

CITY OF SANTA CRUZ
809 Center Street
Santa Cruz, California 95060



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

November 24, 2009

- | | |
|-----------|---|
| 1:30 P.M. | CLOSED LITIGATION SESSION, COURTYARD CONFERENCE ROOM |
| 3:00 P.M. | CONSENT, GENERAL BUSINESS AND PUBLIC HEARINGS, AND MATTERS OF PUBLIC INTEREST, COUNCIL CHAMBERS |
| 7:00 P.M. | ELECTION OF THE MAYOR AND VICE MAYOR, AND PUBLIC HEARING, COUNCIL CHAMBERS |

Written correspondence and telephone calls received after 5:00 p.m. on Monday preceding a Council meeting may not have time to reach Councilmembers, nor be read by them prior to consideration of an item. Please make any communication to Councilmembers regarding Council meeting items prior to 5:00 p.m. Monday.

Council meetings are cablecast on Comcast Channel 25.

Written material for every item listed in the open sessions is available for review at the Central Branch Library Reference Desk.

Time limits set by Council Policy are guidelines. Unless otherwise specified, procedures for all items, except those approved in one motion on the Consent Agenda, are:

- Oral staff report
- Public comment - 2 minutes each; maximum total time may be established by the Presiding Officer at the beginning of the item
- Council/Agency deliberation and action

Closed Litigation Session

1:30 PM

At 1:30 p.m., the Presiding Officer will open the City Council and Redevelopment Agency Closed Litigation sessions in a public meeting in the Courtyard Conference Room, for the purpose of announcing the agenda; thereafter the meeting will be closed to the public.

A. Real Property (Government Code §54956.8).

Café Campesino Lease Negotiations
1130 K1 Pacific Avenue
(City of Santa Cruz-Owner; David Levin-Lessee)
City Negotiator—Julie Hendee
(No Assessor's Parcel Number)

B. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator
Employee Organizations—

1. Firefighters
2. Fire Management
3. Police Management
4. Police Officers' Association

C. Conference With Legal Counsel—Existing Litigation (Government Code §54956.9).

1. Norse v. City of Santa Cruz United States Ninth Circuit Court of Appeal Case No. 07-15814.
2. City v. J.P. Morgan Chase Bank, Santa Cruz County Superior Court Case No. 165875.

D. Conference with Legal Counsel – Liability Claims (Government Code §54956.95)

1. Claimant: Jesse Brister
2. Claimant: Santa Cruz Metropolitan Transit District
3. Claimant: Amanda M. Shanks
4. Claimant: Howard Barry Talberg

Claims Against: City of Santa Cruz

An oral report will be presented in the 3:00 p.m. Session (item 16).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation - New City Website: www.cityofsantacruz.com
- * Presiding Officer's Announcements
- * Statements of Disqualification
- * Additions and Deletions
- * Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of November 24, 2009 to the next regularly scheduled meeting on December 8, 2009, for a closed litigation session at 1:30 p.m., in the Courtyard Conference Room, followed by open sessions at the approximate hours of 3:00 p.m. and 7:00 p.m. in Council Chambers.

Consent Agenda

1. Minutes of the October 27, 2009 City Council Meeting. (CC)
Motion to approve as submitted.
2. Minutes of the October 27, 2009 Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.
3. Liability Claims Filed Against City of Santa Cruz. (HR)
Motion to reject liability claims a) Jesse Brister, b) Santa Cruz Metropolitan Transit District, c) Amanda M. Shanks, and d) Howard Barry Talberg, based upon staff investigation.

Consent Agenda (continued)

4. Resolution Amending the City's Classification and Compensation Plan and the FY 2010 Budget Personnel Complement – Economic Development and Redevelopment. (HR)

Resolution modifying the Classification and Compensation Plan and the FY 2010 Budget Personnel Complement by deleting the Economic Development and Redevelopment Manager classification and adding as its replacement, a new classification of Economic Development Coordinator I/II.

5. Sister Cities Committee Bylaws Revisions. (PK)

Resolution amending the Sister Cities Committee structure by reducing membership from seventeen to eleven members, deleting the requirement for a junior member, allowing three non-resident members, and rescinding Resolution No. NS 27-141.

Motion to adopt the amended Bylaws setting forth said amendments to the structure of the Sister Cities Committee.

6. Measure H Fall 2008 Overlay Program - c400809 - Notice of Completion. (PW)

Motion to accept the work completed by Granite Construction Company of Watsonville, CA, and authorize the filing of the Notice of Completion for the Fall 2008 Overlay Program (c400809).

7. American Recovery and Reinvestment Act of 2009 - Energy Efficiency and Conservation Strategy. (PW)

Motion to accept the recommended list of projects that will be included in the City's Energy Efficiency and Conservation Strategy (EECS) and implemented using American Recovery and Reinvestment Act (ARRA) grant funds.

8. Bicycle Transportation Account (BTA) Grant Application for Arana Gulch Path. (PW)

Resolution authorizing the City Manager to submit a grant application to the Bicycle Transportation Account (BTA) Program Fiscal Year (FY) 2010/11 for the Arana Gulch Multi-use Trail.

Consent Agenda (continued)

9. Miscellaneous Service Fees. (WT)

Resolution to adjust miscellaneous water service fees to fully recover the cost of providing service, and rescinding Resolution No. NS-27,194 in its entirety.

10. Water Supply Project – Offshore Geophysical Study – Contract Amendment No. 2. (WT)

Motion to authorize the City Manager to execute Contract Amendment No. 2 with EcoSystems Management Associates, Inc. in the amount of \$6,373 for additional insurance required by the City.

11. The Development, Relief, and Education for Alien Minors (DREAM) Act of 2009 – Resolution of Support. (CN)

Resolution supporting the Development, Relief, and Education for Alien Minors (DREAM) Act of 2009 to relieve obstacles to higher education and permanent residency for long-term non-resident minors.

End Consent Agenda

General Business

12. Acceptance of Hawaiian Princes Plaque. (PK)

Motion to accept a plaque from the Royal Family of Hawaii and direct Parks and Recreation staff to work with the community to appropriately place it near the Surf Museum so that it can be enjoyed by citizens and visitors as recommended by the Parks and Recreation Commission.

Public Hearing

13. Summary Vacation of Unneeded Water Pipeline Right-of-Way from Meder Street to Alta Vista Drive. (WT)

Resolution to vacate an unneeded water pipeline right-of-way from Meder Street to Alta Vista Drive granted by Walter L. Robinson and Mary O. Robinson in 1945.

Resolution to vacate an unneeded water pipeline right-of-way from Meder Street to Alta Vista Drive granted by Leonard W. Miller in 1945.

General Business

14. Mayor/Councilmember Compensation. (CM)

Introduction of an ordinance for publication amending Chapter 1.18 of the Santa Cruz Municipal Code pertaining to Mayor/Councilmember compensation as authorized by the Santa Cruz City Charter, Section 603; and

Motion to take a voluntary reduction to maintain the existing salary levels or some other salary levels.

or

Introduction of an ordinance for publication amending Chapter 1.18 of the Santa Cruz Municipal Code pertaining to Mayor/Councilmember compensation as authorized by the Santa Cruz City Charter, Section 603.

or

Motion to maintain the existing ordinance and current pay rates.

15. Council Meeting Calendar.

That the City Council review the meeting calendar attached to the agenda and revise as necessary.

16. City Attorney Oral Report on Closed Session. (See Page 2)

17. Council Memberships in City Groups and Outside Agencies.

The Presiding Officer will provide Councilmembers with the opportunity to update Council and the public regarding City Groups and Outside Agencies.

City Council Meeting

7:00 PM

* Call to Order

* Roll Call

Note: Oral Communications (30 minutes) will be held during the 3:00 p.m. session only. Members of the public will have to right to speak to items noted on the agenda.

General Business

Note: No written material will be provided for items 18 and 19.

18. Election of the Mayor.

Mayor Mathews will present outgoing remarks.
Mayor Mathews will conduct the election of the Mayor.
Mayor Mathews and the Mayor-elect will exchange chairs.
The Mayor-elect will present incoming remarks.

19. Election of the Vice Mayor.

Vice Mayor Rotkin will present outgoing remarks, unless elected Mayor.
The Mayor-elect will conduct the election of the Vice Mayor.
The Vice Mayor-elect will present incoming remarks.

Public Hearing

20. 2007-2014 Housing Element of the General Plan. (PL)

Resolution adopting the Negative Declaration, rescinding the 2002-2007 Housing Element and adopting the 2007-2014 Housing Element based on the Findings listed in the resolution.

Adjournment — The City Council will adjourn from the regularly scheduled meeting of November 24, 2009 to the next regularly scheduled meeting on December 8, 2009, for a closed litigation session at 1:30 p.m., in the Courtyard Conference Room, followed by open sessions at the approximate hour of 3:00 p.m. and 7:00 p.m. in Council Chambers.

Note: The Council Chambers will be closed ten minutes after the meeting is adjourned.

Advisory Body Appointments

The following at-large positions are will be open for reappointment and or appointment in January 2010. Council will make appointments at the meeting of January 26, 2010.

Arts Commission	One (1) reappointment
Downtown Commission	One (1) vacancy
Historic Preservation Commission	Two (2) vacancies
Parks and Recreation Commission	Two (2) reappointments
Planning Commission	Two (2) reappointments
Public Works Commission	One (1) vacancy
San Lorenzo River Committee	Two (2) vacancies
S.C. City Transportation Commission	Two (2) vacancies
Sister Cities Committee	One (1) reappointment and eight (8) vacancies
Water Commission	Two (2) vacancies

Public Hearing: If, in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

Any person seeking to challenge a City Council decision made as a result of a proceeding in which, by law, a hearing is required to be given, evidence is required to be taken, and the discretion in the determination of facts is vested in the City Council, shall be required to commence that action either 60 days or 90 days following the date on which the decision becomes final as provided in Code of Civil Procedure Section 1094.6 Please refer to code of Civil Procedure 1094.6 to determine how to calculate when a decision becomes “final.” The 60-day rule applies to all public hearings conducted pursuant to the City’s Zoning Ordinance, Title 24, Santa Cruz Municipal Code. The 90-day rule applies to all other public hearings.

City Council Agenda Legislative History Addendum

No information was submitted.

City staff is responsible for providing the City Clerk with such documentation and information for the Legislative History Addendum. The information will be on file in the City Clerk's Department.

The Addendum is a listing of information specific to City Council business, but which does not appear on a Council meeting agenda. Such entities would include, but not be limited to:

- Court decisions
- Coastal Commission Appeals of City Council actions
- Closed Session Agreements/Settlements, which are public record
- Association of Monterey Bay Area Governments
- Local Agency Formation Commission

ADDENDUM TO CITY COUNCIL AGENDA – NOVEMBER 24, 2009
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Resignation of Erica Goodwin from the Sister Cities Committee - 11/5/09 (CCFYI 106)
City Manager	2009 Public Safety Committee Report 11/9/09 (CMFYI 131)
Finance Department	Quarterly Grant Report - 11/05/09 (FNFYI 125)

ADDENDUM TO CITY COUNCIL AGENDA – NOVEMBER 24, 2009
MAYOR'S PROCLAMATIONS

1. Proclaiming Wednesday, November 11, 2009 as "WWII All-Black 54th Coast Artillery Army Regiment Day" and encouraging all citizens to join in honoring the service of these men and expressing our heartfelt appreciation.
2. Proclaiming Friday, November 6, 2009 as "Angelo Canepa Day" and urging all citizens to join in congratulating him on his sixty years of active membership in the Santa Cruz Rotary Club and expressing heartfelt appreciation for his numerous contributions to the Santa Cruz community.
3. Proclaiming Saturday, November 14, 2009 as "Hillcrest Terrace Winery Day" and inviting local residents to join in congratulating the partners of Hillcrest Winery on the launch of this endeavor, welcoming them to the Santa Cruz business community, and thanking them for their contribution to the good life in Santa Cruz.

MINUTES ARE UNOFFICIAL UNTIL APPROVED BY COUNCIL

CITY OF SANTA CRUZ
809 Center Street
Santa Cruz, California 95060

**MINUTES OF A REGULAR JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING**

OCTOBER 27, 2009

11:00 A.M. SESSION

Mayor Mathews opened the Closed Litigation Session at 11:25 a.m. in a public session in the Courtyard Conference Room, for the purpose of announcing the agenda. Council closed the session to the public at 11:26 a.m. All Councilmembers were present. Councilmember Madrigal arrived at 11:40 a.m.

Mayor Mathews reopened the Closed Litigation Session at 1:14 p.m. for the purpose of considering the addition of item B(4). No members of the public were present.

- B. Conference with Legal Counsel—Existing Litigation (Government Code §54956.90).

 - 4. Campaign for Sensible Transportation v. Caltrans, Superior Court of the State of California, Sacramento County.

Action

Councilmember Lane moved, seconded by Councilmember Beiers, to make the emergency findings to add item B(4) to the agenda as the need to act after the posting of the agenda. The motion carried unanimously (Councilmember Coonerty absent).

Council closed the session to the public at 1:16 p.m. (See pages 1019 through 1020 for a report on closed session.)

3:00 P.M. SESSION

Mayor/Chair Mathews called the meeting to order at 3:06 p.m. in the Council Chambers.

Roll Call

Present: Councilmembers/Members Coonerty, Robinson, Lane, Madrigal, Beiers; Vice Mayor/Vice Chair Rotkin; Mayor/Chair Mathews.

Absent: None.

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JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
OCTOBER 27, 2009
3:00 P.M. SESSION

Roll Call (continued)

Staff: City Manager R. Wilson, City Attorney J. Barisone, Director of Economic Development and Redevelopment B. Lipscomb, Director of Finance J. Dilles, Chief of Fire R. Oliver, Director of Human Resources L. Sullivan, Director of Information Technology S. Caiocca, Director of Parks and Recreation D. Shoemaker, Director of Planning and Community Development J. Rebagliati, Chief Building Official J. Ancic, Green Building Specialist J. Fullerton, Principal Planner E. Marlatt, Principal Planner K. Thomas, Chief of Police H. Skerry, Director of Public Works M. Dettle, Director of Water B. Kocher, Water Conservation Manager T. Goddard, City Clerk L. Brewer, Deputy City Clerk T. Graves.

Pledge of Allegiance

Spotlight on City Services - Green Building Awards – Presented by Chief Building Official J. Ancic, Green Building Specialist J. Fullerton and Mayor Mathews to 250 Cardiff Place, 548 Sumner Street, and 710 Windham Street.

Presentation - Proclamation in Recognition of November as Pancreatic Cancer Awareness Month.

Presentation – CityServe Volunteer Program – Karen Delaney, Executive Director and Alicia Dayton, Program Coordinator, Volunteer Center of Santa Cruz County presented information regarding the CityServe Volunteer Program.

Presiding Officer's Announcements

Statements of Disqualification – None.

Additions and Deletions – None.

Joint City Council/Redevelopment Agency Oral Communications

Tanya Nauenberg requested Council to consider implementing a parking permit program for the Ocean View neighborhood for the hours of 10:00 p.m. to 5:00 a.m.

Regina Henderson asked the Council to adopt a zero gang tolerance measure at its next meeting.

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
OCTOBER 27, 2009
3:00 P.M. SESSION

**Joint City Council/Redevelopment Agency Oral Communications
(continued)**

Fred Geiger stated that an evening meeting would be better for members of the public and Councilmembers to discuss safety concerns.

Ed Davidson expressed concerns with unwarranted delays in projects that affect growth policies, e.g., the Broadway/Brommer bike path, and Morrissey and Soquel auxiliary lanes project. Mr. Geiger added that the lawsuits are a waste of time. Mr. Davidson also stated the Council must change its policy regarding undocumented individuals, as many crimes are committed by undocumented individuals.

Annaliese Keller said the Council should not be dealing with issues of violence in our community alone, and that past Councils should be ashamed of themselves. Ms. Keller suggested the downtown should be flooded with families and children, and that residents should take the town back. Ms. Keller further stated that the police are awesome, but people have to get involved.

Kirsten Adelsee stated that safety is primary, and that shocking things happen downtown on a daily basis.

Robert Norse expressed concerns with rangers harassing homeless campers. Mr. Norse also stated that the Council is not dealing with real issues.

Brad Snyder said the recent crimes are disturbing and sad, and that the goal should be to have a tighter-knit community.

Deborah Elston spoke about Santa Cruz Neighbors, and said the first citywide block parties held on October 4th were a great success, with 23 neighborhood parties occurring throughout the City on that date.

Dexter Cube spoke about safety, and said he was upset that law enforcement hasn't been given the tools it needs to be effective. Mr. Cube suggested stipends for police to live here, and said safety should be the primary goal.

Fred Dressler expressed thanks to the Police Department for its efforts.

Micah Posner spoke about safety, and said the Council is taking the heat for what should be everybody's problem. Mr. Posner also stated that police are more effective when they're on foot or on bikes.

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JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
OCTOBER 27, 2009
3:00 P.M. SESSION

**Joint City Council and Redevelopment Agency Oral Communications
(continued)**

Warren Schmidt said he had not been involved in community affairs prior to coming here. Mr. Schmidt further stated that gangs seem to congregate on Chestnut Street, and that Mercy Housing has taken some action with evictions. Mr. Schmidt said he's looking forward to working with the Council.

Andrea Morgan said she has been homeless for three weeks, and asked for Council for assistance.

Mike Tomasi spoke about human rights.

Consent Agenda

SPEAKING FROM THE FLOOR REQUESTING ITEMS TO BE REMOVED FROM THE CONSENT AGENDA AND/OR EXPRESSING CONCERNS:

Micah Posner
Robert Norse
Reed Searle
Ed Davidson
Brad Snyder
Mike Tomasi

The following item was removed for consideration immediately after action taken on the Consent Agenda: Item 10.

Action

Councilmember/Member Lane moved, seconded by Councilmember/Member Madrigal, to approve the remaining items on the Consent Agenda. The motion carried unanimously.

1. Minutes of the October 13, 2009 Regular City Council Meeting. (CC)

Motion carried to approve as submitted.

2. Minutes of the October 13, 2009 Redevelopment Agency Meeting. (CC)

Motion carried to approve as submitted.

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
OCTOBER 27, 2009
3:00 P.M. SESSION

Consent Agenda (continued)

3. Annual Advisory Body Interviews, Appointments, and Reappointments.
(CC)

Motion carried to set the dates for the advisory body applicant interviews for January 19, 2010, and appointments and reappointments for January 26, 2010.

4. 2010 Amgen Tour of California – Budget Adjustments and Resolutions Authorizing a City/Redevelopment Agency Cooperation Agreement. (CM)

City Council Resolution No. NS-28,124 was adopted authorizing the City Manager to execute a cooperation agreement, in a form acceptable to the City Attorney, between the City and the Redevelopment Agency relating to the funding for the 2010 Amgen Tour of California.

Redevelopment Agency Resolution No. 1471 was adopted authorizing the Executive Director to execute a cooperation agreement, in a form acceptable to the City Attorney, between the City and the Redevelopment Agency relating to the funding for the 2010 Amgen Tour of California.

City Council Resolution No. NS-28,125 was adopted appropriating funds and amending the FY 2010 budget in the amount of \$185,000 in anticipated revenues and \$90,000 in Redevelopment Agency funds for the 2010 Amgen Tour of California.

Redevelopment Agency Resolution No. 1472 was adopted appropriating funds and amending the FY 2010 budget in the amount of \$90,000 for the 2010 Amgen Tour of California.

5. Proposition 1A Securitization Program. (FN)

Resolution No. NS-28,126 was adopted approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the seller's Proposition 1A Receivable from the State; and directing and authorizing certain other actions in connection therewith.

Consent Agenda (continued)

6. Year-End Budget Adjustments for FY 2009. (FN)

Resolution No. NS-28,127 was adopted amending the FY 2009 budget in the total amount of \$53,998 as detailed in the table, where expenditures have exceeded appropriations, as recommended by the Finance Director.

7. Liability Claims Filed Against City of Santa Cruz. (HR)

Motion carried to reject liability claims a) Tanya Harris-Gates, b) Hilary Anne Kearney, and c) Progressive West Insurance, based upon staff investigation.

8. Resolution Modifying the City's Classification and Compensation Plan and the FY 2010 Budget Personnel Complement – Police Department. (HR)

Resolution No. NS-28,128 was adopted modifying the Classification and Compensation Plan and the FY 2010 Budget Personnel Complement in the Police Department by deleting one full-time Community Services Officer (CSO) position and adding one full-time Police Property Attendant position.

9. Code Enforcement Funding - Budget Adjustment. (PL)

Resolution No. NS-28,129 was adopted appropriating funds and amending the FY 2010 Budget in the amount of \$50,000 in order to allocate for expenditure funds available in the Code Enforcement Fund balance for code enforcement activities.

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
OCTOBER 27, 2009
3:00 P.M. SESSION

Consent Agenda (continued)

10. Beach Area Roundabouts (c400035) – Engineering Design Services Contract Amendment No. 2. (PW)

Director of Public Works Director M. Dettle presented an oral report and responded to Council's questions.

Action

Vice Mayor Rotkin moved, seconded by Councilmember Lane, to authorize and direct the City Manager, or his designee, to execute Contract Amendment No. 2, in the amount of \$29,000, approved as to form by the City Attorney, between the City of Santa Cruz and Kimley-Horn and Associates, Inc., to provide additional design services to address stimulus funding deadlines and railroad changes, and with a further direction to staff to meet with members of the bicycle community, including the Bicycle Committee of the Transportation Task Force, before the final design is approved. The motion carried unanimously.

End Consent Agenda

General Business

11. Comprehensive Settlement Agreement – Water Supply Assessment for the Sphere of Influence Amendment for the Provision of Utility Service to the North Campus of the University of California Santa Cruz. (WT) (PL)

Director of Water B. Kocher, Director of Planning and Community Development J. Rebagliati, and Water Conservation Manager T. Goddard presented oral reports and responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING OPPOSITION AND/OR CONCERNS:

Gary Patton, Community Water Coalition
Ron Pomerantz
Reed Searle
Aldo Giacchino
Fred Geiger
Rick Longinotti
Ed Davidson
Mike Tomasi

General Business

11. Comprehensive Settlement Agreement – Water Supply Assessment for the Sphere of Influence Amendment for the Provision of Utility Service to the North Campus of the University of California Santa Cruz (continued).
(WT) (PL)

Action

Vice Mayor Rotkin moved, seconded by Councilmember Coonerty, to adopt Resolution No. NS-28,130 approving the Water Supply Assessment (WSA) for the Sphere of Influence Amendment for the Provision of Extraterritorial Water and Sewer Service to the North Campus of the University of California Santa Cruz (UCSC), with additional language as follows: Whereas the City Council acknowledges that numerous substantive comments relative to the WSA have been received by the Council, that the Council's approval and acceptance of the WSA confirms that it addresses the topics outlined in the Water Code relative to topics that are to be addressed in the WSA, that the Council's approval and acceptance of the WSA allows it to be appended to the draft EIR for the project for which the WSA was prepared, that the comments on the WSA shall therefore serve as comments relative to the draft EIR of which the WSA will be a component, and directing staff to treat the WSA comments as such, therefore requiring responses to those comments at the same time that responses to comments on the remainder of the draft EIR are prepared, and further directing staff to respond to as many of the questions that appeared in those letters as possible, and also to include those letters in what will be forwarded to the EIR process. The motion carried unanimously.

Public Hearing

12. North Pacific Ground Floor Office Amendments; A09-0002 Amendment to Section 24.10.2301 of the City of Santa Cruz Zoning Ordinance and the Downtown Recovery Plan to Allow Ground Floor Offices as Principally Permitted Uses in the North Pacific Subarea. (PL)

Mayor Mathews opened the public hearing at 6:01 p.m.

Principal Planner E. Marlatt presented an oral report and responded to Council's questions.

Mayor Mathews closed the public hearing at 6:03 p.m.

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
OCTOBER 27, 2009
3:00 P.M. SESSION

Public Hearing

12. North Pacific Ground Floor Office Amendments; A09-0002 Amendment to Section 24.10.2301 of the City of Santa Cruz Zoning Ordinance and the Downtown Recovery Plan to Allow Ground Floor Offices as Principally Permitted Uses in the North Pacific Subarea (continued). (PL)

Action

Councilmember Madrigal moved, seconded by Vice Mayor Rotkin, to introduce for publication Ordinance No. 2009-24 amending Section 24.10.2301 of the City of Santa Cruz Zoning Ordinance and the Downtown Recovery Plan to allow ground floor offices as principally permitted uses in the North Pacific Subarea. The motion carried unanimously.

General Business

13. Council Meeting Calendar.

The City Council reviewed the meeting calendar attached to the agenda and revised as necessary. When a date is selected for the community meeting on public safety, the meeting will be publicly noticed.

14. City Attorney Oral Report on Closed Session.

- A. Public Employee Performance Evaluation (GC §54957).

The City Council conducted the performance evaluation of the City Manager.

