

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

February 23, 2010

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



IT'S IN OUR HANDS

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 and considering item 1; thereafter the meeting will be closed to the public.

Referral to Closed Session

1. Referral to Closed Session - Real Property Negotiation for Acquisition of Property Located at 575 Dimeo Lane (APN 059-121-07). (ED)

Motion to refer to closed session the potential purchase of property located at 575 Dimeo Lane (APN 059-121-07) owned by the Humphrey Estate for the purpose of instructing the negotiator concerning price, terms, or both.

Closed Litigation Session

- A. Real Property (Government Code §54956.8).

575 Dimeo Lane Property Acquisition (Humphrey-Owner)
APN: 059-121-07
Bonnie Lipscomb--Negotiator

- B. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator
Employee Organizations—

1. Police Management
2. Police Officers' Association
3. SEIU – All Units
4. Operating Engineers-Supervisors
5. Operating Engineers-Managers

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

1. City v. Deleon/Richardson, Santa Cruz Superior Court Consolidated Case No. CV162526

- D. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9).

Initiation of Litigation by City (Government Code §54956.9(c)).

1 case to be discussed.

An oral report will be presented in the 3:00 p.m. Session (item 18).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Spotlight on City Services - 2009 Homeless Survey and City Services
- * Presiding Officer's Announcements
- * Statements of Disqualification
- * Additions and Deletions
- * Joint City Council/Redevelopment Agency Oral Communications - 10 Minutes

Consent Agenda

2. Minutes of the February 9, 2010 Regular City Council Meeting. (CC)
Motion to approve as submitted.
3. Minutes of the February 9, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.

Consent Agenda (continued)

4. Street Lighting Program and Lower Pacific Avenue Street Lights Project – Cooperation Agreement. (ED)

City Council resolution authorizing the City Manager to execute a Cooperation Agreement with the Redevelopment Agency through which the Agency will contribute to the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

Redevelopment Agency resolution authorizing the Executive Director to execute a Cooperation Agreement with the City through which the Agency will contribute to the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

Redevelopment Agency resolution amending the FY 2010 budget and authorizing funds in an amount up to \$26,000 from available fund balance to fully fund the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

City Council resolution amending the FY 2010 budget and authorizing funds in an amount up to \$26,000 provided by the Redevelopment Agency to fully fund the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

5. City's Classification and Compensation Plans and the FY 2010 Budget Personnel Complement – Water Department. (HR)

Resolution amending the Classification and Compensation Plans and the FY 2010 Budget Personnel Complement by deleting one full time Operations Technician position in the Water Department and deleting the classification of Operations Technician from the City's Classification Plan.

6. Designation of HOPE Services, Inc., as Designated Approved Collector for Electronic Waste. (PW)

Motion to approve an agreement, in a form approved by the City Attorney, designating HOPE Services, Inc., as a Designated Approved Collector for covered electronic wastes (CEW) pursuant to 14 CCR 18660.5(a)(34).

Consent Agenda (continued)

7. San Lorenzo River Gravity Outlet Valve Maintenance Project - c400033 - Sole Source Vendor. (PW)

Motion to authorize Anderson Pacific Engineering Construction Inc. (Santa Clara, CA), as the sole source contractor for the San Lorenzo River Gravity Outlet Valve Maintenance Project. The City Manager is hereby authorized and directed to execute the contract, approved as to form by the City Attorney, as authorized by Resolution No. NS-27,563.

8. Soquel Avenue/Hagemann Avenue Safety Improvement Project (c400803)- Ratify Bid Award. (PW)

Motion to ratify the bid award to, and agreement with, Don Chapin Inc, Salinas, CA in the amount of \$144,470.70 for the Soquel Avenue/Hagemann Avenue Intersection Improvement Project (c400803).

9. Summer 2009 Overlay Project – West Cliff Drive (c400829) Contract Change Order. (PW)

Motion to accept Change Order #1 to the contract with Joseph J. Albanese, Inc., of Santa Clara, CA, increasing the contract by \$209,000 for the Summer 2009 Overlay Project – West Cliff Drive (c400829).

10. San Lorenzo River Highway 1 Bridge Underpass Project Contract Amendment 1 (c400826) Construction Management Services. (PW)

Motion to approve Amendment 1 to the contract with PB Americas, Inc., Sacramento, CA, in the amount of \$71,500 for the construction management of the San Lorenzo River Highway 1 Bridge Underpass Project - (c400826) to cover costs associated with compliance with additional oversight by the State and complications associated with unfavorable weather conditions.

Consent Agenda (continued)

11. Habitat Conservation Plan and Incidental Take Permit – Scientific and Permitting Support - Contract Amendment No. 1. (WT)

Motion to ratify the agreement dated August 7, 2009 between the City of Santa Cruz and Hagar Environmental Sciences, (Richmond, CA) for scientific and permitting support of the City's a Habitat Conservation Plan and Incidental Take Permit.

Motion to ratify Contract Amendment No.1 in the amount of \$55,110 with Hagar Environmental Sciences, (Richmond, CA) for additional scientific and permitting support of the City's Habitat Conservation Plan and Incidental Take Permit.

12. Water Supply Project - Entrainment Study and Impact Assessment - Contract Amendment No. 3. (WT)

Motion to authorize the City Manager to execute Contract Amendment No. 3 with Tenera Environmental (Layayette, CA), in the amount of \$38,200 for additional data collection and interpretation for the Entrainment Study and Impact Assessment for the scwd2 Desalination Program.

End Consent Agenda**General Business**

13. Special Events Alcohol Policy. (CM)

Motion authorizing a permanent special events alcohol program that will allow the consumption of wine and beer during special events held on public property in specifically designated and controlled areas.

14. Countywide Single-Use Bag Reduction Measures. (PW)

Motion to join with the County and other local governments to take appropriate actions to reduce the use of single-use bags by local retailers and consumers.

General Business (continued)

15. Merging the City Transportation and Public Works Commissions. (PW)

Motion to combine the City Transportation Commission and Public Works Commission into one body and provide direction to staff to prepare the necessary enabling ordinance revisions and by-laws to create a merged Transportation and Public Works Commission.

Public Hearing

16. Fee Schedule Revisions Recommended for Certain Planning and Building Fees. (PL)

Introduction of an ordinance for publication amending portions of Title 18 relating to permit fees.

Resolution revising Fee Schedules for the Department of Planning and Community Development and rescinding Resolution No. NS-27,971.

General Business

17. Council Meeting Calendar

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

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

19. 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.

The City Council and Redevelopment Agency will recess to the 7:00 P.M. Session.

**Joint City Council/Redevelopment Agency
7:00 PM**

- * Call to Order
- * Roll Call
- * Presentation – Mayor’s Proclamation Celebrating the Santa Cruz Peace Corps Community
- * Joint City Council and Redevelopment Agency Oral Communications - 20 Minutes

General Business

20. Commission for Prevention of Violence Against Women's (CPVAW) 2008-2009 Annual Report and Recommendations. (CM)

Motion to accept the CPVAW’s 2008–2009 Annual Report.

Motion to support and prioritize the safety skills/self-defense programs scheduled and coordinated by the CPVAW for community members through public classes as well as classes scheduled in partnership with Santa Cruz City Schools.

Motion to recognize the importance of prevention programs, such as the safety skills/self-defense classes, Engaging the Bystander workshops, and other current and future CPVAW activities, and support these programs by attending and encouraging community members to participate.

Motion to approve the CPVAW’s solicitation of grant funding which would maintain and build current partnerships with a variety of organizations.

Motion to accept the CPVAW’s sincere appreciation for the ongoing support as the 30th Anniversary of the CPVAW approaches in 2011.

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of February 23, 2010 to the next regularly scheduled meeting on March 9, 2010, 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.

Adjournment — The City Council will adjourn from the regularly scheduled meeting of February 23, 2010, to a Special Closed Session meeting on Friday, February 26, 2009 at 3:00 p.m., in the City Manager’s Conference Room. The next regularly scheduled meeting will be on March 9, 2010, 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.

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 – FEBRUARY 23 , 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

City Clerk	Resignation of Sheila Coonerty from the Downtown Commission - 2/1/10 (CC FYI 112)
City Manager	Monthly Camping Incident and Homeless Shelter Attendance Reports - 2/11/10 (CM FYI 135)
Finance Department	Quarterly Grant Report -1/27/10 (FN FYI 130) Portfolio Management Report – Unpooled Cash and Investments as of December 31, 2009 - 1/31/10 (FN FYI 131) Portfolio Management Report – Pooled Cash and Investments - 1/31/10 (FN FYI 132)
Public Works Department	American Recovery and Reinvestment Act of 2009 (ARRA) – Energy Efficiency and Conservation Strategy (EECS) Update - 2/2/10 (PW FYI 0056)

ADDENDUM TO CITY COUNCIL AGENDA – FEBRUARY 23, 2010
MAYOR’S PROCLAMATIONS

1. Proclaiming February 13, 2010 as “Jim and Emma Solden Day” and joining with their family and friends here and throughout the world in doing the following: giving congratulations to this couple we admire, wishing them the best in everything that they desire: travel, leisure, health, and some great-grandkids to inspire; and, who knows, maybe someday Emma really will retire.
2. Proclaiming Thursday, February 11, 2010 as “Ryan Coonerty Day” and encouraging all citizens to join in congratulating him on receiving the Tony Hill Memorial Award for Community Service and expressing heartfelt appreciation for his numerous contributions to the community and beyond.
3. Proclaiming the week of March 7–13, 2010 as “Portuguese Immigrant Week” and urging all citizens to join with the Portuguese community in commemorative festivities to broaden the understanding of the culture of this ethnic group and to foster understanding among all of our citizens.



CITY COUNCIL AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Economic Development

SUBJECT: Referral to Closed Session - Real Property Negotiation for Acquisition of
Property Located at 575 Dimeo Lane (APN 059-121-07). (ED)

RECOMMENDATION: Motion to refer to closed session the potential purchase of property located at 575 Dimeo Lane (APN 059-121-07) owned by the Humphrey Estate for the purpose of instructing the negotiator concerning price, terms, or both.

BACKGROUND: None.

DISCUSSION: Staff recommends that the City Council refer this matter to closed session to instruct the negotiator regarding price and terms of the purchase.

FISCAL IMPACT: None at this time.

Submitted by:
Bonnie Lipscomb
Director of Economic Development

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS: None

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**

February 9, 2010

1:00 PM SESSION

Mayor Rotkin opened the Closed Litigation Session at 1:42 p.m. in a public session in the Courtyard Conference Room, for the purpose of announcing the agenda and considering public testimony.

SPEAKING FROM THE FLOOR ABOUT HIS LIABILITY CLAIM:

Wallace Berry

**SPEAKING FROM THE FLOOR EXPRESSING CONCERNS ABOUT
CHESTNUT STREET:**

Donna Hagler
An Unidentified Woman
An Unidentified Man
Sean Wilson
An Unidentified Man
Jeremy Neuner

Council closed the session to the public at 1:35 p.m. All Councilmembers were present. (See page 1094 for a report on closed session.)

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
FEBRUARY 9, 2010
3:00 P.M. SESSION

3:00 PM SESSION

Mayor/Chair Rotkin called the meeting to order at 3:08 p.m. in the Council Chambers.

Roll Call

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

Absent: None.

Staff: Assistant City Manager M. Bernal, City Attorney J. Barisone, Director of Economic Development and Redevelopment B. Lipscomb, Professional and Technical Assistant J. Hall, Director of Human Resources L. Sullivan, Director of Planning and Community Development J. Rebagliati, Director of Public Works M. Dettle, Director of Water B. Kocher, Principal Administrative Analyst T. Shull, City Clerk L. Brewer, Administrative Assistant II R. Balsley, Deputy City Clerk T. Graves.

