway and bridge also serve as an important alternative route to U.S. 101 during emergencies. The last inspection report by the California Department of Transportation (Caltrans) on file for the Carpinteria Avenue Bridge, prior to the start of the project, was completed in November 2012. The bridge received a low rating because it is structurally deficient and does not pass the 100-year flood. Being that this bridge serves as a widely used arterial road in the City, it is critical to replace the existing bridge structure in order to make it structurally sound and pass the 100-year flood.

In 2010, the City of Carpinteria secured federal funding through the Highway Bridge Program to address the structural deficiencies of the 1937 Carpinteria Avenue Bridge over Carpinteria Creek. Caltrans Division of Local Assistance manages the Highway Bridge Program for the Federal Highway Administration. Since the award of the grant to the City, the Department of Public Works has worked closely with Caltrans District No. 5 Local Assistance on proceeding with the Preliminary Engineering (PE) Phase of this

project. The PE phase includes all conceptual design, environmental review, permitting and final engineering design work. In 2012, the City, through a consultant contract, completed a preliminary Hydraulics and Hydrology Study which assessed the hydraulic capacity within Carpinteria Creek for existing and future conditions. The condition of the bridge and the hydraulics of the creek support the replacement of the bridge. In May of 2013, the City executed an agreement with Drake Haglan and Associates (DHA) to provide preliminary engineering, environmental, right of way, final design and permitting services.

Approval of Program Supplemental Agreement with Caltrans

In April of 2010, the City entered into a Master Agreement with the California Department of Transportation (acting through their delegated authority from the Federal Highway Administration). The Master Agreement is required to establish the terms and conditions under which the City of Carpinteria may receive federal funding for any federally funded transportation project. The execution of a Program Supplement agreement to the Master Agreement for a specific project is required to further define the conditions under which the City may receive federal reimbursement. A Program Supplement is usually executed with additional federal funding and is allocated for the specific project. The City executed a Program Supplement in May 2011 and a second Program Supplement in May 2014. The second Program Supplement was triggered by additional PE phase funds being obligated to the City.

DISCUSSION

The Carpinteria Ave. Bridge Replacement Project was originally approved and awarded federal funding based on a preliminary construction cost estimate of \$8,383,000. As engineering designs have progressed and studies have been completed, the project construction cost estimate has risen to \$14,000,000. Geotechnical conditions in the creek bed, resulting in much larger bridge pile foundation elements, is the primary reason for the cost increase.

The purpose of submitting Forms 6-B and 6-D (**Attachment A**) is to obtain Caltrans approval for the cost increases for funding purposes. Although the forms have yet to be submitted, Caltrans Local Assistance is aware of the cost increase and has already began performing some administrative tasks for the project based on the new cost estimates.

POLICY CONSISTENCY

The Carpinteria Avenue Bridge Replacement Project is included in the City's Capital Improvement Program / Development Impact Fee Program and it addresses many of the goals and policy statement in the City's General Plan and other policy documents including the following:

- The purpose of the Circulation Element is to designate an efficient system of streets and highways that will provide adequate linkages between land uses in the City. This Element complements the Land Use Element by contributing to the achievement of the economic, physical, and social goals of the community.
- Circulation and infrastructure needs are typically granted high priority in municipal capital budgets.
- C-1b. The City shall strive to improve vehicular and pedestrian over crossings of the freeway and the various creeks while respecting their habitat value and sensitivity.
- OSC-6a. Support the preservation of creeks and their corridors as open space, and maintain and restore riparian habitat to protect the community's water quality, wildlife diversity, aesthetic values, and recreation opportunities.
- OSC-6b. Protect and restore degraded creeks on City-owned land where protection and restoration does not interfere with good flood control practices.
- Creeks Preservation Program Implementation Policy 2.10, Implementation Measure 2.10.2. The City will specifically promote, through both public and private efforts, the aquatic and riparian habitats of Carpinteria Creek for restoration. (This policy includes several more elements that can be found on Pages 3-34 to 3-36).

FINANCIAL CONSIDERATIONS

<u>Project Costs:</u>		<u>Project Funding:</u>	
Construction	\$ 14,000,000	Federal HBP Funding :	\$ 15,028,853
Preliminary Engineering	\$ 2,576,000	Local Funds:	\$ 1,947,147
Right of Way Eng.	\$ 400,000		
Total:		Total:	
\$ 16,976,000		\$ 16,976,000	

LEGAL

There are no legal issues associated with this item.

OPTIONS

The City Council could choose not to authorize the submittal of forms 6-B and 6-D and/or direct staff to make revisions to the forms.

PRINCIPAL PARTIES EXPECTED AT MEETING

There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Exhibits 6-B and 6-D With Attachments

Staff contact: Matt Maechler, Civil Engineer
(805) 684-5405 x441, mattm@ci.carpinteria.ca.us



Signature

Reviewed by:
Charles W. Ebeling, P.E., Public Works Director



Signature FOR

Reviewed by: Dave Durflinger, City Manager



Signature

Attachment A:
Exhibits 6-B and 6-D With Attachments

EXHIBIT 6-B HBRRP SPECIAL COST APPROVAL CHECKLIST

The purpose of this form is to help local agencies identify project costs that require Caltrans funding approval. Local agencies are responsible for contacting the DLAE to resolve any items requiring Caltrans review. This form is not a substitute for reading Chapter 6 of the LAPG or the LAPM. Local agencies are still financially accountable for meeting all the requirements of the LAPG and the LAPM.

Project Number BRLS-5397(010)

State Bridge No. N/A (one bridge per application) Local Bridge No. 51C0172

Project Location City of Carpinteria

Chapter 6 LAPG Section #'s	Topic	Status
6.2.1 – Rehab 6.2.2 – Replace	Adding Additional Lanes (including turn lanes)	☐ Requires Caltrans/MPO Approval ☐ Caltrans has Approved Costs ☐ MPO has Approved Scope in FTSIP ☒ Not Applicable
6.2.1 – Rehab	Scope is Bridge Replacement, but SR>50	☐ Requires Caltrans Approval ☒ Caltrans has Approved Costs ☐ Not Applicable
6.2.4 – Rail	No bridge railing work to be done, but other safety work related to bridge is needed.	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable
6.2.4 – Rail (applies to all scopes of work)	New sidewalks to be installed where none existed before. Please identify as “betterment” in Exhibit 6-A.	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable
6.2.1 – Rehab 6.2.2 – Replace 6.2.10 – Historic 6.3 – Standards	Rehabilitation/Replacement will not address all major bridge deficiencies	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable
6.5.11 – Replace	“Replaced” bridges to remain in place. Applies to work beyond specified examples in Section 6.5.12	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable

Chapter 6 LAPG Section #'s	Topic	Status
6.4.2	Approach roadwork exceeding guidelines	☒ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☐ Not Applicable
6.4.3	PE costs exceeding guidelines	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable
6.4.4	Contingency exceeding guidelines	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable
6.4.5	CE costs exceeding guidelines	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable
6.5.3	10 Year Rule – Major (Re)Construction	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable
6.5.4	10 Year Rule – PE Authorization	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable
6.5.7	Unusual Architectural Treatments	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable
6.7.1 6.7.4	Scope/Cost/Schedule Changes	☒ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☐ Not Applicable
6.7.5	Construction Change Orders (CCOs) that Exceed Contingency	☐ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☒ Not Applicable

I certify that I have reviewed this project against the requirements of Chapter 6 of the LAPG and have filled out this checklist accordingly.

 Local Agency Project Manager

 Date

EXHIBIT 6-D HBRRP SCOPE/COST/SCHEDULE CHANGE REQUEST

See Section 6.7.1, Chapter 6 of the LAPG for information about this form.

INSTRUCTIONS

State Bridge No.	<u>N/A</u>	Local Bridge No.	<u>51C0172</u>
Project Number	<u>BRLS-5397(010)</u>	(Caltrans to provide project number for new projects)	
Responsible Agency	<u>City of Carpinteria</u>		
Project Location	<u>City of Carpinteria</u>		
Project Limits	Location is 0.2 miles south of Casitas Pass Road. Project will be along the same alignment and in the same location as the existing structure.		
Type of Work	<u>Bridge Replacement</u>		
Work Description	Replace existing 2-lane (plus median) bridge with 2-lane (plus median) bridge (no added lanes).		

1. Describe reason for Scope/Cost/Schedule Change (or attach separate pages):

Construction Cost Increase:

Please refer to Attachment 1. The new amount requested is \$14,000,000, which is an increase over the prior amount of \$8,383,000.

Construction Schedule:

The design and environmental portion of the project is being advanced, and has a projected start of construction date of Spring 2018. Therefore, it is requested that the "Construction" portion of the funding be moved from "Beyond" to "FFY 17/18". The new "Construction" amount of \$14,000,000 is requested for "FFY 17/18".

Preliminary Engineering Cost Increase:

The amount of design detail and environmental support has increased as the project has developed and increased in complexity. The amount of "Preliminary Engineering" effort has therefore increased accordingly, and additional "Preliminary Engineering" funds are requested. The new amount of "Preliminary Engineering" funds requested, \$2,576,000, is within 25% of the new "Construction" funds requested \$14,000,000.

2. If this is a request for scope change (not cost or schedule) please prepare a new or revised Exhibit 6-A "HBRRP Application/Scope Definition Form." Will a revised Exhibit 6-A be submitted?

☐ Yes ☐ No ☒ Not Applicable

3. If the answer to the above question is "Yes," please skip to the signoff on this form and submit this form with the Exhibit 6-A package.
4. Identify and justify "betterments" that are HBRP participating but are not related to the major deficiencies of this bridge. Attach additional pages as needed.

None.

5. Refer to Exhibit 6-B. Identify and justify specific items requiring Caltrans funding approval. Attach additional pages as needed.

See Attachment 1 for increased cost justification.

See Attachment 2 for long roadway approach justification.

6. Other comments (identify non-HBRRP participating work):

There is no non-HBP participating work.

Estimated Construction Costs:**Exclude Contingencies, Supplementary Work, and Construction Engineering**

	HBRRP Participating	NOT HBRRP Participating
Construct Bridge	6500000.00	0.00
Bridge Removal	275000.00	0.00
Slope Protection	285000.00	0.00
Channel Work	0.00	0.00
Detour – Stage Construction	698426.00	0.00
Approach Roadway	1475000.00	0.00
Utility Relocation	100000	0.00
Mobilization	1036944.00	0.00
Total	10370370.00	0.00
Total Cost		10370370.00

*Items that are not HBRRP participating could be participating through other federal programs. See the LAPG for other eligibility requirements of other programs. Local agencies that are unsure which project costs are HBRRP participating should contact the DLAE/SLA for resolution.

Not that the total of the HBRRP participating costs should carry over into the construction line (direct costs) on the next page.

Summary of HBRRP Participating Costs

Please indicate the HBRRP total participating (eligible for reimbursement) costs for this project. Based on the amounts below and the federal reimbursement rate., Caltrans will program (reserve) the HBRRP funds needed for this project. Other federal funds (RSTP, TEA, etc.) needed for this project should be shown in the Field Review form Exhibit 7-B from Chapter 7 of the LAPM.

Target dates represent a commitment by the local agency when the project will need HBRRP funding. Failure to meet target dates may cause funds to be reprogrammed to other projects by other local agencies. The reprogramming of HBRRP funds is at the discretion of Caltrans.