- B. Conference with Legal Counsel—Existing Litigation (GC §54956.90).

1. RMC Pacific Materials v. County/City of Santa Cruz, Sixth District Court of Appeal Case No. H025039.
2. Greiner, et al. v. City of Santa Cruz, et al., United States District Court Case No. C07-02523-RS.
3. Build a Better La Bahia v. City of Santa Cruz, et al., Santa Cruz Superior Court No. CV 163910.
4. Campaign for Sensible Transportation v. Caltrans, Superior Court of the State of California, Sacramento County.

Council received status reports and instructed the City Attorney and the Assistant City Attorney.

General Business (continued)

14. City Attorney Oral Report on Closed Session (continued).

C. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator
Employee Organizations—SEIU-Temporary Employees

Council received a status report and instructed the negotiator.

D. Conference with Legal Counsel – Liability Claims (Government Code §54956.95)

1. Claimant: Tanya Harris-Gates
2. Claimant: Hilary Anne Kearney
3. Claimant: Progressive West Insurance
4. Claimant: 1010 Pacific Apartments

Claims Against: City of Santa Cruz

Claim 2 was discussed. Claim 4 was recommended for settlement. Claims 1 and 3 were not discussed.

15. Council Memberships in City Groups and Outside Agencies.

Mayor Mathews informed the Council that five civil rights attorneys from the Ukraine are being hosted by members of the Sister Cities Committee, and that next week a Sister City group from Santa Cruz de Tenerife, Canary Islands will be coming for an art exchange. The Mayor also attended Climate Action Day on October 24, 2009 and, with Councilmembers Robinson and Beiers, attended the Cruisin' Courses event on October 22, 2009.

Councilmember Robinson thanked Mayor Mathews for serving as Chair for the Loma Prieta 20th Anniversary Earthquake Commemoration on October 17, 2009 at the Post Office.

Adjournment — At 6:13 p.m., the Redevelopment Agency adjourned from the regularly scheduled meeting of October 27, 2009 to the next regularly scheduled meeting on November 10, 2009, for a closed litigation session at 1:30 p.m., in the Courtyard Conference Room, followed by open sessions at the approximate hours of 3:00 p.m. and 7:00 p.m. in Council Chambers.

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
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3:00 P.M. SESSION

Adjournment — At 6:13 p.m., the City Council adjourned from the regularly scheduled meeting of October 27, 2009 to the next regularly scheduled meeting on November 10, 2009, for a closed litigation session at 1:30 p.m., in the Courtyard Conference Room, followed by open sessions at the approximate hours of 3:00 p.m. and 7:00 p.m. in Council Chambers.

Respectfully submitted

Tom Graves
Deputy City Clerk

Approved

Lorrie Brewer
City Clerk

Approved

Cynthia Mathews
Mayor

MINUTES ARE UNOFFICIAL UNTIL APPROVED BY COUNCIL

CITY OF SANTA CRUZ
809 Center Street
Santa Cruz, California 95060

MINUTES OF A REGULAR REDEVELOPMENT AGENCY MEETING

OCTOBER 27, 2009

3:00 P.M. SESSION

Mayor/Chair Mathews called the meeting to order at 3:06 p.m. in the Council Chambers.

Roll Call

Present: Councilmembers/Members Coonerty, Robinson, Lane, Madrigal, Beiers; Vice Mayor/Vice Chair Rotkin; Mayor/Chair Mathews.

Absent: None.

Staff: City Manager R. Wilson, City Attorney J. Barisone, Director of Economic Development and Redevelopment B. Lipscomb, Director of Finance J. Dilles, Chief of Fire R. Oliver, Director of Human Resources L. Sullivan, Director of Information Technology S. Caiocca, Director of Parks and Recreation D. Shoemaker, Director of Planning and Community Development J. Rebagliati, Chief Building Official J. Ancic, Green Building Specialist J. Fullerton, Principal Planner E. Marlatt, Principal Planner K. Thomas, Chief of Police H. Skerry, Director of Public Works M. Dettle, Director of Water B. Kocher, Water Conservation Manager T. Goddard, City Clerk L. Brewer, Deputy City Clerk T. Graves.

Pledge of Allegiance

Spotlight on City Services - Green Building Awards – Presented by Chief Building Official J. Ancic, Green Building Specialist J. Fullerton and Mayor Mathews to 250 Cardiff Place, 548 Sumner Street, and 710 Windham Street.

Presentation - Proclamation in Recognition of November as Pancreatic Cancer Awareness Month.

Presentation – CityServe Volunteer Program – Karen Delaney, Executive Director and Alicia Dayton, Program Coordinator, Volunteer Center of Santa Cruz County presented information regarding the CityServe Volunteer Program.

REDEVELOPMENT AGENCY MEETING
OCTOBER 27, 2009
3:00 P.M. SESSION

Presiding Officer's Announcements

Statements of Disqualification – None.

Additions and Deletions – None.

Joint City Council/Redevelopment Agency Oral Communications

Tanya Nauenberg requested Council to consider implementing a parking permit program for the Ocean View neighborhood for the hours of 10:00 p.m. to 5:00 a.m.

Regina Henderson asked the Council to adopt a zero gang tolerance measure at its next meeting.

Fred Geiger stated that an evening meeting would be better for members of the public and Councilmembers to discuss safety concerns.

Ed Davidson expressed concerns with unwarranted delays in projects that affect growth policies, e.g., the Broadway/Brommer bike path, and Morrissey and Soquel auxiliary lanes project. Mr. Geiger added that the lawsuits are a waste of time. Mr. Davidson also stated the Council must change its policy regarding undocumented individuals, as many crimes are committed by undocumented individuals.

Annaliese Keller said the Council should not be dealing with issues of violence in our community alone, and that past Councils should be ashamed of themselves. Ms. Keller suggested the downtown should be flooded with families and children, and that residents should take the town back. Ms. Keller further stated that the police are awesome, but people have to get involved.

Kirsten Adelsee stated that safety is primary, and that shocking things happen downtown on a daily basis.

Robert Norse expressed concerns with rangers harassing homeless campers. Mr. Norse also stated that the Council is not dealing with real issues.

Brad Snyder said the recent crimes are disturbing and sad, and that the goal should be to have a tighter-knit community.

Deborah Elston spoke about Santa Cruz Neighbors, and said the first citywide block parties held on October 4th were a great success, with 23 neighborhood parties occurring throughout the City on that date.

**Joint City Council/Redevelopment Agency Oral Communications
(continued)**

Dexter Cube spoke about safety, and said he was upset that law enforcement hasn't been given the tools it needs to be effective. Mr. Cube suggested stipends for police to live here, and said safety should be the primary goal.

Fred Dressler expressed thanks to the Police Department for its efforts.

Micah Posner spoke about safety, and said the Council is taking the heat for what should be everybody's problem. Mr. Posner also stated that police are more effective when they're on foot or on bikes.

Warren Schmidt said he had not been involved in community affairs prior to coming here. Mr. Schmidt further stated that gangs seem to congregate on Chestnut Street, and that Mercy Housing has taken some action with evictions. Mr. Schmidt said he's looking forward to working with the Council.

Andrea Morgan said she has been homeless for three weeks, and asked for Council for assistance.

Mike Tomasi spoke about human rights.

Consent Agenda

SPEAKING FROM THE FLOOR REQUESTING ITEMS TO BE REMOVED FROM THE CONSENT AGENDA AND/OR EXPRESSING CONCERNS:

Micah Posner
Robert Norse
Reed Searle
Ed Davidson
Brad Snyder
Mike Tomasi

The following item was removed for consideration immediately after action taken on the Consent Agenda: Item 10.

Action

Councilmember/Member Lane moved, seconded by Councilmember/Member Madrigal, to approve the remaining items on the Consent Agenda. The motion carried unanimously.

REDEVELOPMENT AGENCY MEETING
OCTOBER 27, 2009
3:00 P.M. SESSION

Consent Agenda (continued)

1. Minutes of the October 13, 2009 Regular City Council Meeting. (CC)

Motion carried to approve as submitted.

2. Minutes of the October 13, 2009 Redevelopment Agency Meeting. (CC)

Motion carried to approve as submitted.

3. Annual Advisory Body Interviews, Appointments, and Reappointments.
(CC)

Motion carried to set the dates for the advisory body applicant interviews for January 19, 2010, and appointments and reappointments for January 26, 2010.

4. 2010 Amgen Tour of California – Budget Adjustments and Resolutions Authorizing a City/Redevelopment Agency Cooperation Agreement. (CM)

City Council Resolution No. NS-28,124 was adopted authorizing the City Manager to execute a cooperation agreement, in a form acceptable to the City Attorney, between the City and the Redevelopment Agency relating to the funding for the 2010 Amgen Tour of California.

Redevelopment Agency Resolution No. 1471 was adopted authorizing the Executive Director to execute a cooperation agreement, in a form acceptable to the City Attorney, between the City and the Redevelopment Agency relating to the funding for the 2010 Amgen Tour of California.

City Council Resolution No. NS-28,125 was adopted appropriating funds and amending the FY 2010 budget in the amount of \$185,000 in anticipated revenues and \$90,000 in Redevelopment Agency funds for the 2010 Amgen Tour of California.

Redevelopment Agency Resolution No. 1472 was adopted appropriating funds and amending the FY 2010 budget in the amount of \$90,000 for the 2010 Amgen Tour of California.

Consent Agenda (continued)

5. Proposition 1A Securitization Program. (FN)

Resolution No. NS-28,126 was adopted approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the seller's Proposition 1A Receivable from the State; and directing and authorizing certain other actions in connection therewith.

6. Year-End Budget Adjustments for FY 2009. (FN)

Resolution No. NS-28,127 was adopted amending the FY 2009 budget in the total amount of \$53,998 as detailed in the table, where expenditures have exceeded appropriations, as recommended by the Finance Director.

7. Liability Claims Filed Against City of Santa Cruz. (HR)

Motion carried to reject liability claims a) Tanya Harris-Gates, b) Hilary Anne Kearney, and c) Progressive West Insurance, based upon staff investigation.

8. Resolution Modifying the City's Classification and Compensation Plan and the FY 2010 Budget Personnel Complement – Police Department. (HR)

Resolution No. NS-28,128 was adopted modifying the Classification and Compensation Plan and the FY 2010 Budget Personnel Complement in the Police Department by deleting one full-time Community Services Officer (CSO) position and adding one full-time Police Property Attendant position.

9. Code Enforcement Funding - Budget Adjustment. (PL)

Resolution No. NS-28,129 was adopted appropriating funds and amending the FY 2010 Budget in the amount of \$50,000 in order to allocate for expenditure funds available in the Code Enforcement Fund balance for code enforcement activities.

REDEVELOPMENT AGENCY MEETING
 OCTOBER 27, 2009
 3:00 P.M. SESSION

Consent Agenda (continued)

10. Beach Area Roundabouts (c400035) – Engineering Design Services Contract Amendment No. 2. (PW)

Director of Public Works Director M. Dettle presented an oral report and responded to Council's questions.

Action

Vice Mayor Rotkin moved, seconded by Councilmember Lane, to authorize and direct the City Manager, or his designee, to execute Contract Amendment No. 2, in the amount of \$29,000, approved as to form by the City Attorney, between the City of Santa Cruz and Kimley-Horn and Associates, Inc., to provide additional design services to address stimulus funding deadlines and railroad changes, and with a further direction to staff to meet with members of the bicycle community, including the Bicycle Committee of the Transportation Task Force, before the final design is approved. The motion carried unanimously.

End Consent Agenda

General Business

11. Comprehensive Settlement Agreement – Water Supply Assessment for the Sphere of Influence Amendment for the Provision of Utility Service to the North Campus of the University of California Santa Cruz. (WT) (PL)

Director of Water B. Kocher, Director of Planning and Community Development J. Rebagliati, and Water Conservation Manager T. Goddard presented oral reports and responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING OPPOSITION AND/OR CONCERNS:

Gary Patton, Community Water Coalition
 Ron Pomerantz
 Reed Searle
 Aldo Giacchino
 Fred Geiger
 Rick Longinotti
 Ed Davidson
 Mike Tomasi

General Business

11. Comprehensive Settlement Agreement – Water Supply Assessment for the Sphere of Influence Amendment for the Provision of Utility Service to the North Campus of the University of California Santa Cruz (continued).
(WT) (PL)

Action

Vice Mayor Rotkin moved, seconded by Councilmember Coonerty, to adopt Resolution No. NS-28,130 approving the Water Supply Assessment (WSA) for the Sphere of Influence Amendment for the Provision of Extraterritorial Water and Sewer Service to the North Campus of the University of California Santa Cruz (UCSC), with additional language as follows: Whereas the City Council acknowledges that numerous substantive comments relative to the WSA have been received by the Council, that the Council's approval and acceptance of the WSA confirms that it addresses the topics outlined in the Water Code relative to topics that are to be addressed in the WSA, that the Council's approval and acceptance of the WSA allows it to be appended to the draft EIR for the project for which the WSA was prepared, that the comments on the WSA shall therefore serve as comments relative to the draft EIR of which the WSA will be a component, and directing staff to treat the WSA comments as such, therefore requiring responses to those comments at the same time that responses to comments on the remainder of the draft EIR are prepared, and further directing staff to respond to as many of the questions that appeared in those letters as possible, and also to include those letters in what will be forwarded to the EIR process. The motion carried unanimously.

Public Hearing

12. North Pacific Ground Floor Office Amendments; A09-0002 Amendment to Section 24.10.2301 of the City of Santa Cruz Zoning Ordinance and the Downtown Recovery Plan to Allow Ground Floor Offices as Principally Permitted Uses in the North Pacific Subarea. (PL)

Mayor Mathews opened the public hearing at 6:01 p.m.

Principal Planner E. Marlatt presented an oral report and responded to Council's questions.

Mayor Mathews closed the public hearing at 6:03 p.m.

REDEVELOPMENT AGENCY MEETING
 OCTOBER 27, 2009
 3:00 P.M. SESSION

Public Hearing

12. North Pacific Ground Floor Office Amendments; A09-0002 Amendment to Section 24.10.2301 of the City of Santa Cruz Zoning Ordinance and the Downtown Recovery Plan to Allow Ground Floor Offices as Principally Permitted Uses in the North Pacific Subarea (continued). (PL)

Action

Councilmember Madrigal moved, seconded by Vice Mayor Rotkin, to introduce for publication Ordinance No. 2009-24 amending Section 24.10.2301 of the City of Santa Cruz Zoning Ordinance and the Downtown Recovery Plan to allow ground floor offices as principally permitted uses in the North Pacific Subarea. The motion carried unanimously.

General Business

13. Council Meeting Calendar.

The City Council reviewed the meeting calendar attached to the agenda and revised as necessary. When a date is selected for the community meeting on public safety, the meeting will be publicly noticed.

14. City Attorney Oral Report on Closed Session.

- A. Public Employee Performance Evaluation (GC §54957).

The City Council conducted the performance evaluation of the City Manager.

- B. Conference with Legal Counsel—Existing Litigation (GC §54956.90).

1. RMC Pacific Materials v. County/City of Santa Cruz, Sixth District Court of Appeal Case No. H025039.
2. Greiner, et al. v. City of Santa Cruz, et al., United States District Court Case No. C07-02523-RS.
3. Build a Better La Bahia v. City of Santa Cruz, et al., Santa Cruz Superior Court No. CV 163910.
4. Campaign for Sensible Transportation v. Caltrans, Superior Court of the State of California, Sacramento County.

Council received status reports and instructed the City Attorney and the Assistant City Attorney.

General Business (continued)

14. City Attorney Oral Report on Closed Session (continued).

C. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator

Employee Organizations—SEIU-Temporary Employees

Council received a status report and instructed the negotiator.

D. Conference with Legal Counsel – Liability Claims (Government Code §54956.95)

1. Claimant: Tanya Harris-Gates
2. Claimant: Hilary Anne Kearney
3. Claimant: Progressive West Insurance
4. Claimant: 1010 Pacific Apartments

Claims Against: City of Santa Cruz

Claim 2 was discussed. Claim 4 was recommended for settlement. Claims 1 and 3 were not discussed.

15. Council Memberships in City Groups and Outside Agencies.

Mayor Mathews informed the Council that five civil rights attorneys from the Ukraine are being hosted by members of the Sister Cities Committee, and that next week a Sister City group from Santa Cruz de Tenerife, Canary Islands will be coming for an art exchange. The Mayor also attended Climate Action Day on October 24, 2009 and, with Councilmembers Robinson and Beiers, attended the Cruisin' Courses event on October 22, 2009.

Councilmember Robinson thanked Mayor Mathews for serving as Chair for the Loma Prieta 20th Anniversary Earthquake Commemoration on October 17, 2009 at the Post Office.

REDEVELOPMENT AGENCY MEETING
OCTOBER 27, 2009
3:00 P.M. SESSION

Adjournment — At 6:13 p.m., the Redevelopment Agency adjourned from the regularly scheduled meeting of October 27, 2009 to the next regularly scheduled meeting on November 10, 2009, for a closed litigation session at 1:30 p.m., in the Courtyard Conference Room, followed by open sessions at the approximate hours of 3:00 p.m. and 7:00 p.m. in Council Chambers.

Approve

Cynthia Mathews
Chair

Attest

Bonnie Lipscomb
Executive Director



CITY COUNCIL AGENDA REPORT

DATE: 11/17/2009

AGENDA OF: 11/24/2009

DEPARTMENT: Human Resources

SUBJECT: Liability Claims Filed Against City of Santa Cruz. (HR)

RECOMMENDATION: Motion to reject liability claims a) Jesse Brister, b) Santa Cruz Metropolitan Transit District, c) Amanda M. Shanks, and d) Howard Barry Talberg, based upon staff investigation.

BACKGROUND: a. Claimant: Jesse Brister

Date of occurrence: 10/13/09

Date of claim: 10/22/09

Amount of claim: \$2,696.49

Large tree branches fell on claimant's parked truck during the 10/13/09 storm.

Represented by himself.

b. Claimant: Santa Cruz Metropolitan Transit District

Date of occurrence: 06/13/09

Date of claim: 10/23/09

Amount of claim: \$1,722.25

Claimant alleges a City vehicle delivering a dumpster knocked down a tree at its Vernon Street site.

Represented by itself.

c. Claimant: Amanda M. Shanks

Date of occurrence: 10/13/09

Date of claim: 10/22/09

Amount of claim: \$685.09

Potholes at a street repaving site damaged two tires and rims on claimant's vehicle during the 10/13/09 storm.

Represented by herself.

d. Claimant: Howard Barry Talberg
Date of occurrence: Unknown
Date of claim: 10/12/09
Amount of claim: Unspecified

Claimant's vehicles was towed from private property.

Represented by himself.

DISCUSSION: None

FISCAL IMPACT: None

Prepared by:
Kris Kamandulis
Risk & Safety Manager

Submitted by:
Lisa Martinez Sullivan
Human Resources Director

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS:
None



CITY COUNCIL AGENDA REPORT

DATE: 11/17/2009

AGENDA OF: 11/24/2009

DEPARTMENT: Human Resources

SUBJECT: Resolution Amending the City's Classification and Compensation Plan and the FY 2010 Budget Personnel Complement – Economic Development and Redevelopment. (HR)

RECOMMENDATION: Resolution modifying the Classification and Compensation Plan and the FY 2010 Budget Personnel Complement by deleting the Economic Development and Redevelopment Manager classification and adding as its replacement, a new classification of Economic Development Coordinator I/II.

BACKGROUND: In response to the establishment of the Department of Economic Development and Redevelopment in February 2007, the classification of Economic Development Manager was created to assist with new initiatives to encourage and promote business and economic development in the City.

DISCUSSION: The position of Economic Development Manager was filled for approximately a year and a half after which time the incumbent in the position decided to pursue other career endeavors. Since that time, the position has been filled in a temporary capacity as the Economic Development and Redevelopment Director re-assessed the need for the level of management assisting with Economic Development. Because the Director needs to retain responsibility for the higher level economic development functions, the department's need is that of an economic coordinator type position.

The Human Resources Department reviewed the needs of the Economic Development and Redevelopment department and proposes a new alternately staffed classification of Economic Development Coordinator I/II. The compensation for the II level is recommended to be at the same level as the existing Redevelopment Project Coordinator classification at a monthly salary level of \$5,216 - \$7,059. The compensation for the I level is recommended to be at 5% lower than top step from the II level. The new alternately staffed position allows for advancement to a higher level once the additional, more specialized, experience in Redevelopment is obtained.

Attached is the resolution deleting the Economic Development Manager classification and adding the Economic Development Coordinator I/II classification. The job specification for the new classification is attached.

The Mid-Management Union Representatives have been informed of this recommendation.

FISCAL IMPACT: The impact to the FY 2010 budget is an approximate cost savings of \$15,055 to the Redevelopment Fund. The impact to the annual budget is an approximate cost savings of \$29,430 to the Redevelopment Fund.

Prepared by:
Cathy Bonino
Principal HR Analyst

Submitted by:
Lisa Martinez Sullivan
Human Resources Director

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS:
Resolution
Job Specification

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
MODIFYING THE CLASSIFICATION AND COMPENSATION PLAN AND THE FY 2010
BUDGET PERSONNEL COMPLEMENT BY DELETING THE CLASSIFICATION OF
ECONOMIC DEVELOPMENT MANAGER AND ADDING A NEW CLASSIFICATION
OF ECONOMIC DEVELOPMENT COORDINATOR I/II IN THE ECONOMIC
DEVELOPMENT AND REDEVELOPMENT DEPARTMENT

WHEREAS, staff has recommended certain modifications to the Department of Economic Development and Redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz, as follows:

That, effective December 26, 2009, the City of Santa Cruz Classification and Compensation Plan be modified to:

	<u>Class No.</u>	<u>Activity</u>	<u>Classification Title</u>	<u>Salary Range</u>
<u>Delete:</u>	765	5401	Economic Development Manager	\$6,661-\$9,015/mo
<u>Add:</u>	782/783	5401	Economic Development Coordinator I/II	\$4,967-\$6,723/mo \$5,216-\$7,059/mo

PASSED AND ADOPTED this 24th day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk



**CITY OF SANTA CRUZ
ECONOMIC DEVELOPMENT COORDINATOR I/II**

Reports to: Director of Economic Development and Redevelopment
Supervises: Non-supervisory
Bargaining Unit: Mid-Management

BASIC FUNCTION

Under direction, performs economic development research and related activities; implements and monitors programs which encourage economic development in the City; develops a strong public relationship with the economic community, including government agencies, non-profit organizations, academic and business institutions, as well as entrepreneurial and civic groups. The position is also responsible for implementing a comprehensive City-wide economic development and redevelopment program for downtown areas throughout the City.

DISTINGUISHING CHARACTERISTICS

The **Economic Development Coordinator I** is a management level classification responsible for performing the full scope of economic development activities and programs. The Economic Development Coordinator I classification is alternately staffed with the **Economic Development Coordinator II** classification. Initially, incumbents perform the full range of tasks of economic development and as experience is gained, there is an expectation to also become familiar with and experienced in redevelopment programs. Incumbents may advance to the higher level classification after gaining the experience and demonstrating a level of proficiency that meets the qualifications of the higher level classification.

TYPICAL DUTIES *(May include but are not limited to the following):*

- Participates in the development of goals and recommendations and implements program objectives, policies and priorities.
- Coordinates and performs project management, administrative and technical duties necessary to achieve project objectives in the areas of economic development, business attraction and retention, small business assistance and business financing, and employment.
- Assists in the development and direction of an effective and efficient economic development organization, including establishing standards, performance goals and procedures.
- Assists Director in the development and management of the economic development work plan; monitors work flow; and reviews and evaluates the work of professional development consultants.
- Prepares and analyzes economic data/reports to determine the economic feasibility or potential of specific redevelopment, transportation or land use plans.

City of Santa Cruz
Economic Development Coordinator I/II

- Assists in the development of marketing and promotional programs to enhance the implementation of economic development activities.
- Identifies opportunities resulting from the University’s research activities.
- Writes grants to obtain funds for economic development projects.
- Works closely with local businesses and recruits potential business.
- Responds to inquiries regarding economic data, trends and resources such as industrial and commercial development opportunities.
- Participates with the Economic Development Council and other groups in regional marketing efforts.
- Prepares and maintains demographic, market and vacant land database.
- May occasionally make presentations to business and community groups.
- Coordinates the preparation/implementation of special projects.

ENVIRONMENTAL AND WORKING CONDITIONS:

Position requires prolonged sitting and occasional standing, walking, kneeling, and stooping in the performance of daily activities. The position also requires fine coordination in preparing reports using a computer keyboard. Additionally, the position requires both near and far vision in reading written reports and work related documents. Acute hearing is required when providing phone and personal service.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

MINIMUM QUALIFICATIONS (*Knowledge, Skills and Abilities*)

Knowledge

Economic Development Coordinator I

- Marketing and promotional techniques used in the economic development area.
- Laws, regulations and procedures pertaining to economic development.
- Economic incentives and business retention methods.
- Business, economic and market forces and indicators.
- Public, business and community relations techniques.