Pledge of Allegiance

Presentation – Amgen Race – Principal Administrative Analyst T. Shull.

Spotlight on City Services - American Recovery and Reinvestment Act – Professional and Technical Assistant J. Hall.

Presiding Officer's Announcements

Statements of Disqualification – None.

Additions and Deletions – None.

Joint City Council/Redevelopment Agency Oral Communications

Michelle Williams, new Executive Director of the Cultural Council of Santa Cruz County, introduced herself and gave a brief report.

Robert Baser spoke in favor of implementing a new camping ordinance.

Richard Salazar, Santa Cruz County Tobacco Education Coalition, and Martin Kurch, Dominican Hospital Respiratory Therapy Manager, presented a plaque to the Council for its initiative in curbing smoking.

Robert Norse spoke in favor of medical marijuana.

Mike Tomasi asked that the Veterans Building be repaired.

Mike Rotkin announced a fundraiser for Haiti presented by the band Almost Chaos on Sunday, February 14, 2009 at the Coasters Lounge.

Tony Madrigal announced the annual prom dress drive, and asked interested citizens to drop off prom dresses at any of the Classic Cleaners locations.

Consent Agenda

No items were removed from the Consent Agenda.

Action

Councilmember Robinson moved, seconded by Vice Mayor Coonerty, to approve the remaining items on the Consent Agenda. The motion carried unanimously.

1. Minutes of the January 12, 2010 and January 26, 2010 Regular and January 19, 2010 Special City Council Meetings. (CC)

Motion carried to approve as submitted.

2. Minutes of the January 12, 2010 and January 26, 2010 Regular Redevelopment Agency Meetings. (CC)

Motion carried to approve as submitted.

3. 49-A Municipal Wharf - Municipal Wharf Lease Agreement with Barking Lion Corporation. (ED)

Motion carried to authorize and direct the City Manager to execute a Municipal Wharf Lease Agreement and any amendments thereto of a non-substantive nature, in a form acceptable to the City Attorney, with Barking Lion Corporation for the operation of a restaurant at 49-A Municipal Wharf.

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
FEBRUARY 9, 2010
3:00 P.M. SESSION

Consent Agenda (continued)

4. Living Wage Rate Annual Prescription for 2010. (FN)
Resolution No. NS-28,163 was adopted upwardly indexing the prescribed minimum living wage rate by 0.2%, the amount which corresponds to San Francisco-Oakland-San Jose Area Consumer Price Index (CPI), for the period ending October 31, 2009 to become effective July 1, 2010.
5. Liability Claims Filed Against City of Santa Cruz. (HR)
Motion carried to reject liability claims: a) Wallace Woodworth Berry; and b) Paulino Mendosa Sanchez, based upon staff investigation.
6. City's Classification and Compensation Plans and the FY 2010 Budget Personnel Complement - Water Department. (HR)
Resolution No. NS-28,164 was adopted amending the Classification and Compensation Plans and the FY 2010 Budget Personnel Complement by adding one full-time Utility Service Representative (USR) position to the Water Department.
7. City Storm Water Management Plan – Plan Changes Regarding Developing Hydromodification Control Criteria. (PW)
Motion carried directing staff to join the Regional Joint Effort for Developing Hydromodification Control Criteria and making the required related revisions to the City's Storm Water Management Plan in compliance with the City's State Storm Water Permit.
8. Award Biosolids End-Use Services Contract for Wastewater Treatment Facility. (PW)
Motion carried to accept the bid of Terra Renewal Services, Garden Grove, CA, in the amount of \$31.65/ton for Biosolids End-Use Services for the Wastewater Treatment Facility and authorize the City Manager to execute the agreement.
9. Highway 1 Bike/Pedestrian Underpass Project (c400826) – Budget Adjustment. (PW)
Resolution No. NS-28,165 was adopted transferring funds and amending the FY 2010 budget in the amount of \$200,000 from the Traffic Impact Fee Fund for alternative transportation to fund the Highway 1 Bike/Pedestrian Underpass Project (c400826).

Consent Agenda (continued)

10. Miscellaneous Water Service Fees. (WT)

Resolution No. NS-28,166 was adopted amending miscellaneous water service fees, and rescinding Resolution No. NS-28,144.

11. Water Supply Project – CEQA/NEPA Services – Award of Contract. (WT)

Motion carried to authorize the City Manager to execute an agreement with URS Corporation Americas (Oakland, CA) in the amount of \$1,421,948 for the preparation of the Environment Impact Report (EIR) for the proposed Seawater Desalination Facility.

12. Administrative Appeal Fee Schedule. (CN)

Resolution No. NS-28,167 was adopted establishing an administrative appeal fee schedule for administrative appeals taken pursuant to Title 4 of the Santa Cruz Municipal Code.

End Consent Agenda

Public Hearing

13. Alcohol Ordinance Amendment (Environmental Determination: Categorical Exemption) (City of Santa Cruz, Applicant). (PL)

Mayor Rotkin opened the public hearing at 3:52 p.m.

SPEAKING FROM THE FLOOR EXPRESSING SUPPORT AND/OR CONCERNS:

Mike Tomasi

Mayor Rotkin closed the public hearing at 3:55 p.m.

Action

Councilmember Mathews moved, seconded by Councilmember Robinson, to pass Ordinance No. 2010-02 for final adoption. The motion carried unanimously.

JOINT CITY COUNCIL/
 REDEVELOPMENT AGENCY MEETING
 FEBRUARY 9, 2010
 3:00 P.M. SESSION

General Business

Note: Council may have discussed and/or taken action on the composition and integration of various advisory bodies listed as items 14 through 23.

SPEAKING FROM THE FLOOR WITH CONCERNS:

Ed Porter

Administrative Assistant II R. Balsley responded to Councilmembers' questions.

Action

By consensus, the Council agreed to continue appointments to the Transportation and Public Works Commissions, and to the San Lorenzo River Committee to the meeting of February 23, 2010.

14. Arts Commission Appointment or Reappointment (One Possible Reappointment, with a Term Expiration of 1/1/14). (CC)

Councilmember Lane nominated Linda Bixby.

Action

Councilmember Robinson moved, seconded by Councilmember Lane, to reappoint Linda Bixby. The motion carried unanimously

General Business (continued)

15. Downtown Commission Appointments (Three Vacancies, One with a Term Expiration of 1/1/14, and Two with Term Expirations of 1/1/12). (CC)

Councilmember Madrigal nominated Peter J. Cook and Emmanuel “Dexter” Cube and Derek Verduzco.

Councilmember Beiers nominated Karl Heiman and Alan Schlenger.

Councilmember Robinson nominated Kai Shane.

Voting for Peter J. Cook: Councilmember Madrigal.

Voting for Emmanuel “Dexter” Cube: Councilmembers Lane, Mathews, Madrigal, Robinson; Vice Mayor Coonerty.

Voting for Karl Heiman: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Kai Shane: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Alan Schlenger: Councilmember Beiers; Mayor Rotkin.

Voting for Derek Verduzco: Councilmember Madrigal.

Action

Emmanuel “Dexter” Cube, Karl Heiman and Kai Shane were appointed.

JOINT CITY COUNCIL/
 REDEVELOPMENT AGENCY MEETING
 FEBRUARY 9, 2010
 3:00 P.M. SESSION

General Business (continued)

16. Historic Preservation Commission (Two Vacancies, Both with Term Expirations of 1/1/14). (CC)

Councilmember Mathews nominated Ian Blackwood.

Councilmember Beiers nominated Traci Bliss.

Councilmember Lane nominated Frank E. Miller.

Voting for Ian Blackwood: Councilmembers Mathews, Beiers, Robinson;
 Vice Mayor Coonerty; Mayor Rotkin.

Voting for Traci Bliss: Councilmembers Lane, Beiers, Madrigal.

Voting for Frank E, Miller: Councilmembers Lane, Mathews, Madrigal,
 Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Action

Ian Blackwood and Frank E. Miller were appointed.

17. Parks and Recreation Commission (Two Possible Reappointments, Both with Term Expirations of 1/1/14). (CC)

Councilmember Robinson nominated David Green Baskin and Connie Bertuca.

Action

Councilmember Lane moved, seconded by Vice Mayor Coonerty, to reappoint David Green Baskin and Connie Bertuca. The motion carried unanimously.

General Business (continued)

18. Planning Commission (Two Possible Reappointments, Both with Term Expirations of 1/1/14). (CC)

Vice Mayor Coonerty nominated Lawrence Kasparowitz and Rod Quartararo.

Councilmember Madrigal nominated Ron Pomerantz.

Voting for Lawrence Kasparowitz: Councilmembers Lane, Mathews, Beiers, Madrigal, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Rod Quartararo: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Ron Pomerantz: Councilmember Madrigal.

Action

Lawrence Kasparowitz and Rod Quartararo were reappointed.

19. Public Works Commission (One Vacancy, with a Term Expiration of 1/1/11) (CC)

By consensus, this item was continued to the meeting of February 23, 2010.

20. San Lorenzo River Committee (Three Vacancies, Two with Term Expirations of 1/1/14, and One with a Term Expiration of 1/1/11). (CC)

By consensus, this item was continued to the meeting of February 23, 2010.

21. Santa Cruz City Transportation Commission (Two Vacancies, with Term Expirations of 1/1/14). (CC)

By consensus, this item was continued to the meeting of February 23, 2010.

JOINT CITY COUNCIL/
 REDEVELOPMENT AGENCY MEETING
 FEBRUARY 9, 2010
 3:00 P.M. SESSION

General Business (continued)

22. Sister Cities Committee (One Possible Reappointment, with a Term Expiration of 1/1/14, and Three Vacancies, Two with Term Expirations of 1/1/14, and One with a Term Expiration of 1/1/12). (CC)

Councilmember Mathews nominated William Denevan, Jennifer Hodges, Jason M. Nortz and Tiffany Roth.

Councilmember Madrigal nominated Ofelia A. Gomez and Christian Ramos.

Voting for William Denevan: Councilmembers Lane, Mathews, Beiers, Madrigal, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Jennifer Hodges: Councilmembers Lane, Mathews, Beiers, Madrigal, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Jason M. Nortz: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Tiffany Roth: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Ofelia A. Gomez: Councilmember Madrigal.

Voting for Christian Ramos: Councilmember Madrigal.

Action

William Denevan was reappointed, and Jennifer Hodges, Jason M. Nortz and Tiffany Roth were appointed.

23. Water Commission (Two Openings, Both with Term Expirations of 1/1/14). (CC)

Councilmember Beiers nominated Robert Mazurek and Donna Meyers.

Action

Councilmember Lane moved, seconded by Vice Mayor Coonerty, to appoint Robert Mazurek and Donna Meyers. The motion carried unanimously.

Action

By consensus, a letter will be sent to those persons not selected, informing them of other opportunities in which to serve.

24. Council Meeting Calendar.

The City Council reviewed the meeting calendar attached to the agenda and revised as necessary.

25. City Attorney Oral report on Closed Session.

A. Public Employee Hiring Decision (Government Code §54957).

City Council's hiring of City Manager.

The City Council discussed the hiring of the City Manager, and hired Philip E. Berghausen, Jr., Ph.D. as a consultant.

B. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator
Employee Organizations—

1. Police Management
2. Police Officers' Association
3. SEIU – All Units
4. Operating Engineers-Supervisors
5. Operating Engineers-Managers

Council received status reports. No reportable action was taken.

C. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9).

Initiation of Litigation by City (Government Code §54956.9(c)).

Significant Exposure of City to Litigation (Government Code §54956.9(b)).

3 cases were discussed. No reportable action was taken.

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

1. Claimant: Wallace Woodworth Berry
2. Claimant: Paulino Mendosa Sanchez
3. Claimant: State Farm Ins. (Weymouth)

Claims Against: City of Santa Cruz

3 claims were discussed. Council agreed to settle Claim 3 for \$5,000.

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
FEBRUARY 9, 2010
3:00 P.M. SESSION

General Business (continued)

26. Council Memberships in City Groups and Outside Agencies.

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

The Council recessed to a Continued Closed Session at 4:23 p.m.

Adjournment — At 6:03 p.m., the Redevelopment Agency adjourned from the regularly scheduled meeting of February 9, 2010 to the next regularly scheduled meeting on February 23, 2010, 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.

Adjournment — At 6:03 p.m., the City Council adjourned from the regularly scheduled meeting of February 9, 2010, to the next regularly scheduled meeting on February 23, 2010, 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

Michael Rotkin
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

February 9, 2010

3:00 PM SESSION

Mayor/Chair Rotkin called the meeting to order at 3:08 p.m. in the Council Chambers.

Roll Call

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

Absent: None.

Staff: Assistant City Manager M. Bernal, City Attorney J. Barisone, Director of Economic Development and Redevelopment B. Lipscomb, Professional and Technical Assistant J. Hall, Director of Human Resources L. Sullivan, Director of Planning and Community Development J. Rebagliati, Director of Public Works M. Dettle, Director of Water B. Kocher, Principal Administrative Analyst T. Shull, City Clerk L. Brewer, Administrative Assistant II R. Balsley, Deputy City Clerk T. Graves.

Pledge of Allegiance

Presentation – Amgen Race – Principal Administrative Analyst T. Shull.

Spotlight on City Services - American Recovery and Reinvestment Act – Professional and Technical Assistant J. Hall.

Presiding Officer's Announcements

Statements of Disqualification – None.

Additions and Deletions – None.

REDEVELOPMENT AGENCY MEETING
FEBRUARY 9, 2010
3:00 P.M. SESSION

Joint City Council/Redevelopment Agency Oral Communications

Michelle Williams, new Executive Director of the Cultural Council of Santa Cruz County, introduced herself and gave a brief report.

Robert Baser spoke in favor of implementing a new camping ordinance.

Richard Salazar, Santa Cruz County Tobacco Education Coalition, and Martin Kurch, Dominican Hospital Respiratory Therapy Manager, presented a plaque to the Council for its initiative in curbing smoking.

Robert Norse spoke in favor of medical marijuana.

Mike Tomasi asked that the Veterans Building be repaired.

Mike Rotkin announced a fundraiser for Haiti presented by the band Almost Chaos on Sunday, February 14, 2009 at the Coasters Lounge.

Tony Madrigal announced the annual prom dress drive, and asked interested citizens to drop off prom dresses at any of the Classic Cleaners locations.

Consent Agenda

No items were removed from the Consent Agenda.

Action

Councilmember Robinson moved, seconded by Vice Mayor Coonerty, to approve the remaining items on the Consent Agenda. The motion carried unanimously.

1. Minutes of the January 12, 2010 and January 26, 2010 Regular and January 19, 2010 Special City Council Meetings. (CC)

Motion carried to approve as submitted.

2. Minutes of the January 12, 2010 and January 26, 2010 Regular Redevelopment Agency Meetings. (CC)

Motion carried to approve as submitted.

3. 49-A Municipal Wharf - Municipal Wharf Lease Agreement with Barking Lion Corporation. (ED)

Motion carried to authorize and direct the City Manager to execute a Municipal Wharf Lease Agreement and any amendments thereto of a non-substantive nature, in a form acceptable to the City Attorney, with Barking Lion Corporation for the operation of a restaurant at 49-A Municipal Wharf.

REDEVELOPMENT AGENCY MEETING
 FEBRUARY 9, 2010
 3:00 P.M. SESSION

Consent Agenda (continued)

4. Living Wage Rate Annual Prescription for 2010. (FN)
 Resolution No. NS-28,163 was adopted upwardly indexing the prescribed minimum living wage rate by 0.2%, the amount which corresponds to San Francisco-Oakland-San Jose Area Consumer Price Index (CPI), for the period ending October 31, 2009 to become effective July 1, 2010.
5. Liability Claims Filed Against City of Santa Cruz. (HR)
 Motion carried to reject liability claims: a) Wallace Woodworth Berry; and b) Paulino Mendosa Sanchez, based upon staff investigation.
6. City's Classification and Compensation Plans and the FY 2010 Budget Personnel Complement - Water Department. (HR)
 Resolution No. NS-28,164 was adopted amending the Classification and Compensation Plans and the FY 2010 Budget Personnel Complement by adding one full-time Utility Service Representative (USR) position to the Water Department.
7. City Storm Water Management Plan – Plan Changes Regarding Developing Hydromodification Control Criteria. (PW)
 Motion carried directing staff to join the Regional Joint Effort for Developing Hydromodification Control Criteria and making the required related revisions to the City's Storm Water Management Plan in compliance with the City's State Storm Water Permit.
8. Award Biosolids End-Use Services Contract for Wastewater Treatment Facility. (PW)
 Motion carried to accept the bid of Terra Renewal Services, Garden Grove, CA, in the amount of \$31.65/ton for Biosolids End-Use Services for the Wastewater Treatment Facility and authorize the City Manager to execute the agreement.
9. Highway 1 Bike/Pedestrian Underpass Project (c400826) – Budget Adjustment. (PW)
 Resolution No. NS-28,165 was adopted transferring funds and amending the FY 2010 budget in the amount of \$200,000 from the Traffic Impact Fee Fund for alternative transportation to fund the Highway 1 Bike/Pedestrian Underpass Project (c400826).

REDEVELOPMENT AGENCY MEETING
FEBRUARY 9, 2010
3:00 P.M. SESSION

Consent Agenda (continued)

10. Miscellaneous Water Service Fees. (WT)

Resolution No. NS-28,166 was adopted amending miscellaneous water service fees, and rescinding Resolution No. NS-28,144.

11. Water Supply Project – CEQA/NEPA Services – Award of Contract. (WT)

Motion carried to authorize the City Manager to execute an agreement with URS Corporation Americas (Oakland, CA) in the amount of \$1,421,948 for the preparation of the Environment Impact Report (EIR) for the proposed Seawater Desalination Facility.

12. Administrative Appeal Fee Schedule. (CN)

Resolution No. NS-28,167 was adopted establishing an administrative appeal fee schedule for administrative appeals taken pursuant to Title 4 of the Santa Cruz Municipal Code.

End Consent Agenda

Public Hearing

13. Alcohol Ordinance Amendment (Environmental Determination: Categorical Exemption) (City of Santa Cruz, Applicant). (PL)

Mayor Rotkin opened the public hearing at 3:52 p.m.

SPEAKING FROM THE FLOOR EXPRESSING SUPPORT AND/OR CONCERNS:

Mike Tomasi

Mayor Rotkin closed the public hearing at 3:55 p.m.

Action

Councilmember Mathews moved, seconded by Councilmember Robinson, to pass Ordinance No. 2010-02 for final adoption. The motion carried unanimously.

REDEVELOPMENT AGENCY MEETING
 FEBRUARY 9, 2010
 3:00 P.M. SESSION

General Business

Note: Council may have discussed and/or taken action on the composition and integration of various advisory bodies listed as items 14 through 23.

SPEAKING FROM THE FLOOR WITH CONCERNS:

Ed Porter

Administrative Assistant II R. Balsley responded to Councilmembers' questions.

Action

By consensus, the Council agreed to continue appointments to the Transportation and Public Works Commissions, and to the San Lorenzo River Committee to the meeting of February 23, 2010.

14. Arts Commission Appointment or Reappointment (One Possible Reappointment, with a Term Expiration of 1/1/14). (CC)

Councilmember Lane nominated Linda Bixby.

Action

Councilmember Robinson moved, seconded by Councilmember Lane, to reappoint Linda Bixby. The motion carried unanimously

REDEVELOPMENT AGENCY MEETING
FEBRUARY 9, 2010
3:00 P.M. SESSION

General Business (continued)

15. Downtown Commission Appointments (Three Vacancies, One with a Term Expiration of 1/1/14, and Two with Term Expirations of 1/1/12). (CC)

Councilmember Madrigal nominated Peter J. Cook and Emmanuel “Dexter” Cube and Derek Verduzco.

Councilmember Beiers nominated Karl Heiman and Alan Schlenger.

Councilmember Robinson nominated Kai Shane.

Voting for Peter J. Cook: Councilmember Madrigal.

Voting for Emmanuel “Dexter” Cube: Councilmembers Lane, Mathews, Madrigal, Robinson; Vice Mayor Coonerty.

Voting for Karl Heiman: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Kai Shane: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Alan Schlenger: Councilmember Beiers; Mayor Rotkin.

Voting for Derek Verduzco: Councilmember Madrigal.

Action

Emmanuel “Dexter” Cube, Karl Heiman and Kai Shane were appointed.

REDEVELOPMENT AGENCY MEETING
 FEBRUARY 9, 2010
 3:00 P.M. SESSION

General Business (continued)

16. Historic Preservation Commission (Two Vacancies, Both with Term Expirations of 1/1/14). (CC)

Councilmember Mathews nominated Ian Blackwood.

Councilmember Beiers nominated Traci Bliss.

Councilmember Lane nominated Frank E. Miller.

Voting for Ian Blackwood: Councilmembers Mathews, Beiers, Robinson;
 Vice Mayor Coonerty; Mayor Rotkin.

Voting for Traci Bliss: Councilmembers Lane, Beiers, Madrigal.

Voting for Frank E, Miller: Councilmembers Lane, Mathews, Madrigal,
 Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Action

Ian Blackwood and Frank E. Miller were appointed.

17. Parks and Recreation Commission (Two Possible Reappointments, Both with Term Expirations of 1/1/14). (CC)

Councilmember Robinson nominated David Green Baskin and Connie Bertuca.

Action

Councilmember Lane moved, seconded by Vice Mayor Coonerty, to reappoint David Green Baskin and Connie Bertuca. The motion carried unanimously.

REDEVELOPMENT AGENCY MEETING
FEBRUARY 9, 2010
3:00 P.M. SESSION

General Business (continued)

18. Planning Commission (Two Possible Reappointments, Both with Term Expirations of 1/1/14). (CC)

Vice Mayor Coonerty nominated Lawrence Kasparowitz and Rod Quartararo.

Councilmember Madrigal nominated Ron Pomerantz.

Voting for Lawrence Kasparowitz: Councilmembers Lane, Mathews, Beiers, Madrigal, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Rod Quartararo: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Ron Pomerantz: Councilmember Madrigal.

Action

Lawrence Kasparowitz and Rod Quartararo were reappointed.

19. Public Works Commission (One Vacancy, with a Term Expiration of 1/1/11) (CC)

By consensus, this item was continued to the meeting of February 23, 2010.

20. San Lorenzo River Committee (Three Vacancies, Two with Term Expirations of 1/1/14, and One with a Term Expiration of 1/1/11). (CC)

By consensus, this item was continued to the meeting of February 23, 2010.

21. Santa Cruz City Transportation Commission (Two Vacancies, with Term Expirations of 1/1/14). (CC)

By consensus, this item was continued to the meeting of February 23, 2010.