- PE = Preliminary Engineering (Total not to exceed the greater of \$75 K or 25% of CON and consultant contract management and quality assurance not to exceed 15% of consultant costs).
R/W = Right of Way
CE = Construction Engineering (Not to exceed 15% of CON).
CON = Construction
Cont = Contingency (including supplement work) not to exceed 25% (preliminary estimate) nor 10% of CON for final design \$5 K min.

Enter CE Rate:

Enter Contingency Rate:

	Direct Costs		Indirect Costs*		HBRRP Participating \$**	Target Dates
PE	2576000.00	+	0.00	=	2576000.00	04/2015
R/W					400000.00	6/2016
CON	10370370.00					
CE	1555556.00		0.00			
Cont	2074074.00					
Subtotal	14000000.00	+	0.00	=	14000000.00	03/2018
Total Participating Cost					16976000.00	
Enter Fed. Match Rate:	88.53	HBRRP Requested			15028853.00	

* See Chapter 5, "Accounting/Invoices," of the LAPM for approval of indirect costs.

** Participating costs exclude ineligible work items. Please review the HBRR Program Guidelines for reimbursable scopes of work and program cost limits. Other federal funds will be shown in the Field Review form, Exhibit 7-B, Chapter 7, "Field Review," of the LAPM.

Caltrans, please notify this agency to confirm this project has been programmed in the HBRRP Multi-Year Plan. I understand that reimbursable work shall not commence until a request for authorization (E76) has been processed by Caltrans and a notice to proceed has been received by this agency.

I certify that this project is in compliance with Chapter 6 (HBRRP) of the *Local Assistance Program Guidelines*.

Two (2) copies plus one original of this application (with attachments) will be included in the transmittal package to the DLAE.

Local Agency Project Manager

Date

Attachments (only if Question 3 is answered "No"):

- 1) Exhibit 6-B, LAPG, HBRRP Special Cost Approval Checklist
- 2) ☐ Other: _____
- 3) Request for Authorization is included in this application package for expedited processing?
☐ Yes ☐ No

Thank you for assembling the application package. Please send this package to your District Local Assistance Engineer to start the programming process. Please e-mail your suggestions to improve this form to eric.bost@dot.ca.gov or shannon.mlcoch@dot.ca.gov.

For Caltrans use only:

I have reviewed this application for completeness and have forwarded copies to the Office of Program Management and SLA.

- ☐ I recommend approval. (Attach comments as needed.)
- ☐ I do not recommend approval for the following reasons: See attached memo/e-mail to the Office of Program Management.
- ☐ I request SLA review of this application for the following reasons: (Attach memo/e-mail justifying increased Caltrans oversight).

DLAE or authorized staff

Date

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EXHIBIT 6-D – ATTACHMENT 1**HBRRP SCOPE/COST/SCHEDULE CHANGE REQUEST**

#5 from Ex 6D: Refer to Exhibit 6-B. Identify and justify specific items requiring Caltrans funding approval.

6.7.1	Scope/Cost/Schedule Changes	☒	Requires Caltrans Approval
6.7.4		☐	Caltrans has Approved Costs
		☐	Not Applicable

Introduction

The 35% cost estimate indicated high costs associated with Carpinteria Avenue Bridge project. Many factors are contributing to these high costs and warrant further explanation. The increase in construction cost is primarily a result of an increase in foundation costs associated with the bridge, as well other factors. When the bridge project was initially scoped, the construction costs for the bridge did not account for complications due to staged construction, difficult drilling conditions, high liquefaction and lateral spreading potential, the high skew at the abutments and bents, or the amount of approach roadway work necessary to raise the hydraulically deficient bridge to adequately pass the required flood flows.

Drake Haglan and Associates, design consultant for the City of Carpinteria, has revisited the assumptions used in the development of the original project scope and compared this to the current estimated cost to ensure that the cost increase is justified under the federal-aid Highway Bridge Program. For more information on any of the items discussed below please refer to the Type Selection Report developed for the Carpinteria Avenue Bridge project.

Despite Carpinteria Avenue actually running on a northwest-southeast alignment and Carpinteria Creek running on a northeast-southwest alignment, for simplicity throughout this document Carpinteria Avenue will be discussed as running on an east-west alignment and Carpinteria Creek on a north-south alignment.

Background

The City of Carpinteria is proposing to replace the existing Carpinteria Avenue Bridge over Carpinteria Creek (Br. No. 51C0172) with a new bridge at the same location. The bridge site is located on the 5400 block of Carpinteria Avenue in the City of Carpinteria, between Arbol Verde Street and Casitas Pass Road.

The existing bridge, built in 1937, is a 192 ft long 5 span continuous reinforced concrete haunched tee beam with cantilevered end spans. The existing bridge is approximately 54 ft wide and is "Structurally Deficient" with a sufficiency rating (SR) of 58.9. In addition to the structural deficiencies, the existing structure is hydraulically deficient, which is why Caltrans previously re-programmed the project from rehabilitation to replacement even with an SR > 50. Sight distance from Arbol Verde Street along Carpinteria Avenue is also insufficient and is a major safety concern among residents and commercial tenants near the project site.

Cost Justification

As mentioned in the "Introduction" the original cost estimate for the Carpinteria Avenue Bridge did not account for complications due to staged construction, difficult drilling conditions, high liquefaction and lateral spreading potential, the high skew at the abutments and bents, or the

amount of approach roadway work necessary to raise the hydraulically deficient bridge to adequately pass the required flood flows. Each of these items is explained below in further detail:

Staged Construction

Due to the importance of Carpinteria Avenue, the high traffic volumes on the roadway, and lack of a convenient detour, staged construction over two seasons is required on this project. During construction, Carpinteria Avenue will remain open to vehicular and pedestrian traffic. With the exception of short term temporary shutdowns, at least one lane of traffic in each direction and one sidewalk will be maintained during construction. Staged construction adds complications, delays, and constrained working conditions for the contractor, therefore has been accounted for with a 10% increase in bridge construction costs in the 35% cost estimate.

Difficult Drilling Conditions

Due to liquefaction and lateral spreading potential, as well as noise concerns since the project is located in an urban area, driven piles were excluded from the project. CIDH shafts were chosen as the preferred foundation type due to their strength and lesser noise impacts during construction. Preliminary geotechnical investigations have indicated however that the project site is susceptible to difficult drilling conditions. Sands and high groundwater present at the site will require the pile foundations be cased and/or slurry assisted. It should be noted that "frac-outs" have occurred in the past at the project site during underground borings causing drilling fluid to leak into the creek. Either full or partial length temporary casings either with or without drilling fluid are anticipated to be appropriate solutions for the difficult drilling conditions. Additionally, due to the constant presence of groundwater, wet hole installation methods will be required as detailed in Caltrans' Bridge Memo to Designers 3-1 and the Caltrans Standard Specifications. All of the factors discussed above directly impact the cost of drilling and warrant high unit costs per foot of drilling. Drake Haglan and Associates consulted the Caltrans District 8 Cost Data Information available on-line, as well as bid results from recent and similar projects in the Santa Barbara area where CIDH shafts were used.

Liquefaction and Lateral Spreading

Based on existing subsurface information and design strong ground motions, alluvial soils present at the site are likely vulnerable to liquefaction, with potential impacts including liquefaction-related settlement, lateral movement, and moderate strength loss. Pile design will need to consider downdrag forces associated with liquefaction and settlement of the shallower alluvium. Foundation piles will likely be needed to provide support from denser soils at depths below liquefiable zones drastically increasing their length. By increasing the pile lengths there is additional drilling and rebar costs. Preliminary estimates indicate that piles will need to be on the order of 100 ft long. These long lengths drastically increase drilling costs, especially in difficult drilling conditions, as well as rebar costs in the piles. These values will be revisited at 65% when further design and lateral/liquefaction analyses have been performed, but for now the site indicates high pile costs.

High Skew

The actual bridge is 67.5 ft across, measured perpendicular to the alignment, but by adding a 54 degree skew the width of the bridge on that skew becomes $L = 67.5 / \cos(54) \approx 115$ ft. By making the bridge along the skew 47.5 ft wider, the amount of abutment concrete and reinforcement increases but more importantly the number of piles at the abutments increases. Preliminary engineering efforts indicate that if the same pile spacing was maintained but the 54 degree skew was removed, the amount of piles per abutment could be decreased by as much as 33%. All of the additional piles due to the high skew coupled with the difficult drilling conditions and long pile lengths from liquefaction drastically increase the project costs associated with the foundations.

It is important to note that while costs could be reduced by removing the skew in the bridge, site constraints do not allow this condition to occur. For hydraulic and scour concerns the bents cannot be un-skewed due to the existing creek alignment, and the abutments cannot be un-skewed due to existing site constraints. Un-skewing the bridge by reducing the span length at the end spans would put the abutments in the creek and un-skewing the abutments by increasing the span length at the end spans would put the bridge into existing driveways and Arbol Verde Street.

Roadway Approaches

Preliminary hydraulic analyses indicate that the soffit of the Carpinteria Avenue Bridge replacement structure needs to be higher than existing in order to pass the required flood flows. This equates to needing to raise the roadway profile of Carpinteria Avenue. A proposed three span bridge with 2.75 ft of structure depth was chosen as the preferred alternative for the project as it minimizes structure depth, and in turn roadway profile impacts, while still passing the required flood flows. Preliminary hydraulic analyses indicate that this preferred 3 span alternative will result in approximately a 2 ft rise in the roadway profile over existing. The approach roadway work to obtain vertical touchdown is 251 ft long on the west end of the bridge and 264 ft long on the east end of the bridge.

Additionally, horizontal site constraints require a slightly longer approach roadway length than required for vertical touchdown on the west end of the bridge. In addition to the 251 ft of approach roadway work on the west end of the bridge required to achieve vertical touchdown, 179 ft of additional approach roadway work on the west end of the bridge is required to accommodate horizontal site constraints. Constraints include re-connecting a driveway on the south side of the road and striping to accommodate an 8 ft shift in the horizontal alignment of Carpinteria Avenue. A total of 430 ft of approach roadway work on the west end of the bridge is required for this project.

On the east end of the bridge no additional approach roadway length beyond the 264 ft required for vertical touchdown is required. On the east end of the bridge all horizontal constraints can be accommodated within the approach roadway work needed for vertical touchdown. It should be noted however that roadway work on the east end of the bridge includes re-constructing an existing bus stop on the north side of Carpinteria Avenue to accommodate the new horizontal roadway alignment, as well as improving deficient sight distance conditions and improving pedestrian safety at the intersection of Carpinteria Avenue and Arbol Verde Street. Modifications to improve corner sight distance and pedestrian safety at the Carpinteria Avenue/Arbol Verde Street intersection include the addition of a crosswalk and bulb-out on the south side of the Carpinteria Avenue.

For a more detailed description of the approach roadway work associated with this project please refer to Attachment 2 of this document.

The additional costs associated with the longer than standard approach roadway lengths on this project are justified as they are needed to accommodate staged construction, obtain a design speed of 40 mph, follow good engineering practice, conform to horizontal constraints, and raise the roadway profile sufficiently to accommodate hydraulic requirements.

EXHIBIT 6-D – ATTACHMENT 2**HBRRP SCOPE/COST/SCHEDULE CHANGE REQUEST**

#5 from Ex 6d: Refer to Exhibit 6-B. Identify and justify specific items requiring Caltrans funding approval.