Economic Development Coordinator II

- Principles, practices, and issues of economic and community development including business recruitment, real estate, and land development process.
- Laws, regulations and procedures pertaining to redevelopment.
- Redevelopment finance trends and practices.

**City of Santa Cruz
Economic Development Coordinator I/II**

Abilities

Economic Development Coordinator I

- Coordinate and implement an economic development program, including a proactive outreach and communication program which projects the image of the community.
- Work effectively with business leaders, financial institutions, citizen groups and department managers in interdepartmental and diverse team environments.
- Understand and interpret complex rules, regulations, laws, and ordinances.
- Effectively communicate both orally and in writing fundamental technical information to the business community and general public.

Economic Development Coordinator II

- Assist in the development of economic development and redevelopment incentives for business attraction and retention.

EDUCATION AND EXPERIENCE:

Any combination of education and experience that provides the above knowledge, skills and abilities combined with any required licenses is qualifying. A typical way to obtain the required qualifications is to possess the equivalent of the following:

- A Bachelors' Degree in business administration, public administration, urban planning, economics or a related field, and

Economic Development Coordinator I

- Two years of highly responsible experience with economic or community development, research, and business administration.

Economic Development Coordinator II

- Two years of highly responsible experience with economic or community development, research, or business administration plus one year of increasingly responsible experience in redevelopment programs.

Licenses

- Possession at time of hire and continued maintenance of a valid California driver's license and safe driving record.

DESIRABLE QUALIFICATIONS

- Public administration principles

Classification No.: 782/783

Date of Issue: 11/09

Supersedes: New; replaces Economic Development Manager classification



CITY COUNCIL AGENDA REPORT

DATE: November 17, 2009

AGENDA OF: November 17, 2009

DEPARTMENT: Parks and Recreation

SUBJECT: SISTER CITIES COMMITTEE MEMBERSHIP REVISIONS

RECOMMENDATION: Resolution amending the Sister Cities Committee structure by reducing membership from seventeen to eleven members, deleting the requirement for a junior member, allowing three non-resident members, and rescinding Resolution No. NS 27-141.

Motion to adopt the amended Bylaws setting forth said amendments to the structure of the Sister Cities Committee.

BACKGROUND: The Sister Cities Committee is an active committee with five sister cities and sub-committees, delegations, special events and projects. To perform the work, in 2007 the bylaws were amended to expand the committee membership from fifteen to seventeen members including a junior member (age 16-19) to serve on the committee.

DISCUSSION: During the economic downturn, this committee size has been difficult to sustain (currently six vacancies, including the junior member slot), and has contributed to a lack of quorum for four of nine meetings this year. At its October 26, 2009 meeting the committee voted to amend the Committee structure by reducing membership to eleven members, eliminating the junior member requirement, allowing a maximum of three members who may be non-residents of the City provided that the non-resident committee members have experience in international affairs, business, education or cultural pursuits, in order to create a sustainable committee and enlarge the applicant pool. An increased reliance on sub-committee volunteers (rather than regular committee members) will be necessary to continue the work of the Sister Cities Committee.

FISCAL IMPACT: None.

Prepared by:
Lisa McGinnis
Recreation Supervisor

Submitted by:
Dannettee Shoemaker
Director of Parks and Recreation

Approved by:
Richard C. Wilson
City Manager

Attachments: Resolution
Sister Cities Committee Minutes of October 26, 2009
Amended Bylaws

MINUTES ARE UNOFFICIAL UNTIL APPROVED BY ADVISORY BODY

CITY OF SANTA CRUZ
Parks and Recreation Department
323 Church Street
Santa Cruz, California 95060

MINUTES OF A REGULAR ADVISORY BODY MEETING

Sister Cities Committee, October 26, 2009 – 7:00 p.m.

CALL TO ORDER – Bill Denevan, Acting Chair

ROLL CALL

Present: Bill Denevan, Acting Chair; Cherie Crandall, Bill Gledhill, Raisa Kikteva, Carl Klem, Nancy Lenz, Melissa Nix, Jade Taylor, Wesley Van Camp

Absent with Notification: (with notification) Martha Mangan, Erica Goodwin, Kristen Collins

Staff: Lisa McGinnis

PRESENTATIONS – Enda Brennan introduced the six-member OPEN WORLD DELEGATION from Ukraine.

STATEMENTS OF DISQUALIFICATION

ORAL COMMUNICATIONS

ANNOUNCEMENTS – Wesley Van Camp announced events for the SANTA CRUZ DE TENERIFE ART EXCHANGE, November 2-7, 2009.

GENERAL BUSINESS

1. APPROVAL OF JUNE 22, 2009 MINUTES
The minutes were approved.
2. APPROVAL OF TREASURY REPORT
The treasury report was tabled until the November meeting.
3. APPROVAL OF AMENDMENTS TO BYLAWS
The motion to amend bylaws was passed as follows: membership to be comprised of 11 members including three who may be non-City residents; and Jr. Member requirement to be eliminated.
4. APPROVAL OF 2009-2010 BUDGET
The motion to approve the 2009-2010 budget was approved.

INFORMATION ITEMS

4. Shingu – Melissa Nix updated progress on screening for the Spring 2010 Student Delegation to Shingu. A parent meeting, interviews, hike and sushi rolling events are planned. Ms. Nix reported that a new mayor, Michitoshi Taoka, has been elected in Shingu (former Mayor Sato did not run). Melissa also noted that Shingu has obtained a grant to develop online learning centers; small businesses and tourism. An adult business delegation from Shingu is anticipated in summer 2010.
5. Alushta – Cherie Crandall reported that there may be possibilities for a pianist visit, a visit to Alusta by Santa Cruz High School and another visit here by the Alushta Music School. Cherie Crandall noted that she terms off the committee this year and that Raisa will continue as Alushta sub-committee chair.
6. Sestri Levante – Bill Devenan reported that Hans Christian Andersen entries are being accepted. Deadline is November 12, 2009 and a reading and judging will be scheduled sometime soon.
7. Latin America – Wesley Van Camp reported she will continue to support the Santa Cruz de Tenerife project through February but will be vacating her committee seat at the end of this year. Bill Denevan reported on the garbage truck in Nicaragua with more news to follow.
8. Unity and PR Special Committee – Nancy Lenz reported that she will assume more PR duties in the coming year.
9. Support – Bill Gledhill reported that the Support committee will be meeting in December.

ITEMS INITIATED BY MEMBERS FOR FUTURE AGENDAS

ADJOURNMENT

The meeting adjourned at 8:00 p.m. from the regularly scheduled meeting of October 26, 2009 to the next scheduled meeting on Monday, November 23, 2009 at 7:00 p.m. in the City Hall Courtyard Conference Room.

Respectfully Submitted

Approved

Staff

Chair

APPEALS - Any person who believes that a final action of this advisory body has been taken in error may appeal that decision to the City Council. Appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk.

Other - Appeals must be received by the City Clerk within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a fifty dollar (\$50) filing fee.

Additional Information

Visit the City's Web Site at www.ci.santa-cruz.ca.us with links including City Advisory Body Meeting Agendas and Minutes, advisory body information and the Santa Cruz Municipal Code.

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities, we ask that you attend fragrance free. If you wish to attend this public meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call the Parks and Recreation Department at 420-5256 at least three days in advance so that we can arrange for such special assistance. The Cal-Relay system number: 1-800-735-2922.

RESOLUTION NO. NS-

RESOLUTION PERTAINING TO THE SISTER CITIES COMMITTEE MEMBERSHIP,
AND RESCINDING RESOLUTION NO. NS-27,141.

WHEREAS, the City of Santa Cruz has sister affiliations with cities, Puerta La Cruz, Venezuela; Shingu, Japan; Sestri Levante, Italy; Alushta, Ukraine; and Jinotepe, Nicaragua; and

WHEREAS, a Sister Cities Committee was first established by Resolution No. NS-8246 on April 12, 1966; and

WHEREAS, the Sister Cities Committee was enlarged to seventeen (17) members by Resolution 27,141 on February 14, 2006; and

WHEREAS, the City Council recognizes the need to continue the Sister Cities Committee to plan activities with its sister cities, but with a reduced membership and deletion of the junior member requirement to enhance committee sustainability.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz as follows:

1. There shall be eleven (11) members of the Committee to be appointed by the City Council and to serve thereafter at the pleasure of the Council;
2. Deletion of the junior member requirement;
3. Committee members shall be residents of the City of Santa Cruz with the exception of a maximum of three (3) members who may be non-residents of the City provided that the non-resident committee members have experience in international affairs, business, education or cultural pursuits.
4. Resolution No. NS-27,141 adopted February 14, 2006, is hereby rescinded.

PASSED AND ADOPTED this 24th day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

BYLAWS

Of the

**Sister Cities Committee
City of Santa Cruz, California**

Under authority of applicable statutes of the State of California, and the City Charter of the City of Santa Cruz, California, for the purpose of establishing rules and regulations governing the organization and procedures of the Sister Cities Committee of the City of Santa Cruz, CA

Amended October 26, 2009

Approved by City Council November 24, 2009

Adopted this 25th day of January 2010

APPROVED:

Martha Mangan _____
Chair

Carl Klem _____

Kristen Collins _____

Nancy Lenz _____

Cherie Crandall _____

Melissa Nix _____

Bill Gledhill _____

Jade Taylor _____

Raisa Kikteva _____

Wesley Van Camp _____

ATTEST:

Lisa McGinnis _____
Staff

**Sister Cities Committee Bylaws
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Sister Cities Committee Bylaws

ARTICLE I – NAME AND/OR AUTHORITY

The Name of this organization shall be the Sister Cities Committee of the City of Santa Cruz, California; hereinafter referred to as the Committee, or the Advisory Body.

ARTICLE II – PURPOSE

The Sister Cities Committee was first established to coordinate activities with the Sister Cities of Santa Cruz per Resolution NS-13,962, adopted on August 5, 1980. The Sister Cities Committee was re-established to coordinate activities with the Sister Cities of Santa Cruz per Resolution NS-15,537A, adopted on October 25, 1983. The objects and purposes of the Committee shall be:

1. To encourage the people of the City of Santa Cruz and the people of its Sister Cities to understand one another as individuals, as members of their community, as citizens of their country, and as part of the family of nations.
2. To foster continuing relationships of mutual concern between the people of the City of Santa Cruz and the people of its Sister Cities.

ARTICLE III – DUTIES AND RESPONSIBILITIES

The Sister Cities Committee shall have the ability, as vested by the City Council, and be required to:

1. To promote activities and programs that will provide one another appropriate aid and comfort, education and entertainment.
2. Make recommendations concerning new sister city relationships or the termination of existing ones; and
3. Perform other duties as may from time to time be prescribed by the City Council.

ARTICLE IV – MEMBERSHIP

Section 1. Membership

The Sister Cities Committee shall consist of ~~seventeen (17), one of whom shall be between 16 and 19 years of age,~~ **eleven (11)** members appointed by the City Council and serving thereafter at the pleasure of the Council.

Section 2. Qualifications

Committee members shall be residents of the City of Santa Cruz ~~with the exception of a maximum of three (3) members who may be non-residents of the City provided that the non-resident committee members have experience in international affairs, business, education or cultural pursuits.~~

Section 3. Application for Membership

Prospective members shall file an application in the office of the City Clerk.

Section 4. Method of Appointment

Committee members shall be appointed at-large by the City Council.

Section 5. Good Standing and Reporting of Absences

Absences will be identified as "with notification" and "without notification." An absence is considered as "with notification" if the member notifies the Staff or the Chair prior to a regular or special meeting. If there has been no Prior notification, the absence is considered "without notification." Advisory body members are expected to attend meetings regularly.

Each member of the Committee is allowed three absences per calendar year, with the exception of meetings missed while conducting Sister Cities business. Staff shall notify the Mayor or City Clerk of serious attendance issues prior to reaching the limit, if possible. Upon learning that a Committee member has more than the allowable number of absences, the Mayor may notify the member, or the Committee chairperson, that action may be initiated by the Council to remove the member from the Committee. Except under the most unusual circumstances, extended leaves of absence for members of the Committee will not be allowed. Exceptions to the rule may be granted only by City Council.

Section 6. Termination

After three meetings following appointment to the Advisory Body, each member shall be subject to removal by motion of any Councilmember, adopted by at least four affirmative votes.

Section 7. Ex-Officio Membership

The Committee may find that, because of the complexity of its work, it is desirable to add member(s) at-large to the Advisory Body to serve as non-voting ex-officio members to lend other opinions or expertise to the work of the Advisory Body. The City Council will authorize the Chair of the Advisory Body to nominate member(s)-at-large for Council approval to be non-voting ex-officio members for a determined period of time.

ARTICLE V – TERM OF OFFICE

Section 1. Term

The term of office for each member shall end after serving a four-year term. ~~with the exception of the youth member whose term shall be one year with eligibility for an additional one year~~

~~term~~. A member may be appointed to complete an unexpired term. A Member may continue to serve until his/her successor has been appointed.

Section 2. Membership Year

The term expiration of each member shall be January 1.

Section 3. Length of Term

A member shall not serve more than two consecutive full four-year terms. Upon completion of a member's eighth consecutive year of service, that member will be ineligible for reappointment for a period of two years. Members who have six years or less at the time their term expires are eligible for reappointment.

Section 4. Dual Service

No member shall be eligible to serve on two Advisory Bodies unless one is established for less than 13 months.

ARTICLE VI – OFFICERS AND ELECTIONS

Section 1. Officers

The officers of the Santa Cruz Sister Cities Committee shall be: Chair, Vice Chair, Treasurer, Secretary/Historian and shall be known as the Executive Committee. The Past Chair and Staff Person may serve as ex-officio members of the Executive Committee.

Section 2. Election of Officers

As soon as is practicable following the first day of January of every year, there shall be elected from among the membership of the Advisory Body a Chair, Vice Chair, Treasurer and Secretary/Historian.

Section 3. Term of Office

The term of office for the Chair, Vice Chair, Treasurer and Secretary/Historian is one calendar year. Officers may not serve in the same position for more than two consecutive years.

Section 4. Nominations

The Chair shall appoint a nominating committee chair and the Advisory Body shall elect two additional members of the nominating committee no later than at the October meeting of the Advisory Body. The nominating committee shall nominate at least one person for each office and present its report at the last meeting of the year.

At the first meeting of the new calendar year, the Chair will open the floor to nominations. Any member may nominate a candidate from the membership for the position of Chair, Vice Chair or Treasurer; nominations need not be seconded.

A member may withdraw his/her name if placed in nomination, announcing that, if elected, s/he would not be able to serve; but s/he shall not withdraw in favor of another member.

Once the nominations are complete, the Chair will ask for a motion to close the nominations; a second of, and vote on, the motion is required.

The Chair then declares that it has been moved and seconded that the nominations be closed, and the members proceed to the election.

Section 5. Voting

Voting may be by voice vote or by roll call vote.

The candidate who receives a majority of the votes is then declared to be legally elected to fill the office of Chair, and will immediately chair the remainder of the meeting.

The same procedure is followed for the election of Vice Chair, Treasurer and Secretary/Historian.

Section 6. Vacancy of an Officer

Should a vacancy occur, for any reason, in the office of Chair or Vice Chair prior to the next annual election, a special election shall be held to fill the vacant office from among the membership. An election for the Vice Chair shall then be agendaized for the next meeting, at which a special election shall be held to fill the vacant office from among the membership. If the office of Treasurer is vacant, a special election shall be held to fill the vacant office from among the membership. If the office of Secretary/Historian is vacant, a special election shall be held to fill the vacant office from among the membership. That member shall serve until a new appointment has been made.

Section 7. Removal of Elected Officers

The Chair, Vice Chair, Treasurer or Secretary/Historian may be removed by a majority vote of the full Advisory Body at a regularly scheduled meeting of the Advisory Body, when all appointed members are present, or at a special meeting convened for that purpose at which a quorum is present. Any officer removed ceases to hold the office once the vote has been tallied and announced. If the Chair is removed, the Vice Chair shall become the new Chair. An election for the Vice Chair shall then be agendaized for the next meeting.

Section 8. Duties of the Chair

The Chair shall preside at all regular meetings and may call special meetings. The Chair shall decide upon all points of order and procedure during the meeting; his/her decision shall be final unless overruled by a vote of the Advisory Body, in compliance with Article IX, Section 2, "General Conduct of Meetings." The Chair may not make motions, but may second motions on the floor. The Chair acts as primary contact for staff and shall represent the Advisory Body before City Council whenever the Advisory Body or Council considers it necessary. The Chair and staff shall jointly set the meeting agenda.

Section 9. Duties of the Vice Chair

The Vice Chair shall assume all duties of the Chair in the absence or disability of the Chair.

Section 10. Duties of the Acting Chair

In case of absence of both the Chair and the Vice Chair from any meeting, an Acting Chair shall be elected from among the members present, to serve only during the absence of the Chair and

Vice Chair.

Section 11. Duties of the Secretary/Historian

The Secretary/Historian shall keep records of committee activities and contacts to facilitate future activities.

Section 12. Duties of the Treasurer

The Treasurer shall keep financial records of the committee and prepare regular annual budget and financial reports.

ARTICLE VII – STAFF SUPPORT

Section 1. Staff

Staff support and assistance is provided, but advisory bodies do not have supervisory authority over City employees. While they may work closely with advisory bodies, staff members remain responsible to their immediate supervisors and ultimately to the City Manager and Council.

The Director of the Parks & Recreation Department shall designate appropriate staff to act as staff person(s) to assist and support the Advisory Body. Staff shall attend all regular and special Advisory Body meetings. Staff shall be responsible for coordination of such reports, studies, and recommendations as are necessary to assist the Advisory Body in the conduct of its business according to City Council policy and the Brown Act. Staff may enlist the assistance of other departments as required. Staff shall be responsible for all public notification regarding all regular and special Advisory Body meetings.

Staff shall record the minutes of the meetings in accordance with the guidelines established in the "Preparation of Minutes" section of the City Council members' Handbook, shall supervise volunteers and interns, shall work closely with the Chair between meetings, shall make recommendations, prepare reports and proposals to the Advisory Body, may represent the Advisory Body at other meetings, presentations, and other public functions as requested, and shall perform administrative tasks.

Staff shall be responsible for the maintenance of proper records and files pertaining to Advisory Body business. Staff shall receive and record all exhibits, petitions, documents, or other materials presented to the Advisory Body in support of, or in opposition to, any question before the Advisory Body. Staff shall sign all notices prepared in connection with Advisory Body business, shall attest to all records of actions, transmittals, and referrals as may be necessary or required by law, and shall be responsible for compliance with all Brown Act postings and noticing requirements.

Section 2. Staff Relationship to the Advisory Body

Given limited staff resources, the Chair or individual members shall not make separate requests of staff without approval of the Advisory Body. If a member has a research or report request, it shall be brought to the Advisory Body for discussion, consideration, and recommendation prior to making the request of staff. If not approved by the Advisory Body, the individual member

shall be responsible for his/her own research or report.

Staff and the Chair shall jointly set the meeting agenda.

ARTICLE VIII – MEETINGS

Section 1. Time and Location of Meetings

The Advisory Body will hold its regular meeting on the fourth Monday of each month, except August and December, which shall begin at 7:00 p.m. in the City Hall Courtyard Conference Room as identified by the agenda and will adjourn no later than 9:30 p.m., unless the Chair, with concurrence of the Advisory Body, extends the time of adjournment.

If the scheduled date for a regular meeting falls on a holiday, such meeting shall be rescheduled in accordance with Council policy.

Section 2. Cancellation

If a majority of the membership deems it necessary or desirable, a scheduled regular meeting may be cancelled or rescheduled upon giving notice, unless a public hearing has previously been noticed.

Section 3. Special Meetings

The Chair of the Advisory Body, staff, or a majority of the membership of the Advisory Body may call a special meeting. Notice of such meeting shall state the purpose or the business to be transacted during such special meeting. No other business may be transacted at such special meeting other than as stated in the notice. Oral Communications are not required at special meetings as long as a statement appears on the agenda identifying that there will be no Oral Communications, but that members of the public will have the opportunity to address the Advisory Body on item(s) on the agenda.

ARTICLE IX – CONDUCT OF MEETINGS

Section 1. Compliance with the Brown Act and Council Policies

All regular, special, and adjourned meetings of the Advisory Body shall be open meetings to which the public and the press shall be admitted in compliance with the Brown Act. Meetings will be held at City facilities which are accessible to persons with disabilities.

Section 2. General Conduct of Meetings

Points of order and conduct, including those not addressed by these Bylaws, shall be settled by the Chair, unless overruled by a majority vote of the Advisory Body. Points of order and conduct shall comply with the Brown Act, these Bylaws, and the City Council members' Handbook. The Chair will consult with staff as necessary. Unresolved issues shall be referred to the City Attorney and continued to a future meeting.

Section 3. How Items Are Placed on the Agenda

A request to have an item placed for consideration on a future agenda may be made by staff, any Advisory Body member or a member of the public. The Chair and staff will consider the validity

(within the approved scope of work) and urgency of the request and determine when and if that item should be placed on an Advisory Body agenda. Issues can be referred to an advisory body by the City Council and may have time sensitive deadlines. The items must comply with the procedures in Article XII, Section 1, "Agenda Reports to Advisory Body."

Section 4. Quorum

A quorum of the Committee shall consist of 9 members.

Section 5. Absence of a Quorum

In the absence of a quorum at any meeting, such meeting shall be adjourned to the next regular meeting date by the Chair, Vice Chair, or staff.

A meeting may be declared adjourned for lack of a quorum after a 15-minute period has elapsed from the scheduled time of the start of the meeting. A meeting may also be declared adjourned in advance, if absence notifications received by staff provided for lack of a quorum. Adjournment may be declared by any member or staff.

Section 6. Agenda

The Chair and staff shall jointly set the meeting agenda and its format shall conform to the template set by Council Policy.

Section 7. Order of Business

The Chair or a majority vote of the Advisory Body may change the order of business.

ARTICLE X – MOTIONS

Section 1. Call for Motion

Upon conclusion of preliminary discussion, any member other than the Chair may place a motion on the floor. The motion shall contain the proposed action.

Section 2. Seconding a Motion

The Chair shall receive all motions and shall call for a second to each motion. The Chair may second a motion.

Section 3. Lack of a Second

If, after a reasonable time, no second has been made, the motion shall be declared dead for lack of a second, and the Chair shall state this. This shall not be considered an action of the Advisory Body and shall not be included in the minutes.

Section 4. Discussion/Debate

After a motion has been made and seconded, the Chair shall call for a discussion of the question. All discussion shall be limited to the motion on the floor. At the close of the discussion, the Chair shall put the matter to a vote.

Section 5. Time Limits on Discussion/Debate

The Chair may, at his/her discretion, limit debate of any motion; except that each member shall have the opportunity to speak.

Section 6. Amending a Motion

A motion to amend may be made by any member to revise a motion on the floor; but it cannot be a freestanding motion on its own, nor can it substitute for a main motion. The motion to amend must be voted upon, unless the maker and the second accept it as a friendly amendment, and, if it passes, it then becomes part of the main motion.

Section 7. Withdrawing a Motion

Any motion may be withdrawn by the maker and the second and shall not be included in the meeting minutes.

Section 8. Motion to Table

A motion to table may be made to suspend consideration of an item that appears on a meeting agenda for reasons of urgency or to end an unproductive discussion. A motion to table is not in order when another member has the floor. A motion to table requires a second, is not debatable, is not amendable, requires a majority vote for passage, and, if adopted, cannot be reconsidered at the meeting at which it is adopted. Members will refrain from using a motion to table as a means of capriciously limiting debate among members, to suppress a minority of the Advisory Body, or to avoid public input on an agenda item under consideration by the Advisory Body.

Section 9. Results of Voting

The Chair shall state the results of each vote, e.g., "The motion passes by a vote of five to two."

ARTICLE XI – VOTING

Section 1. Statements of Disqualification

Section 607 of the City Charter states that "...All members present at any meeting must vote unless disqualified, in which case the disqualification shall be publicly declared and a record thereof made." No member may abstain from voting on any item, except on the approval of the minutes, when that member was absent.

The City of Santa Cruz has adopted a Conflict of Interest Code, and Section 8 of that Code states that "no person shall make or participate in a governmental decision which s/he knows or has reason to know will have a reasonably foreseeable material financial effect distinguishable from its effect on the public generally."

Any member who has a disqualifying interest on a particular matter shall do all of the following:

- 1) Publicly identify the financial interest that gives rise to the conflict of interest or potential conflict of interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required;
- 2) Recuse himself or herself from discussing and voting on the matter, or otherwise acting in violation of government code Section 87100;
- 3) Leave the room until after the discussion, vote, and any other disposition of the matter is

concluded unless the matter has been placed on the portion of the agenda reserved for uncontested matters;

- 4) Notwithstanding paragraph 3, a public official may speak on the issue during the time that the general public speaks on the issue.