REDEVELOPMENT AGENCY MEETING
 FEBRUARY 9, 2010
 3:00 P.M. SESSION

General Business (continued)

22. Sister Cities Committee (One Possible Reappointment, with a Term Expiration of 1/1/14, and Three Vacancies, Two with Term Expirations of 1/1/14, and One with a Term Expiration of 1/1/12). (CC)

Councilmember Mathews nominated William Denevan, Jennifer Hodges, Jason M. Nortz and Tiffany Roth.

Councilmember Madrigal nominated Ofelia A. Gomez and Christian Ramos.

Voting for William Denevan: Councilmembers Lane, Mathews, Beiers, Madrigal, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Jennifer Hodges: Councilmembers Lane, Mathews, Beiers, Madrigal, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Jason M. Nortz: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Tiffany Roth: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

Voting for Ofelia A. Gomez: Councilmember Madrigal.

Voting for Christian Ramos: Councilmember Madrigal.

Action

William Denevan was reappointed, and Jennifer Hodges, Jason M. Nortz and Tiffany Roth were appointed.

23. Water Commission (Two Openings, Both with Term Expirations of 1/1/14). (CC)

Councilmember Beiers nominated Robert Mazurek and Donna Meyers.

Action

Councilmember Lane moved, seconded by Vice Mayor Coonerty, to appoint Robert Mazurek and Donna Meyers. The motion carried unanimously.

Action

By consensus, a letter will be sent to those persons not selected, informing them of other opportunities in which to serve.

REDEVELOPMENT AGENCY MEETING
FEBRUARY 9, 2010
3:00 P.M. SESSION

24. Council Meeting Calendar.

The City Council reviewed the meeting calendar attached to the agenda and revised as necessary.

25. City Attorney Oral report on Closed Session.

A. Public Employee Hiring Decision (Government Code §54957).

City Council's hiring of City Manager.

The City Council discussed the hiring of the City Manager, and hired Philip E. Berghausen, Jr., Ph.D. as a consultant.

B. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator

Employee Organizations—

1. Police Management
2. Police Officers' Association
3. SEIU – All Units
4. Operating Engineers-Supervisors
5. Operating Engineers-Managers

Council received status reports. No reportable action was taken.

C. Conference with Legal Counsel-Anticipated Litigation (Government Code §54956.9).

Initiation of Litigation by City (Government Code §54956.9(c)).

Significant Exposure of City to Litigation (Government Code §54956.9(b)).

3 cases were discussed. No reportable action was taken.

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

1. Claimant: Wallace Woodworth Berry
2. Claimant: Paulino Mendosa Sanchez
3. Claimant: State Farm Ins. (Weymouth)

Claims Against: City of Santa Cruz

3 claims were discussed. Council agreed to settle Claim 3 for \$5,000.

REDEVELOPMENT AGENCY MEETING
FEBRUARY 9, 2010
3:00 P.M. SESSION

General Business (continued)

26. Council Memberships in City Groups and Outside Agencies.

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

The Council recessed to a Continued Closed Session at 4:23 p.m.

Adjournment — At 6:03 p.m., the Redevelopment Agency adjourned from the regularly scheduled meeting of February 9, 2010 to the next regularly scheduled meeting on February 23, 2010, 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.

Approved

Mike Rotkin
Chair

Attest

Bonnie Lipscomb
Executive Director



CITY COUNCIL/ REDEVELOPMENT AGENCY AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Economic Development

SUBJECT: Street Lighting Program and Lower Pacific Avenue Street Lights Project – Cooperation Agreement. (ED)

RECOMMENDATION: City Council resolution authorizing the City Manager to execute a Cooperation Agreement with the Redevelopment Agency through which the Agency will contribute to the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

Redevelopment Agency resolution authorizing the Executive Director to execute a Cooperation Agreement with the City through which the Agency will contribute to the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

Redevelopment Agency resolution amending the FY 2010 budget and authorizing funds in an amount up to \$26,000 from available fund balance to fully fund the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

City Council resolution amending the FY 2010 budget and authorizing funds in an amount up to \$26,000 provided by the Redevelopment Agency to fully fund the Street Lighting Program and Lower Pacific Avenue Street Lights Project.

BACKGROUND: The City of Santa Cruz adopted the Merged Redevelopment Plan on October 9, 1990 which sets forth as two of its goals to strengthen the economic base of the Merged Project Area and to improve the aesthetics of the streetscape. The Merged Project Area Implementation Plan lists streetscape improvements as a public improvement consistent with Section 33445 of California Redevelopment Law.

DISCUSSION: On October 13, 2009, the City Council approved moving forward with the Lower Pacific Avenue Street Lights Project, and on November 10, 2009, the City Council approved moving forward with the Street Lighting Program on Pacific Avenue. The Redevelopment Agency previously appropriated an amount not to exceed \$142,167 to fund the project and program. These improvements will contribute significantly to the Project Area and staff is recommending that the Council and the Agency Board approve the attached resolutions authorizing the execution of a Cooperation Agreement between the City and Redevelopment Agency. The Agency will provide an additional \$26,000 towards the projects, for a total of \$168,167. The proposed contribution to the projects will be funded from redevelopment funds generated in the Merged Project Area. In order to do so, it is necessary for the Agency and the City to enter into a Cooperation Agreement through which the Agency will contribute to these improvements.

FISCAL IMPACT: Funds for these projects from the Agency in the amount of \$142,167 were previously appropriated by Agency and City Council actions. Additional funds in an amount up to \$26,000 will come from available fund balance in the Merged Project Area.

Prepared by:
Lydia Tolles
Administrative Analyst

Submitted by:
Bonnie Lipscomb
Director of Economic Development/
Agency Executive Director

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS:
Resolutions
Cooperation Agreement
Budget Adjustments

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATION AGREEMENT
BETWEEN THE CITY OF SANTA CRUZ AND THE REDEVELOPMENT AGENCY OF THE
CITY OF SANTA CRUZ RELATING TO THE FUNDING OF THE STREET LIGHTING
PROGRAM AND THE LOWER PACIFIC AVENUE STREET LIGHTS PROJECT

WHEREAS, by Ordinance Nos. 90-40 and 90-41, adopted on November 13, 1990, the Council approved and adopted the Redevelopment Plan (the “Merged Redevelopment Plan”) for the Merged Earthquake Recovery and Reconstruction Project (the “Merged Project”); and

WHEREAS, on November 30, 2004, the Agency adopted a Five-Year Implementation Plan pursuant to Section 33490 of the California Redevelopment Law wherein specific projects and programs were set forth, including actions and expenditures to be made within the term of the Implementation Plan and further described how these projects and programs would alleviate blight; and

WHEREAS, the Merged Project Area Implementation Plan lists streetscape improvements as a public improvement consistent with Section 33445 of California Redevelopment Law; and

WHEREAS, the Redevelopment Agency and the City desire to enter into an agreement pursuant to which the Agency will contribute funding for upgraded streetlight fixtures on Pacific Avenue and streetlight installation on Lower Pacific Avenue.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz hereby authorizes the City Manager to execute a cooperation agreement with the Redevelopment Agency, as presented herewith, through which the Agency will fund up to \$168,167 towards the costs of the Street Lighting Program and the Lower Pacific Avenue Street Lights Project.

PASSED AND ADOPTED this 23rd day of February, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

RESOLUTION NO.

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CRUZ
AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE A COOPERATION
AGREEMENT BETWEEN THE CITY OF SANTA CRUZ AND THE REDEVELOPMENT
AGENCY OF THE CITY OF SANTA CRUZ RELATING TO THE FUNDING OF THE STREET
LIGHTING PROGRAM AND THE LOWER PACIFIC AVENUE STREET LIGHTS PROJECT

WHEREAS, by Ordinance Nos. 90-40 and 90-41, adopted on November 13, 1990, the Council approved and adopted the Redevelopment Plan (the “Merged Redevelopment Plan”) for the Merged Earthquake Recovery and Reconstruction Project (the “Merged Project”); and

WHEREAS, on December 8, 2009, the Agency adopted a Five-Year Implementation Plan pursuant to Section 33490 of the California Redevelopment Law wherein specific projects and programs were set forth, including actions and expenditures to be made within the term of the Implementation Plan and further described how these projects and programs would alleviate blight; and

WHEREAS, the Merged Project Area Implementation Plan lists streetscape improvements as a public improvement consistent with Section 33445 of California Redevelopment Law; and

WHEREAS, the Redevelopment Agency and the City desire to enter into an agreement pursuant to which the Agency will contribute funding for upgraded streetlight fixtures on Pacific Avenue and streetlight installation on Lower Pacific Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Santa Cruz hereby authorizes the Executive Director to execute a cooperation agreement with the Redevelopment Agency, as presented herewith, through which the Agency will fund up to \$168,167 towards the costs of the Street Lighting Program and the Lower Pacific Avenue Street Lights Project.

PASSED AND ADOPTED this 23rd day of February, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____

Chair

ATTEST: _____
Executive Director

**City of Santa Cruz
BUDGET ADJUSTMENT REQUEST**

<input checked="" type="radio"/> Council Approval Resolution No. _____
<input type="radio"/> RDA Approval Resolution No. _____
<input type="radio"/> Administrative Approval

<input checked="" type="radio"/> Current Fiscal Year
<input type="radio"/> Prior Fiscal Year

Date: _____

ACCOUNT	REVENUE EDEN ACCOUNT TITLE	
311-40-62-9320-43353	Lower Pacific Avenue Street Lights c 401010 509 0 0 - Redevelopment contribution	\$23,418.00
TOTAL REVENUE		\$23,418.00

ACCOUNT	EXPENDITURE EDEN ACCOUNT TITLE	
311-40-62-9320-57306	Lower Pacific Avenue Street Lights c401010 100 2020 0 - Signals	\$23,418.00
TOTAL EXPENDITURE		\$23,418.00

NET: \$ 0.00

Purpose: To increase the project appropriation for the increased funds from the Redevelopment Agency.

PREPARED BY	DEPARTMENT HEAD APPROVAL	ACCOUNTING APPROVAL	FINANCE DIRECTOR APPROVAL	CITY MANAGER APPROVAL
Chris Schneider <small>Digitally signed by Chris Schneider DN: cn=Chris Schneider, ou=City of Santa Cruz, o=Santa Cruz, email=cschneider@cityofsanta-cruz. ca, c=US Date: 2010.02.10 16:28:28 -0800</small> 2/2/10	Mark R. Dettle <small>Digitally signed by Mark R. Dettle DN: cn=Mark R. Dettle, ou=City of Santa Cruz, o=Santa Cruz, email=markrdettle@cityofsanta-cruz. ca, c=US Date: 2010.02.10 16:28:57 -0800</small>	Patty Haymond <small>Digitally signed by Patty Haymond DN: cn=Patty Haymond, ou=Finance Department, ou=City of Santa Cruz, email=pahaymond@cityofsanta-cruz. ca, c=US Date: 2010.02.10 16:29:01 -0800</small> 2/9/10	Jack Dilles <small>Digitally signed by Jack Dilles DN: cn=Jack Dilles, ou=Finance, ou=CAO, ou=City of Santa Cruz, email=jdilles@cityofsanta-cruz. ca, c=US Date: 2010.02.10 11:52:31 -0800</small>	

**City of Santa Cruz
BUDGET ADJUSTMENT REQUEST**

<input type="radio"/> Council Approval	Resolution No. _____
<input checked="" type="radio"/> RDA Approval	Resolution No. _____
<input type="radio"/> Administrative Approval	

<input checked="" type="radio"/> Current Fiscal Year
<input type="radio"/> Prior Fiscal Year

Date:

<u>ACCOUNT</u>	REVENUE EDEN ACCOUNT TITLE	
485-00-00-0000-49191	Redevelopment Agency Debt Service - intraentity transfer in	\$2,582.00
TOTAL REVENUE		\$2,582.00

<u>ACCOUNT</u>	EXPENDITURE EDEN ACCOUNT TITLE	
481-52-80-8110-58190	Lower Pacific Avenue Street Lights Project d521007 810 0 0 - other debt principal	\$23,418.00
481-00-00-0000-59191	Lower Pacific Avenue Street Lights Project d521007 810 0 0 - intraentity transfer out	2,582.00
TOTAL EXPENDITURE		\$26,000.00

NET: \$ (23,418.00)

Purpose: Provides an additional appropriation for the Public Works Lower Pacific Street Lights Project from available fund balance. The increase in this project appropriation creates an additional obligation for a public art contribution which is satisfied by an intra-entity transfer.