6.4.2	Approach roadwork exceeding guidelines	☒ Requires Caltrans Approval ☐ Caltrans has Approved Costs ☐ Not Applicable
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Long Roadway Approach Justification

The HBP indicates that bridge replacements on federal-aid highways should achieve vertical touchdown within 200 ft of each side of the bridge whenever practical. The HBP does however allow justification of long approach roadways when it is needed to follow good engineering practice. In order to accommodate staged construction, obtain a design speed of 40 mph, follow good engineering practice, and raise the roadway profile sufficiently to accommodate hydraulic requirements, the approach roadway work for the Carpinteria Avenue Bridge project needs to be longer than the 200 ft standards allowed.

Despite Carpinteria Avenue actually running on a northwest-southeast alignment and Carpinteria Creek running on a northeast-southwest alignment, for simplicity throughout this document Carpinteria Avenue will be discussed as running on an east-west alignment and Carpinteria Creek on a north-south alignment.

Carpinteria Avenue is a vital arterial through the City of Carpinteria and is severely impacted when the bridge and approach roadways become inundated in their existing condition during 50 year and greater flood events. This hydraulic deficiency qualifies the structure for full replacement under the Highway Bridge Program. Preliminary hydraulic analyses indicate that the soffit of the Carpinteria Avenue Bridge replacement structure needs to be higher than existing in order to pass the required flood flows. This equates to needing to raise the roadway profile of Carpinteria Avenue. A proposed three span bridge with 2.75 ft of structure depth was chosen as the preferred alternative for the project as it minimizes structure depth, and in turn roadway profile impacts, while still passing the required flood flows. Preliminary hydraulic analyses indicate that this preferred 3 span alternative will result in approximately a 2 ft rise in the roadway profile over existing. It should be noted that the single and two span alternatives investigated have to increase the roadway profile 8 ft and 4 ft respectively in order pass the required flood flows and meet sufficient structure depths for the span lengths required.

Approach Lengths for Vertical Touchdown

To accommodate the raised profile of the new replacement bridge necessary for hydraulic requirements, 251 ft of roadway approach work on the west end of the bridge is required for vertical touchdown and 264 ft of roadway approach work on the east end of the bridge is required for vertical touchdown. These lengths are just those required to smoothly transition the raised roadway profile back to existing conditions vertically away from the bridge.

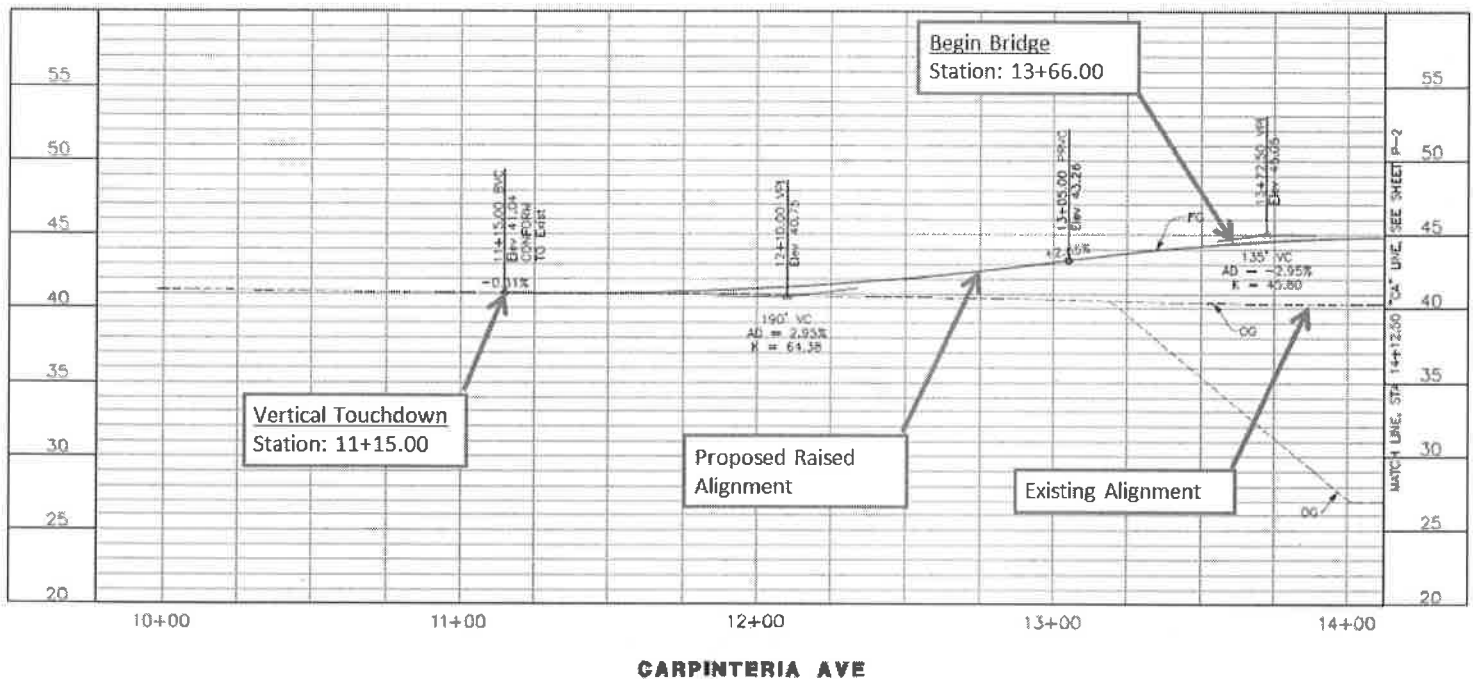


Figure 1 – Vertical Alignment West End of Bridge

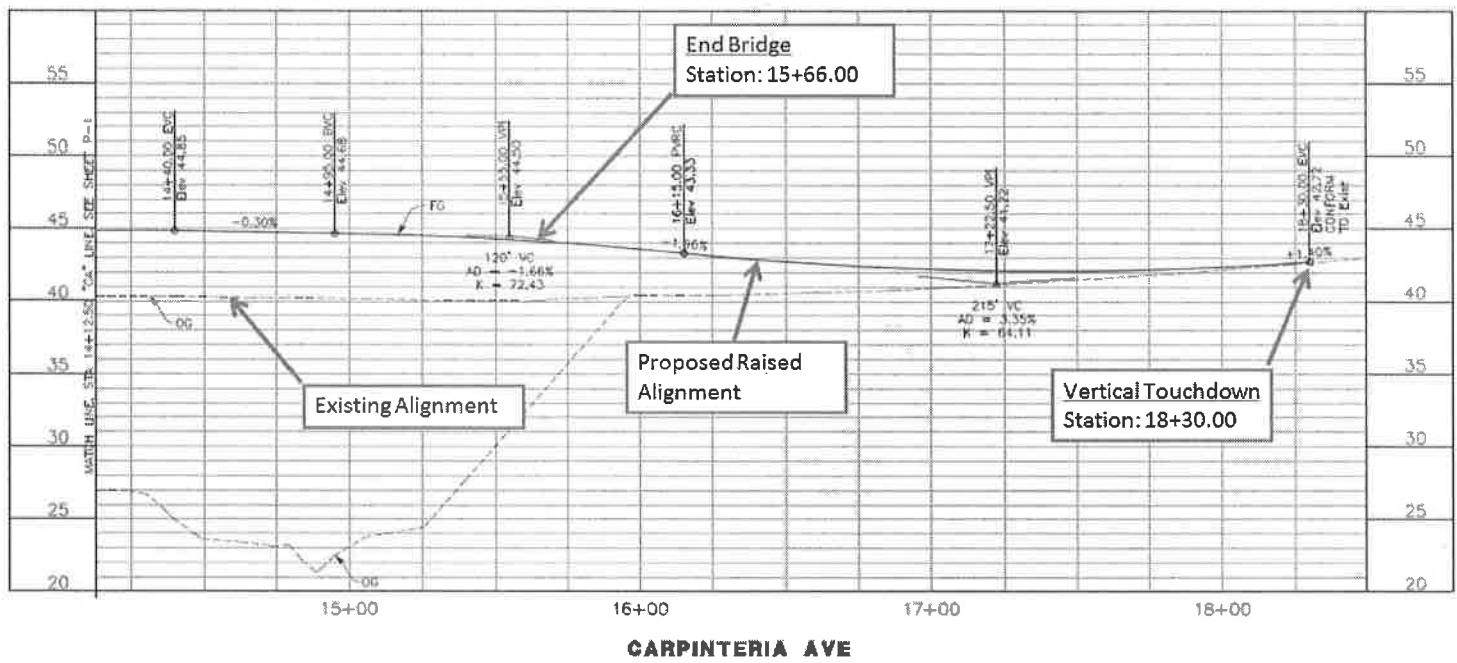


Figure 2 – Vertical Alignment East End of Bridge

Approach Lengths for Horizontal Constraints – West End of Bridge

In addition to the 251 ft of approach roadway work on the west end of the bridge required to achieve vertical touchdown, 179 ft of additional approach roadway work on the west end of the bridge is required to accommodate horizontal site constraints. A total of 430 ft of approach roadway work on the west end of the bridge is required for this project.

A driveway located approximately 320 ft west of the bridge on the south side of the street needs to maintain a tie-in to Carpinteria Avenue, thus requiring approximately 69 ft of additional approach roadway work than what is required for vertical touchdown. This driveway is located near an existing bus stop and is angled off of Carpinteria Avenue at approximately a 45 degree angle.

Additionally, to accommodate staged construction and incorporate the additional width of the new bridge over the existing bridge, the centerline of Carpinteria Avenue must be shifted to the north approximately 8 ft near the bridge in the proposed condition. In order to make this shift with a smooth transition that meets the 40 mph design speed of Carpinteria Avenue, additional roadway approach work beyond that required for vertical touchdown is required. Striping work in order to accommodate the 8 ft shift in the roadway centerline for staged construction is 430 ft long on the west side of the bridge.