Any question regarding conflicts of interest shall be referred to the City Attorney.

Section 2. Voice Vote

All questions shall be resolved by voice vote. Each member shall vote "Aye" or "No" and the vote shall be so entered into the minutes, noting the vote of each member. A member may state the reasons for his or her vote, which reasons shall also be entered into the minutes of the meeting. All members including the Chair shall vote on all matters, except where s/he has a disqualifying interest.

Section 3. Roll Call Vote

Any member may request a roll call vote, either before or immediately after a voice vote. A roll call vote shall be taken without further discussion. The Advisory Body staff shall call the roll and each member shall state his/her vote for the record.

Section 4. Sealed Ballot Votes

No Advisory Body shall take a sealed ballot vote in open session.

Section 5. Adoption of a Motion

Adoption of a motion shall be made by a simple majority of the members present, except as otherwise provided. The Chair shall restate the vote for the record, e.g., "The motion is approved by a vote of five to two."

Section 6. Tie Votes

Tie votes will be resolved as follows:

Statement of Disqualification: A tie vote resulting from a Statement of Disqualification of one or more members, with no members absent and no vacancies on the Advisory Body, shall constitute a defeat of the motion.

Absence: A tie vote during the absence of one or more members, or when there is a vacancy on the Advisory Body, shall cause the item to be automatically continued to the next meeting; except that, as to matters on which action must be taken on a date prior to the next meeting, a tie vote shall constitute a denial of the requested action.

Successive Tie Vote: A tie vote at the next meeting on a matter that has been continued as a result of a tie vote shall constitute a denial of the appeal or defeat of the motion.

ARTICLE XII – REPORTS

Section 1. Agenda Reports to Advisory Body

All agenda items require a written report. Written reports serve as the analysis, detail, history, and justification for each agenda item. Reports shall include recommendation(s) and background. If a report is initiated by an Advisory Body member, a draft of that report shall be provided to staff for formatting at least ten (10) business days prior to the meeting. Staff shall then format reports to be consistent with content, style, and formatting of City Council agenda reports. Items initiated by a committee shall be processed in the same manner. Draft reports not submitted in a timely manner shall be placed on a future agenda.

Section 2. Committee Reports

Committee reports may be verbal or written and may be accompanied by written documentation.

Section 3. Preparation of Advisory Body-Generated City Council Agenda Reports

All resolutions and recommendations adopted by the Advisory Body and addressed to the City Council shall be delivered to the Mayor as soon as possible. If the action requests City Council action, the item shall be placed on a future City Council agenda. Agenda reports to the City Council from the Advisory Body shall be written reports consistent with content, style, and formatting of City Council agenda reports.

Additionally, the agenda report shall include a section called analysis, which includes the pros, cons, and foreseeable consequences of the recommendation(s). In the event that staff and the Advisory Body disagree, an analysis of both recommendations shall be included.

ARTICLE XIII – RECORD KEEPING

Section 1. Maintenance of Records

All records shall be maintained according to the City of Santa Cruz Records Retention Schedule.

Section 2. Action Agenda

Action agendas are required for Advisory Bodies. An action agenda is an unofficial record of the meeting and shall consist of attendance; motion maker and seconder of the motion; and an actual tally of the votes for all actions taken. The action agenda shall be made available to the Advisory Body, the City Clerk, and Staff within four working days of the meeting.

Section 3. Minutes

Action-only minutes will be produced for all Advisory Body meetings in the same format as that used for City Council meetings. Advisory Body members who want a particular comment included in the minutes must state "for the record" before making such comment. Minutes shall be reviewed, corrected as appropriate, and or amended and approved by the Advisory Body at a subsequent meeting.

Subcommittee reports presented orally in a meeting shall be summarized in the minutes.

Section 4. Audio and Video Recording of Meetings

As appropriate and/or when requested by the Advisory Body or City Council, a meeting of the Advisory Body may be audiotaped, video recorded or televised.

Members of the public have the right to make recordings of a meeting without disrupting the proceedings under any circumstances.

ARTICLE XIV – COMMITTEES

Section 1. Ad Hoc Committees

Ad hoc committees are established by an Advisory Body to gather information or deliberate on issues deemed necessary to carrying out the functions and purpose of the Advisory Body. Ad hoc committees generally serve only a limited or single purpose, are not perpetual, and are dissolved once their specific task is completed. An ad hoc committee shall be less than six months in term and shall have fewer members than a simple majority of the membership of the appointing Advisory Body. Ad hoc committees shall bring back information to the Advisory Body in either oral or written form.

Following ad hoc committee input, the Advisory Body shall then discuss, deliberate, and make recommendations on the designated issue, thereby providing the public with the opportunity to participate in the decision-making process. This shall take place in the presence of a quorum of the Advisory Body at a properly noticed public meeting.

Ad hoc committees shall not be subject to the Brown Act. City staff shall not be required to be present at ad hoc committee meetings. All ad hoc committees shall provide a final report to the Advisory Body in lieu of minutes.

Section 2. Standing Committees

Standing committees are bodies established to gather information or deliberate on issues deemed necessary to carrying out the functions and purpose of the Advisory Body. Standing committees are ongoing in nature and are created to deal with issues and make decisions on behalf of the Advisory Body. The public has a right to participate in this process. Standing committees are subject to the Brown Act and staff will provide only such support as to ensure such compliance.

The Executive Committee shall prepare a budget request for the Advisory Body to review and recommend for City Council adoption in sufficient time to comply with the City budget process. The Executive Committee shall prepare a proposed budget to submit to the Advisory Body after Council's adoption of the City budget.

Individual Sister City Committees will oversee all activities with each city.

Section 3. Staff Support to Committees

City staff shall normally not be required to attend or provide support for standing or ad hoc committee meetings, unless directed by the department head. All ad hoc committees shall provide a final report to the Advisory Body in lieu of minutes. All standing committees shall provide reports, no less than quarterly, to the Advisory Body.

Section 4. Appointments

The Chair of the Advisory Body may designate or solicit participation for standing and ad hoc committees. Members of the committees may include appropriate members of the public who are not members of the Advisory Body. The Advisory Body approves committee membership and any changes in committee membership by a majority vote of all Advisory Body members at the annual meeting or at any regularly scheduled meeting of the Advisory Body. Committees may request that the Advisory Body remove a member from the committee.

Committee chairs, except for the chair of the Executive Committee, shall be elected or removed by a majority of committee members present at the meeting of the calendar year or at a regularly scheduled and noticed meeting or a special meeting called by a majority of the Advisory Body members. Election or removal of a committee chair shall be approved by a majority vote of all Advisory Body members at the next regularly scheduled meeting of the Advisory Body. A committee chair whose removal has been approved at an Advisory Body meeting ceases to hold the position once the vote has been tallied and announced. The Chair may name an acting committee chair to convene the committee to elect a new chair.

Section 5. Committee Meetings

All standing or ad hoc committee meetings shall be held upon call of the Committee Chair.

ARTICLE XV – AMENDMENTS

A majority of the full membership of the Advisory Body may amend these bylaws, subject to the approval of the City Council.

ARTICLE XVI – ADOPTION OF BYLAWS

Immediately upon favorable vote of not less than eight of the full membership of the Sister Cities Committee of the City of Santa Cruz and approval of the City Council, these Bylaws shall be in full force and effect. Any and all previously adopted bylaws are hereby superseded.

These Bylaws shall not be considered or construed as superseding any ordinance or directive of the City Council of the City of Santa Cruz, nor shall they preclude the preparation and adoption of further procedural manuals and policies by which the Advisory Body may direct its activities.

Approved: _____
Chair

Attest: _____
Staff



CITY COUNCIL AGENDA REPORT

DATE: November 4, 2009

AGENDA OF: November 24, 2009

DEPARTMENT: Public Works

SUBJECT: Fall 2008 Overlay Program - c400809 - Notice of Completion (PW)

RECOMMENDATION: Motion to accept the work completed by Granite Construction Company of Watsonville, CA, and authorize the filing of the Notice of Completion for the Fall 2008 Overlay Program (c400809).

BACKGROUND: City Council approved the advertisement for bid of this project during at its July 22, 2008 meeting, and authorized the City Manager to execute the contract once bids were received. The project was bid in December 2008 and Granite Construction was awarded the contract in February of 2009. Work began in the spring of 2009 and included grind out and repair of base failures in the roadway and paving of an overlay of hot-mix asphalt. This project also included striping.

DISCUSSION: The work for this project is now complete. The project has been inspected by the Public Works Department and found to be constructed in accordance with the plans and specifications.

FISCAL IMPACT: The initial contract award was for \$936,936.00. With a 10% contingency added on, the purchase order was for \$1,030,629,60. Additional utility and crosswalk work (at the County Government Center) was incorporated into the contract for a total construction cost of \$1,122,571.29. Funds for this project came from Measure H, the Regional Surface Transportation Program, the Transportation Development Act and the County. There is no impact to the General Fund.

Report prepared by Joshua Spangrud, Associate Civil Engineer.

Submitted by:

Approved by:

Mark R. Dettle
Director of Public Works

Richard C. Wilson
City Manager

Attachments:
Notice of Completion

RECORDED AT THE REQUEST OF
Joshua Spangrud, Public Works

WHEN RECORDED MAIL TO:

CITY CLERK'S DEPARTMENT
809 CENTER STREET, ROOM 9
SANTA CRUZ, CA 95060

Space above this line for Recorder's Use Only

This instrument is being recorded for the benefit of the City of Santa Cruz.
No recording fee is required pursuant to Government Code §27383

Notice of Completion

NOTICE IS HEREBY GIVEN, pursuant to Section 3093 of the California Civil Code, of the completion on November 24, 2009, of the Fall 2008 Overlay Program on the following City Streets:

Ocean Street from Soquel Avenue to Water Street; Bay Street from West Cliff Drive to the railroad tracks just North of California Street; Graham Hill Road from Ocean Street Extension to the City Limit; North Pacific Avenue from Water Street to River Street, Bulkhead Street from Water Street to North Pacific Avenue and Knight Street from Water Street to North Pacific Avenue.

That the City of Santa Cruz owns the said property as described above: City Right-Of-Way.

Said Fall 2008 Overlay Program was undertaken on said property pursuant to a contract with Granite Construction Company of Watsonville, California. Said Fall 2008 Overlay Program consisted of repairs to areas of base failure and paving an overlay of hot-mix asphalt.

DATED _____

Mark R. Dettle
Director of Public Works
City of Santa Cruz

STATE OF CALIFORNIA)ss
COUNTY OF SANTA CRUZ)

I am the Director of the Public Works Department, City of Santa Cruz. I have read the foregoing Notice of Completion and know the contents thereof, and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters I believe it to be true.

I declare, under penalty of perjury, that the foregoing is true and correct.

Executed on _____, at Santa Cruz, California.

Mark R. Dettle
Director of Public Works
City of Santa Cruz

Filing of this Notice of Completion was authorized by Santa Cruz City Council Minute Order of _____.



CITY COUNCIL AGENDA REPORT

DATE: 11/16/2009

AGENDA OF: 11/24/2009

DEPARTMENT: Public Works

SUBJECT: American Recovery and Reinvestment Act of 2009 - Energy Efficiency and Conservation Strategy. (PW)

RECOMMENDATION: Motion to accept the recommended list of projects that will be included in the City's Energy Efficiency and Conservation Strategy (EECS) and implemented using American Recovery and Reinvestment Act (ARRA) grant funds.

BACKGROUND: Funded by the American Recovery and Reinvestment Act (AARA) of 2009, the Department of Energy's (DOE) Energy Efficiency and Conservation Block Grant (EECBG) program allocated \$553,800 to the City of Santa Cruz to carry out projects that improve energy efficiency, generate renewable energy, reduce greenhouse gas emissions and create jobs. To receive access to the full EECBG allocation, the DOE requires the City to submit an EECS for DOE approval. At minimum, the DOE requires that the City's EECS describe a plan for spending EECBG funds in accordance with the goals of the program.

In addition to a plan for spending the funds, the City of Santa Cruz chose to use the EECS development process as an opportunity to detail the energy-related elements of the City's Climate Action Plan in an attempt to realize benefits and a list of potential projects for beyond the three-year EECBG funding period. The City submitted an application to the DOE on June 18, 2009 to spend \$25,000 of the City's allocated ARRA grant funds to develop an Energy Efficiency and Conservation Strategy. The DOE approved the application in September 2009 and the City has been given 120 days (until January 11, 2010) to complete an EECS and submit it to DOE for approval.

As part of the EECS development process, staff initially developed a large list of potential projects through several discussions with various departments and a review of the City's draft Climate Action Plan's goals and objectives. After initially considering a large number of possible projects for inclusion in the City's EECS, staff narrowed the list to the ten most promising ideas that represented the best potential projects in energy efficiency, renewable energy generation, job creation, and economic benefit. Next, a set of criteria representing factors important to the City and the EECBG funding opportunity were established and the list of ten projects were systematically scored and ranked by staff according to the set criteria.

DISCUSSION: Due to the fact that staff has only 120 days to complete the EECS, it is recommended that Council approve the list of projects that will be included in the City's EECS with the complete EECS document provided to Council in January 2010. The complete EECS document will include this project list with additional detail and descriptions of, but not limited

to, implementation plans, schedules and milestones, and how the recommended projects will support the City's Climate Action Plan. The attachment to this staff report presents a detailed description of how the projects were evaluated and justification for the scores each project received and the attached table summarizes the final list of recommended projects.

FISCAL IMPACT: There is no impact to the General Fund or other City funds

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ATTACHMENTS:

Project Summary Table
City of Santa Cruz Energy Project Prioritization, November 5, 2009

Project Table

Rank	Score	Project	Cost	Energy Savings (million Source BTU)	GHG reduction (MT CO2e)	Jobs Created	*Cost Savings for Project	Est. Average Annual Savings	Payback (yrs)
		Develop EECS	25,000	-	-	0.5	-		-
1	86%	Parking Garage Lighting Retrofits	87,774	7,885	337	1.0	92,412	\$46,197	1.9
2	82%	Municipal Finance District	43,780	22,596	964	33.0	-	-	-
3	79%	IT Server Virtualization	270,646	5,184	220	3.0	429,035	208,189	1.3
4	70%	Energy Office	32,000	-	-	0.2	80,000	40,000	0.8
5	67%	Streetlight LED Retrofits (phase 1)	94,600	1,197	51	0.4	18,507	10,750	8.8
TOTAL			553,800	36,862	1,572	38.14	619,954	305,136	1.8

*This is over a two year period since EECBG funds have to be expended by this time.

CITY OF SANTA CRUZ

ENERGY PROJECT PRIORITIZATION

NOVEMBER 5, 2009

EECS Development Process

The American Recovery and Reinvestment Act of 2009 (ARRA) provides a significant opportunity for the City of Santa Cruz (City) to plan and implement energy-related projects. Funded for the first time by ARRA 2009, the Department of Energy's (DOE) Energy Efficiency and Conservation Block Grant (EECBG) program allocated \$553,800 to the City to carry out projects that improve energy efficiency, generate renewable energy, reduce greenhouse gas emissions and create jobs. The City obtained a portion of its allocated funding by submitting an application to the DOE on June 18, 2009. To gain access to the full amount of its EECBG allocation, the City is required to complete an Energy Efficiency and Conservation Strategy (EECS).

At a minimum, the DOE requires that the City's EECS describe a plan for spending EECBG funds in accordance with the goals of the program. The rules of the program also permit EECBG funds be used to develop a more comprehensive EECS that includes plans for additional projects. The City of Santa Cruz chose to use the EECS development process as an opportunity to detail the energy-related elements of the City's Climate Action Plan. In taking this approach, the City will realize benefits well beyond the three year EECBG funding period.

After initially considering a large number of possible projects for inclusion in the City's EECS, the City narrowed the list to the ten most promising ideas. The next step in developing the City's EECS is to prioritize projects according to their ability to meet City goals and qualify for EECBG funding. The ranked list of projects will then be used to decide which projects to submit to the DOE for funding and to complete the City's EECS. The EECS will include project descriptions, implementation plans, costs, and anticipated impacts. The present document proposes a ranking for the ten projects under consideration and details the methodology used to produce it.

During a meeting scheduled for November 24, 2009, City Council will review the project list. The EECS will be completed and submitted to the U.S. Department of Energy by January 12, 2009.

Project Evaluation and Prioritization

Evaluation and Prioritization Process

To better compare the relative advantages and disadvantages of dissimilar projects with one another, the evaluation team developed a framework for systematically characterizing key properties of each project. First, the team established a set of criteria representing factors important to the City and the EECBG funding opportunity. Each criterion was then assigned a weight reflecting its relative importance to the City¹. The team next assigned a numeric score to reflect the anticipated performance of each project with respect to each criterion. Where quantitative data was available, scores were assigned objectively based on the relative ranking of the data. Appendix B presents a detailed description of how the projects were evaluated and justification for the scores each project received in the initial project prioritization. Finally, the projects were ranked according to the total score received for all criteria and the relative weight of each criterion.

This analysis is intended to provide a transparent and systematic method for comparing dissimilar project ideas. However, as noted in Appendix B, it is based on a particular set of assumptions and judgments. This analysis is a tool to assist in the task of prioritizing projects for funding and implementation.

Evaluation Criteria

The primary goals of the EECBG funding opportunity are to save energy, reduce greenhouse gas emissions, and create jobs. These goals align well with the City's own Climate Action Plan. The cost and payback period are also crucial variables for the City to consider as it decides how to distribute scarce resources. In addition, the timing and effort involved in implementing projects are important in helping the City evaluate the relative costs and benefits of different projects. To capture these factors, the evaluation team created four main criteria: (1) energy and environmental impacts, (2) economic costs and benefits, (3) time to implement, and (4) ease of implementation. Several metrics pertaining to these criteria guided the assessment of each project, as described below.

ENERGY AND ENVIRONMENTAL IMPACTS

Saving energy and reducing greenhouse gas emission are major goals of both the EECBG funding opportunity and the City's Climate Action Plan.

- **Energy savings or renewable generation and GHG emissions reductions** – this metric reflects the energy savings or energy generation that could be achieved when the project is fully implemented as well as the estimated GHG emissions reduced when the project is fully implemented.
- **Adverse environmental impact** – identifying potential adverse environmental impacts is an important element of the project evaluation. If a project could cause harm to the

¹ ES assigned weighting factors to each criterion for this initial evaluation. The weighting factors should be adjusted as necessary prior to finalizing the project prioritization.

environment, the City could anticipate push-back from environmental groups or community members.

ECONOMIC COSTS AND BENEFITS

Energy efficiency projects are attractive investments because as energy use decreases, so does the City's energy expenditures. Energy projects with short payback periods are the most attractive energy investments because the City can realize the cost reductions quickly. With funding from grants like the EECBG, the City can minimize up front costs and benefit from the cost savings immediately. The City used five metrics to evaluate the economic costs and benefits of possible energy projects.

- **Project design and implementation costs** – the estimated cost of developing and implementing the project.
- **Energy cost savings** – the estimated annual cost savings associated with the fully implemented project.
- **Payback period** – the project cost relative to the energy cost savings represents the length of time required to pay back the cost of the project from energy cost reductions.
- **Funding and leveraging options** – the availability of federal and non-federal funding sources and the possibility of leveraging relevant free or inexpensive services that could make the project more cost effective.
- **Economic development potential** – the number of jobs that would likely be created or retained because of the project. One of the main goals of the EECBG program is to stimulate economic activity and that goal is reflected in this metric.

TIME TO IMPLEMENT

The time it takes for a project to be implemented can affect which funding sources are available to pay for it. The EECBG program was designed to stimulate the economy. As a result, the project(s) funded with EECBG money must be implemented in a short period of time: all funds must be obligated within 18 months. However, the City may consider implementing longer-term projects with non-EECBG funding if they result in long-term energy savings.

The time to implement the project was defined as the length of time required to design and implement project assuming financial and/or political constraints do not exist. When evaluating the likely project timeline, the likelihood of schedule delays was taken into account. Potential barriers to timely implementation could include the necessity to secure cooperation from other agencies or organizations.

EASE OF IMPLEMENTATION

Many projects contain hidden benefits or challenges that can significantly impact their outcomes. By identifying factors that will help the City implement the project more quickly and factors that may present hurdles to implementation, the City can anticipate the amount of time and effort the City will need to implement the project. The following metrics were used to evaluate the ease of implementation:

- **Ancillary benefit to City or community** – some of the projects have benefits beyond energy savings. Ancillary benefits may include increased City staff productivity, public health benefits, improved neighborhood safety, or water conservation benefits. Projects that have significant additional benefits could be easier to implement because segments of the community that may not support an initiative because of its energy savings potential may support the initiative because of its ancillary benefits.

- **Existing community and political support** – projects that are widely supported by the community will be easier to implement. When considering this metric, the equitability of the project was taken into account. It was assumed that projects that preclude a subset of the population from taking advantage of the project/program benefits would not receive widespread stakeholder support.
- **Contribution or linkages with other City priorities and policies** – projects that dovetail well with other City priorities, projects, or policies may be easier to implement than projects that do not correlate with existing initiatives. A project will be easier to implement if, for example, the City has already implemented a similar project in the past.

Project Ranking

Table 2 summarizes the results of the preliminary project evaluation, with the projects listed in order of ranking. This ranking assumes that each of the four main evaluation criteria (energy and environmental impacts, economic costs and benefits, time to implement, and ease of implementation) are weighted by 50%, 30%, 10%, and 10%, respectively. In the next iteration of the project prioritization, the City may decide to weigh one criterion more than the others to better reflect the City's goals.

The rankings presented below should not be viewed as the City's only means of identifying top priority projects. As mentioned above, the ranking system provides a framework to think about project impacts, but is not the only means of evaluating the projects.

Table 1: Project Ranking. Double line indicates extent of federal block grant (EECBG) funding.

Project	Project Type	Weighted Score	Rank
Parking Garage Lighting Retrofits	Energy Efficiency	86%	1
Municipal Finance District	Energy Efficiency & Renewable Energy	82%	2
IT Server Virtualization	Energy Efficiency	79%	3
Energy Office	Energy Efficiency & Renewable Energy	70%	4
Citywide Streetlight Retrofits	Energy Efficiency	67%	5
Downtown Streetlight Retrofits	Energy Efficiency	66%	6
City Hall EMS Installation	Energy Efficiency	62%	7
Fire Station PV Installation	Renewable Energy	45%	8
PV System Software Upgrade	Renewable Energy	41%	9
Field Lights at Harvey West Ball Field	Energy Efficiency	32%	10

Next Steps

The project ranking presented in this report is preliminary. This ranking may be refined based on input from City staff, City Council and the community. The City's final EECS will include additional analysis and a clear scope and budget for the highest priority projects and will be aligned with the City's Climate Action Plan.²

The EECS will also discuss financing options for the top five projects. After evaluating financing options and opportunities for leveraging funding sources, the City will decide which project or projects to fund with the EECBG allocation.

² Note that the EECBG program also requires the City's EECS to address specific questions regarding the activities to be funded with EECBG money (see Appendix A). Although the City's completed EECS will address these questions more comprehensively than is required, the submitted EECS will also include responses to these questions with respect to the specific EECBG-funded activity(s).

Appendix A: Energy Efficiency and Conservation Strategy Requirements for Units of Local Governments & Indian Tribes

The EECBG program also requires the City's EECS to address six specific questions regarding the activities to be funded with EECBG money. Although the City's completed EECS will address these questions more comprehensively than is required, the submitted EECS will also include responses to these questions with respect to the specific EECBG-funded activity(s).

1. Describe your government's proposed Energy Efficiency and Conservation Strategy. Provide a concise summary of your measurable goals and objectives, which should be aligned with the defined purposes and eligible activities of the EECBG Program. These goals and objectives should be comprehensive and maximize benefits community-wide. Provide a schedule or timetable for major milestones. If your government has an existing energy, climate, or other related strategy please describe how these strategies relate to each other.
2. Describe your government's proposed implementation plan for the use of EECBG Program funds to assist you in achieving the goals and objectives outlined in the strategy describe in question #1. Your description should include a summary of the activities submitted on your activity worksheets, and how each activity supports one or more of your strategy's goals/objectives.
3. Describe how your government is taking into account the proposed implementation plans and activities for use of funds by adjacent units of local government that are grant recipients under the Program (response not mandatory for Indian Tribes).
4. Describe how your government will coordinate and share information with the state in which you are located regarding activities carried out with grant funds to maximize energy efficiency and conservation benefits (response not mandatory for Indian Tribes).
5. Describe how this plan has been designed to ensure that it sustains benefits beyond the EECBG funding period.
6. The President has made it clear that every taxpayer dollar spent on our economic recovery must be subject to unprecedented levels of transparency and accountability. Describe the auditing or monitoring procedures currently in place or that will be in place (by what date), to ensure funds are used for authorized purposes and every step is taken to prevent instances of fraud, waste, error, and abuse.