PREPARED BY	DEPARTMENT HEAD APPROVAL	ACCOUNTING APPROVAL	FINANCE DIRECTOR APPROVAL	CITY MANAGER APPROVAL
Lydia Tolles <small>Digitally signed by Lydia Tolles DN: cn=Lydia Tolles, ou=Public Department, ou=City of Santa Cruz, email=lydia.tolles@cityofsc.org, c=US Date: 2010.02.10 11:02:04 -0800</small> 1/25/10	Bonnie Lipscomb <small>Digitally signed by Bonnie Lipscomb DN: cn=Bonnie Lipscomb, o=City of Santa Cruz, CA, ou=PA&D, email=blipscomb@cityofsc.org, c=US Date: 2010.02.10 10:58:47 -0800</small>	Patty Haymond <small>Digitally signed by Patty Haymond DN: cn=Patty Haymond, ou=Finance Department, ou=City of Santa Cruz, email=p.haymond@cityofsc.org, c=US Date: 2010.02.10 10:23:00 -0800</small>	Jack Dilles <small>Digitally signed by Jack Dilles DN: cn=Jack Dilles, ou=Finance, ou=PA&D, ou=City of Santa Cruz, CA, c=US Date: 2010.02.10 11:55:24 -0800</small>	

COOPERATION AGREEMENT BETWEEN THE CITY OF SANTA CRUZ
AND THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CRUZ
RELATING TO THE FUNDING OF THE STREET LIGHTING PROGRAM AND THE
LOWER PACIFIC AVENUE STREET LIGHTS PROJECT

THIS AGREEMENT (the "Agreement") is entered into this ____ day of _____, 2010, by and between the REDEVELOPMENT AGENCY OF THE CITY OF SANTA CRUZ, a public body, corporate and politic (the "Agency"), and the CITY OF SANTA CRUZ, a municipal corporation (the "City").

RECITALS

A. Pursuant to the Community Redevelopment Law of the State of California (Health and Safety Code Section 33000 et. seq.), the Agency is carrying out the Redevelopment Plan in the redevelopment project area (the "Project Area").

B. The City has adopted the Merged Redevelopment Plan which sets forth as two of its goals to strengthen the economic base of the Merged Project Area and to improve the aesthetics of the streetscape.

C. By Resolution 1474 adopted on December 8, 2009, the Redevelopment Agency adopted and approved the Implementation Plan for the Merged Project.

D. Under the Redevelopment Plan, the City may aid and cooperate with the Agency in carrying out the Redevelopment Plan and take actions necessary to ensure the fulfillment of the purposes of the Redevelopment Plan and to prevent the recurrence or spread in the Project Area of conditions causing blight.

F. The City of Santa Cruz is undertaking both the upgrade of street lights along Pacific Avenue and the installation of street lights on Lower Pacific Avenue, and this program and project will improve lighting in the Downtown area.

F. The Agency and the City desire to enter into an agreement pursuant to which the Agency will contribute funding for upgraded streetlight fixtures on Pacific Avenue and streetlight installation on Lower Pacific Avenue.

NOW, THEREFORE, in consideration of the mutual promises contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Agency agree as follows:

1. The purpose of this Agreement is to assist the City with the undertaking of the Street Lighting Program and the Lower Pacific Avenue Street Lights Project (Program and Project) pursuant to Health and Safety Code Section 33220.

2. The Agency shall pay to the City an amount not to exceed \$168,167 towards the cost of the Program and Project.

3. This Agreement shall remain in effect for the period of the project and shall terminate upon the completion of the Program and Project by the City and payment therefore by the Agency.

4. In consideration of the undertakings of the City under Section 2 of this Agreement, and after first making adequate provision for the annual payment of principal and interest due on any bonds or other indebtedness of the Agency which may be incurred in carrying out the Redevelopment Project and for which the taxes allocated to the Agency from the Project pursuant to Health and Safety Code Section 33670 et seq. (the "Tax Increment") are pledged or committed, the Agency shall pay to the City such Tax Increment in order to provide the City with sufficient monies to undertake the Program and Project in the amount set forth in this agreement upon proper documentation to Agency.

5. The City agrees that funding provided through this agreement shall be used for the sole benefit of conducting the aforesaid Program and Project.

6. This Agreement constitutes an indebtedness of the Agency incurred in carrying out the Projects, and a pledging of Tax Increment from Projects to repay such indebtedness, under the provisions of Section 16 of Article XVI of the California Constitution and Sections 33670-33674 of the Health and Safety Code; provided, however, that such pledge of Tax Allocations shall always be subordinate and subject to the right of the Agency to pledge or commit Tax Allocations from the Projects to repay bonds or other indebtedness incurred by the Agency in carrying out the Projects.

7. Pursuant to Section 895.4 of the Government Code, the Agency and the City agree that each will assume the full liability imposed upon it or any of its officers, agents or employees for injury caused by a negligent or wrongful act or omission occurring in the performance of this Agreement, and each party agrees to indemnify and hold harmless the other party for any loss, cost or expense that may be imposed upon such other party by virtue of Sections 895.2 and 895.6 of the Government Code.

IN WITNESS WHEREOF, the Agency and the City have executed this Agreement as of the date first above written.

REDEVELOPMENT AGENCY OF THE
CITY OF SANTA CRUZ

By _____
Bonnie Lipscomb, Executive Director

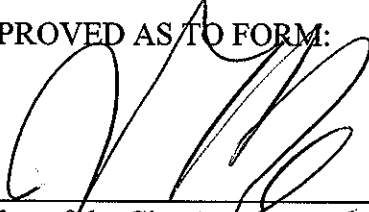
Date _____

CITY OF SANTA CRUZ

By _____
Richard C. Wilson, City Manager

Date _____

APPROVED AS TO FORM:



Office of the City Attorney

Date 1-25-10



CITY COUNCIL AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Human Resources

SUBJECT: City's Classification and Compensation Plans and the FY 2010 Budget
Personnel Complement – Water Department. (HR)

RECOMMENDATION: Resolution amending the Classification and Compensation Plans and the FY 2010 Budget Personnel Complement by deleting one full time Operations Technician position in the Water Department and deleting the classification of Operations Technician from the City's Classification Plan.

BACKGROUND: The Water Department is in the process of implementing a comprehensive organizational development study with a focus on creating career ladders and maximizing employee development, maintaining regulatory compliance and improving recruitment and retention. Part of this organizational study includes the Water Treatment Operator classification series.

In analyzing the Water Treatment Operator classification series and career paths, the single position classification of Operations Technician stood out as an anomaly. It is a semi-skilled position requiring Grade II Plant Operator Certification from the California Department of Health Services and is not required to obtain Grade III certification. The mandatory progression through the Water Treatment Operator certification levels is the cornerstone of the new organizational structure. It is designed to provide the Water Department with a full staff of journey-level plant operators and improve employee retention by providing career paths and employee development opportunities. The basic function and typical duties of the Operations Technician classification are redundant with those of the Water Treatment Operator classification series. For these two reasons - organizational and functional - the Operations Technician classification is an obsolete classification.

DISCUSSION: The single position in the Operations Technician classification was held by a long-term employee, eligible for retirement. The retirement encouragement program was intended for use in two circumstances: pre-layoff and post-layoff. The elimination of the occupied Operations Technician position (and ultimately the classification) was a pre-layoff scenario as the only other option was to lay-off the incumbent as a result of deleting the classification. The incumbent was offered and accepted the retirement encouragement incentive and retired as of February 3, 2010.

The Human Resources Department therefore recommends the full time position of Operations Technician in the Water Department be deleted in addition to deleting the Operations Technician classification from the City's Classification Plan.

FISCAL IMPACT: The cost savings to the Water Enterprise fund for the FY 2010 budget will be approximately \$30,300. The annual savings to the Water Enterprise fund is approximately \$83,500. Net savings over two (2) years if the maximum limit of the early retirement encouragement program is reached is approximately \$98,800.

Prepared by:
Cathy Bonino
Principal HR Analyst

Submitted by:
Lisa Martinez Sullivan
Director of Human Resources

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS: Resolution

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
AMENDING THE CLASSIFICATION AND COMPENSATION PLANS AND THE FY 2010
BUDGET PERSONNEL COMPLEMENT – WATER DEPARTMENT BY DELETING
ONE (1) 1.0 FTE OPERATIONS TECHNICIAN POSITION AS WELL AS DELETING THE
OPERATIONS TECHNICIAN CLASSIFICATION

WHEREAS, staff has recommended certain modifications to the Classification and Compensation Plans.

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

That, effective retroactive to February 6, 2010, 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</u>
<u>Delete</u> 160	7103	Operations Technician	\$3,750–\$5,541/mo.

PASSED AND ADOPTED this 23rd day of February, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk



CITY COUNCIL AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Public Works

SUBJECT: Designation of HOPE Services, Inc., as Designated Approved Collector for Electronic Waste. (PW)

RECOMMENDATION: Motion to approve an agreement, in a form approved by the City Attorney, designating HOPE Services, Inc., as a Designated Approved Collector for covered electronic wastes (CEW) pursuant to 14 CCR 18660.5(a)(34).

BACKGROUND: The State of California has banned the disposal of certain forms of electronic wastes in landfills. The State requires retailers to collect a recycling fee at the time of sale on televisions, computer monitors and certain other electronic wastes to provide funds for their collection and recycling. The Covered Electronic Waste (CEW) Recovery and Recycling Payment System was established, under the direction of the Department of Toxic Substances Control (DTSC) and the Department of Resources Recovery and Recycling (CalRecycle), and the new department created by the merger of the California Integrated Waste Management Board and Department of Conservation.

The laws and regulations governing the Covered Electronic Waste (CEW) Recovery and Recycling Payment System are established within 14 CCR 18660. These rules require Approved Collectors of CEWs to obtain permits from the state and to keep collection logs for CEWs collected and transferred to Approved Recyclers. Approved Recyclers are also required to obtain permits, keep records and to submit those records when applying for reimbursement from the State for the CEWs recycled. Approved Recyclers are paid by the State, and they then pay Approved Collectors a certain portion of the funds they receive from the State. Because the recycling fee is only collected from consumers on CEWs sold in California, only CEWs from California sources are eligible to be included in the requests for State reimbursement from Approved Collectors and Recyclers. In order to reduce the opportunity to fraudulently obtain reimbursement for non-California source CEWs or for CEWs that have already been reimbursed, the regulations require almost all Approved Collectors to obtain and report the name and address of the consumer and the number of CEWs discarded.