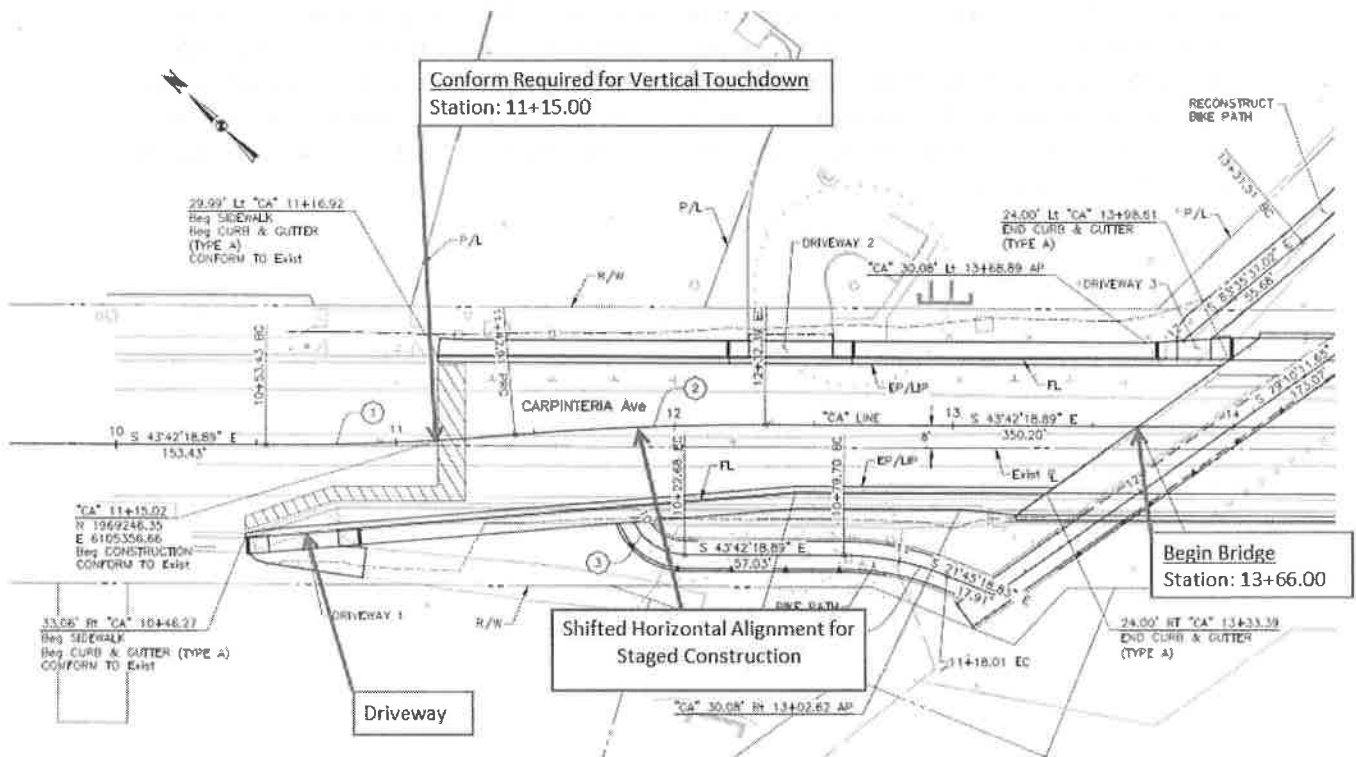


Figure 3 – Horizontal Constraints West End of Bridge

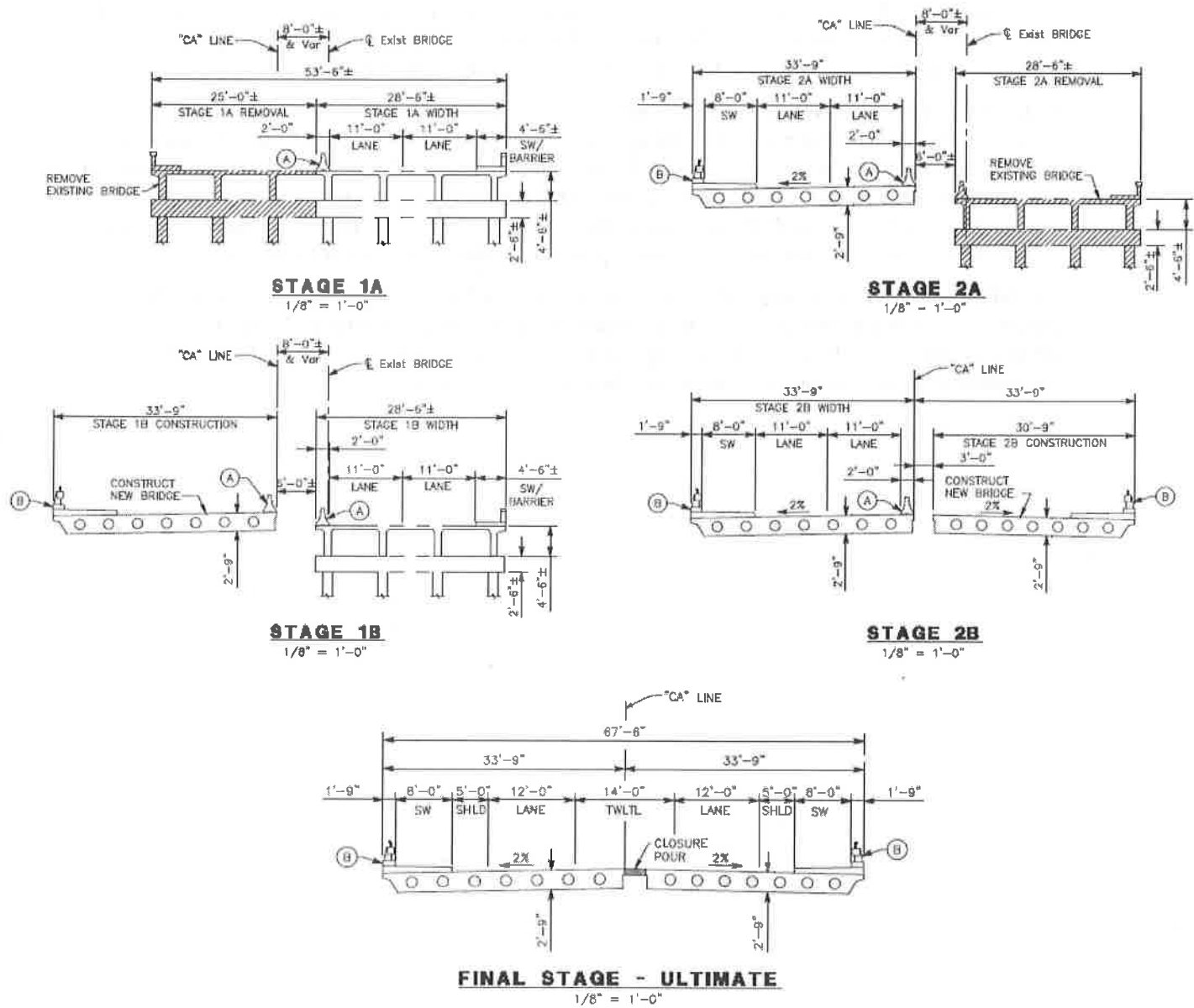


Figure 4 – Construction Staging

Approach Lengths for Horizontal Constraints – East End of Bridge

On the east end of the bridge no additional approach roadway length beyond the 264 ft required for vertical touchdown is required. On the east end of the bridge all horizontal constraints can be accommodated within the approach roadway work needed for vertical touchdown.

It should be noted however that roadway work on the east end of the bridge includes re-constructing an existing bus stop on the north side of Carpinteria Avenue to accommodate the new horizontal roadway alignment, as well as improving deficient sight distance conditions and improving pedestrian safety at the intersection of Carpinteria Avenue and Arbol Verde Street. Modifications to improve corner sight distance and pedestrian safety at the Carpinteria Avenue/Arbol Verde Street intersection include the addition of a crosswalk and bulb-out on the south side of the Carpinteria Avenue.

The additional costs associated with the longer than standard approach roadway lengths on this project are justified as they are needed to accommodate staged construction, obtain a design speed of 40 mph, follow good engineering practice, conform to horizontal constraints, and raise the roadway profile sufficiently to accommodate hydraulic requirements.

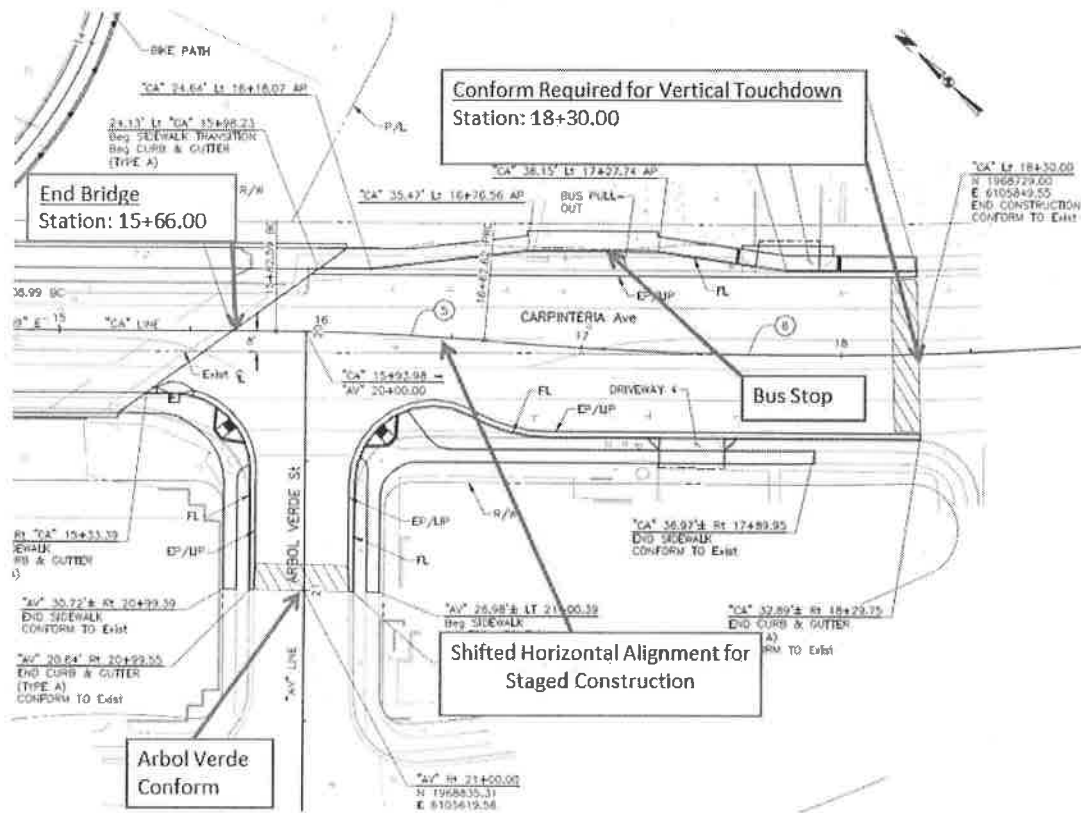


Figure 5 – Horizontal Constraints East End of Bridge



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 22, 2016

ITEM FOR COUNCIL CONSIDERATION

Ordinance No. 710, Adding Chapter 9.46 to the Carpinteria Municipal Code

This ordinance would prohibit the storage, provision, sale or distribution of synthetic drugs from any property within the City, and would define a violation of the ordinance as a public nuisance, punishable through administrative remedies and business license suspension or revocation.

STAFF RECOMMENDATION

Action Item X Non-Action Item

Approve Ordinance No. 710, as read by title only (first reading)

Motion: I move to waive reading, introduce and read by title only Ordinance No. 710.

DISCUSSION

A growth in the use by youth of Synthetic Drugs¹ and their availability in common retail establishments² has raised concerns in communities across the country. In response, local jurisdictions throughout the Central Coast and southern California have adopted ordinances to address the mounting public health and safety concerns regarding the use of synthetic drugs. For instance, the cities of Santa Maria, Lompoc, Atascadero, Jurupa Valley, Morro Bay, and Rialto, as well as the counties of Los Angeles and San Bernardino, have adopted ordinances prohibiting the distribution and possession of these substances.

The phrase “synthetic drugs” refers to two groups of compounds. The first group – “psychoactive bath salts” – are synthetic stimulants designed to mimic the effects of cocaine, methamphetamine, or MDMA (ecstasy), and have been associated with

¹ Joseph J. Palamar, et al., *Synthetic Cannabinoid Use in a Nationally Representative Sample of US High School Seniors*, 149 *DRUG & ALCOHOL DEPENDENCE* 194-202 (2015); OFFICE OF NATIONAL DRUG CONTROL POLICY, *SYNTHETIC DRUGS FACT SHEET*, available at <https://www.whitehouse.gov/ondcp/ondcp-fact-sheets/synthetic-drugs-k2-spice-bath-salts>.