Appendix B: Project Evaluation

Project Evaluation

The evaluation team following the following five step process to rank the proposed projects.

1. **Identify evaluation criteria** – the evaluation criteria used in this assessment are discussed in pages 2-4 of this document. The four main evaluation criteria are (1) energy and environmental impacts, (2) economic costs and benefits, (3) time to implement, and (4) ease of implementation.

Twelve unique metrics used to help think about how each project performs under the four main evaluation criteria. These 12 metrics include:

Energy and Environmental Impacts

As required by DOE rules, impacts are estimated over the period of performance of the EECBG program. Allowing for planning and strategy development, projects are assumed to be active for two years during the three-year EECBG program..

1. Energy savings / renewable energy generation / GHG emissions reductions
2. Adverse environmental impacts

Cost

To maintain consistency with the impacts criterion, costs are estimated over two years as well.

3. Design and implementation cost
4. Payback period
5. Cost savings
6. Funding and leveraging options

Time to Implement

7. Project implementation schedule

Ease of Implementation

8. Ancillary benefits
9. Community and political support
10. Linkage with other City priorities and policies

2. **Assign weighting factors** – for the initial iteration of the assessment, energy and environmental impacts were weighted at 50%, economic costs and benefits at 30%, time to implement at 10% and ease of implementation at 10%. In the next iteration of the analysis, staff may choose to adjust the weighting factors to place more emphasis on the evaluation criteria that the City feels are more important. Table A1 presents the weighting factors used for this iteration of the analysis. Note that the sum of the main criteria weights equals 100% of the total score.

Table A 1: Evaluation criteria weighting factors

Evaluation Criteria	Weighting Factor
TOTAL	100%
Energy and Environmental Impact	50%
Energy Savings / Renewable Energy Generation	45.0%
Adverse Environmental Impacts	5.0%
Economic Costs and Benefits	30%
Design and Implementation Cost	6.0%
Payback	6.0%
Cost Savings	6.0%
Funding and Leveraging Options	6.0%
Economic Development Potential	6.0%
Time to Implementation	10%
Project Implementation Schedule	10%
Ease of Implementation	10%
Ancillary Benefits	3.3%
Community and Political Support	3.3%
Contribution or linkages with other City priorities and policies	3.3%

← Should = 100%

We can adjust these weighting factors as desired

3. **Score projects** – the proposed projects were evaluated based on the evaluation criteria established during step one. Projects were assigned a numeric score for each evaluation criterion. Table A2 presents the results of the project scoring and some key points that justify the scores. To score the projects, evaluators considered the impacts, risks, costs, and potential barriers for each project. Where quantitative data was available, the score was assigned objectively by ranking the data.
4. **Calculate weighted scores** – once numeric scores were assigned, the project’s overall weighted score was calculated using the following process:
 - a. Calculate the weighted score for each of the 12 metrics using this equation:

$$\text{Weighted score for each metric} = \text{project score} \div \text{max possible score} \times \text{weighting factor}$$
 - b. Sum all weighted scores:

$$\text{TOTAL weighted score} = \sum \text{weighted score for each metric}$$

Table A3 is the score card for the evaluated projects.
5. **Rank projects** – project receiving the highest score received the highest ranking. Table 2 in the main document presents the projects in order of ranking.

Project Rating Matrix

Table A2: Project Evaluation Matrix For Projects Scheduled for Federal Block Grant (EECBG) Funding

Project	Energy and Environmental Impact (over 2 years)				Economic Costs and Benefits (over 2 years)							Time to Implementation			Ease of Implementation				
	Energy Savings / Renewable Energy Generation / GHG Reductions		Adverse Environmental Impacts		Design and Implementation Cost (total project cost)		Payback		Cost Savings (per 2 years)		Funding Options		Economic Development Potential		Project Implementation Schedule		Ancillary Benefits	Community and Political Support	Linkages with City Policies
	Million Source BTU Saved	Score	Score	Score	\$	Score	Years	Score	\$	Score	Score	Jobs	Score	Score	Score	Score	Score	Score	Score
<p>Parking Garage Lighting Retrofits</p> <p><u>weighted score:</u> 86%</p> <p><u>project type:</u> energy efficiency</p>	7,885	337	4.38	2	\$87,774	2.23	1.9	3.75	\$92,412	4.44	2	1	1.33	2	2	2	2	2	2
<p>Municipal Finance District</p> <p><u>weighted score:</u> 82%</p> <p><u>project type:</u> energy efficiency and renewable energy</p>	22,596	964	5.00	2	\$43,780	3.34	--	0.00	\$0	0	3	33	3.00	2	3	1	2	2	2

Project	Energy and Environmental Impact (over 2 years)				Economic Costs and Benefits (over 2 years)							Time to Implementation			Ease of Implementation							
	Energy Savings / Renewable Energy Generation / GHG Reductions		Adverse Environmental Impacts		Design and Implementation Cost (total project cost)		Payback		Cost Savings (per 2 years)		Funding Options		Economic Development Potential		Project Implementation Schedule		Ancillary Benefits		Community and Political Support		Linkages with City Policies	
	0 = least savings 5 = most savings	0 = highest impacts 3 = lowest impacts	0 = highest costs 5 = lowest costs	0 = longest payback 5 = shortest payback	0 = lowest potential 3 = highest potential	1 = fewest options 3 = most options	0 = lowest potential 3 = highest potential	1 = fewest benefits 3 = most benefits	1 = more concerns 2 = less concerns	1 = longest timeframe 3 = shortest timeframe	1 = fewest benefits 3 = most benefits	1 = most concerns 2 = less concerns	1 = less linkage 2 = more linkage	Score	Score	Score	Score	Score	Score	Score	Score	Score
Million Source BTU Saved	MT CO2e Avoided	\$	Years	Score	\$	Score	Score	Score	Score	Score	Score	Score	Score	Score	Score	Score	Score	Score	Score	Score	Score	Score
<p>IT Server Virtualization weighted score: 79%</p> <p>project type: energy efficiency</p>	5.184	220	3.75	2	\$270,646	0.56	1.3	4.38	\$429,035	5.00	2	2	3	2.33	1	3	2	3	2	2	2	2
<p>Energy Office weighted score: 70%</p> <p>project type: energy efficiency</p>	--	--	2.50	2	\$32,000	4.45	0.4	5.00	\$80,000	3.89	1	0.2	0.33	0.33	2	3	1	3	1	2	2	2
<p>Citywide Streetlight Retrofits weighted score: 67%</p> <p>project type: energy efficiency</p>	1,197	51	2.50	2	\$81,000	2.78	8.8	1.88	\$18,507	2.78	2	0.44	1.00	1.00	2	3	2	3	2	2	2	2
	<ul style="list-style-type: none"> Replacing entire servers with software can produce large energy savings, both from the reduction in electricity consumed by servers as well as the cooling energy avoided. This analysis assumes 70 existing servers + 6 new servers/year virtualized at 400 W/server and 300 W cooling energy per server 				<ul style="list-style-type: none"> The largest cost associated with virtualization is professional service to analyze the existing system, specify the virtualization solution, implement the solution, and provide support to staff to use the new system. The costs reported here are based on a high-level estimate from a virtualization integration company. Alternative funding sources to the EECBG for a short-payback project such as this include CEC low-interest loans as well as PG&E technical assistance and rebates. Jobs will be created in the IT professional services sector. 				<ul style="list-style-type: none"> Internal staff could be used to fulfill this function; this analysis assumes 20% FTE of a staff person with costs of \$80,000/year. The total project cost is the total for two years, after which other sources of funding would be required. It is assumed that the staff person would generate energy savings over \$40,000 of savings per year Few funding options exist for paying staff salaries. The City could use federal grant money, but grant funding is not ideal for staff salaries because it expires. The City may be able to extend the Energy Office role by setting aside the annual savings from one or more energy efficiency projects. Paying staff to manage energy projects would help retain part of a job. The projects this staff helps implement will, in turn, stimulate the economy. 		<ul style="list-style-type: none"> Once financing is in place, hiring a staff member should not take more than several months. Design and implementation can be completed within several months. Advanced streetlights are relatively new technologies, so the City may want to plan for some delays. 		<ul style="list-style-type: none"> The staff person will be responsible for implementing projects that have a number of ancillary benefits. This staff person could contribute to other City initiatives in addition to implementing energy projects. Hiring a new staff person during a furlough period may be undesirable 		<ul style="list-style-type: none"> LED streetlights provide higher quality light than traditional lamps, which may make residents feel safer. Reduced risk of mercury exposure. LED streetlights emit more polychromatic light than traditional streetlights, including 'high pressure sodium (HPS)' sodium lamps and metal halide lamps, so light pollution may be a concern. 							

Table A3. Project Evaluation Matrix for Additional Projects (outside federal block grant allocation)

Project	Energy and Environmental Impact (over 2 years)				Economic Costs and Benefits (over 2 years)							Time to Implementation			Ease of Implementation				
	Energy Savings / Renewable Energy Generation / GHG Reductions		Adverse Environmental Impacts		Design and Implementation Cost (total project cost)		Payback		Cost Savings (per 2 years)		Funding Options		Economic Development Potential		Project Implementation Schedule		Ancillary Benefits	Community and Political Support	Linkages with City Policies
	0 = least savings 5 = most savings	0 = highest impacts 3 = lowest impacts	0 = highest costs 5 = lowest costs	0 = longest payback 5 = shortest payback	0 = least savings 5 = most savings	0 = lowest potential 3 = highest potential	1 = fewest options 3 = most options	0 = lowest potential 3 = highest potential	1 = fewest benefits 3 = most benefits	1 = more concerns 2 = less concerns	1 = longest timeframe 3 = shortest timeframe	1 = fewest benefits 3 = most benefits	1 = more concerns 2 = less concerns	1 = less linkage 2 = more linkage	Score	Score	Score	Score	Score
Downtown Streetlight Retrofits <u>weighted score:</u> 66% <u>project type:</u> energy efficiency	1,471	63	3.13	2	\$196,408	1.12	17.1	1.25	\$22,986	3.33	2	2	1.67	2	2	2	2	2	2
	<p>The energy savings available in retrofitting the decorative downtown streetlights are much smaller than the Citywide Streetlight Retrofit project.</p> <p>LED streetlights would reduce energy and maintenance costs, but the high equipment costs of the decorative fixtures reduces the financial viability of this project.</p> <p>Design and implementation can be completed within several months.</p> <p>Advanced streetlights are relatively new technologies, so the City may want to plan for some delays.</p> <p>Would improve downtown appearance and act as a public demonstration of City's commitment to its energy and climate goals</p>																		
City Hall EMS Installation <u>weighted score:</u> 62% <u>project type:</u> energy efficiency	962	41	1.88	3	\$36,000	3.89	6.4	3.13	\$11,200	1.11	2	0.4	0.67	2	2	2	2	2	2
	<p>Energy audit reports indicate that the City Hall complex HVAC system is poorly zoned and inefficiently controlled.</p> <p>Centralizing control and rezoning the HVAC system in the City Hall complex can produce significant energy savings according to engineering estimates provided by the California Energy Commission's Energy Partnership Program</p> <p>Installing an EMS can provide a significant ongoing economic benefit at moderate upfront cost, making this project a relatively attractive investment.</p> <p>Because of the short payback period, this project can be financed with CEC low-interest loans in addition to EECBG funds.</p> <p>The low cost of EMS installation reduces the impact of this project on job creation. Ongoing cost savings would be expected to be redirected to other sectors of the economy.</p> <p>Audit has already been completed and one contractor has submitted a quote, so this project could be implemented quickly.</p> <p>Rezoning is expected to improve occupant comfort</p> <p>Centralized monitoring and control is expected to improve occupant comfort and reduce service requests</p>																		

Project	Energy and Environmental Impact (over 2 years)						Economic Costs and Benefits (over 2 years)						Time to Implementation			Ease of Implementation		
	Energy Savings / Renewable Energy Generation / GHG Reductions		Adverse Environmental Impacts		Design and Implementation Cost (total project cost)	Payback	Cost Savings (per 2 years)		Funding Options	Economic Development Potential		Project Implementation Schedule	Ancillary Benefits	Community and Political Support		Linkages with City Policies		
	Score	Score	Score	Score			Score	Score		Jobs	Score			Score	Score	Score		
<p>Fire Station PV Installations</p> <p>weighted score: 45%</p> <p>project type: renewable energy</p>	<p>0 = least savings 5 = most savings</p> <p>MT CO₂e Avoided</p>	<p>0 = highest impacts 3 = lowest impacts</p>	<p>0 = highest costs 5 = lowest costs</p>	<p>0 = longest payback 5 = shortest payback</p>	<p>0 = least savings 5 = most savings</p>	<p>0 = lowest potential 3 = highest potential</p>	<p>1 = fewest benefits 3 = most benefits</p>	<p>1 = longest timeframe 3 = shortest timeframe</p>	<p>1 = fewest concerns 3 = most concerns</p>	<p>1 = less linkage 2 = more linkage</p>	<p>923</p> <p>1.25</p> <p>3</p> <p>1.67</p> <p>19.2</p> <p>0.63</p> <p>\$14,988</p> <p>2.22</p> <p>2</p> <p>2</p> <p>1.67</p>	<p> <ul style="list-style-type: none"> The systems designed for Fire Stations 2 and 3 would provide all electricity needed for these locations, reducing greenhouse gas emissions accordingly. No adverse environmental impacts are anticipated when PV systems are installed on existing buildings. </p> <p> <ul style="list-style-type: none"> PV systems are relatively expensive. However, if the City uses a PPA or some other private sector partnership where it does not own the asset, the renewable energy system can be installed at a minimal cost to the City. Renewable energy projects generally have long payback periods. This project would generate jobs for PV developers and installers, and would help stimulate the PV industry. PV systems would also need to be maintained, which would create or retain maintenance jobs. In addition, money the City saves on utility bills can be spent elsewhere. Renewable projects can be financed using EECBG (formula), CEC low interest loans, PPAs, and bonds. This project would generate short term jobs for PV developers and installers, and would help stimulate the PV industry. PV systems would also need to be maintained, which would create or retain one or more jobs. </p>	<p> <ul style="list-style-type: none"> Electricity generated from renewable sources emits fewer air pollutants than electricity generated from fossil fuels. There are numerous benefits to being energy independent. PV projects provide visual prompts to encourage participation in energy initiatives and provide an opportunity to educate the community about energy issues. They can help the City market itself as a leader in climate action. PV systems require maintenance. </p>					
<p>Corp Yard PV Software Upgrade</p> <p>weighted score: 41%</p> <p>project type: renewable energy</p>	<p>115</p> <p>5</p> <p>0.00</p> <p>3</p> <p>\$5,520</p> <p>5.00</p> <p>7.5</p> <p>2.50</p> <p>\$1,463</p> <p>0.56</p> <p>1</p> <p>0.06</p> <p>0.00</p>	<p> <ul style="list-style-type: none"> This project would minimize the number of software packages used to monitor the City's PV systems Software may increase generation by providing early warning of problems, enabling prompt maintenance, but The predicted impact is difficult to quantify, but is expected to be relatively low compared to the other proposed projects </p>	<p> <ul style="list-style-type: none"> Costs include \$3,270 for software and equipment, \$1,520 for installation, and licensing costs of \$750/year. Savings are estimated at 7.5% of production, assuming 75,000 kWh/year based on early identification of production issues. Few sources other than general funds are available to purchase this product because of the difficulty in quantifying its benefits. The low cost of this product reduces its impact on job creation. </p>	<p> <ul style="list-style-type: none"> Installation of the software and set up of the system would be expected to proceed rapidly. </p>	<p> <ul style="list-style-type: none"> PV monitoring software can provide useful information to share with the public on City's achievements in energy savings and climate action </p>													
<p>Field Lights at Harvey West Ball Field</p> <p>weighted score: 32%</p> <p>project type: energy efficiency</p>	<p>839</p> <p>36</p> <p>0.63</p> <p>2</p> <p>\$506,721</p> <p>0.00</p> <p>77.3</p> <p>0.00</p> <p>\$13,118</p> <p>1.67</p> <p>1</p> <p>6</p> <p>2.66</p>	<p> <ul style="list-style-type: none"> Replacing the ball field lights with efficient alternatives could cut annual energy use over 40% Low annual usage of lights (400 hours) reduces energy savings and greenhouse gas reduction potential </p>	<p> <ul style="list-style-type: none"> Equipment costs for replacing Harvey Field lights are high (nearly \$300,000), making this project one of the most expensive on the list. The low usage of these lights creates an extremely long payback period. The high cost of this project would create several jobs in manufacturing and installation. Few options other than grants and general funds exist for projects with long payback periods. </p>	<p> <ul style="list-style-type: none"> Lighting retrofits can proceed rapidly, but the accessibility of the lights and the availability of replacements may cause delays. </p>	<p> <ul style="list-style-type: none"> A recreational facility may not be seen as a critical need by the public. </p>													

Project Scorecard

Table A4: Project Evaluation Scorecard. Dashed line indicates extent of federal block grant (EFCBG) funding.

Project	Energy and Environmental Impact (over 2 years)			Economic Costs and Benefits (over 2 years)					Time to Implementation			Ease of Implementation			Total Score	
	Energy Savings / Renewable Energy Generation / GHG Reductions 0 = least savings 5 = most savings	Adverse Environmental Impacts 0 = highest impacts 3 = lowest impacts	Weighted Score	Design and Implementation Cost (total project cost) 0 = highest costs 5 = lowest costs	Payback 0 = longest payback 5 = shortest payback	Cost Savings (per year) 0 = least savings 5 = most savings	Funding and Leveraging Options 1 = fewest options 3 = most options	Economic Development Potential 0 = lowest potential 5 = highest potential	Weighted Score	Project Implementation Schedule 1 = longest timeframe 3 = shortest timeframe	Weighted Score	Andillary Benefits 1 = fewest benefits 3 = most benefits	Community and Political Support 1 = more concerns 2 = less concerns	Linkages with City Policies 1 = less linkage 2 = more linkage	Weighted Score	Total Weighted Score
Parking Garage Lighting Retrofits	4.38	2	43%	2.23	3.75	4.44	2	1.33	27%	2	2	2	2	7%	86%	1
Municipal Finance District	5.00	2	48%	3.34	0.00	0.00	3	3.00	19%	2	3	1	2	7%	82%	2
IT Server Virtualization	3.75	2	37%	0.56	4.38	5.00	2	2.33	29%	1	3	2	2	3%	79%	3
Energy Office	2.50	2	26%	4.45	5.00	3.89	1	0.33	29%	2	3	1	2	7%	70%	4
Citywide Streetlight Retrofits	2.50	2	26%	2.78	1.88	2.78	2	1.00	21%	3	3	2	2	10%	67%	5
Downtown Streetlight Retrofits	3.13	2	31%	1.12	1.25	3.33	2	1.67	19%	2	2	2	2	7%	66%	6
City Hall EMS Installation	1.88	3	22%	3.89	3.13	1.11	2	0.67	22%	3	2	2	2	10%	62%	7
Fire Station PV Installation	1.25	3	16%	1.67	0.63	2.22	2	1.67	16%	1	2	2	2	3%	45%	8
PV System Software Upgrade	0.00	3	5%	5.00	2.50	0.56	1	0.00	18%	3	2	2	2	10%	41%	9
Field lights at Harvey West Ball Field	0.63	2	9%	0.00	0.00	1.67	1	2.66	11%	2	1	1	2	7%	32%	10



CITY COUNCIL AGENDA REPORT

DATE: 11/16/2009

AGENDA OF: 11/24/2009

DEPARTMENT: Public Works

SUBJECT: Bicycle Transportation Account (BTA) Grant Application for Arana Gulch Path. (PW)

RECOMMENDATION: Resolution authorizing the City Manager to submit a grant application to the Bicycle Transportation Account (BTA) Program Fiscal Year (FY) 2010/11 for the Arana Gulch Multi-use Trail.

BACKGROUND: The Bicycle Transportation Account (BTA) provides State funds for city and county projects that improve safety and convenience for bicycle commuters. A Bicycle Transportation Plan (Plan) must be approved by the California Department of Transportation (Caltrans) to establish eligibility for Bicycle Transportation Account funds. The City of Santa Cruz Bicycle Transportation Plan 2008 is eligible for four additional annual cycles of BTA grant funding. The deadline to submit this BTA FY 2010/11 grant application is December 1, 2009.

DISCUSSION: The emphasis of the 2008 Bicycle Transportation Plan includes completing significant projects begun in the earlier Plans as well as building the connector projects that can get bicyclists from origin to destination easily and safely. The 2008 Plan is focused on creating a detailed network of routes to give bicyclists a greater range of choices.

The Arana Gulch Multi-use Trail is easily one of the most important projects in the Bicycle Transportation Plan. It has been in every Plan since the inception of BTA funding. This regionally significant project will complete a central east-west bicycle corridor connecting Broadway in Santa Cruz with Brommer Street in the County. It will provide central access to Arana Gulch for eastside City residents whether they are pedestrians or bicyclists. A corollary project, the Arana Meadow Trail Connection, will connect the Soquel neighborhoods with Arana Gulch via Agnes Street.

FISCAL IMPACT: BTA funding of \$1,000,000 (one million dollars) will be requested for the Arana Gulch Path and Arana Gulch Connection projects. The required 10% local match (\$100,000) will be from Federal Transportation Enhancement funds dedicated to the project.

Prepared by:
Cheryl Schmitt
Transportation Coordinator

Submitted by:
Mark R. Dettle
Director of Public Works

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS: Resolution

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AUTHORIZING AND DIRECTING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE BICYCLE TRANSPORTATION ACCOUNT FOR THE FISCAL YEAR 2010/11.

WHEREAS, the State of California has established the Bicycle Transportation Account to provide funds for city and county projects that improve safety and convenience for bicycle commuters; and

WHEREAS, the City of Santa Cruz has adopted the City of Santa Cruz Bicycle Transportation Plan 2008 establishing eligibility for Bicycle Transportation Account funding; and

WHEREAS, implementation of the Arana Gulch Path will complete a regionally significant central east-west bicycle corridor connecting Broadway in Santa Cruz with Brommer Street in the County; and

WHEREAS, in addition, the implementation of the Arana Gulch Connection will provide a northern connection to the Arana Gulch Path via Agnes Street; and

WHEREAS, the City of Santa Cruz will provide a minimum 10 percent local match from funds other than Bicycle Transportation Account;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Santa Cruz that it hereby authorizes the City manager to submit a grant application for the Arana Gulch Path to the Bicycle Transportation Account for the Fiscal Year 2010/11.

Passed and adopted this 24th day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk



CITY COUNCIL AGENDA REPORT

DATE: 11/16/2009

AGENDA OF: 11/24/2009

DEPARTMENT: Water

SUBJECT: Miscellaneous Service Fees. (WT)

RECOMMENDATION: Resolution to adjust miscellaneous water service fees to fully recover the cost of providing service, and rescinding Resolution No. NS-27,194 in its entirety.

BACKGROUND: The Water Department charges customers directly for providing special water services such as engineering plan reviews, inspection services, and after-hours service calls. These fees are not included in water rates because some customers may never need these special services. Instead, the fees are charged at the time the service is delivered to the customer. These Miscellaneous Service Fees are based on staff time spent on such services, plus material costs involved. These fees were last reviewed and updated in their entirety in February 2005, with a minor deletion in April 2006.

DISCUSSION: Staff and materials costs have changed since 2005, and some department procedures have been revised to meet changing regulatory requirements and achieve efficiencies. Specifically, new lead content requirements in California (AB 1953) mandate that any pipe, fitting, or fixture installed after January 1, 2010 that delivers drinking water cannot exceed a weighted average of .25%. This new mandate has required a change in the type of meter we specify for installations, and these new "Omni" meters are more expensive than the previous models. This resolution implements the fee changes for the larger "Omni" meters. We do not yet have the costs of the new smaller "Omni" meters, but will return to Council with fee adjustments for those within the next couple months.

Although labor costs have also risen since our last fee increase 4 years ago, we have also reassigned some duties to reduce staff costs, and have revised the model for calculation of labor costs. These change have resulted in only minor service fee increases and some fee decreases.

The fee schedule resolution adopted by Council in February 2005 included a provision that the fees would be adjusted January 1st of each year to account for inflation based on the Consumer Price Index for the San Francisco-Oakland-San Jose area. Due to various factors including changes in Water Department staff, these adjustments were not implemented. Furthermore, since the CPI has fluctuated significantly in the last couple years, but service fees are based on City labor and material costs that adjust quite differently from the CPI, staff now recommends that this policy be dropped. Instead, staff will review these fees every two years and propose adjustments to Council as needed.

WATER COMMISSION ACTION: On November 2, 2009, the Water Commission moved to recommend City Council approval of these proposed fees for miscellaneous water services. Since Water Commission approval, staff has revised one recommendation – increasing the proposed deposit for hydrant meters from \$1,500 to \$2,000. This is based on the current higher cost of replacing hydrant meters.