Approved Collectors that are California local governments are not required to obtain and report the name and address of the consumer and the number of CEWs discarded. California local governments are also allowed to designate an Approved Collector as a "Designated Approved Collector" within their boundaries. An Approved Collector so designated by a local government is also not required to obtain and report the name and address of consumers and the number of CEWs discarded from within the geographic areas specified within the local government designation document.

DISCUSSION: HOPE Services, Inc., a 501 (c)(3) nonprofit agency serving developmentally disabled adults, is currently an Approved Collector under the State CEW system. They accept electronic wastes delivered to their office at 220 Lincoln Street in Santa Cruz, then transfer those electronic wastes to an Approved Recycler. The monies received help fund the operations of HOPE Services, Inc. David Guarente, a HOPE employee, has requested that the City of Santa Cruz designate HOPE Services, Inc. as a Designated Approved Collector pursuant to 14 CCR 18660.5(a)(34).

Based on information received from CalRecycle program staff and City Attorney John Barisone, Public Works Department Staff is not aware of any risk or additional cost assumed by the City by making such a designation. The City does not assume any responsibility for the handling of, or reporting on, CEWs accepted by HOPE Services by making the designation. The City is an Approved Collector itself, and would continue to accept CEWs at the Resource Recovery Facility and during curbside collection events. The City does receive payments for CEWs from our contracted Approved Recycler to help cover our costs, but staff expects any revenue lost to HOPE Services collection would be offset by RRF staff time saved that could be redirected to other work.

The Public Works Commission heard this request at its January 25, 2010 meeting and recommended that the City Council approve an agreement designating Hope Services, Inc., as a Designated Approved Collector for covered electronic wastes (CEW) pursuant to 14 CCR 18660.5(a)(34).

Staff therefore requests that Council approve an agreement designating Hope Services, Inc., as a Designated Approved Collector for covered electronic wastes (CEW) pursuant to 14 CCR 18660.5(a)(34), in a form approved by the City Attorney, with the following stipulations:

1. The designation shall begin on March 1, 2010 and end on February 28, 2011 unless rescinded in writing by the City, with the option for the City Manager to approve additional one-year extensions thereafter. The City may rescind the designation at any time upon five (5) days written notice to HOPE Services, Inc.
2. HOPE Services, Inc., may only act as a Designated Approved Collector for the City of Santa Cruz by accepting CEWs at the HOPE Services facility at 220 Lincoln Street, Santa Cruz, CA. HOPE may accept CEWs at this location by drop-off during established and noticed business hours, or during published special collection events at this location.
3. HOPE Services, Inc., may only act as a Designated Approved Collector for the City of Santa Cruz to accept CEWs from residents, businesses, government offices and institutions located within the City limits.
4. HOPE Services, Inc. must transfer CEWs collected within the City of Santa Cruz and from Santa Cruz consumers to an Approved Recycler which is certified under the e-Stewards Standard for Responsible Recycling and Reuse of Electronic Equipment. HOPE Services, Inc. must maintain records adequate to prove such transfer and present them upon request by City.
5. HOPE Services, Inc., must comply with all applicable local, state and federal laws in their operations as a Designated Approved Collector for the City of Santa Cruz.

FISCAL IMPACT: None

Prepared by:

Mary Arman

Public Works Operations Manager

Submitted by:

Mark R. Dettle

Director of Public Works

Approved by:

Richard C. Wilson

City Manager

ATTACHMENTS: Excerpt, Public Works Commission Draft Minutes of 1/25/2010

ACTION Commissioner Schlenger moved, seconded by Commissioner Pomerantz to recommend that the City Council direct Staff to join the Regional Joint Effort for Developing Hydromodification Control Criteria and make the required related revisions to the City's Storm Water Management Plan in compliance with the City's State Storm Water Permit. **Motion carried** by the following vote:

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

- 4. Countywide Single-Use Bag Reduction Measures*
Presented by Bob Nelson, Superintendent of Solid Waste.

Public Comment:

- Andrew Chapman, spoke in favor of a total ban on single use bags.

ACTION Commissioner Noroyan moved, seconded by Commissioner Schlenger to recommend that the City Council join with the county and other local governments to take appropriate actions to reduce the use of single-use bags by local retailers and consumers and that city contribute to the Green City's Master Environmental Assessment financially. **Motion carried** by the following vote:

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

- 5. Request by Hope Services, Inc. to be a Designated Approved Collector for Covered Electronic Wastes*

Mary Arman introduced Dave Guarente from HOPE Services, Inc.

ACTION Commissioner Schlenger moved, seconded by Commissioner Noroyan to recommend that the City Council approve an agreement designating Hope Services, Inc., as a Designated Approved Collector for covered electronic wastes (CEW) pursuant to 14 CCR 18660.5(a)(34). **Motion carried** by the following vote:

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

- 6. Merging the City Transportation and the Public Works Commissions*

ACTION Commissioner Noroyan moved, seconded by Commissioner Pomerantz to recommend the consolidation of the two commissions (Public Works and City Transportation) with a recommendation that everyone who is currently serving have the option to serve until their end of term. **Motion carried** by the following vote:

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

ACTION Commissioner Commission Noroyan moved and Commissioner Kennedy seconded that the two chairs of the Public Works and City Transportation Commissions work with the City Council regarding any issues of merging the membership of the two commissions.

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.



CITY COUNCIL AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Public Works

SUBJECT: San Lorenzo River Gravity Outlet Valve Maintenance Project - c400033 -
Sole Source Vendor. (PW)

RECOMMENDATION: Motion to authorize Anderson Pacific Engineering Construction Inc. (Santa Clara, CA), as the sole source contractor for the San Lorenzo River Gravity Outlet Valve Maintenance Project. The City Manager is hereby authorized and directed to execute the contract, approved as to form by the City Attorney, as authorized by Resolution No. NS-27,563.

BACKGROUND: Storm Drain Gravity Outlets along the San Lorenzo River open to release rainfall runoff to the river during storms and close to prevent river water from flowing backwards into pump stations. The original 1960-era flap gates are worn and the outlet pipes are clogged with river borne sand. The city removed sedimentation and installed new valves at five outlets under the Clean Beach Dry Weather Diversion Grant. This project will complete sedimentation removal and valve installation at the remaining five outlets.

DISCUSSION: Valve maintenance takes place under a permit from the US Army Corps and the US Fish & Wildlife within deadlines set by the American Recovery and Reinvestment Act. Work must be completed at low tide before the river shoals in early summer. The sole source installation of the valves is necessary to complete the work within these and the grant funding parameters. The Purchasing Manager concurs with this recommendation.

FISCAL IMPACT: This project (c400033) is 100% grant funded under the American Recovery and Reinvestment Act Project Finance Agreement No. 08-326-550 between the State Water Resources Control Board and the City of Santa Cruz. The total cost of the project is estimated at \$150,000.

Prepared by:
Anne Hogan
Associate Engineer

Submitted by:
Mark R. Dettle
Director of Public Works

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS:
Sole Source Justification
Contract



Sole Source Vendor Justification

Attach to all draft/trial PO's for sole source purchases \$10,000 to \$99,999

PO Doc# : _____

Vendor's Name: Anderson Pacific Construction Engineering Inc.

Item/Service being purchased: San Lorenzo River Gravity Outlet Valve Maintenance Project

- One-of-a-kind The commodity or service has no competitive product (one-of-a-kind) AND IS ONLY AVAILABLE FROM ONE VENDOR.
- No Substitute A component or replacement part has no substitute AND CAN BE OBTAINED FROM ONLY ONE VENDOR.
- Compatibility Compatibility is the overriding consideration AND THE ITEM/SERVICE CAN BE OBTAINED FROM ONLY ONE VENDOR.
- Delivery Date The ability of ONLY ONE VENDOR to meet a necessary delivery date.
- Follow-up Service ONLY ONE VENDOR is able to make on-call repairs at a particular location. Prior PO#(s) required: _____
- Emergency Urgent need for the item or service does not permit soliciting competitive bids, as in cases of emergencies, disaster, etc.
- Monopoly A monopoly exists, as in the case of the U.S. Post Office, PG&E, the Santa Cruz Sentinel, the League of California Cities, the County of Santa Cruz, etc.

Explain why this vendor is the only one able to provide the service/good.

The work must be completed at low tide and before the river shoals which typically happens between May and July.

Once the river shoals it typically does not open until the first large seasonal storm, often in late October.

Project Construction must be completed by Sept 30, 2010 to receive ARRA funding.

Anderson Pacific has proven themselves to be a company that can move quickly within changing river conditions to successfully install the valves.

Completed by: Anne Hogan Department: Public Works Engineering

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For purchases between \$10,000 and \$99,999, a minimum of three quotes is normally required. On occasion, a purchase in this informal range can be made only through one vendor in which case it becomes a "sole source" purchase. In this instance, the Purchasing Division must have justification for bypassing the normal competitive process. To qualify as a "sole source" purchase one of the above criteria must be met.

**CITY OF SANTA CRUZ PUBLIC WORKS DEPARTMENT CONSTRUCTION AGREEMENT
SAN LORENZO RIVER GRAVITY OUTLET VALVE MAINTENANCE PROJECT**

This Agreement, made and entered into this _____ day of _____, 2010, by and between, _____ hereinafter referred to as "Contractor", and the City of Santa Cruz, a municipal corporation, hereinafter referred to as "City";

WHEREAS, City has chosen Contractor to perform certain work and Contractor is ready, willing, and able to perform said work; and

WHEREAS, it is understood and agreed by Contractor that the Standard Specifications, the Particular Specifications, and this Agreement form the contract for work, and

WHEREAS, it is understood and agreed by Contractor that the "Standard Specifications" refer to the following documents:

- State of California, Department of Transportation, Standard Specifications (Latest Revision)
- City of Santa Cruz: Department of Public Works, Department of Parks and Recreation, and Water Department Standard Specifications (Latest Revision)

And that the "particular specifications" refer to Special Provisions, Construction Plans, and other documents issued as part of this Agreement, the bid documents or addenda identified as,

SAN LORENZO RIVER GRAVITY OUTLET VALVE MAINTENANCE PROJECT

which are on file in the Office of the Public Works Department of the City of Santa Cruz;

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. Contractor shall furnish all supervision, labor, equipment, material, services, and transportation in strict conformance with the Standard Specifications and Particular Specifications, which are incorporated herein by reference and made additional terms of this Agreement. Contractor agrees to bear all expense necessary or incidental to the performance of the work herein specified. All work and materials shall be subject to the approval of, and shall be provided and installed to the satisfaction of the City's Public Works Department Assistant Director / City Engineer.
2. City shall pay Contractor, in the manner, to the extent, and at the times specified in the Standard Specifications and Particular Specifications, the prices provided for in the Bid Form attached hereto and by reference incorporated herein.
3. Contractor shall, at his or her own expense, comply with all applicable laws and regulations of the United States, the State of California, and the City of Santa Cruz.
4. Contractor shall defend, indemnify, and hold City, its officers, agents, and employees, free and harmless from and against any and all loss, cost, attorney's fees, suits, claims, or demands arising out of or related to performance of the work herein specified by Contractor or by Contractor's agents or employees.
5. Upon completion of all construction, installation, and other work herein mentioned, and the acceptance thereof by City, Contractor shall furnish to City a written release executed by any contractor or other claimant to whom Contractor may have become indebted for labor or materials, or otherwise, for or related to, any installation or work hereunder, as well as a written statement signed by Contractor stating that there were no unpaid claims or demands against Contractor related to any installation or work hereunder.