² U.S. DRUG ENFORCEMENT AGENCY, *DRUGS OF ABUSE: A DEA RESOURCE GUIDE* (2015 ed.), pp. 64, 80; Sean McNulty, *Spice problems*, SANTA MARIA SUN (Apr. 15, 2015).

psychological effects including acute psychosis, agitation, combativeness, violence, and self-destructive behavior. They are most commonly found in powder form, usually ingested by snorting. The second category of synthetic drugs – “psychoactive herbal incense” or synthetic cannabinoids – are plant materials laced with various synthetic compounds, designed to mimic the effects of tetrahydrocannabinol (THC) and sometimes marketed as synthetic marijuana or “spice.” They are usually ingested by smoking.

The public health impacts of bath salts and synthetic cannabinoids have been well-documented. In 2015, the Santa Barbara Sheriff’s Office received 33 reports related to “spice” or “bath salts.” Between January 2009 and April 2012, there were 11,561 reports of poisoning related to synthetic cannabinoids in the United States. Prevalence among adolescents has raised particular concern.

Both federal and state laws criminalize synthetic drugs. However, manufacturers frequently make minor modifications to the chemical formulas with relative ease, making positive identification through laboratory drug testing costly and difficult. As a result, criminal prosecution is relatively rare, and synthetic drugs are widely available both online and in small retail outlets such as liquor stores, smoke shops, and gas stations. Accordingly, administrative enforcement mechanisms available to cities and counties provide a useful tool in reducing the availability of these substances.

The City Attorney’s office has consulted with several neighboring jurisdictions as well as the Santa Barbara Sheriff’s Office. Law enforcement personnel report that similar ordinances have resulted in voluntary compliance from retail outlets, even in the absence of administrative citations. At least one public safety department reported a decrease in calls related to synthetic drug use following adoption of an ordinance. Law enforcement in another jurisdiction reported that retailers universally removed the prohibited substances from their shelves following ordinance adoption.

The proposed ordinance would focus on businesses within the City by prohibiting the distribution, storage, or sale of synthetic drugs. A violation of the ordinance would be defined as a public nuisance and would provide grounds for the suspension or revocation of a business license. The ordinance defines “synthetic drug” as any number of chemical compounds, any derivation or combination of those compounds, or anything marketed under an enumerated list of “street” names. This language is aimed at maximizing the City’s ability to effectively enforce the ordinance despite changing chemical formulas while providing business owners with sufficient notice as to what substances are prohibited.

FINANCIAL CONSIDERATIONS

There are no adverse financial impacts in adopting this ordinance. Existing resources within the code compliance division and Santa Barbara Sheriff’s Office would be

leveraged to conduct outreach to retail outlets, and to carry out administrative enforcement as necessary.

LEGAL

The City Attorney has drafted the proposed ordinance and finds it to be a defensible exercise of the City's police power and consistent with applicable federal and state law.

OPTIONS

- A. Approve the ordinance prohibiting the distribution and storage of synthetic drugs.
- B. Direct modification to the proposed ordinance.
- C. Decline to approve the ordinance.

ATTACHMENTS

Ordinance No. 710

Staff contact: Dave Durflinger, City Manager
(805) 755-4400, daved@ci.carpinteria.ca.us

Report Prepared by: Jessica Diaz, Legal Counsel

on behalf of Brownstein
Hyatt Farber Schreck, LLP,
acting as City Attorney of the City
of Carpinteria

Reviewed by: Dave Durflinger, City Manager

Signature

ORDINANCE NO. 710

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA,
CALIFORNIA, ADDING CHAPTER 9.46 OF TITLE 9 (PUBLIC PEACE, MORALS
AND WELFARE) OF THE CITY OF CARPINTERIA MUNICIPAL CODE
REGARDING SYNTHETIC DRUGS**

WHEREAS, the City Council is committed to protecting the public health, safety and welfare of the community, and to meet these goals it is necessary for the City Council to adopt measures, from time-to-time, to meet threats to the public health, safety, and welfare; and

WHEREAS, recreational use of Psychoactive Bath Salts, Psychoactive Herbal Incense, and similar products commonly known as "Synthetic Drugs" are dangerous and have been documented to cause hallucinations, agitation, psychosis, aggression, suicidal and homicidal ideations, and death; and

WHEREAS, Synthetic Drugs are gaining popularity at an alarming rate; and

WHEREAS, Synthetic Drugs are available in small retail outlets such as smoke shops, gas stations, and convenience stores, despite the State of California's and the federal government's attempt to ban such drugs; and

WHEREAS, California State Law, under Health & Safety Code sections 11357.5 (banning synthetic cannabinoid compounds and derivatives) and 11375.5 (banning synthetic stimulant compounds and derivatives) and 11401 (banning "analogs" of controlled substances) (collectively "State Synthetic Drug Laws"), and Federal law, under the Controlled Substances Act (the "CSA") (21 U.S.C. § 801, et seq.), prohibit Synthetic Drugs; and

WHEREAS, although the State Synthetic Drug Laws and the CSA prohibit certain compounds that are used to create synthetic drugs, they are not comprehensive enough to eliminate the sale of all Synthetic Drugs in the City; and

WHEREAS, to avoid the continuing threat to public health, safety and welfare that would occur if Synthetic Drugs were permitted in the City, the City finds it necessary to declare that a business which possesses Synthetic Drugs as defined herein is a threat to public health, safety and welfare and is therefore subject to the City's administrative and civil enforcement procedures (set forth in Title 1 of the Carpinteria Municipal Code) and revocation of a business license pursuant to Chapter 5.04 of the Carpinteria Municipal Code.

NOW THEREFORE, the City Council of the City of Carpinteria, California, does ordain as follows:

SECTION 1. Chapter 9.46 of the Carpinteria Municipal Code is hereby added to read as follows:

Chapter 9.46

SYNTHETIC DRUGS

9.46.010 Purpose and Intent.

The purpose and intent of this Chapter is to provide the City with measures to address the dangers to the community posed by Synthetic Drugs that are not regulated by State or Federal law.

The City Council finds the dangers of Synthetic Drugs, which have been documented to cause hallucinations, agitations, psychosis, aggression, suicidal and homicidal ideations, cannibalism, and death, require regulation.

This Chapter shall not apply to any activity already regulated by State or Federal drug laws, or any other applicable State or Federal law or regulation.

9.46.020 Definitions.

The following definitions shall apply to this chapter:

- A. "Business" shall have the same meaning as the term is defined in Section 5.04.020 of this Code.
- B. "Consume," "consuming," and "consumption" shall mean to ingest, inhale, inject, smoke or snort (insufflate).
- C. "Distribute," "distributing," and "distribution" shall mean to furnish, give away, exchange, transfer, deliver or supply, whether for monetary gain or not.
- D. "Person" shall include any natural person, business, firm, company, corporation, public corporation, club, trust, partnership, association and/or similar organization.
- E. "Possess," "possessing," and "possession," shall mean to have for consumption, distribution, or sale in one's actual or constructive custody or control, or under one's authority or power, whether such custody, control, authority and/or power be exercised solely or jointly with others.
- F. "Provide," "providing," and "provision" shall mean offering to distribute or sell a product or substance to any person.
- G. "Psychoactive Bath Salts," shall mean any crystalline or powder product that contains a synthetic chemical compound that, when consumed, elicits psychoactive or psychotropic stimulant effects. The term "Psychoactive Bath Salts" includes, without limitation:
 - 1. Products that elicit psychoactive or psychotropic stimulant effects and contain any of the following substances:
 - a. Substances that include but not limited to: Cathinone (2-amino-1-phenyl-1-propane), 4-methylmethcathinone (2-methylamino-1-(4-

methylphenyl)propan-1-one), 4-methoxymethcathinone (1-(4-methoxyphenyl)-2-(methylamino)propan-1-one), MDPV (methylenedioxypropylphenone), methylene (3,4-methylenedioxy-N-methylcathinone), methcathinone (2-(methylamino)-1-phenylpropan-1-one), flephedrone (4-fluoromethcathinone), 3-FMC (3-fluoromethcathinone), ethcathinone (2-ethylamino-1-phenylpropan-1-one), butylone (p-keto-N-methylbenzodioxolylbutamine), a-PPP (α-pyrrolidinopropiophenone), MPPP (4-methylpyrrolidinopropiophenone), MDPPP (3,4-methylenedioxy-α-pyrrolidinopropiophenone), a-PVP (1-phenyl-2-(1-pyrrolidinyl)-1-pentanone), naphyrone (1-naphthalen-2-yl-2-pyrrolidin-1-ylpentan-1-one), 6-APDB (6-(2-aminopropyl)-2,3-dihydrobenzofuran), and analogs of MDA (3,4-methylenedioxy methamphetamine),

- b. Any derivative of the above listed compounds,
- c. Any synthetic substance and its isomers with a chemical structure similar to the above listed compounds,
- d. Any chemical alteration of the above listed compounds, or
- e. Any other substantially similar chemical structure or compound; and

2. Products that elicit psychoactive or psychotropic stimulant effects and are marketed under any of the following trade names:

- a. Bliss, Blizzard, Blue Silk, Bonzai Grow, Charge Plus, Charlie, Cloud Nine, Euphoria, Hurricane, Ivory Snow, Ivory Wave, Lunar Wave, Ocean, Ocean Burst, Pixie Dust, Posh, Pure Ivory, Purple Wave, Red Dove, Scarface, Snow Leopard, Stardust, Vanilla Sky, White Dove, White Night, White Lightning, Flakka and Gravel.

H. "Psychoactive Herbal Incense" shall mean any organic product consisting of plant material that contains a synthetic stimulant compound that, when consumed, elicits psychoactive or psychotropic euphoric effects. The term "Psychoactive Herbal Incense" includes without limitation:

1. Products that elicit psychoactive or psychotropic euphoric effects and contain any of the following substances:

- a. Cannabicyclohexanol (2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methylnonan-2-yl)phenol), JWH-018 (naphthalen-1-yl-(1-pentylindol-3-yl)methanone), JWH-073 (naphthalen-1-yl-(1-butyldiol-3-yl)methanone), JWH-200 (1-(2-morpholin-4-ylethyl)indol-3-yl) naphthalen-1-ylmethanone, HU-210 or 1.1-dimethylheptyl-11-hydroxy-Δ⁸-tetrahydrocannabinol (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10-tetrahydrobenzo[c]chromen-1-ol, CP 47, 497 (2-[(1R,3S)-3-hydroxycyclohexyl]-5-(2-methyloctan-2-yl)phenol) and the dimethylhexyl, dimethyloctyl and dimethylnonyl homologues of CP-47, 497, AM-2201 (1-[(5-fluoropentyl)-1H-indol-3-yl]-(naphthalen-1-yl)methanone), 1-pentyl-3-(2-methoxyphenylacetyl)indole (also known as JWH-250), 1-hexyl-3-(1-naphthoyl)indole (also known as JWH-019), 1-pentyl-

3-(4-chloro-1-naphthoyl)indole (also known as JWH-398), N-benzylpiperazine (also known as BZP), 1-(3-trifluoromethylphenyl)piperazine (also known as TFMPP),

- b. Any derivative of the above listed compounds,
 - c. Any synthetic substance and its isomers with a chemical structure similar to the above listed compounds,
 - d. Any chemical alteration of the above listed compounds, or
 - e. Any other substantially similar chemical structure or compound; or
 - f. Any other synthetic cannabinoid; and
2. Products that elicit psychoactive psychotropic euphoric effects and are marketed under any of the following trade names:
- a. Eight Ballz, Spice, Puff, Sugar Sticks, Green Budd, K2, K3, Genie, Smoke, Potpourri, Buzz, Spice 99, Voodoo, Pulse, Hush, Mystery, Earthquake, Stinger, Ocean Blue, Stinger, Serenity, Fake Weed, and Black Mamba.
- I. "Psychoactive or psychotropic stimulant effects" shall mean affecting the central nervous system or brain function to change perception, mood, consciousness, cognition, and/or behavior in ways that are similar to the effects of cocaine, methylphenidate or amphetamines.
- J. "Psychoactive or psychotropic euphoric effects" shall mean affecting the central nervous system or brain function to change perception, mood, consciousness, cognition, and/or behavior in ways that are similar to the effects of cannabis.
- K. "Sell," "selling," and "sale" shall mean to furnish, exchange, transfer, deliver, or supply for monetary gain.
- L. "Synthetic Drug" shall include Psychoactive Bath Salts and Psychoactive Herbal Incense, as those terms are defined hereinabove.