FISCAL IMPACT: The Miscellaneous Service Fee Schedule is designed to offset the costs of providing special water services that are not included in water rates. While these new fees will result in a revenue increase of approximately \$5,000-\$10,000 per year, there will also be a corresponding increase in material and labor costs, resulting in no net fiscal impact.

Submitted by:
Bill Kocher
Water Director

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS: Resolution

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
REVISING MISCELLANEOUS WATER SERVICE FEES AND
RESCINDING RESOLUTION NO. NS-27,194

WHEREAS, Title 16 of the Santa Cruz Municipal Code provides the rules and requirements governing the administration and operation of the City's Water System, including identification of the various sources of authority to establish and amend miscellaneous service fees; and

WHEREAS, the Water Department has submitted recommended updates to the miscellaneous service fees to adjust to increases and decreases in costs.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Santa Cruz miscellaneous water service fees will be charged as follows:

Section 1. MISCELLANEOUS SERVICE FEES

Installation Fees

1. Installation of Water Services, Private Fire Services, and Public Fire Hydrants

Installation of water services will only be performed by City staff when engineering conditions warrant, otherwise the applicant shall obtain a permit from the City, pay an inspection fee and select a contractor from the list of approved contractors that will be provided upon request. If City staff does install the water service, the customer will be billed for time, overhead, and materials.

2. Meter Installation Fees

5/8" Disk Meter	\$ 260
3/4" Multi-Jet Meter	\$ 285
1" Disk Meter	\$ 310
1-1/2" C2 Omni Meter	\$1,465
2" C2 Omni Meter	\$1,650
3" C2 Omni Meter	\$2,070
4" C2 Omni Meter	\$3,370
6" C2 Omni Meter	\$5,610

Meters larger than 6" will be charged at time, overhead and materials.

Any miscellaneous work performed by City staff will be charged at time, overhead and materials.

RESOLUTION NO. NS-

Plan Review Fees

Charges for review of construction and development plans or drawings by the Engineering Division to ensure conformance with water codes and design standards. Plan review fees are in addition to any other fees and charges that may be required as a condition of approval.

3. Water Service Plan Review Fees

Residential w/ separate Meter \$50 per unit including fire service

Non-Residential or Residential on a Master Meter

¾" x 5/8" Meter \$50 plus \$50 each hour over 1

1" Meter \$100 plus \$50 each hour over 2

1 ½" Meter \$155 plus \$50 each hour over 3

2" Meter \$255 plus \$50 each hour over 5

3" Meter \$360 plus \$50 each hour over 7

4" Meter \$460 plus \$50 each hour over 9

6" Meter and larger \$500 plus \$50 each hour over 10

4. Monitoring Well Permit Plan Review Fee \$50 per parcel plus \$50 each hour over 1

5. Production Well Permit Plan Review Fee \$155 per parcel plus \$50 each hour over 1

6. Commercial Fire Service Plan Review Fee \$50 each plus \$50 each hour over 1

7. Fire Hydrant Plan Review \$100 each plus \$50 each hour over 2

8. Water Main Extension Plan Review Fee \$310 each plus \$60 each hour over 5.5

9. Water Main Replacement Plan Review Fee \$620 each plus \$60 each hour over 11

10. Backflow Plan Review Fee \$100 per project plus \$50 each hour over 2; may be waved at City's discretion for City-required (non-customer-initiated) fire service retrofit larger than 2"

11. Facility Plan Review Fee \$200 per facility plus \$50 each hour over 4
(Pressure Regulating Station, Booster Pump Station, Tanks, etc.)

RESOLUTION NO. NS-

Inspection Fees

Charges for inspection of applicant-installed water service lines, line extensions and devices.

- | | |
|--|--|
| 12. Water Service Inspection Fee | \$155 per tap plus \$50 each hour over 3 |
| 13. Fire Hydrant Inspection Fee | \$155 each plus \$50 each hour over 3 |
| 14. Backflow Device Inspection Fee | \$100 per device plus \$50 each hour over 2.
May be waived at City's discretion for
City required (non customer-initiated) fire service
retrofit larger than 2" |
| 15. Water Service/Fire Hydrant
Adjustment Fee (without Street Opening Inspection) | \$50 each plus \$50 ea hour over 1 |
| 16. Water Main Extension/Replacement Inspection Fee | |
| Number of Lineal Feet | \$60 per 100 lf plus .60/lf over 100 lf |
| Plus: Taps | \$120 per tap |
| Plus: Tie-Ins (Water Mains) | \$685 per tie-in plus \$60 for ea hr over 11 |
| Plus: Hydrants | \$60 per hydrant |
| Plus: Thrust Blocks | \$60 per thrust block |
| Plus: Disinfection &
Pressure Testing | \$915 each plus \$60 for each hour over 12 |
| Plus: Additional Facilities such as
Pressure Regulating Station, etc. | \$175 each plus \$60 for each hour over 3 |
| 17. Water Main Extension Mapping Fee | \$235 per project plus \$60 ea hour over 4 |
| 18. Monitoring Well Permit Inspection Fee | \$50 per well plus \$65 each hour over 1 |
| 19. Production Well Permit Inspection Fee | \$100 per well plus \$50 each hour over 2 |

Conservation Fees

- | | |
|--|----------------------------------|
| 20. Landscape/Irrigation Plan Review
Charges for Review of Landscaped Portion of Applicant's Site Plan | |
| Up to 5,000 sq ft landscape area | \$85 plus \$40 each hour over 2 |
| 5,000 – 50,000 sq ft area | \$170 plus \$40 each hour over 4 |
| 50,001 & above | \$340 plus \$40 each hour over 8 |
| 21. Appeal to Recordation of Notices
of violation in connection with enforcement of plumbing fixture retrofit regulations | \$100 per appeal |

RESOLUTION NO. NS-

Customer Service Fees

Charges for miscellaneous services and activities provided to water customers.

22. Application for Water Service \$20 per application
23. Restoration of Service After Shut-Down
During Regular Working Hours \$40 per call
After Regular Working Hours \$120 per call
24. All Other Non-Emergency \$120 per call plus \$60 each hour over 2
After Hours Calls
25. By-Request Meter Testing
Charges for meter testing upon customer request will only be applied if meter registers less than 2% fast.
- 5/8" and 3/4" meters \$60
1" meter \$75
1 1/2", 2", & 3" meters \$150
4", 6", & 8" meters \$300
26. Repairs - Charges to Repair Damage to City-Owned Customer Water Service Facilities
- Locks & Brackets \$50
Other Time, Overhead, and Materials
27. Set or Remove Meters \$75
Charge for removing or installing replacement meters.
28. Bulk Water - Charges for use of water for construction or other temporary purpose through the bulk water station, a temporary service, or a temporary fire hydrant. If temporary service is to be abandoned upon completion of the construction project, connection fees will be refunded or credited to the project.

Bulk Water Station

Deposit	Based on estimated use, \$100 minimum
Annual Permit	\$30 per truck
Service Charge	Based on actual use, \$30/mo minimum
Failure to Report Use	\$60 per month minimum
Quantity Rate	Current Quantity Rate

Temporary Service

Deposit	Based on estimated use, \$100 minimum
Installation & Inspection	Fees as indicated in this Resolution
Service Application	\$20
Readiness to Serve	Current Readiness-to-Serve Rate
Quantity Charge	Current Quantity Rate
System Development Charge	Current System Development Charge

RESOLUTION NO. NS-

Hydrant Meter (limited availability)

Deposit	\$2,000 for hydrant meter with backflow
Service Application	\$30
Daily Use Fee	\$5 per day
Quantity Charge	Current Quantity Rate

29. Routine Service Calls During Regular Working Hours

Start or Stop Service	No Charge
Check Meter Reading	No Charge
Check Pressure	No Charge
Check for leak	No Charge

30. Unauthorized Connection Fee \$95
(for disconnecting illegal water connection)

31. Special Customer Service Call \$40 per hour

32. Fee for Insufficient Notification \$335 per incident
(of cancellation, postponement or rescheduling of contractor-requested assistance)

Section 2. EFFECTIVE DATE

This Resolution shall be effective on January 1, 2010.

PASSED AND ADOPTED this 24th day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk



CITY COUNCIL AGENDA REPORT

DATE: 11/16/2009

AGENDA OF: 11/24/2009

DEPARTMENT: Water

SUBJECT: Water Supply Project – Offshore Geophysical Study – Contract
Amendment No. 2. (WT)

RECOMMENDATION: Motion to authorize the City Manager to execute Contract Amendment No. 2 with EcoSystems Management Associates, Inc. in the amount of \$6,373 for additional insurance required by the City.

BACKGROUND: EcoSystems Management Associates, Inc. (ECO-M) was hired by the City to perform an Offshore Geophysical Study. The results of the study will assist staff in evaluating the means by which seawater would be brought in from the Monterey Bay for treatment by the proposed Seawater Desalination Facility. This study, which is evaluating the viability of a sub seafloor intake system, is being conducted simultaneously with an Entrainment Study and Impact Assessment to consider the alternative approach of an open-ocean intake.

The contract with ECO-M was executed on October 30, 2008 for an amount of \$402,900 and has had one previous contract amendment of \$72,760 approved by City Council on July 28, 2009. Per Council Policy 29.6, any contract change order which results in an aggregate amount of all change orders exceeding 10% of the contract award, must be approved by City Council.

DISCUSSION: The City required the consultant to carry errors and omissions insurance at a level beyond its usual policy, and agreed in contract negotiations to cover the additional cost of that insurance. The length of the project has been extended and requires the consultant to renew the original insurance policy. This change order would cover the additional cost of this renewal.

FISCAL IMPACT: Funds are available in Water Department FY 2010 Capital Improvement Program budget: \$4,461 in c700305, Water Supply Project and \$1,912 in c700016, Water Supply Project – SDC for a total of \$6,373. A grant in the amount of \$611,000 from the California State Water Resources Control Board Proposition 50 has been awarded for this Intake Evaluation. In addition, according to the Memorandum of Agreement, Soquel Creek Water District will share the cost of this contract.

Submitted by:
Bill Kocher
Water Director

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS: Contract Amendment

**CONTRACT AMENDMENT
Number Two**

That certain Agreement dated October 30, 2008 between the City of Santa Cruz and EcoSystems Management Associates, Inc. (Eco-M) for professional services for the Offshore Geophysical Survey, and amended by Contract Amendment Number One on August 11, 2009, is hereby amended as follows. The terms of this contract amendment apply to all Consultant's duties and tasks under the Professional Services Agreement.

1. Task 9: Expenses

Appendix Two, Cost Proposal. Increase Task 9 Expenses by \$6,373 for additional professional liability insurance required by the City, increasing the total project budget by from \$475,660 to \$482,033

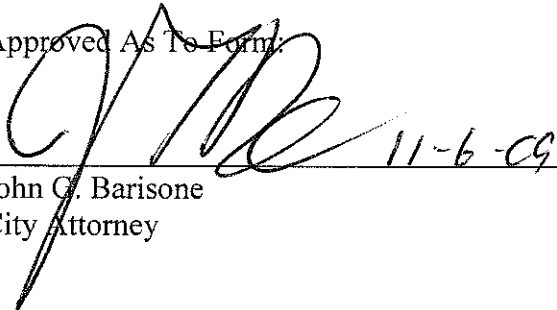
All other terms and conditions of the original Agreement shall remain in effect.

Review by:



Linette Almond, P.E.
Deputy Water Director/Engineering Manager

Approved As To Form:



John G. Barisone
City Attorney

EcoSystems Management Associates Inc.

By _____
Hany Elwany, President

Dated _____

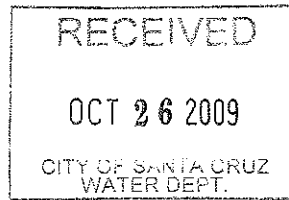
CITY OF SANTA CRUZ

By _____
Richard C. Wilson, City Manager

Dated _____

EcoSystems Management Associates, Inc.

Oceanographic, Geophysics and Underwater Engineering Services



22 October 2009

Heidi R. Luckenbach, P.E.
Santa Cruz Water Department
212 Locust Street, Suite C
Santa Cruz, CA 95060

Dear Ms. Luckenbach:

Subject: Request for Additional Funding for Contract # M12 10/14/08

This letter is to request additional funding for the subject contract to cover the Professional Liability insurance expense of \$6,373.03.

If you have any questions, or need additional clarification, please do not hesitate to call me.

Sincerely,

A handwritten signature in cursive script that reads "Hany Elwany".

Hany Elwany, Ph.D.
President

ACORD CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/29/2009

PRODUCER
Insurex (a division of NSM Group, Inc.)
2621 Denver Street, Suite C
San Diego CA 92110

INSURED
Coastal Environments/ECO Systems Management Assoc
2166 Avenida De La Playa #E
La Jolla CA 92037

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURERS AFFORDING COVERAGE	NAIC #
INSURER A: Sequoia Insurance Company	
INSURER B: Rockhill Insurance Company	
INSURER C:	
INSURER D:	
INSURER E:	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	X	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	SBP203615-4	03/24/2009	03/24/2010	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ Included GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
A		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	SBP203615-4	03/24/2009	03/24/2010	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACCS AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L.E. EACH ACCIDENT \$ E.L.D. ISEASE - EA EMPLOYEE \$ E.L.D. ISEASE - POLICY LIMIT \$
B		OTHER Professional Liability	RPLE00023500	10/28/2008	10/28/2009	1,000,000 Per Occ 1,000,000 Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
 As per written contract, the below certification holder is named as additional insured.

*10 notice of cancellation for non payment of premium

CERTIFICATE HOLDER	CANCELLATION
City of Santa Cruz Risk Management 809 Center St., Room 7 Santa Cruz, CA 95060	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL SEND BY MAIL 30* DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FOR THE PURPOSES OF THIS CERTIFICATE THE INSURER DOES NOT REPRESENT . AUTHORIZED REPRESENTATIVE <i>Brent Adams</i> <BA>

copy sent to RM
10-4



CITY COUNCIL AGENDA REPORT

DATE: October 26, 2009

AGENDA OF: November 24, 2009

DEPARTMENT: City Council

SUBJECT: The Development, Relief, and Education for Alien Minors (DREAM) Act of 2009 – Resolution of Support. (CN)

RECOMMENDATION: Resolution supporting the Development, Relief, and Education for Alien Minors (DREAM) Act of 2009 to relieve obstacles to higher education and permanent residency for long-term non-resident minors.

BACKGROUND: This spring, the Development, Relief, and Education for Alien Minors (DREAM) Act of 2009 was introduced in the United States Senate as S. 729 by Senator Durbin. The same act was introduced in the House of Representatives as H.R. 1751 by Congressman Berman. Senators Boxer and Feinstein and Congressman Farr co-sponsored the bills. The DREAM Act will amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

The DREAM Act authorizes the Secretary of Homeland Security to allow immigrant minors to petition for conditional permanent resident status provided the petitioner: (1) entered the United States before his or her 16th birthday and has been present in the United States for at least five years immediately preceding enactment of the Act; (2) is a person of good moral character; (3) is not inadmissible or deportable under specified grounds of the Immigration and Nationality Act; (4) at the time of application, has been admitted to an institution of higher education or has earned a high school or equivalent diploma; (5) from the age of 16 and older, has never been under a final order of exclusion, deportation, or removal; and (6) was under age 35 on the date of the Act's enactment (provision (6) is found in the Senate version of the bill).

Both the Senate and House versions of the DREAM Act are currently under Committee review.

DISCUSSION: The DREAM Act will make important corrections to existing immigration laws that currently hinder future opportunities for children of non-resident parents. Due to the lack of resident status, these children and young adults – many of whom have lived most of their lives on U.S. soil – find themselves unable to obtain legal residency and subsequently are ineligible for higher education benefits that are based on state residence. Thus, although these young adults have graduated from American public schools and been admitted to post-secondary educational institutions, benefits afforded to other resident students are denied to them. These individuals have grown up in the United States, call the United States home but are denied opportunities to be more productive community members due to the residency status of their parents.

The DREAM Act will allow immigrant minors who meet the requirements detailed above to petition for conditional permanent resident status, which opens the door to greater educational attainment and may ultimately result in permanent residency and eligibility for U.S. citizenship. The DREAM Act outlines clear criteria for the conditional permanent residency status. Petitioners must be of good moral character, must have completed a high school diploma or equivalent and must be under 35 years old (Senate bill requirement) and have resided in the United States for at least five years. At the end of a six-year period, provided additional requirements as to character and educational attainment or military service are met, individuals with conditional permanent residency would be granted permanent resident status.

Individuals meeting these thresholds are on the trajectory toward full, productive lives and turning them away from higher education and residency is counterproductive to every American's interest in building vibrant and vested communities.

FISCAL IMPACT: There is no fiscal impact.

Submitted by:

Tony Madrigal
Councilmember

Mike Rotkin
Vice Mayor

Attachments: Resolution
Text of H.R. 1751 (House version of the DREAM Act of 2009)
National Immigration Law Center Fact Sheet on the DREAM Act of 2009

111th CONGRESS

1st Session

H. R. 1751

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

March 26, 2009

Mr. BERMAN (for himself, Ms. ROYBAL-ALLARD, Mr. LINCOLN DIAZ-BALART of Florida, Ms. ZOE LOFGREN of California, Mr. NUNES, Mr. POLIS of Colorado, Mr. CAO, Ms. ROSLEHTINEN, Mr. CONYERS, and Mr. MARIO DIAZ-BALART of Florida) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `American Dream Act'.

SEC. 2. DEFINITIONS.

In this Act:

(1) INSTITUTION OF HIGHER EDUCATION- The term `institution of higher

education' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(2) UNIFORMED SERVICES- The term 'uniformed services' has the meaning given that term in section 101(a) of title 10, United States Code.

SEC. 3. RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.

(a) In General- Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(b) Effective Date- The repeal under subsection (a) shall take effect as if included in the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

SEC. 4. CANCELLATION OF REMOVAL AND ADJUSTMENT OF STATUS OF CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) Special Rule for Certain Long-Term Residents Who Entered the United States as Children-

(1) IN GENERAL- Notwithstanding any other provision of law and except as otherwise provided in this Act, the Secretary of Homeland Security may cancel removal of, and adjust to the status of an alien lawfully admitted for permanent residence, subject to the conditional basis described in section 5, an alien who is inadmissible or deportable from the United States, if the alien demonstrates that--

(A) the alien has been physically present in the United States for a continuous period of not less than 5 years immediately preceding the date of enactment of this Act, and had not yet reached the age of 16 years at the time of initial entry;

(B) the alien has been a person of good moral character since the time of application;

(C) the alien--

(i) is not inadmissible under paragraph (2), (3), or (6)(E) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)); and

(ii) is not deportable under paragraph (1)(E), (2), or (4) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)); and

(D) the alien, at the time of application, has been admitted to an institution of higher education in the United States, or has earned a high school diploma or obtained a general education development certificate in the United States.

(2) WAIVER- Notwithstanding paragraph (1), the Secretary of Homeland Security may waive the grounds of ineligibility under section 212(a)(2) of the Immigration and Nationality Act, and the grounds of deportability under paragraphs (1)(E) and (2) of section 237(a) of such Act, if the Secretary determines that the alien's removal would result in extreme hardship to the alien, the alien's child, or (in the case of an alien who is a child) to the alien's parent.

(3) PROCEDURES- The Secretary of Homeland Security shall provide a procedure by regulation allowing eligible individuals to apply affirmatively for the relief available under this subsection without being placed in removal proceedings.

(b) Termination of Continuous Period- For purposes of this section, any period of continuous residence or continuous physical presence in the United States of an alien who applies for cancellation of removal under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(c) Treatment of Certain Breaks in Presence-

(1) IN GENERAL- An alien shall not be considered to have failed to maintain continuous physical presence in the United States for purposes of subsection (a)(1)(A) by virtue of brief, casual, and innocent absences from the United States.

(2) WAIVER- The Secretary of Homeland Security may waive breaks in presence beyond brief, casual, or innocent absences for humanitarian purposes, family unity, or when it is otherwise in the public interest.

(d) Exemption From Numerical Limitations- Nothing in this section may be construed to apply a numerical limitation on the number of aliens who may be eligible for cancellation of removal or adjustment of status under this section.

(e) Regulations-

(1) PROPOSED REGULATIONS- Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall publish proposed regulations implementing this section. Such regulations shall be effective immediately on an interim basis, but are subject to change and revision after public notice and opportunity for a period for public comment.

(2) INTERIM, FINAL REGULATIONS- Not later than 90 days after publication of

the interim regulations in accordance with paragraph (1), the Secretary of Homeland Security shall publish final regulations implementing this section.

(f) Removal of Alien- The Secretary of Homeland Security may not remove any alien who has a pending application for conditional status under this Act.

SEC. 5. CONDITIONAL PERMANENT RESIDENT STATUS.

(a) In General-

(1) **CONDITIONAL BASIS FOR STATUS-** Notwithstanding any other provision of law, and except as provided in section 6, an alien whose status has been adjusted under section 4 to that of an alien lawfully admitted for permanent residence shall be considered to have obtained such status on a conditional basis subject to the provisions of this section. Such conditional permanent resident status shall be valid for a period of 6 years, subject to termination under subsection (b).

(2) **NOTICE OF REQUIREMENTS-**

(A) **AT TIME OF OBTAINING PERMANENT RESIDENCE-** At the time an alien obtains permanent resident status on a conditional basis under paragraph (1), the Secretary of Homeland Security shall provide for notice to the alien regarding the provisions of this section and the requirements of subsection (c) to have the conditional basis of such status removed.

(B) **EFFECT OF FAILURE TO PROVIDE NOTICE-** The failure of the Secretary of Homeland Security to provide a notice under this paragraph-

-

(i) shall not affect the enforcement of the provisions of this Act with respect to the alien; and

(ii) shall not give rise to any private right of action by the alien.

(b) Termination of Status-

(1) **IN GENERAL-** The Secretary of Homeland Security shall terminate the conditional permanent resident status of any alien who obtained such status under this Act, if the Secretary determines that the alien--

(A) ceases to meet the requirements of subparagraph (B) or (C) of section 4(a)(1);

(B) has become a public charge; or

(C) has received a dishonorable or other than honorable discharge from

the uniformed services.

(2) RETURN TO PREVIOUS IMMIGRATION STATUS- Any alien whose conditional permanent resident status is terminated under paragraph (1) shall return to the immigration status the alien had immediately prior to receiving conditional permanent resident status under this Act.

(c) Requirements of Timely Petition for Removal of Condition-

(1) IN GENERAL- In order for the conditional basis of permanent resident status obtained by an alien under subsection (a) to be removed, the alien must file with the Secretary of Homeland Security, in accordance with paragraph (3), a petition which requests the removal of such conditional basis and which provides, under penalty of perjury, the facts and information so that the Secretary may make the determination described in paragraph (2)(A).

(2) ADJUDICATION OF PETITION TO REMOVE CONDITION-

(A) IN GENERAL- If a petition is filed in accordance with paragraph (1) for an alien, the Secretary of Homeland Security shall make a determination as to whether the alien meets the requirements set out in subparagraphs (A) through (E) of subsection (d)(1).

(B) REMOVAL OF CONDITIONAL BASIS IF FAVORABLE DETERMINATION- If the Secretary determines that the alien meets such requirements, the Secretary shall notify the alien of such determination and immediately remove the conditional basis of the status of the alien.

(C) TERMINATION IF ADVERSE DETERMINATION- If the Secretary determines that the alien does not meet such requirements, the Secretary shall notify the alien of such determination and terminate the conditional permanent resident status of the alien as of the date of the determination.

(3) TIME TO FILE PETITION- An alien may petition to remove the conditional basis to lawful resident status during the period beginning 180 days before and ending 2 years after either the date that is 6 years after the date of the granting of conditional permanent resident status or any other expiration date of the conditional permanent resident status as extended by the Secretary of Homeland Security in accordance with this Act. The alien shall be deemed in conditional permanent resident status in the United States during the period in which the petition is pending.

(d) Details of Petition-

(1) CONTENTS OF PETITION- Each petition for an alien under subsection (c)(1) shall contain information to permit the Secretary of Homeland Security to determine whether each of the following requirements is met:

(A) The alien has demonstrated good moral character during the entire period the alien has been a conditional permanent resident.

(B) The alien is in compliance with section 4(a)(1)(C).

(C) The alien has not abandoned the alien's residence in the United States. The Secretary shall presume that the alien has abandoned such residence if the alien is absent from the United States for more than 365 days, in the aggregate, during the period of conditional residence, unless the alien demonstrates that alien has not abandoned the alien's residence. An alien who is absent from the United States due to active service in the uniformed services shall not be considered to have abandoned the alien's residence in the United States during the period of such service.

(D) The alien has completed at least 1 of the following:

(i) The alien has acquired a degree from an institution of higher education in the United States or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States.

(ii) The alien has served in the uniformed services for at least 2 years and, if discharged, has received an honorable discharge.

(E) The alien has provided a list of all of the secondary educational institutions that the alien attended in the United States.