6. If, within a period of one (1) year after final written acceptance by City of the work performed under this Agreement, any structure or part of any structure furnished or installed or constructed, or caused to be installed or constructed by Contractor, or any of the work done under this Agreement, fails to fulfill any of the requirements of this Agreement or the specifications referred to herein, Contractor shall, without delay and without any cost to City, repair or replace or reconstruct any defective or otherwise unsatisfactory part or parts of the work or structure. Should Contractor fail to act promptly or in accordance with this Agreement, or should the exigencies of the case require repairs or replacements to be made before Contractor can be notified, City may, at its option, make the necessary repairs or replacements or perform the necessary work and Contractor shall pay to City the actual cost of such repairs or replacements plus an administrative overhead fee of fifteen percent (15%).
7. This Agreement is contingent upon Contractor commencing construction within ten (10) working days of the Notice to Proceed. If work is not undertaken by this date the Agreement shall be null and void. In addition all work specified herein shall be completed within 60 working days. If the work has not been completed in this time the City may, at its option, perform the remaining work and Applicant or Contractor shall pay City the actual cost of such work plus an administrative overhead fee of fifteen percent (15%).
8. Davis Bacon prevailing wage requirements apply to this contract. The Contractor agrees that all laborers and mechanics shall be paid not less than federal prevailing wages.
9. The City Council of the City of Santa Cruz endorses the MacBride Principles and the Peace Charter and encourages all companies doing business in Northern Ireland to abide by the MacBride Principles.
10. This Agreement shall inure the benefit of and be binding upon the successors and assigns of the parties hereto.

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

Contractor: _____ Date: _____

Signature: _____ Title: _____

Approved as to Form by:  _____

City Attorney, City of Santa Cruz, a municipal corporation

Date: 2-10-10

By: _____

Christophe Schneider, Public Works Assistant Director / City Engineer

Date: _____



CITY COUNCIL AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Public Works

SUBJECT: Soquel Avenue/Hagemann Avenue Safety Improvement Project
(c400803)- Ratify Bid Award. (PW)

RECOMMENDATION: Motion to ratify the bid award to, and agreement with, Don Chapin Inc, Salinas, CA in the amount of \$144,470.70 for the Soquel Avenue/Hagemann Avenue Intersection Improvement Project (c400803).

BACKGROUND: On May 22, 2007, the City of Santa Cruz and the Redevelopment Agency entered into a cooperation agreement to fund a total of \$725,000 in improvements along Soquel Avenue over a period of three years. These improvements included intersections at both Hagemann and Park Way and storm drain improvements on Soquel and Pine.

On May 14, 2008, the City Transportation Commission considered this item and recommended approval of design concept. Public notification of the meeting was sent to the residential and commercial properties on each side of Soquel, bounded by Frederick Street to Capitola Road, and Agnes Street to Roxas Street. The same notification area was used for the Council meeting.

On July 22, 2008, City Council approved the design concept and authorized the City Manager to execute a contract with RBF Consulting to complete the plans and specifications for the project, in a form acceptable to the City Attorney.

DISCUSSION: Staff applied for, and the City was awarded, a 2008-cycle Highway Safety Improvement Program (HSIP) Grant for the project in the amount of \$425,000. Design was completed and the project opened for bids November 23, 2009 and bids closed on December 17, 2009. Six bids were received: Don Chapin Inc - \$144,470.70; Granite Rock Inc - \$150,218.48; Earthworks - \$169,514.24; Monterey Peninsula Engineering – \$177,045.00; Granite Construction – \$183,940.90; and Garcia Engineering – \$205,329.00. Staff awarded the contract to the lowest bidder, Don Chapin Inc. Council is being requested to ratify the bid award.

FISCAL IMPACT: This project is fully funded in the FY10 Capital Improvement Project budget. 90% will be reimbursed through the HSIP grant. The required 10% local match is provided by the Economic and Redevelopment Agency.

Prepared by:
Jim Burr
Transportation Manager

Submitted by:
Mark R. Dettle
Director of Public Works

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS: Agreement

2.34

AGREEMENT

THIS AGREEMENT, made and entered into this 26 day of JANUARY, 2010, by and between the CITY OF SANTA CRUZ, a municipal corporation, hereinafter called "City," and THE DON CHAPIN CO. INC., hereinafter called "Contractor;"

WITNESSETH, that the parties hereto do mutually agree as follows:

ARTICLE I

That for and in consideration of the covenants and agreements herein contained and the payments at the prices stated in the bid proposal attached hereto, and by this reference made a part hereof, the Contractor hereby covenants and agrees to furnish any and all required supervision, labor, equipment, material, services, and transportation, as set forth in the "Standard Specifications" and "Particular Specifications" as hereinafter defined, and will bear any and all other expense necessary or incidental to the performance of certain work hereinafter specified, and to build, construct, reconstruct, pave or repave and complete improvements for:

"SOQUEL AVENUE/HAGEMANN AVENUE INTERSECTION IMPROVEMENT PROJECT"

in strict conformity and compliance with the "Standard Specifications" and "Particular Specifications," and to do everything required by this agreement, and by said Standard Specifications and Particular Specifications as hereinafter defined.

ARTICLE II

It is expressly agreed and understood by the Contractor that "Standard Specifications" consists of the document on file at the Office of the Clerk of the City of Santa Cruz, which document consists of ten (10) sections and is entitled:

City of Santa Cruz Department of Public Works, Department of Parks and Recreation, and Water Department 2002 Standard Specifications (including amendments prior to date of contract).

It is expressly agreed and understood by the Contractor that "Particular Specifications" consists of the documents, and all matter incorporated by reference into said documents, including the special provisions, technical specifications, construction plans, which are filed in the Office of the City Clerk of the City and which are identified as:

"SOQUEL AVENUE/HAGEMANN AVENUE INTERSECTION IMPROVEMENT PROJECT"

It is expressly agreed and understood by the Contractor that the "Bid Proposal" consists of the offer made by the Contractor for:

"SOQUEL AVENUE/HAGEMANN AVENUE INTERSECTION IMPROVEMENT PROJECT"

submitted on the prescribed Proposal Form, which is attached hereto, and by this reference made a part hereof.

ARTICLE III

It is expressly agreed and understood by each and every party to this agreement that the Notice Inviting Bids, the Standard Specifications, the Particular Specifications, the Bid Proposal, and this agreement form the contract. The parties to this agreement do hereby expressly acknowledge that they have read, understand, and promise to comply with each and every provision of the Notice Inviting Bids, the Standard Specifications, the Particular Specifications, the Bid Proposal, and this agreement.

ARTICLE IV

Contractor shall conform to all laws and regulations of the United States and the State of California, as well as laws of Santa Cruz, as may be applicable to the project. In addition the City Council of the City of Santa Cruz endorses the Macbride Principles and the Peace Charter and encourages all companies doing business in Northern Ireland to abide by the MacBride Principles.

ARTICLE V

The City hereby contracts to pay said Contractor the prices provided for in the Bid Proposal in the manner, to the extent, and at the times set forth in the Standard Specifications and the Particular Specifications.

ARTICLE VI

It is agreed by the parties hereto that the acceptance of the Contractor's performance will be made only by an affirmative action of the City of Santa Cruz City Council in session, evidenced by resolution, and upon the filing by the Contractor of a Release of all Claims of every nature on account of work done under this contract, together with an affidavit that all claims have been fully paid. The acceptance by the Contractor of said final payment shall constitute a waiver of all claims against the City arising out of or in connection with this contract.

IN WITNESS WHEREOF, this contract is executed by the City Manager of the City of Santa Cruz, under and pursuant to a resolution of the City Council authorizing such execution, and the Contractor has affixed his/her signature hereto the day and year first hereinabove written.

THE CITY OF SANTA CRUZ
A Municipal Corporation

By [Signature]
Asst City Manager

CONTRACTOR
THE DON CHAPIN CO. INC.

By [Signature]
DONALD D. CHAPIN JR. - PRESIDENT

I hereby approved the form
of the foregoing contract

[Signature] 1-14-10
City Attorney



CITY COUNCIL AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Public Works

SUBJECT: Summer 2009 Overlay Project – West Cliff Drive (c400829) Contract Change Order. (PW)

RECOMMENDATION: Motion to accept Change Order #1 to the contract with Joseph J. Albanese, Inc., of Santa Clara, CA, increasing the contract by \$209,000 for the Summer 2009 Overlay Project – West Cliff Drive (c400829).

BACKGROUND: The City Council authorized the advertisement of three distinct overlay projects in order to take advantage of the American Recovery and Reinvestment Act of 2009 (ARRA). The Department had to quickly develop these projects to meet aggressive federally-imposed deadlines. During the construction of the West Cliff Drive Overlay, it was discovered that the underlying concrete pavement was rougher than had been anticipated. The Department had to change the treatment of the pavement in order to correct these irregularities. It was decided to place a leveling course of hot mix asphalt and a pavement reinforcing fabric prior to paving the overlay. It was also anticipated that the additional cost of this approach would be significantly offset by the savings in the construction costs for both Morrissey Boulevard and Market Street.

DISCUSSION: Realizing that the original plan for the pavement on West Cliff Drive was not adequate for the unevenness of the underlying concrete layer, and with the knowledge that the federal ARRA funds allocated for the three overlay projects could be used to offset this increase in cost, the Department decided on the improved treatment of the pavement on West Cliff Drive. The contractor was so directed, and the resulting pavement has met the Department's goal of a high quality and long lasting pavement.

FISCAL IMPACT: This change order of \$209,000 will increase this contract amount to \$738,762.26. The additional funds requested for this project come from funds already allocated to pavement rehabilitation, and all but \$50,000 of this cost will be reimbursed by the federal ARRA funds. There is no impact to the general fund as the additional funds are already budgeted for overlay projects.

Prepared by:
Joshua Spangrud
Associate Civil Engineer

Submitted by:
Mark R. Dettle
Director of Public Works

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS: Contract Change Order



PUBLIC WORKS DEPARTMENT
809 Center Street, Room 201, Santa Cruz, CA 95060 • 831 420-5160 • Fax: 831 420-5161 • citypw@ci.santa-cruz.ca.us

Contract Change Order No. 1
City Street Reconstruction/Overlay – 2006 Project

TO: Joseph J. Albanese, Inc., Attn. Project Manager Adrian Marlow

You are directed to make the herein described changes from the plans and specifications or do the following described work not included in the plans and specifications of this contract. All new work herein described shall be done in accordance with the applicable provisions of the plans and specifications except as specifically modified by this contract change order.

NOTE: This change order is not effective until approved by the City of Santa Cruz, or until an authorized field order is executed. (Field order directing the work was given by the City on October 19, 2009.)

CHANGE INITIATED BY CITY

DESCRIPTION OF CHANGE:

The parties to this contract (Joseph J. Albanese, Inc.: Contractor; City of Santa Cruz: City) agree that the following changes be incorporated into the contract:

- DELETE** Bid Item #9 – Single Chip Seal, for a **credit** to the contract of \$55,555.
- ADD** 1” HMA Leveling Course at \$120/TON, 1026.7 TONS, for an **addition** to the contract of \$123,204.
- ADD** Pavement Reinforcing Fabric at \$4/SY, 20,425 SY for an **addition** to the contract of \$ 81,700.
- ADD** Concrete Curb & Gutter installation at \$25/LF, 305 LF, for an **addition** to the contract of \$7,625.
- ADD** Type 2 Slurry Seal of Parking Lot ‘A’ for an **addition** to the contract of \$9,775.
- ADD** Miscellaneous Added Striping for an **addition** to the contract of \$7,635.
- ADD** Miscellaneous extra work associated with repair to roadway after storm damage, filling unexpected voids by storm sewer, emergency maintenance of storm drain facilities, etc., for an **addition** to the contract of \$28,792.
- ADD** Extra work associated with replacing and/or reinstalling concrete wheel stops in parking areas for an **addition** to the contract of \$5,824.