9.46.030 Public Nuisance.

- A. The storage, provision, sale, or distribution of any Synthetic Drug in or from any property, structure, or building in the City is unlawful and declared to be a public nuisance, as is further described by Chapter 9.70 of the Carpinteria Municipal Code.
- B. Civil Remedies Available; Remedies Cumulative. Any violation of any provision of this Chapter shall constitute a public nuisance and may be abated by the City by civil process by means of a restraining order, a preliminary or permanent injunction, or in any manner provided by law for the abatement of such nuisance. All remedies

herein are cumulative and non-exclusive.

- C. Attorney's Fees. Any person, including the City, who prevails in any action or proceeding for the abatement of a public nuisance as provided herein shall be entitled to recover attorney's fees incurred in any such action or proceeding.

9.46.040 Confiscation of Synthetic Drugs.

- A. Because the use of Synthetic Drugs has been documented to cause hallucinations, agitation, psychosis, aggression, suicidal and homicidal ideations, cannibalism, and death, any violation of this Chapter presents a grave and imminent danger not only to the person consuming the Synthetic Drug, but also to the public at large. Any Sheriff Deputy who issues a criminal citation under this Chapter shall confiscate any Synthetic Drugs and store them, pending the conclusion of the criminal case.
- B. The enforcing officer may consider any of the following evidentiary factors to determine if the product is a Synthetic Drug:
 - 1. The product is not suitable for its marketed use (such as crystalline or powder being marketed as "glass cleaner");
 - 2. The product contains a warning label that is not typically present on products that are used for that product's marketed use (such as "not for human consumption," "not for purchase by minors," or "does not contain chemicals banned by Section 11357.5");
 - 3. The product resembles an illicit street drug (such as cocaine, methamphetamine or marijuana); or
 - 4. The product's name or packaging uses images or slang referencing an illicit drug.

9.46.050 Suspension or Revocation of Business License.

No person holding a validly issued City business license and owning or operating a business in the City may use that business to provide, distribute, or sell any Synthetic Drug or any substance claimed or represented to be a Synthetic Drug. A violation of this Chapter by the holder of a validly issued City business license shall constitute grounds for suspension or revocation of a business license in accordance with the procedures set forth in Chapter 5.04 of this Code.

9.46.060 Seizure of Evidence.

Any products or substances possessed in violation of any provision of this Chapter shall be seized and stored in accordance with law.

9.46.070 Exclusions.

- A. This Chapter shall not apply to drugs or substances lawfully prescribed or to intoxicating chemical compounds that have been approved by the Federal Food and Drug Administration or are specifically permitted by California law.

- B. This Chapter shall not be deemed to prohibit any act that is permitted, prohibited, or preempted by any State or Federal law or regulation.

SECTION 2. Effective Date

This Ordinance shall be in full force and effect thirty (30) days following passage by the City Council; and before the expiration of fifteen (15) days following passage, this Ordinance shall be published once with the names of the members of the City Council voting for and against the same in The Coastal View, a newspaper of general circulation, published in the City of Carpinteria.

SECTION 3. Severability

If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance, and each and all provisions hereof, irrespective of the fact that one or more provisions may be declared invalid.

SECTION 4. CEQA Exemption

The proposed Ordinance is exempt from CEQA pursuant to State CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15060(c)(3) (this activity is not a project as defined in section 15378) and 15061(b)(3) (the activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment).

SECTION 5. Publication

The City Clerk shall certify as to the passage of this Ordinance and cause the same to be published and posted in the manner prescribed by California law.

Passed, Approved, and Adopted this ____th day of March 2016, by the following called vote:

AYES: Councilmembers:

NOES: Councilmember:

ABSENT: Councilmember:

Mayor of the City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing Ordinance was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the __ day of March 2016.

City Clerk, City of Carpinteria

Approved as to Form:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck,
LLP, acting as City Attorney of the
City of Carpinteria



City of Carpinteria

COUNCIL AGENDA STAFF REPORT February 22, 2016

ITEM FOR COUNCIL CONSIDERATION

A letter of opposition to Senate Bill 876 (Liu) a proposed law that would, in part, preempt local regulations that prohibit camping in public spaces and on private properties open to the public.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Approve for the Mayor's signature a letter of opposition to Senate Bill 876.

Motion: I move to approve for the Mayor's signature a letter of opposition to Senate Bill 876.

BACKGROUND

Carpinteria Municipal Code (CMC), Chapter 8.20, prohibits sleeping and camping except in designated places. The regulations, in part, make it illegal for a person to camp at any time, whether inside or outside of a vehicle, in or on any public street or other public property, e.g., a parking lot. The City's camping regulations¹ were established over 40 years ago in response to the City's experience with persons camping in vehicles on City streets and other areas. Sometimes this illicit camping was undertaken due to local campgrounds and other visitor accommodations being fully occupied and unavailable or as a no-cost alternative to local visitor accommodations.

The proposed Senate Bill 876 (SB 876) would preempt and render unenforceable CMC Chapter 8.20. Similar to AB 718 (Chu), which the City opposed last year, this bill is based on the belief that California cities are adopting and enforcing laws that violate the human rights of people experiencing homelessness. The purpose of this matter is to permit the City Council to consider sending a letter of opposition to SB 876.

¹ Ordinance 344 § 1, 1983: prior code § 5300

DISCUSSION

The City's regulations on Sleeping and Camping, CMC 8.20, were established, primarily, in response to the problem of people camping in vehicles on public streets and in shopping center parking lots². This issue has historically been acute in certain areas of the City where retail and restaurant services are convenient and on streets and parking lots near to the beach. Public and private signs have been posted (see attached examples) in these areas to notify the public of the City's regulations.

Violations of City camping regulations can include camping in parks, creek corridors and other open spaces, as well as in vehicles on streets and in parking lots. Illegal camping is typically identified through public complaints or City field staff, i.e., law or code enforcement staff and parks and public works staff. The Sheriff's Office estimates that two to three contacts a week are the result of suspicion that a person is sleeping or camping in a vehicle in violation of the City regulations. The City also routinely contacts people camping illegally in creek areas, the Salt Marsh Park and Bluffs Nature Preserve. Sheriff's reports more contacts during the summer months when more people are traveling and the weather tends to be better. Most of these contacts result in warnings rather than citations.

Designated campgrounds, public or private, as well as other transient and permanent housing, include appropriate facilities such as trash receptacles and restrooms and are either managed or the property owner(s) lives on site. These conditions promote public health and safety where convenient access to facilities encourages their use and where persons have a vested interest in monitoring the conduct of residents and maintaining the property. Public streets and parking lots are not designed or managed for either short or long-term residency. Trash receptacles, area lighting, restrooms and other facilities may not be adequate or available and there is not a person responsible for managing/overseeing the conduct of campers/tenants.

Also, the City often finds human waste associated with camping in the Carpinteria creek corridor and the Salt Marsh, which leads to serious problems of contamination of area creeks, the estuary and ocean.

If camping on public streets and in parking lots is made legal, as proposed through SB 876, it would be expected to result in a proliferation of camping on streets and parking lots in the City of Carpinteria. Carpinteria is a popular visitor destination and the State Beach campground and other visitor accommodations can be full during certain times of the year. If camping on streets and in public parking lots is made legal, hundreds, perhaps thousands of additional transient residents would occupy these areas. Because the City's streets are not improved or provided services sufficient to support short or long-term camping/residency, there is a likelihood that significant problems would develop. In the absence of improvements and services designed to address the needs of street campers, adjacent property owners and City law enforcement and street

² City Council meeting minutes of February 14, 1983

maintenance workers would likely be forced to act as de facto campground managers, monitoring camper conduct, responding to conflicts, and cleaning up after them.

The proposed law is intended to allow people experiencing homelessness the right to camp on City streets, etc. The law would require local authorities to determine whether or not the person is homeless, which is an impractical task.

POLICY CONSISTENCY

As a matter of policy, the City addresses the needs of persons experiencing homelessness by advocating for and connecting people with appropriate housing. The City participates in the Central Coast Collaborative on Homelessness and a local coordination committee that are working to permanently house persons experiencing homelessness in Carpinteria.

The City provides assistance to drivers that are fatigued and need respite or persons that are homeless and need temporary, overnight accommodations, through an established policy that allows for parking and sleeping in certain designated spaces at City Hall.

FINANCIAL CONSIDERATIONS

AB 876, if established as law, could result in significant cost to the City if it elected to enhance public facilities and services in response to a proliferation of camping in public spaces and places.

LEGAL

AB 876 would prohibit local agencies from enforcing laws and ordinances and imposing civil or criminal penalties against people sleeping or resting in any public or private property open to the public. SB 876 would expressly preempt Carpinteria Municipal Code Chapter 8.20.020, which currently prohibits persons from sleeping or camping (whether inside or outside of a vehicle) on or on any public street, public property (except public property designated for overnight camping), or private property including, but not limited to, beaches, vacant lots, parking areas and commercial properties without permission from the owner. (*See Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal. 4th 893, 897 ["If otherwise valid local legislation conflicts with state law, it is preempted by such law and is void . . . A conflict exists if the local legislation duplicates, contradicts, or enters an area fully occupied by general law, either expressly or by legislative implication."] [internal citations and quotations omitted].) If SB 876 is enacted, the City could not enforce Chapter 8.20.020 against any person who is sleeping or camping in a lawfully parked motor vehicle.

PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENTS

- A. Draft Senate Bill 876 letter of opposition
- B. Senate Bill 876 (Liu)
- C. League of California Cities letter, dated, February 4, 2016
- D. No Camping sign examples

Staff contact/Report Prepared by: Dave Durflinger
(805 684-5405, daved@ci.carpinteria.ca.us)



Signature

Report Reviewed by: Peter Brown, Legal Counsel



on behalf of Brownstein
Hyatt Farber Schreck, LLP,
acting as City Attorney of the City
of Carpinteria

ATTACHMENT A

CITY of CARPINTERIA, CALIFORNIA



February 22, 2016

The Honorable Senator Carol Liu
California State Senate
State Capitol, Room 5097
Sacramento, CA 95814

Members of the City Council

Gregg A. Carty - *Mayor*
Fred Shaw - *Vice Mayor*
Al Clark
Wade Nomura
J. Bradley Stein

RE: SB 876 (Liu) Enforcement of Local Ordinances
Notice of OPPOSITION

Dear Senator Liu:

On behalf of the City of Carpinteria, I regret to inform you of our opposition of Senate Bill 876 (Liu). For similar reasons, the City, last year, opposed AB 718 (Chu). SB 876 would do nothing to assist people experiencing homelessness but would open the door to a host of issues that would negatively affect public health, safety and welfare.