(2) HARDSHIP EXCEPTION-

(A) IN GENERAL- The Secretary of Homeland Security may, in the Secretary's discretion, remove the conditional status of an alien if the alien--

(i) satisfies the requirements of subparagraphs (A), (B), and (C) of paragraph (1);

(ii) demonstrates compelling circumstances for the inability to complete the requirements described in paragraph (1)(D); and

(iii) demonstrates that the alien's removal from the United States would result in exceptional and extremely unusual hardship to the alien or the alien's spouse, parent, or child who is a citizen or a lawful permanent resident of the United States.

(B) EXTENSION- Upon a showing of good cause, the Secretary of Homeland Security may extend the period of the conditional resident status for the purpose of completing the requirements described in

paragraph (1)(D).

(e) Treatment of Period for Purposes of Naturalization- Except as otherwise provided under this Act, an alien who is in the United States as a lawful permanent resident on a conditional basis under this section shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence. However, the conditional basis must be removed before the alien may apply for naturalization.

SEC. 6. APPLICABILITY.

If, on the date of the enactment of this Act, an alien has satisfied all the requirements of subparagraphs (A) through (D) of section 4(a)(1) and section 5(d)(1)(D), the Secretary of Homeland Security may adjust the status of the alien to that of a conditional resident in accordance with section 4. The alien may petition for removal of such condition at the end of the conditional residence period in accordance with section 5(c) if the alien has met the requirements of subparagraphs (A), (B), and (C) of section 5(d)(1) during the entire period of conditional residence.

SEC. 7. EXCLUSIVE JURISDICTION.

(a) In General- The Secretary of Homeland Security shall have exclusive jurisdiction to determine eligibility for relief under this Act, except where the alien has been placed into deportation, exclusion, or removal proceedings either prior to or after filing an application for relief under this Act, in which case the Attorney General shall have exclusive jurisdiction and shall assume all the powers and duties of the Secretary until proceedings are terminated, or if a final order of deportation, exclusion, or removal is entered the Secretary shall resume all powers and duties delegated to the Secretary under this Act.

(b) Stay of Removal of Certain Aliens Enrolled in Primary or Secondary School- The Attorney General shall stay the removal proceedings of any alien who--

(1) meets all the requirements of subparagraphs (A), (B), (C), and (E) of section 4(a)(1);

(2) is at least 12 years of age; and

(3) is enrolled full time in a primary or secondary school.

(c) Employment- An alien whose removal is stayed pursuant to subsection (b) may be engaged in employment in the United States, consistent with the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), and State and local laws governing minimum age for employment.

(d) Lift of Stay- The Attorney General shall lift the stay granted pursuant to

subsection (b) if the alien--

- (1) is no longer enrolled in a primary or secondary school; or
- (2) ceases to meet the requirements of subsection (b)(1).

SEC. 8. CONFIDENTIALITY OF INFORMATION.

(a) Prohibition- No officer or employee of the United States may--

- (1) use the information furnished by the applicant pursuant to an application filed under this Act to initiate removal proceedings against any persons identified in the application;
- (2) make any publication whereby the information furnished by any particular individual pursuant to an application under this Act can be identified; or
- (3) permit anyone other than an officer or employee of the United States Government or, in the case of applications filed under this Act with a designated entity, that designated entity, to examine applications filed under this Act.

(b) Required Disclosure- The Attorney General or the Secretary of Homeland Security shall provide the information furnished under this section, and any other information derived from such furnished information, to--

- (1) a duly recognized law enforcement entity in connection with an investigation or prosecution of an offense described in paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)), when such information is requested in writing by such entity; or
- (2) an official coroner for purposes of affirmatively identifying a deceased individual (whether or not such individual is deceased as a result of a crime).

(c) Penalty- Whoever knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than \$10,000.

SEC. 9. EXPEDITED PROCESSING OF APPLICATIONS; PROHIBITION ON FEES.

Regulations promulgated under this Act shall provide that applications under this Act will be considered on an expedited basis and without a requirement for the payment by the applicant of any additional fee for such expedited processing.

SEC. 10. HIGHER EDUCATION ASSISTANCE.

Notwithstanding any provision of the Higher Education Act of 1965 (20 U.S.C. 1001

et seq.) or any provision of title IV of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1601 et seq.), with respect to Federal financial education assistance, an alien who is lawfully admitted for permanent residence under this Act and has not had the conditional basis removed shall not be eligible for--

(1) Federal Pell grants under part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a et seq.); and

(2) Federal supplemental educational opportunity grants under part A of title IV of that Act (20 U.S.C. 1070b et seq.).

SEC. 11. GAO REPORT.

Not later than 7 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives setting forth--

(1) the number of aliens who were eligible for cancellation of removal and adjustment of status under section 4(a);

(2) the number of aliens who applied for adjustment of status under section 4(a);

(3) the number of aliens who were granted adjustment of status under section 4(a); and

(4) the number of aliens whose conditional permanent resident status was removed under section 5.

END

DREAM Act: Summary

Updated MARCH 2009

The DREAM Act is bipartisan legislation that addresses the tragedy of young people who grew up in the United States and have graduated from our high schools, but whose future is circumscribed by our current immigration laws. Under current law, these young people generally derive their immigration status solely from their parents, and if their parents are undocumented or in immigration limbo, most have no mechanism to obtain legal residency, even if they have lived most of their lives here in the U.S. The DREAM Act would provide such a mechanism for those who are able to meet certain conditions.

The latest version of the DREAM Act, also known as the Development, Relief, and Education for Alien Minors Act (S. 729), was introduced on March 26, 2009, by Dick Durbin (D-IL) and Richard Lugar (R-IN) in the Senate. In the House of Representatives, the bill is called the American Dream Act (H.R. 1751), and it was introduced that same day by Howard Berman (D-CA), Lincoln Diaz-Balart (R-FL), and Lucille Roybal-Allard (D-CA).

The DREAM Act would enact two major changes in current law:

- Permit certain immigrant students who have grown up in the U.S. to apply for temporary legal status and to eventually obtain permanent status and become eligible for U.S. citizenship if they go to college or serve in the U.S. military; and
- Eliminate a federal provision that penalizes states that provide in-state tuition without regard to immigration status.

If enacted, the DREAM Act would have a life-changing impact on the students who qualify, dramatically increasing their average future earnings—and consequently the amount of taxes they would pay—while significantly reducing criminal justice and social services costs to taxpayers.

KEY FEATURES OF THE DREAM ACT OF 2009

■ Path to legal residency: Who would qualify?

Under the DREAM Act, most students with good moral character who came to the U.S. at age 15 or younger at least five years before the date of the bill's enactment would qualify for *conditional permanent resident status* upon acceptance to college, graduation from a U.S. high school, or being awarded a GED in the U.S. Students would not qualify for this relief if they had committed crimes, were a security risk, or were inadmissible or removable on certain other grounds. The Senate bill contains an additional requirement that the student be under age 35.

■ Conditional permanent resident status

Conditional permanent resident status would be similar to lawful permanent resident status, except that it would be awarded for a limited duration—six years under normal circumstances—instead of indefinitely.



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Students with conditional permanent resident status would be able to work, drive, go to school, and otherwise participate normally in day-to-day activities on the same terms as other Americans, except that generally they would not be able to travel abroad for lengthy periods and they would not be eligible for Pell Grants or certain other federal financial aid grants. They would, however, be eligible for federal work study and student loans, and states would not be restricted from providing their own financial aid to these students. Time spent by young people in conditional permanent resident status would count towards the residency requirements for naturalization.

■ Requirements to lift the condition and obtain regular lawful permanent resident status

At the end of the conditional period, unrestricted lawful permanent resident status would be granted if, during the conditional period, the immigrant has maintained good moral character, avoided lengthy trips abroad, and met at least one of the following criteria:

- Graduated from a two-year college or certain vocational colleges, or studied for at least two years toward a B.A. or higher degree, or
- Served in the U.S. armed forces for at least two years.

The six-year time period for meeting these requirements would be extendable upon a showing of good cause, and the U.S. Department of Homeland Security would be empowered to waive the requirements altogether if compelling reasons, such as disability, prevent their completion and if removal of the student would result in exceptional and extremely unusual hardship to the student or to the student's spouse, parent or child.

■ In-state tuition: Restore state option

The DREAM Act would also repeal section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which currently discourages states from providing in-state tuition or other higher education benefits without regard to immigration status. Under section 505, states that provide a higher education benefit based on residency to undocumented immigrants must provide the same benefit to U.S. citizens in the same circumstances, regardless of their state of residence.

Since section 505 became law, ten states have enacted laws permitting anyone, including undocumented immigrants, who attended and graduated from high school in the state to pay the in-state rate at public colleges and universities. The ten states are Texas, California, Utah, Washington, New York, Oklahoma, Illinois, Kansas, New Mexico, and Nebraska. These states all pay the section 505 penalty by providing the same in-state discount rate to current residents of other states who previously went to high school and graduated in the state. The DREAM Act would repeal this penalty. This would not require states to provide in-state tuition to undocumented immigrants, but rather would restore this decision to the states without encumbrance.

FOR MORE INFORMATION, CONTACT

Adey Fisseha, Interim Federal Policy Director | fisseha@nilc.org | 202.216.0261

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
SUPPORTING THE DREAM ACT OF 2009 (S. 279 AND H.R. 1751) TO RELIEVE
OBSTACLES TO HIGHER EDUCATION AND PERMANENT RESIDENCY
FOR LONG-TERM NON-RESIDENT MINORS

WHEREAS, students in the United States each year are denied access to and prevented from pursuing their dreams of going to college because they do not have legal residency status; and

WHEREAS, despite the fact that many of these children have grown up in the United States, attended local schools and have demonstrated a sustained commitment to succeed in the educational system, immigration laws provide no avenue for these students to become legal residents; and

WHEREAS, these young people are honor roll students, star athletes, talented artists and valedictorians; they are tomorrow's doctors, lawyers, nurses, teachers, police officers, firefighters, soldiers, and political leaders; and

WHEREAS, S. 729, the Development, Relief, and Education for Alien Minors Act of 2009, introduced by Senator Richard Durbin and cosponsored by 31 Senators including Senators Boxer and Feinstein, is known as the DREAM Act of 2009; and

WHEREAS, H.R. 1751, also the DREAM Act, introduced by Congressman Berman and co-sponsored by 102 Representatives including Congressman Far, is a companion measure to S. 729; and

WHEREAS, in order to be eligible for the DREAM Act, individuals must have arrived here by their 16th birthdays, lived in the U.S. for at least five years, been admitted to post-secondary school or graduated from high school or received a high school equivalent, have good moral character and not be deportable under the Immigration and Nationality Act; and

WHEREAS, the DREAM Act would grant regular lawful permanent resident status at the end of the conditional period (which totals six years) if during the conditional period the immigrant maintained a good moral character, avoided lengthy trips abroad, and met at least one of the following: graduated from a two-year college or vocational college or studied for at least two years toward a bachelor's degree or higher, or served in the U.S. Armed Forces for at least two years; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that the City Council hereby supports H.R. 1751 and S. 729, the DREAM Act of 2009.

BE IT FURTHER RESOLVED that the Mayor is hereby directed to forward this resolution to Congressman Sam Farr and Senators Boxer and Feinstein, thanking them for their co-sponsorship and encouraging their continued support of the DREAM Act of 2009.

RESOLUTION NO. NS-

PASSED AND ADOPTED this 24th day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk



CITY COUNCIL AGENDA REPORT

DATE: 11/16/2009

AGENDA OF: 11/24/2009

DEPARTMENT: Parks and Recreation

SUBJECT: Acceptance of Hawaiian Princes Plaque. (PK)

RECOMMENDATION: Motion to accept a plaque from the Royal Family of Hawaii and direct Parks and Recreation staff to work with the community to appropriately place it near the Surf Museum so that it can be enjoyed by citizens and visitors as recommended by the Parks and Recreation Commission.

BACKGROUND: Kristin Zambuca, a representative of the present day Royal Family of Hawaii, contacted staff earlier this year about placing a plaque in Santa Cruz recognizing three Princes who are credited with starting the surfing craze in Santa Cruz in 1885. The Kawanānakoā family donated the money for the plaque.

DISCUSSION: Former Parks and Recreation Commissioner and local historian and writer, Geoffrey Dunn worked with Kristin, Parks and Recreation Staff and members of the current surf community to create a magnificent plaque. Attached is a story Mr. Dunn wrote about the three Surfing Princes to provide more information about their background and ties to Santa Cruz.

Coordinating this project was educational and sometimes challenging due to the distance between Santa Cruz and Hawaii and relying on technology rather than face to face communication. Though staff tried to explain the approval process to the donors (get approval before the plaque is made), much to our surprise, a BEAUTIFUL plaque arrived at Mr. Dunn's home late this summer. The finished plaque measures 27"x 27".

When staff was first contacted by the Royal family representative, it was thought that the appropriate placement for the plaque would be the point above the San Lorenzo River since there are several old photos of the three Princes surfing at the mouth of the San Lorenzo River. This property is State owned, not City Property and is not very accessible. Once the finished plaque arrived, staff realized it should be located at a more prominent, accessible location and suggested an area adjacent to the Surf Museum. Staff received consensus from the Royal Family (who may commission an additional small plaque and present it to the State) and members of the Santa Cruz Surfing Club Preservation Society, who oversee the Surf Museum for the Santa Cruz Museum Association and the City of Santa Cruz.

The Parks and Recreation Commission reviewed this item at its November meeting and unanimously recommended City Council accept the plaque donation. The Commission further recommended that Staff work with the surfing community to raise funds for the installation.

FISCAL IMPACT: No fiscal impact to the Parks and Recreation Department. Community donations will fund the installation.

Submitted by:
Dannettee Shoemaker
Director of Parks and Recreation

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS:

Letter from Santa Cruz Surfing Club Preservation Society

Article by Geoff Dunn

Photo of the finished plaque

Photo of the Three Hawaiian Princes

SANTA CRUZ SURFING CLUB PRESERVATION SOCIETY

P.O. BOX 1966
APTOS, CALIFORNIA 95001
831.662.3368

October 25, 2009

Re: Placement of Hawaiian Plaque

Ms. Dannettee Shoemaker, Director
Department of Parks and Recreation
City of Santa Cruz
323 Church Street
Santa Cruz, CA 95060

Dear Dannettee:

The Santa Cruz Surfing Club Preservation Society has approved the location and placement of the three princes Hawaiian surfing bronze plaque on the lawn directly across from the door of the Santa Cruz Surfing Museum located in the Mark Abbott Memorial Lighthouse as discussed with your representative earlier this fall.

The SCSCPS looks forward to working with your staff on creating an outstanding dedication ceremony once the plaque is in place. I have secured the services of musician Mr. Ken Emerson, the 2005 Grammy Award winner for Hawaiian Slack Key Guitar. We can really make this quite an event!

Sincerely,

Mr. Dan Young, Secretary
Santa Cruz Surfing Club Preservation Society

Riders Like the Sea Spray: The Three Surfing Princes in Santa Cruz

By Geoffrey Dunn

Sometimes local historical legacies need to be taken off the shelf and dusted a bit. So it is with the frequently told tale of the three Hawaiian princes, who, while visiting Santa Cruz one warm summer's day in 1885, brought the Polynesian sport of surfing to California.

Surfing scribes from Ernest Otto and Skip Littlefield to James D. Houston, Ben Marcus and Kim Stoner have all recounted this legendary lore of a trio of royal surfers riding locally milled redwood boards at the mouth of the San Lorenzo River.

According to an oft-cited passage from the appropriately named *Santa Cruz Daily Surf*, "The young Hawaiian princes were in the water, enjoying it hugely and giving interesting exhibitions of surfboard swimming as practiced in their native islands."

The article, which appeared on July 20, 1885, under the rubric "Beach Breezes," also noted that "the breakers at the mouth of the river were very fine and here occurred the very finest of fun, at least, so said those who were 'in the swim.' Some thirty or 40 swimmers were dashing and tossing and plunging through the breakers, going out only to be tossed back, apparently at the will of the waves..."

In fact, this propitious moment in local history marked not only the introduction of surfing to California, but more than likely to the entirety of North and South America. This was the moment of surfing's inception in the entire Western World.

[Drop Cap] But who were these surfing "princes"? We have been left with their titles, but not with their legacies. In fact, two of them would play important roles in Hawaiian history and would later be named by Queen Lili'uokalani, the last reigning monarch of the Hawaiian Islands, as direct heirs to her throne.

The three young men—Jonah Kuhio Kalaniana'ole, David Kawananakoa and Edward Keliiahonui—were the nephews of legendary Hawaiian Queen Kapiolani and adopted by her and her husband, King David Kalakaua. After attending the finest schools in Hawaii in their early youth, they were sent to California to attend St. Matthew's Hall, a rigorous, full-fledged military school for boys, located in San Mateo.

And what led them to Santa Cruz? Therein lies the tale. The "Piikoi Brothers," as they were nicknamed, were regular visitors to the home of Lyman Swan, whose Hawaiian-born wife, Antoinette Marie Swan, was the daughter of a wealthy Honolulu family and had served as personal secretary to Lili'uokalani. The Swans were widely respected in Santa Cruz, where Lyman Swan ran a popular bakery on Pacific Avenue.

Born in New York in 1823, Lyman Swan arrived in California in the summer of 1848, moving first to Tahiti and later Hawaii. What has been hitherto unknown was that Swan and his partner, Ornan Clifford, had operated a ship chandlery business in Honolulu and, in March of 1854, had skipped the islands after forging \$40,000 in promissory notes and bilking other businesses for an additional \$80,000—huge amounts of money for that time.

The wanted poster described Swan as “rather spare” and noted that he “stooped considerably.” Swan was eventually brought to trial in San Francisco and convicted in 1858. He appears to have arrived in Santa Cruz in the late 1860s.

The first mention of the Hawaiian princes in the local press actually appeared in the *Surf* of May of 1885, in a small notice indicating that they would be spending their summer vacation at the Wilkins House, an upscale establishment at the corner of Pacific Avenue and Cathcart Street.

The Swan’s home was also located a block east on Cathcart, at the corner of Front Street, only a few blocks away from a planing mill operated on lower Pacific Avenue by the Grover Lumber Company. According to the legendary *Sentinel* scribe, Ernest Otto, it was there at the Grover mill that that the princes’ 15-foot, 100-pound surfboards were fashioned from first-growth redwood harvested in the Santa Cruz Mountains.

Not only did Santa Cruz sport the first surfing in the New World, but also the first surfboard manufacturing.

[Drop Cap] As for the three princes, the middle brother, Edward, was sent home ill from St. Matthews in September of 1887 and died a short time later from scarlet fever.

The eldest brother, David, by all accounts the strongest of the three, would eventually become the immediate first heir to the throne. His youngest brother Jonah, who had been dubbed “Prince Cupid” and was Queen Lili’uokalani’s personal favorite, was second. Neither of them, however, would ever become king.

In January of 1893, a group of American and European businessmen, aided by the U.S. military, overthrew the Hawaiian monarchy. Queen Lili’uokalani was deposed on January 17, 1893, relinquishing her throne to “the superior military forces of the United States.”

Two years later, 24-year-old Jonah, a fierce advocate for Hawaiian independence, fought in a rebellion against the U.S. supported republic and was sentenced to a year in prison. He left Hawaii immediately upon his release and traveled the world. He returned from exile in 1902 to participate in Hawaiian politics.

While his brother David headed up the state’s Democratic Party (and was a delegate to the 1900 Democratic National Convention), Jonah joined the Republican Party and was elected to the U.S. Congress in 1903 as a “delegate” from the Territory of Hawaii, where he served until his death in 1922.

Today, the memory of Jonah Kuhio Kalaniana'ole is woven into the memory of Hawaiian culture. There are streets, beaches, plazas, highways, businesses, resorts, and a federal building named for him, along with a state holiday. A well-known Hawaiian chant, "Hui Hololio," was written in his honor:

*This is the name song for Kalaniana'ole
Leader of the riders like the sea spray...*

Jonah and his two brothers also left a lasting legacy here in Santa Cruz. In the summer of 1896, the weekly edition of the *Santa Cruz Surf* noted that "the boys who go in swimming at Seabright Beach use surfboards to ride the breakers, like the Hawaiians."

Lyman Swan was the ninth signer of the Roll of Members of the Society of Pioneers of Santa Cruz County. His larceny went with him as a secret to his grave. He died in 1899. When his wife, Antoinette, passed away in 1905, the *Santa Cruz Surf* noted her many links to Hawaii and asserted that she "was courtly in manner, and had a charm in her dealing with people that won many friends." Her burial registry listed her race as "Kanaka."

As for the San Lorenzo Rivermouth, the birthplace of California surfing, that has changed a great deal since the three princes first charged into the brine there more than a century ago. Those of us who grew up in the Santa Cruz surf recall that the construction of the Santa Cruz Yacht Harbor in the 1960s forever altered the famous break.

Santa Cruz surfing legend Tommy Hickenbottom, who is currently at work on a book about the history of local surfing, remembers that the winters of 1964 and '65 were "classic years for incredible surf at the Rivermouth." He recalls that the sand bar "extended at least a hundred yards off shore and the hollow waves were of Island quality and intensity."

Those days and waves are now long gone—but back in 1885, the three Hawaiian princes visiting Santa Cruz must have felt right at home.

Geoffrey Dunn is the author of Santa Cruz Is in the Heart. He thanks Stanley Stevens, UCSC Librarian Emeritus, for research assistance with this story.

SURFING WAS FIRST BROUGHT HERE BY HAWAIIAN PRINCES

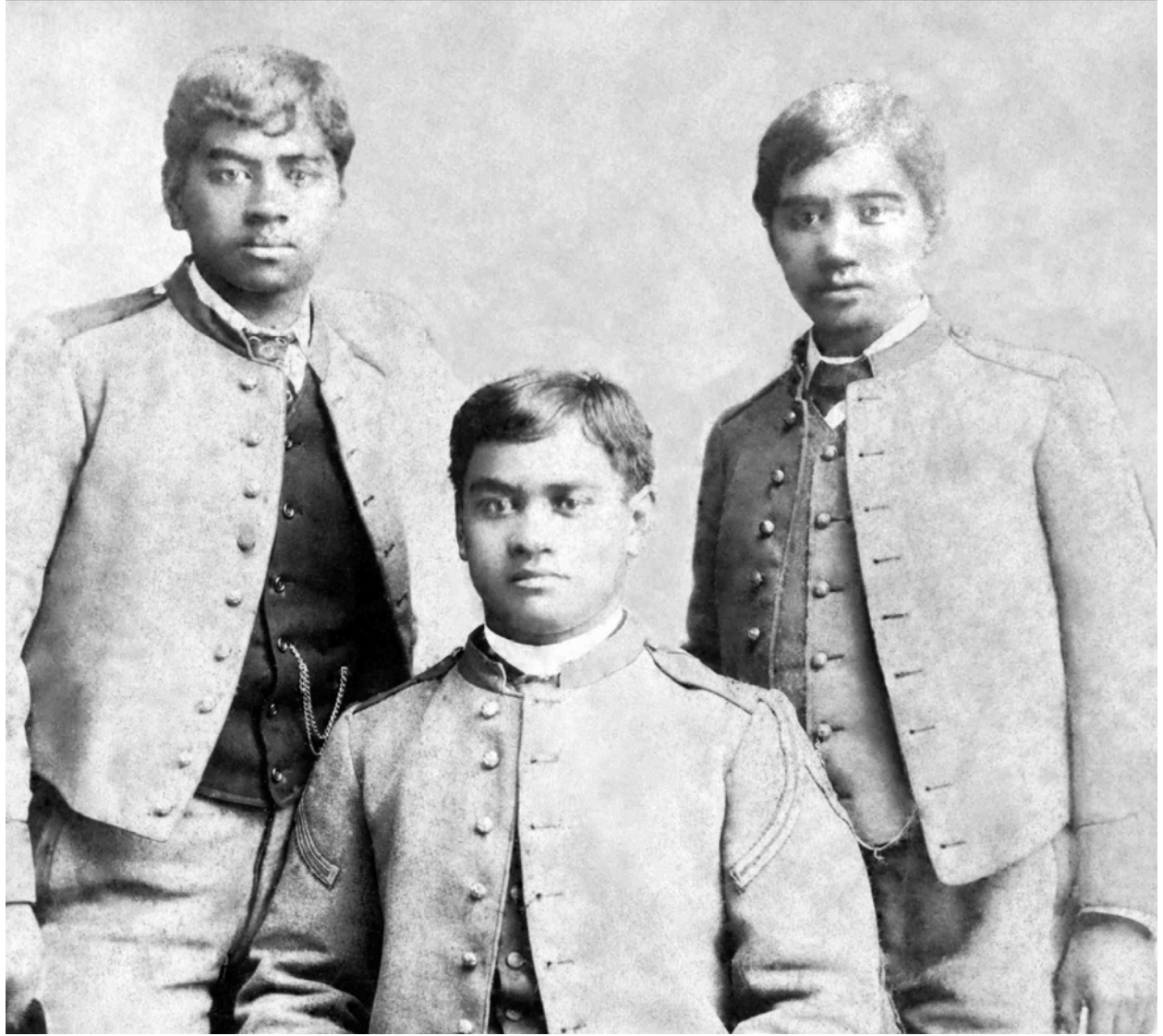
**DURING THE SUMMER OF 1885, THREE YOUNG HAWAIIAN PRINCES
RODE THE WAVES AT THE MOUTH OF THE SAN LORENZO RIVER
ON REDWOOD PLANKS THEY ORDERED CUT IN THE SHAPE OF
OLO SURFBOARDS BY THE LOCAL TIMBER MILL.**



**H.M. QUEEN KAPI'OLANI'S NEPHEWS:
H.R.H. PRINCE JONAH KŪHIŌ KALANIANA'OLE
H.R.H. PRINCE DAVID LA'AMEA KAHALEPOULI KĀWANANAKOA
H.R.H. PRINCE EDWARD ABNEL KELIAHONU**

**WHILE ATTENDING ST. MATTHEW'S HALL MILITARY SCHOOL
IN SAN MATEO, STAYED DURING THEIR VACATIONS WITH THE
SWAN FAMILY IN SANTA CRUZ AND STARTED A CRAZE BY
BRINGING FOR THE FIRST TIME THE ROYAL HAWAIIAN SPORT
OF SURFING TO THE PACIFIC COAST OF THE AMERICAS.**

**A GIFT TO THE CITY OF SANTA CRUZ FROM THE
KĀWANANAKOA AND MARIGNOLI FAMILIES.**





CITY COUNCIL AGENDA REPORT

DATE: 11/16/2009

AGENDA OF: 11/24/2009

DEPARTMENT: Water

SUBJECT: Summary Vacation of Unneeded Water Pipeline Right-of-Way from Meder Street to Alta Vista Drive. (WT)

RECOMMENDATION: Resolution to vacate an unneeded water pipeline right-of-way from Meder Street to Alta Vista Drive granted by Walter L. Robinson and Mary O. Robinson in 1945.

Resolution to vacate an unneeded water pipeline right-of-way from Meder Street to Alta Vista Drive granted by Leonard W. Miller in 1945.

BACKGROUND: On April 18, 2007, the City Zoning Administrator approved a parcel map revision to split the lot at 425 Alta Vista Drive (APN 002-151-33) into two lots, with the second lot at 128 Seton Way (APN 002-1551-65). Condition 11 of that approval required abandonment of the ten- foot wide water easement adjacent to Seton Way.

DISCUSSION: The easement on this property is part of two rights-of-way granted to the City in 1945 for a proposed water pipeline running from Meder Street near Bay, south through the gully behind the Roundtree condominiums, across lower Nobel Drive, along Seton Way, then turning east and ending at Alta Vista Drive. The City Water Department never used these rights-of-way, eventually providing water service with other mains to the properties that these pipeline rights-of-way were originally planned to serve. There are no other public facilities located in these two rights-of-way.

The attached two summary easement vacation resolutions will vacate these two unneeded rights-of-way.

The California Streets and Highways Code provides that the City Council may summarily vacate a public service easement when a determination has been made, following a public hearing, that the easement has been superseded and there are no other public facilities located within the easement. All property owners who parcels may be affected by this easement have been notified in writing of this public hearing.

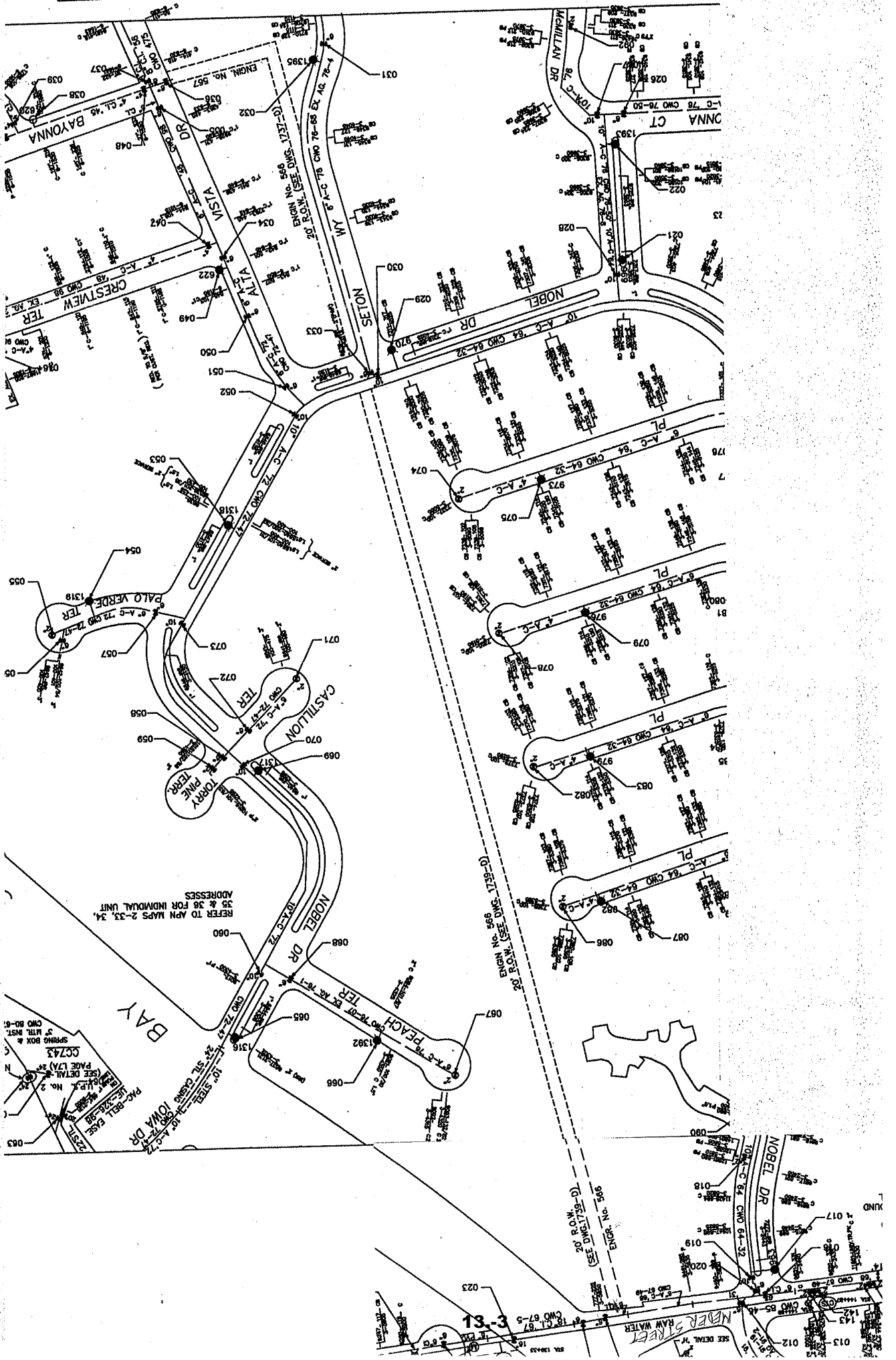
FISCAL IMPACT: There is no fiscal impact associated with this action.

Submitted by:
Bill Kocher
Water Director

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS:
Resolutions (2)
Exhibits
Map
Notification Letter

0 100 200 300 F.T.



REFER TO APN MAPS 2-33, 34,
35 & 36 FOR INDIVIDUAL UNIT
ADDRESSES

CC743
(SEE DETAIL, PAGE 17A)
PAC-BELL CASE
NO. 2
SPRING BOX &
MTR. INST.
CWO 80-5

13-3

SEE DETAIL IN
RAW WATER

LIND

November 10, 2009

Name
Address
City

RE: City Council Action to Vacate Water Main Pipeline Right-of-Way

Dear Homeowner,

At its meeting on November 24, 2009, the City of Santa Cruz City Council will consider a recommendation from the City Water Department to vacate (i.e., abandon) an old unneeded water main pipeline right-of-way that may run through your property. The general area of this right-of-way is shown on the attached map.

This right-of-way is one of two granted to the City in 1945 for a proposed water main pipeline running from Meder Street near Bay, south through the gully behind the Roundtree condominiums, across lower Nobel Drive, along Seton Way, then turning east and ending at Alta Vista Drive. The City Water Department never used these rights-of-way, eventually providing water service with other mains to the properties that this pipeline easement was originally planned to serve.

You may provide comments to the City Council on this action via email at citycouncil@ci.santa-cruz.ca.us, phone at 420-5020, or at its meeting at 3 p.m., November 24, 2009 at City Hall, 809 Center Street, Santa Cruz.

If you have any questions regarding this action, please contact me at tpraxel@ci.santa-cruz.ca.us, or 420-5215.

Sincerely,

Trink Praxel
Administrative Analyst

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
TO VACATE AN UNNEEDED WATER PIPELINE RIGHT-OF-WAY FROM MEDER
STREET TO ALTA VISTA DRIVE GRANTED BY WALTER L. ROBINSON
AND MARY O. ROBINSON IN 1945.

WHEREAS, the City of Santa Cruz currently has a water pipeline right-of-way twenty feet in width starting at Meder Street near Bay, south to Nobel Drive, along Seton Way, then turning east and ending at Alta Vista Drive; and

WHEREAS, a portion of this right-of-way was granted to the City by Walter L. Robinson and Mary O. Robinson as described on the grant deed recorded on August 11, 1945 and attached hereto as Exhibit A; and

WHEREAS, the City has not used this right-of-way for the purpose for which it was dedicated for more than five years and has no use for, or interest in retaining this right-of-way, as water service to the properties intended to be served by it are now provided via other water pipelines; and

WHEREAS, the State of California Streets and Highways Code, Section 8333 provides that the City Council may summarily vacate a public service easement when that public service easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and

WHEREAS, this right-of-way, of any parts thereof, is not useful as a non-motorized transportation facility, per State of California Streets and Highways Code, Section 8314; and

WHEREAS, all property owners who may currently be affected by this right-of-way were notified, and the City Council conducted a public hearing on November 24, 2009 to consider all evidence offered by interested persons concerning the vacation of the water pipeline right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that the public service right-of-way described in Exhibit A attached hereto and by this reference incorporated herein, be, and the same is, hereby summarily abandoned and vacated.

IT IS FURTHER ORDERED that from and after the date this Resolution is recorded, the public service easement referenced in Exhibit A shall be officially vacated and abandoned and will no longer constitute a City public service right of way over the subject property.

RESOLUTION NO. NS-

PASSED AND ADOPTED this 24th day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST _____
City Clerk

2-21
15-16

Grant Deed

XX
We

WALTER L. ROBINSON, and
MARY O. ROBINSON, his wife,

Grant to

CITY OF SANTA CRUZ,
A Municipal Corporation

all that real property situated in the City of Santa Cruz
County of Santa Cruz, State of California, described as follows:

Description of Right of Way thru Walter Robinson property for
proposed water main from Meder Street to Alta Vista Drive.

BEING a Right of Way across the lands of Walter L. Robinson,
as said land are described in the trust deed from Robinson to the
Santa Cruz Bank, filed on Page 46 of Volume 146 of Official Records
in the Office of the County Recorder of Santa Cruz County, said
right-of-way being for the construction and maintenance of a water
pipe line and appurtenant structures, and the boundaries of said
right-of-way being more particularly described as follows:

BEGINNING at the most Northwesterly corner of the lands of
Robinson, said corner being also the most Northeasterly corner of
the lands of Leonard W. Miller as described in the deed from James
J. Chambers, et ux., to Leonard W. Miller, et ux., dated December
12, 1917 and recorded in Volume 275 of Deeds, at Page 380 in the
Office of the County Recorder of Santa Cruz County, and running
thence from said point of beginning along the boundary between the
lands of Robinson and the lands of Miller South 13° 55' East 2322.11
feet to the intersection of said boundary with the prolongation
Westerly of the Southerly line of Scenic Avenue, as said Avenue is
shown on the map of Bayona Heights filed February 24, 1929 at Page
34 of Book 24 of Maps in the Office of the County Recorder of Santa
Cruz County. Thence leaving the boundary line of the lands of
Robinson and the lands of Miller and running along the said Westerly
prolongation of the Southerly side of Scenic Avenue North 73° 14'
East 191.96 feet to its intersection with the Westerly side of Alta
Vista Drive, as said Drive is shown on said map; thence along the
Westerly side of said Drive North 22° 32' West 20.10 feet; thence
leaving said Drive on a course parallel to the prolongation Westerly
of the Southerly side of Scenic Avenue, South 73° 14' West 178.93
feet; thence parallel to and distant 10.00 feet Easterly from the
boundary between the lands of Robinson and the lands of Miller
North 13° 55' West 2300.37 feet to a point on the Southerly line
of Meder Street; thence along the Southerly line of Meder Street
South 83° 01' West 10.00 feet to the point of beginning.

Containing 0.616 Acres, a little more or less.

Witness our hands this 15th day of February, 1935.

Appetite R/W (w. of Bayona @ Alta Vista

Walter L. Robinson

SHEET- 46

DWG-3449A

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
TO VACATE AN UNNEEDED WATER PIPELINE RIGHT-OF-WAY FROM MEDER
STREET TO ALTA VISTA DRIVE GRANTED BY LEONARD W. MILLER IN 1945.

WHEREAS, the City of Santa Cruz currently has a water pipeline right-of-way twenty feet in width starting at Meder Street near Bay, south to Nobel Drive, along Seton Way, then turning east and ending at Alta Vista Drive; and

WHEREAS, a portion of this right-of-way was granted to the City by Leonard O. Miller, as recorded as described on the grant deed recorded on August 11, 1945 and attached hereto as Exhibit A; and

WHEREAS, the City has not used this right-of-way for the purpose for which it was dedicated for more than five years and has no use for, or interest in retaining this right-of-way, as water service to the properties intended to be served by it are now provided via other water pipelines; and

WHEREAS, the State of California Streets and Highways Code, Section 8333 provides that the City Council may summarily vacate a public service easement when that public service easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and

WHEREAS, this right-of-way, of any parts thereof, is not useful as a non-motorized transportation facility, per State of California Streets and Highways Code, Section 8314; and

WHEREAS, all property owners who may currently be affected by this right-of-way were notified, and the City Council conducted a public hearing on November 24, 2009 to consider all evidence offered by interested persons concerning the vacation of the water pipeline right-of-way.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that the public service right-of-way described in Exhibit A attached hereto and by this reference incorporated herein, be, and the same is, hereby summarily abandoned and vacated.

IT IS FURTHER ORDERED that from and after the date this Resolution is recorded, the public service easement referenced in Exhibit A shall be officially vacated and abandoned and will no longer constitute a City public service right of way over the subject property.

RESOLUTION NO. NS-

PASSED AND ADOPTED this 24th day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

Grant Deed

XIX
We,

LEONARD W. MILLER, also known as,
L. W. MILLER,

Grant to

CITY OF SANTA CRUZ,
A Municipal Corporation,

all that real property situated in the City of Santa Cruz
County of Santa Cruz, State of California, described as follows:

Description of Right of Way thru Leonard Miller property for
proposed water main from Meder Street to Alta Vista Drive.

BEING a Right-of-Way across the lands of Leonard W. Miller as
said lands are described in the deed from James J. Chambers, et ux.
to Leonard W. Miller, et ux. dated January 12, 1917 and recorded
in Volume 275 of Deeds, at Page 380 in the Office of the County
Recorder of Santa Cruz County, said right-of-way being for the
construction and maintenance of a water pipe line and appurtenant
structures, the boundaries of said right-of-way being more particu-
larly described as follows:

BEGINNING at the most Northeasterly corner of said lands, and
running thence along the Easterly boundary of said lands South 13°
55' East 2322.11 feet to its intersection with the prolongation
Westerly of the Southerly line of Scenic Avenue, as said Avenue is
shown on the map of Bayona Heights filed February 24, 1929 at Page
34 of Book 24 of Maps in the Office of the County Recorder of Santa
Cruz County; thence along said Westerly prolongation of the South-
erly side of Scenic Avenue South 73° 14' West 10.01 feet; thence
parallel to and distant 10.00 feet Westerly from the Easterly
boundary of the lands of Miller North 13° 55' West 2323.82 feet,
to a point on the Southerly line of Meder Street; thence along said
Southerly line of Meder Street North 83° 01' East 10.08 feet to the
point of beginning.

Containing 0.533 acres, a little more or less.

Pipeline R/W - Meder St. to Bayona

SHEETS - 16, 17



CITY COUNCIL AGENDA REPORT

DATE: October 28, 2009

AGENDA OF: November 24, 2009
DEPARTMENT: City Manager
SUBJECT: Mayor/Councilmember Compensation. (CM)

RECOMMENDATION: Introduction of an ordinance for publication amending Chapter 1.18 of the Santa Cruz Municipal Code pertaining to Mayor/Councilmember compensation as authorized by the Santa Cruz City Charter, Section 603; and

Motion to take a voluntary reduction to maintain the existing salary levels or some other salary levels.

or

Introduction of an ordinance for publication amending Chapter 1.18 of the Santa Cruz Municipal Code pertaining to Mayor/Councilmember compensation as authorized by the Santa Cruz City Charter, Section 603.

or

Motion to maintain the existing ordinance and current pay rates.

BACKGROUND: The salary for the Mayor and City Councilmembers is set by the Santa Cruz City Charter and can only be adjusted by the City's electors. The salary was last adjusted in 1998. The Charter also provides for an annual increase not to exceed five percent (5%). The annual increase was not implemented between 1998 and 2007. The last annual increase was effective January 2008. Because of the City's severe budget crisis, the City Council, as part of the Phase 9 Budget Balancing Plan, elected to reduce its salary by ten percent (10%) (effective February 2009).

DISCUSSION: Because any adjustment requires an ordinance amendment and must take effect on a calendar-year basis, staff has implemented an annual procedure to bring the question of Mayor and Councilmember compensation to the City Council in November of each year. This provides the necessary time for a first and second reading and a 30-day period for the ordinance to be effective with the beginning of the new calendar year.

Councilmembers may:

1. Amend the existing ordinance to adjust the compensation rate, but take a voluntary reduction to maintain the existing salary levels or some other salary levels.
2. Amend the existing ordinance to adjust the compensation rate and accept the adjustment.
3. Maintain the existing ordinance which would maintain the current pay rates. The Council could still revisit the question of Mayor/Councilmember compensation at a future date, perhaps as part of the mid-year budget review or the Fiscal Year 2011 budget process.

The current monthly salary is \$1,551.33 for Councilmembers and \$3,102.66 for the Mayor. However, because of the ten percent (10%) voluntary reduction, the actual monthly salary is \$1,396.20 for Councilmembers and \$2,792.39 for the Mayor. Adjusting five percent (5%) for both 2009 and 2010 would increase the monthly salary to \$1,710.35 and \$3,420.68, respectively. See the attached table for the salary summary.

FISCAL IMPACT:

Option 1—The fiscal impact depends on the level of voluntary reduction and may be \$0.00.

Option 2—The fiscal impact is \$7,632.84 for the remainder of Fiscal Year 2009. The total increase for Fiscal Year 2010 would be \$15,265.68. The costs would be distributed amongst the General Fund and Enterprise Funds.

Option 3—The fiscal impact is \$0.00.

Submitted by:

Approved by:

Martín Bernal
Assistant City Manager

Richard C. Wilson
City Manager

Attachments: Ordinance
Full Text of Section 603
Salary Table

SECTION 603. SALARY.

The salary of City Councilmembers commencing on January 1, 1999 and continuing thereafter unless adjusted in accordance with this Section shall be \$1,000.00 per month. The salary of the Mayor commencing on January 1, 1999 and continuing thereafter unless adjusted in accordance with this Section shall be \$2,000.00 per month.

At any municipal election, the question of whether City Councilmembers or the Mayor shall receive compensation for services, and the amount of compensation, may be submitted to the electors. If a majority of electors voting at the election favor it, all of the Councilmembers and the Mayor shall receive the compensation specified in the election call. Compensation of Councilmembers and the Mayor may be increased beyond the amount provided in this Section or decreased below the amount in the same manner.

Compensation of Councilmembers and the Mayor may be increased beyond the amount provided in this Section by an ordinance enacted by the City Council or by an amendment to an ordinance enacted by the City Council but the amount of the increase may not exceed an amount equal to five (5%) percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted. No salary ordinance shall be enacted or amended by the City Council which provides for automatic future increases in salary.

Any amounts paid by the City for retirement, health and welfare, and Federal Social Security benefits shall not be included for purposes of the determining salary under this Section provided the same benefits are available and paid by the City for its employees.

(Amended 11-3-81; 11-4-86; 11-3-98)

**City of Santa Cruz
Mayor and Councilmember Salary Adjustment Calculation
Pursuant to City Charter**

	Councilmember Monthly Salary	Mayor Monthly Salary
Prior to 1999	\$500.00	\$1,000.00
Commencing on January 1, 1999	\$1,000.00	\$2,000.00
Effective January 2008	\$1,551.33	\$3,102.66
Effective February 2009 (Current Salary Less 10% Voluntary Reduction)	\$1,396.20	\$2,792.39
Effective January 2009 (5% Increase Over 2008 Salary)	\$1,628.90	\$3,257.79
Effective January 2010 (5% Increase Over 2009 Salary)	\$1,710.35	\$3,420.68

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SANTA CRUZ
AMENDING SECTION 1.18.020 OF THE SANTA CRUZ MUNICIPAL CODE
PERTAINING TO COUNCILMEMBER COMPENSATION

BE IT ORDAINED by the City Council of the City of Santa Cruz as follows:

Section 1. Section 1.18.020 of the Santa Cruz Municipal Code is hereby amended to read as follows:

1.18.020 ESTABLISHMENT OF SALARIES FOR MAYOR AND COUNCILMEMBERS.

Pursuant to Santa Cruz City Charter Section 603, effective as of January 1, 2010, each Councilmember shall receive a salary of \$1,710.35 per month, and the Mayor shall receive a salary of \$3,420.68 per month.

Section 2. This Ordinance shall be in force and take effect thirty (30) days after final adoption.

PASSED FOR PUBLICATION this 24th day of November, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

ORDINANCE NO.

PASSED FOR FINAL ADOPTION this 8th day of December, 2009, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

This is to certify that the above
and foregoing document is the
original of Ordinance No.
and that it has been published or
posted in accordance with the
Charter of the City of Santa Cruz.

City Clerk



City Council Meeting Calendar November 16, 2009

Date	Time	Location	Topic
December 8, 2009	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
Holiday Break – No Second Meeting in December			
January 12, 2010	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
January 19, 2010	7:00 p.m.	Council Chambers	Advisory Body Interviews
January 26, 2010	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
February 9, 2010	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
February 23, 2010	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
March 9, 2009	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
March 23, 2009	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
April 13, 2009	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
April 27, 2009	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions

Council Membership in City Groups and Outside Agencies

Councilmembers will have the opportunity to present oral updates to Council and the public. Councilmembers may provide direction, request additional information or that a topic raised be agendaized for future Council action. The Presiding Officer may request oral updates from Council ad hoc Committees.

The Presiding Officer will ask representatives of each entity if there is any oral update.

Name of Agency/Organization	Currently Serving
Association of Monterey Bay Area Governments (AMBAG)	L. Robinson, T. Madrigal (alternate)
City of Santa Cruz/Soquel Creek Water District (SqCWD) Desalination Project	R. Coonerty, M. Rotkin, D. Lane (Alternate)
Community Action Board	T. Madrigal, David Sweet (alternate)
Conference and Visitors' Council	C. Mathews, L. Robinson
Cultural Council Board City Representative	K. Beiers
Downtown Management Corporation (Mayor/Vice Mayor)	C. Mathews, L. Robinson
Economic Development Council (Mayor/Vice Mayor)	R. Coonerty, D. Lane, C. Mathews
Library Joint Powers Authority Board	K. Beiers, M. Rotkin, C. Mathews (alternate)
Library Financing Authority	M. Rotkin
Local Agency Formation Commission (LAFCO)	D. Lane
Monterey Bay Unified Air Pollution Control District	2008 – City of Capitola
Public Safety Committee	D. Lane, M. Rotkin, L. Robinson
Sanctuary Inter-Agency Task Force	K. Beiers, C. Mathews
Santa Cruz County Children's Network	D. Shoemaker, C. Scurich (alt.)
Santa Cruz Community Farmers Market, Inc.	L. Robinson
SC County Integrated Waste Management Local Task Force	M. Rotkin, Alan Schlenger (alternate) Bob Nelson, Mary Arman (alternate)
Santa Cruz Metropolitan Transit District Board	M. Rotkin, L. Robinson
SC County Regional Transportation Commission (SCCRTC)	D. Lane, L. Robinson (alternate)
Social Services Program Committee	R. Coonerty, M. Rotkin, L. Robinson

Public comment on the reports given will be heard at a time to be determined by the Presiding Officer.