AB 718 would preempt local authority to prohibit camping in certain public spaces and private properties, including but not limited to, plazas, courtyards, parking lots, sidewalks, public transportation facilities, public buildings, and shopping centers. This would, effectively, allow for de facto campgrounds to be established throughout the City without the services necessary to support them and in contradiction to City land-use policies and regulations.

The City of Carpinteria is a popular tourist destination and within its incorporated limits are a variety of environmentally sensitive habitat areas and important coastal resources. Carpinteria is home to the Carpinteria State Beach campground that sees approximately a million visitors annually (the campground is also regularly used by people experiencing homelessness). Operated by California State Parks, the Park is closely regulated and a variety of services, such as law enforcement, waste hauling, restrooms, showers and janitorial, are provided in order to ensure the health and safety of campers and the general public. In contrast, encouraging camping in public spaces and private properties not designed for that use, as SB 876 would do, risks the health and safety of both campers and the general public.

Within Carpinteria there are also a number of creeks that lead to the ocean and sensitive habitats including a salt marsh estuary and a harbor seal rookery. The beaches of Carpinteria are popular year round for recreational swimming and other water-based activities. Camping in places not designed for that use leads to pollution from human waste that can damage riparian and other sensitive habitats and require beach closures in order to prevent illness.

State law recognizes the importance of local land-use policies and zoning regulations in protecting the public's health, safety and general welfare, and requires all California cities to adopt land-use policies and zoning regulations. In the Coastal Zone, cities must also have a certified local Coastal Plan. As a part of these policies and regulations, the City of Carpinteria regulates camping along with many other land uses and related activities. SB 876 would undermine the City's land-use policies and regulations by allowing camping use in every zone district and in areas where such use would be detrimental to public health and safety, the environment and property values.

We recognize that this measure is well intentioned; however, local agencies must continue to be able to protect the public health, safety and welfare of their communities. Moreover, we do not believe this measure will make a positive impact in the effort to address chronic homelessness.

Page 2

The Honorable Senator Carol Liu

February 22, 2016

The City of Carpinteria participates in a collaborative effort (<http://www.c3homes.org/>) to end chronic homelessness in our area by working together with other public agencies, service providers and committed community members. One of several significant needs identified by the Carpinteria Regional Coordination Committee for achieving this lofty goal is more housing and supportive services. We need resources: permanent housing, beds and accompanying social services such as mental health treatment, job training, addiction counseling, etc. Cities and other local agencies need more funding and flexibility to provide these proven programs, not overreaching State legislation.

Once again, the City of Carpinteria regrets to inform you of our opposition to SB 876.

Sincerely,

Gregg A. Carty
Mayor
City of Carpinteria

cc: Senator Hannah-Beth Jackson & Assembly Member Das Williams (via email)
Alison Dinmore, Consultant, Senate Committee on Transportation and Housing, (via fax)
Doug Yoakam, Housing Consultant, Senate Republican Caucus, (via fax)
Dave Mullinax, League Regional Public Affairs Manager (via email)
Meg Desmond, League of California Cities (via email)

ATTACHMENT B

SENATE BILL**No. 876****Introduced by Senator Liu**

January 14, 2016

An act to add Part 2.2 (commencing with Section 53.8) to Division 1 of the Civil Code, and to amend Section 11135 of, and to add Section 11139.2 to, the Government Code, relating to homelessness.

LEGISLATIVE COUNSEL'S DIGEST

SB 876, as introduced, Liu. Homelessness.

Existing law provides that no person shall, on the basis of race, national origin, ethnic group identification, religion, age, sex, sexual orientation, color, genetic information, or disability, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected to discrimination under, any program or activity that is conducted, operated, or administered by the state or by any state agency, is funded directly by the state, or receives any financial assistance from the state.

This bill would expand those provisions to also include exclusion or discrimination based upon homeless status. The bill would prohibit cities, counties, cities and counties, and municipal agencies that receive state funds from enacting or enforcing a law that bans resting in a public space, as defined. The bill would afford persons experiencing homelessness the right to use public spaces without discrimination based on their housing status and describe basic human and civil rights that may be exercised without being subject to criminal or civil sanctions, including the right to use and to move freely in public spaces, the right to rest in public spaces and to protect oneself from the elements, the right to eat in any public space in which having food is not prohibited, and the right to perform religious observances in public spaces, as specified. Because the bill would require local agencies to perform additional duties, it would impose a state-mandated local program.

The bill would authorize a person whose rights have been violated pursuant to these provisions to enforce those rights in a civil action in which the court may award the prevailing party injunctive and declaratory relief, restitution, damages, statutory damages of \$1,000 per violation, and fees and costs.

The bill would also require all applicants for the United States Department of Housing and Urban Development's Continuum of Care Homeless Assistance Program to annually provide to the Department of Housing and Community Development's Division of Housing Policy Development a copy of its application for funding from the United States Department of Housing and Urban Development that includes the organization's response to the application question regarding steps that its community is taking to reduce criminalization of homelessness.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

P2 1 SECTION 1.

2 The Legislature finds and declares all of the
3 following:

4 (a) According to the United States Department of Housing and
5 Urban Development's report to Congress, 115,738 people were
6 estimated to be homeless in California in 2014, a rate that is
7 unprecedented following a deep and prolonged economic recession,
8 a severe shortage of safe and affordable housing, a failed veteran
9 and civilian mental health system, and a diminished social safety
10 net.

11 (b) According to the United States Department of Education,
12 284,086 schoolchildren were known to have experienced
13 homelessness in the 2013-14 school year.

14 (c) Homelessness is an independent risk factor for a number of
15 illnesses, making people more susceptible to increased health
P3 1 surroundings, lack of access to hygiene facilities, and a myriad of
2 other situational stressors experienced by people without stable
3 housing. Subsequently, people who are chronically homeless are
4 more medically frail and three to four times more likely to die
5 prematurely than their housed counterparts.

6 (d) Throughout California, local governments have enacted
7 ordinances that make it illegal to rest or receive nourishment in
8 public spaces.

9 (e) Ending homelessness in California will require significant
10 state and federal resources and there is ample evidence that policies
11 that invest in ending homelessness, rather than criminalizing and
12 marginalizing people who are experiencing homelessness,
13 adequately balance the needs of all parties: community residents,
14 government agencies, businesses, and men and women who are
15 experiencing homelessness.

16 (f) Passing this act will not reduce homelessness, but neither
17 will local ordinances that criminalize homelessness. Instead,
18 ordinances that criminalize homelessness result in increased
19 incarceration rates and financial indebtedness of people who simply
20 have no means of support and prolong homelessness by making
21 it more difficult for people to secure housing, employment, and
22 medical care. Criminalization policies further marginalize men
23 and women who are experiencing homelessness, fuel inflammatory
24 attitudes, and may even unduly restrict constitutionally protected
25 liberties.

26 (g) That is why, on September 18, 2015, the United States
27 Department of Housing and Urban Development included in the
28 annual Notice of Funding Availability for the Continuum of Care
29 funding competition, provisions that would award additional points
30 to any application that could include steps the community is taking
31 to reduce criminalization of homelessness.

32 (h) It is also why, on August 6, 2015, the United States
33 Department of Justice submitted a rare statement of interest in a
34 United States District Court in opposition to the criminalization
35 of people who are homeless, calling it cruel and unusual
36 punishment to punish someone for a crime with the potential for
37 imprisonment and a violation of constitutional rights.

38 (i) While these ordinances apply to all residents, they

39 disproportionately impact people without homes, who have no
40 private place to rest or seek nourishment, and are often selectively
P4 1 applied by law enforcement to people based upon their appearance
2 or an assumption of homelessness.

3 (j) In practice, these ordinances deprive persons experiencing
4 homelessness and those who may be perceived as homeless of a
5 safe and legal place to rest and seek nourishment, which adversely
6 impacts their health and well-being.

7 (k) Sleep deprivation impairs cognitive processes and puts one
8 at risk for obesity, heart disease, heart attack, heart failure, irregular
9 heartbeat, high blood pressure, stroke, diabetes, and depression.
10 People who are homeless suffer from sleep deprivation and, absent
11 a place to rest, they suffer it more frequently.

12 (l) Because current practices have denied the right to adequate
13 legal representation to people cited or arrested while resting or
14 sharing food, homeless persons are often denied relief or damages
15 through the courts.

16 (m) Both the federal government, through its Interagency
17 Council on Homelessness, and the United Nations have recognized
18 that discrimination and criminalization violate a homeless person's
19 human rights and have called upon state and local governments to
20 cease enactment and enforcement of those laws.

21 (n) Homelessness and the increasing criminalization of
22 homelessness and discrimination against those experiencing
23 homelessness are widespread throughout California and are matters
24 of statewide concern.

25 (o) Section 1 of Article I of the California Constitution provides
26 that "[a]ll people are by nature free and independent and have
27 inalienable rights. Among these are enjoying and defending life
28 and liberty, acquiring, possessing, and protecting property, and
29 pursuing and obtaining safety, happiness, and privacy," without
30 qualification as to whether or not a person is, or appears to be,
31 homeless.

32 (p) Subdivision (a) of Section 7 of Article I of the California
33 Constitution provides that "[a] person may not be deprived of life,
34 liberty, or property without due process of law or denied equal
35 protection of the laws"

36 (q) Concordant with this fundamental belief, a person should
37 not be subject to discrimination based on his or her income, housing
38 status, or ability or desire to appear housed. Therefore, it is the
39 intent of the Legislature in enacting this legislation to protect the
40 rights of all Californians, regardless of their housing status, and
P5 1 ameliorate the adverse effects caused by the criminalization of
2 homelessness on our communities and our citizens.

3 (r) Decriminalization of rest allows municipal governments to
4 redirect resources from local enforcement activities to activities
5 that address the root causes of homelessness and poverty.

6 SEC. 2.

7 Part 2.2 (commencing with Section 53.8) is added to
8 Division 1 of the *Civil Code*, to read:

9 PART 2.2. HOMELESS PERSONS

10 53.8.

11 For purposes of this part, the following definitions shall
12 apply:

13 (a) "Homeless persons," "homeless people," or "persons
14 experiencing homelessness" means those individuals or members
15 of families who lack a fixed, regular, and adequate nighttime
16 residence, including people defined as homeless using the criteria
17 established in the Homeless Emergency Assistance and Rapid
18 Transition to Housing (HEARTH) Act of 2009.

19 (b) "Motor vehicle" means a motor vehicle as defined in Section
20 415 of the Vehicle Code.

21 (c) "Public space" means any property that is owned by a
22 government entity or any property upon which there is an easement
23 for public use and that is held open to the public, including, but
24 not limited to, plazas, courtyards, parking lots, sidewalks, public
25 transportation facilities and services, public buildings, shopping
26 centers, and parks.

27 (d) "Recreational vehicle" means a recreational vehicle as
28 defined in Section 18010 of the Health and Safety Code.

29 (e) "Rest" means the state of not moving, holding certain
30 postures that include, but are not limited to, sitting, standing,
31 leaning, kneeling, squatting, sleeping, or lying.

32 53.81.

(a) Persons experiencing homelessness shall be
33 permitted to use public space in the ways described in this section
34 at any time that the public space is open to the public without
35 discrimination based upon their housing status, and without being
36 subject to criminal, civil, or administrative penalties. Permitted
37 use of the public space include, but are not limited to, all of the
38 following:

39 (1) Free movement without restraint.

P6 1 (2) Sleeping or resting, and protecting oneself from the elements
2 while sleeping or resting in a nonobstructive manner.

3 (3) Eating, sharing, accepting, or giving food in a space in which
4 having food is not otherwise generally prohibited.

5 (4) Praying, meditating, worshiping, or practicing religion.

6 (b) Nothing in this section shall prevent law enforcement from
7 enforcing laws to protect the right of people to use the sidewalk,
8 pursuant to the Americans with Disabilities Act of 1990 (42 U.S.C.
9 Sec. 12101 et seq.).

10 (c) Nothing in this section shall prevent law enforcement from
11 enforcing the Penal Code, except subdivision (e) of Section 647
12 of the Penal Code, so far as it prohibits rest.

13 53.82.

(a) Any person whose rights have been violated pursuant
14 to this part may enforce those rights in a civil action.

15 (b) The court may award appropriate injunctive and declaratory
16 relief, restitution for loss of property or personal effects and
17 belongings, actual damages, compensatory damages, exemplary
18 damages, statutory damages of one thousand dollars (\$1,000) per
19 violation, and reasonable attorney's fees and costs to a prevailing
20 party.

21 SEC. 3.

22 Section 11135 of the *Government Code* is amended
23 to read:

23 11135.

(a) No person in the State of California shall, on the
24 basis of race, national origin, ethnic group identification, religion,
25 age, sex, sexual orientation, color, genetic information, or

26 disability, or *homeless status*, be unlawfully denied full and equal
27 access to the benefits of, or be unlawfully subjected to
28 discrimination under, any program or activity that is conducted,
29 operated, or administered by the state or by any state agency, is
30 funded directly by the state, or receives any financial assistance
31 from the state. Notwithstanding Section 11000, this section applies
32 to the California State University.

33 (b) With respect to discrimination on the basis of disability,
34 programs and activities subject to subdivision (a) shall meet the
35 protections and prohibitions contained in Section 202 of the federal
36 Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132),
37 and the federal rules and regulations adopted in implementation
38 thereof, except that if the laws of this state prescribe stronger
39 protections and prohibitions, the programs and activities subject
P7 1 to subdivision (a) shall be subject to the stronger protections and
2 prohibitions.

3 (c) (1) As used in this section, "disability" means any mental
4 or physical disability, as defined in Section 12926.

5 (2) The Legislature finds and declares that the amendments
6 made to this act are declarative of existing law. The Legislature
7 further finds and declares that in enacting Senate Bill 105 of the
8 2001-02 Regular Session (Chapter 1102 of the Statutes of 2002),
9 it was the intention of the Legislature to apply subdivision (d) to
10 the California State University in the same manner that
11 subdivisions (a), (b), and (c) already applied to the California State
12 University, notwithstanding Section 11000. In clarifying that the
13 California State University is subject to paragraph (2) of
14 subdivision (d), it is not the intention of the Legislature to increase
15 the cost of developing or procuring electronic and information
16 technology. The California State University shall, however, in
17 determining the cost of developing or procuring electronic or
18 information technology, consider whether technology that meets
19 the standards applicable pursuant to paragraph (2) of subdivision
20 (d) will reduce the long-term cost incurred by the California State
21 University in providing access or accommodations to future users
22 of this technology who are persons with disabilities, as required
23 by existing law, including this section, Title II of the federal
24 Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101
25 and following), and Section 504 of the Rehabilitation Act of 1973
26 (29 U.S.C. Sec. 794).

27 (d) (1) The Legislature finds and declares that the ability to
28 utilize electronic or information technology is often an essential
29 function for successful employment in the current work world.

30 (2) In order to improve accessibility of existing technology, and
31 therefore increase the successful employment of individuals with
32 disabilities, particularly blind and visually impaired and deaf and
33 hard-of-hearing persons, state governmental entities, in developing,
34 procuring, maintaining, or using electronic or information
35 technology, either indirectly or through the use of state funds by
36 other entities, shall comply with the accessibility requirements of
37 Section 508 of the federal Rehabilitation Act of 1973, as amended
38 (29 U.S.C. Sec. 794d), and regulations implementing that act as
39 set forth in Part 1194 of Title 36 of the Federal Code of
40 Regulations.

P8 1 (3) Any entity that contracts with a state or local entity subject
2 to this section for the provision of electronic or information

3 technology or for the provision of related services shall agree to
4 respond to, and resolve any complaint regarding accessibility of
5 its products or services that is brought to the attention of the entity.

6 (e) As used in this section, "sex" and "sexual orientation" have
7 the same meanings as those terms are defined in subdivisions ~~(q)~~
8 ~~and (r) and (s)~~ of Section 12926.

9 (f) As used in this section, "race, national origin, ethnic group
10 identification, religion, age, sex, sexual orientation, color, or
11 disability" includes a perception that a person has any of those
12 characteristics or that the person is associated with a person who
13 has, or is perceived to have, any of those characteristics.

14 (g) As used in this section, "genetic information" has the same
15 definition as in paragraph (2) of subdivision (e) of Section 51 of
16 the Civil Code.

17 (h) *As used in this section, "homeless status," or "people*
18 *experiencing homelessness" means those individuals or members*
19 *of families who lack a fixed, regular, and adequate nighttime*
20 *residence.*

21 (i) *As used in this section, "public space" means any property*
22 *that is owned by any government entity or any property upon which*
23 *there is an easement for public use and that is held open to the*
24 *public, including, but not limited to, plazas, courtyards, parking*
25 *lots, sidewalks, public transportation facilities and services, public*
26 *buildings, shopping centers, and parks.*

27 (j) *As used in this section, "rest" means the state of not moving,*
28 *holding certain postures that include, but are not limited to, sitting,*
29 *standing, leaning, kneeling, squatting, sleeping, or lying. Rest also*
30 *includes the act of protecting oneself from the elements, in a*
31 *nonobstructive manner.*

32 (k) *The Legislature finds and declares that people with a*
33 *homeless status lack a private space to rest, and, therefore, they*
34 *must rest in a public space.*

35 (l) *It is the intent of the Legislature to protect the rights of all*
36 *people, including those experiencing homelessness, in order to*
37 *diminish the adverse effects of municipalities engaged in violating*
38 *the fundamental right to rest.*

39 (m) *In order to ensure full and equal access to the benefits and*
40 *protections afforded by this section against discrimination in the*
P9 1 *administration of any program or activity conducted, operated,*
2 *or administered by the state or any state agency funded directly*
3 *by the state, or that receives any financial assistance from the*
4 *state, no city, county, city and county, or municipal agency that*
5 *receives state funds shall enact or enforce a law that bans resting*
6 *in a public space, as defined in Part 2.2 (commencing with Section*
7 *53.8) of Division 1 of the Civil Code.*

8 SEC. 4.

9 Section 11139.2 is added to the Government Code, to
10 read:

11 11139.2.

12 To improve monitoring of discrimination based upon
13 housing status and violations of Section 11135, and to ensure that
14 people who are experiencing homelessness are not unlawfully
15 denied full and equal access to the benefits of state-funded
16 programs or assistance, or unlawfully subjected to discrimination,
all applicants for the United States Department of Housing and
Urban Development's Continuum of Care Homeless Assistance

17 Program shall annually provide to the Department of Housing and
18 Community Development's Division of Housing Policy
19 Development a copy of its application for funding from the United
20 States Department of Housing and Urban Development that
21 includes the organization's response to the application question
22 regarding steps that its community is taking to reduce
23 criminalization of homelessness.

24 SEC. 5.

25 If the Commission on State Mandates determines that
26 this act contains costs mandated by the state, reimbursement to
27 local agencies and school districts for those costs shall be made
28 pursuant to Part 7 (commencing with Section 17500) of Division
4 of Title 2 of the Government Code.

O

99

ATTACHMENT C



1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

February 4, 2016

The Honorable Senator Carol Liu
California State Senate
State Capitol, Room 5097
Sacramento, CA 95814

**RE: SB 876 (Liu) Homelessness
Notice of Opposition**

Dear Senator Liu:

The League of California Cities regrets to inform you of our opposition to your SB 876. As we conveyed to your staff at our recent meeting, we view this measure as preempting local authority to address important issues affecting public health and safety in public spaces and on private property that is held open to the public, including not limited to, plazas, courtyards, parking lots, sidewalks, public transportation facilities, public buildings, shopping centers and parks. We recognize that this measure is well intentioned; however, local agencies must continue to be able to protect the public, health, safety and welfare of their communities. Moreover, we do not believe this measure will make a positive impact in the effort to address chronic homelessness.

Homelessness is a pervasive problem affecting many communities across our state. As a result, many local governments, non-profits and social service providers are trying various creative solutions to get people housed and into the treatment programs they need to permanently get off of the streets. Last fall, the League formed a statewide working group of city officials and staff who are tackling the problem to share best practices and receive input on what is needed to make additional progress with strategies that best serve local needs. The consensus was clear: legislation that seeks to combat homelessness should focus on solutions and provide resources that help get people off of the streets and into shelter and housing.

The key to getting people off of the streets is to provide more shelter, permanent housing beds and accompanying social services such as mental health treatment, job training, addiction counseling, etc. Cities and other local agencies need more funding and flexibility to provide these proven programs. Additionally, these services should be provided as a coordinated effort. We have heard from members of our working group that many cities have formed special task forces on homelessness that combine city, county, law enforcement, social service providers and non-profits all working together to come up with creative ways they can partner and address the homeless problem.

In our discussions with local officials who are working on a daily basis on these issues, the consensus was clear. Removing local enforcement authority as you propose in SB 876 will do

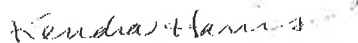
nothing to help the problem, and would actually undermine existing efforts. SB 876 contains no solutions for ending homelessness. In fact, the bill on page 3, line 16, specifically states, "Passing this Act will not reduce homelessness." Removing local authority could exacerbate the problem by removing incentives for some to take advantage of existing resources and services being offered. For example, some local jurisdictions host legal clinics where homeless clinic participants can have citations and related fines removed from their records in exchange for community service and for taking advantage of housing and other services.

While we oppose this measure's approach, the League is committed to supporting efforts across the state and in our communities that address the homeless issue in a constructive manner. In that vein, we are encouraged by Senator de León's recent "No Place Like Home" proposal that will provide much needed funding for housing for the mentally ill homeless, and augmentations to existing shelter resources. We look forward to supporting such efforts to develop resources to provide affordable housing and services to actually serve our chronically homeless and help them get off of the streets.

The League is genuinely interested in finding workable solutions to this growing problem. We appreciate the meeting we had with your staff where we expressed our concerns, and we look forward to continued discussions.

If you have any questions or if I can be of any assistance, please call me at (916) 658-8250.

Sincerely,



Kendra Harris
Legislative Representative

Cc: Chair and Members, Senate Committee on Transportation and Housing
Alison Dinmore, Consultant, Senate Committee on Transportation and Housing
Doug Yoakam, Housing Consultant, Senate Republican Caucus

ATTACHMENT D

NO
PARKING
ANY
TIME

NO
CAMPING
ANYTIME
ON ANY
STREET
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WILL BE TOWED AWAY
AT THE OWNER'S EXPENSE

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MAY BE RECLAIMED AT
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OR BY TELEPHONING
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