ADJUSTMENT IN CONTRACT AMOUNT:

Original Contract Base Bid	\$529,762.26
Previous Contract Change Orders	0.00
Current Contract	\$529,762.26
This Change Order	\$209,000.00
New Contract Amount	\$738,762.26

ADJUSTMENT IN CONTRACT COMPLETION:

By reason of this order the time of completion will be adjusted as follows:

Original Contract	30 working days
Previous Extensions, Weather Days and R.O.W. Delays	69 working days
This Extension	11 working days
New Duration	110 working days

This change order constitutes full and complete compensation for all labor, equipment, materials, overhead, and profit required to perform the described change.

ACCEPTED BY:

DATE: _____

Joseph J. Albanese, Inc.

APPROVED BY:

DATE: _____

Christophe J. Schneider, Assistant Director
Department of Public Works

If the Contractor does not sign acceptance of this order, his attention is directed to the requirements of the specifications as to proceeding with the ordered work and filing a written protest within the time therein specified.



J. M. 2-3-10
CITY ATTORNEY



CITY COUNCIL AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Public Works

SUBJECT: San Lorenzo River Highway 1 Bridge Underpass Project Contract
Amendment 1 (c400826) Construction Management Services. (PW)

RECOMMENDATION: Motion to approve Amendment 1 to the contract with PB Americas, Inc., Sacramento, CA, in the amount of \$71,500 for the construction management of the San Lorenzo River Highway 1 Bridge Underpass Project - (c400826) to cover costs associated with compliance with additional oversight by the State and complications associated with unfavorable weather conditions.

BACKGROUND: The Department issued a purchase order to PB Americas, Inc. to provide construction management services during construction of the San Lorenzo River Highway 1 Bridge Underpass Project. PB Americas, Inc. is the same team that provided construction management services on the recently completed, highly successful San Lorenzo River Bicycle/Pedestrian Bridge Project. The current project is more complicated because it runs through the State right of way necessitating increased supervision and inspection. For example, the State required that the City provide specialized inspection of the fabrication and construction of the 54-foot long steel bridge at the site of manufacture (in Minnesota). Additionally, the recent adverse weather has necessitated increased inspection. This extension of services will also cover the project path extension up to the Tannery Arts Center which was not included in the original purchase order.

DISCUSSION: The increased level of effort on behalf of PB Americas, Inc., has resulted in the depletion of the original purchase order much more quickly than expected. In order to maintain construction management services for the duration of the project, and to comply with the State's direction for the structures within their right of way, it is necessary to increase PB Americas, Inc. purchase order beyond the limit that the Department can authorize.

FISCAL IMPACT: This amendment of \$71,500 will increase the contract amount to \$154,981. The additional funds requested for this come from the budget adjustment approved by Council at its February 9, 2010 meeting. There is no impact to the General Fund.

Prepared by:
Joshua Spangrud
Associate Civil Engineer

Submitted by:
Mark R. Dettle
Director of Public Works

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS: Amendment 1



PUBLIC WORKS DEPARTMENT
809 Center Street, Room 201, Santa Cruz, CA 95060 • 831 420-5160 • Fax: 831 420-5161 • citypw@ci.santa-cruz.ca.us

Contract Amendment 1
San Lorenzo River Highway 1 Bridge Underpass Project (c400826)

TO: PB Americas, Inc., Attn: Project Manager Bruce Shewchuk

The City of Santa Cruz has accepted your proposal dated January 28, 2010 to provide the additional construction management services necessary for the San Lorenzo River Highway 1 Bridge Underpass Project (c400826).

ADJUSTMENT IN CONTRACT AMOUNT:

Original Contract Amount	\$83,481.00
Previous Contract Amendments	0.00
Current Contract	\$83,481.00
This Amendment	\$71,500.00
New Contract Amount	\$154,981.00

This Contract Amendment 1 constitutes full and complete compensation for all labor, equipment, materials, overhead, and profit required to perform the work as described in your proposal dated January 28, 2010.

ACCEPTED BY: _____

DATE: _____

PB Americas, Inc.

APPROVED BY: _____

DATE: _____

Christophe J. Schneiter, Assistant Director
Department of Public Works



CITY COUNCIL AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Water

SUBJECT: Habitat Conservation Plan and Incidental Take Permit – Scientific and Permitting Support - Contract Amendment No. 1. (WT)

RECOMMENDATION: Motion to ratify the agreement dated August 7, 2009 between the City of Santa Cruz and Hagar Environmental Sciences, (Richmond, CA) for scientific and permitting support of the City's a Habitat Conservation Plan and Incidental Take Permit.

Motion to ratify Contract Amendment No.1 in the amount of \$55,110 with Hagar Environmental Sciences, (Richmond, CA) for additional scientific and permitting support of the City's Habitat Conservation Plan and Incidental Take Permit.

BACKGROUND: Both the San Lorenzo River system and North Coast streams have been designated as Critical Habitat for one species or another, and in some cases, multiple species. This designation means the City must look critically at its activities that could potentially impact this Critical Habitat.

On August 7, 2009, the Water Department entered into an agreement (HCP Work Plan 2009/2010) in the amount of \$96,780 with Hagar Environmental Sciences to provide scientific and permitting support for the City Water Department's anadromous fisheries Habitat Conservation Plan and Incidental Take Permit.

DISCUSSION: Recent agency consultations have identified the need for additional scientific analysis of the effects of Water Department operations on anadromous fish – primarily due to the recent increased agency emphasis on coho salmon recovery. Additionally, presentation of this new information, meeting attendance, development of the effects analysis, practicability analysis and conservation strategy necessitate this contract amendment. As the City proceeds with all the scientific work related to the Habitat Conservation Plan, the agencies have changing demands for the investigations that require additional scientific services.

Because the scope of work in Contract Amendment No. 1 is flow-dependent, it was necessary to proceed immediately otherwise the opportunity would have been lost until the next rainy season, effectively stopping progress on the HCP.

FISCAL IMPACT: Contract Amendment No. 1 in the amount of \$55,110 brings the total contract amount to \$151,890. Sufficient funds were available in the Water Resources FY 2010 budget, in the Professional Services account.

Submitted by:
Bill Kocher
Water Director

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS: Contract Amendment No. 1

CONTRACT AMENDMENT


Number One

That certain Agreement dated August 7th, 2009 between the City of Santa Cruz and Hagar Environmental Services for the HCP Work Plan 2009/2010:

1. Appendix One – Scope of Services, Timeline and Budget are amended to include additional scientific and permitting support for the anadromous fisheries HCP and related incidental take permit

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

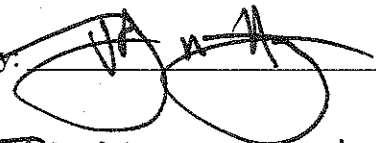
Approved as to Form:

By: 

City Attorney

2-2-10
Date

HAGAR ENVIRONMENTAL SERVICES

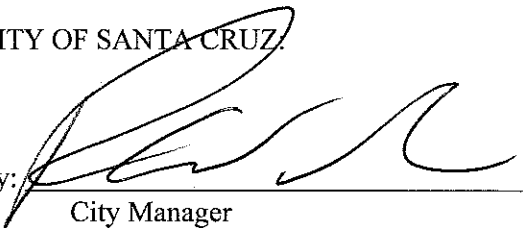
By: 

JEFFERY M. HAGAR
Printed Name

10 FEB 2010
Date

PRINCIPAL
Title

CITY OF SANTA CRUZ

By: 

City Manager

2-11-10
Date

SC HCP 2009-2010 Workplan
 Cost Estimate Amendment
 Additional Work to be Completed by June 30, 2010

	EFFORT					Timing
	Senior Biologist	Associate I	Associate II	Subcontract	City Staff	
Task 6 Newell Creek PHABSIM Additional Transects						
Rearing (8-10 transects)						
Site Selection	10		20			Dec-Jan
Initial Surveys	10		20	60	60	Feb-Apr
High flow	10		20	60	60	Feb-Apr
Stage/discharge	10		20	60	60	Feb-Apr
Data Analysis	0		60			May
Reporting	12		30			June
Task 7 Agency Meetings						
Monthly Meetings (through Dec 1010, 12 meetings)	120		60			Jan-Dec
Task 8 Coordination						
Coordination and Contingency	24					Jan-Jun
Total	196	0	230	180	180	
Rate	\$115	\$85	\$75	\$65		

	COST									Total	Task Total
	Senior Biologist	Associate I	Associate II	Subcontract	Travel	Equipment	Supplies	Per Diem			
Task 6 Newell Creek PHABSIM Additional Transects											
Rearing (8-10 transects)											
Site Selection	\$1,150	\$0	\$1,500	\$0						\$2,650	
Initial Surveys	\$1,150	\$0	\$1,500	\$3,900		\$180	\$200	\$560		\$7,490	
High flow	\$1,150	\$0	\$1,500	\$3,900		\$180		\$560		\$7,290	
Stage/discharge	\$1,150	\$0	\$1,500	\$3,900		\$180		\$560		\$7,290	
Data Analysis	\$0	\$0	\$4,500	\$0						\$4,500	
Reporting	\$1,380	\$0	\$2,250	\$0						\$3,630	\$32,850
Task 7 Agency Meetings											
Monthly Meetings (through Dec 1010, 12 meetings)	\$13,800	\$0	\$4,500	\$0	\$1,200					\$19,500	\$19,500
Task 8 Coordination											
Coordination and Contingency	\$2,760	\$0	\$0	\$0						\$2,760	\$2,760
HES Cost	\$22,540	\$0	\$17,250	\$11,700	\$1,200	\$540	\$200	\$1,680		\$55,110	



CITY COUNCIL AGENDA REPORT

DATE: 02/17/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Water

SUBJECT: Water Supply Project - Entrainment Study and Impact Assessment -
Contract Amendment No. 3. (WT)

RECOMMENDATION: Motion to authorize the City Manager to execute Contract Amendment No. 3 with Tenera Environmental (Layayette, CA), in the amount of \$38,200 for additional data collection and interpretation for the Entrainment Study and Impact Assessment for the scwd2 Desalination Program.

BACKGROUND: On October 20, 2008, the City entered into an agreement with Tenera Environmental Inc., in the amount of \$500,931 to fund data collection, interpretation and report preparation in support of the Intake Evaluation.

A Technical Working Group was formed to review, evaluate and potentially modify the study as it progresses from work plan development, through data collection and interpretation, and reporting. The Technical Working Group (TWG), consists of Tenera, City and District staff, the Program's Technical Advisor (Kennedy/Jenks Consultants), USGS, UCSC, Central Coast Regional Water Quality Board, Moss Landing Marine Laboratories, California Department of Fish and Game, California Coastal Commission and National Marine Fisheries Service. The TWG met in January 2009 and again in September 2009. The TWG has agreed upon several modifications to Tenera's scope of work, and several have resulted in amendments to the contract.

Contract Amendment No. 1 funded: 1) the collection of current data collected by the Central & Northern California Ocean Observing System (CeNCOOS) that may be useful when determining the volume of impacted source water body; and 2) the development and implementation of a video study to evaluate potential impingement.

Contract Amendment No. 2 funded preservation of samples collected during three monthly sampling events for potential DNA testing to assess the presence and species of rockfish.

DISCUSSION: Contract Amendment No. 3 addresses additional items resulting from the September 2009 TWG meeting including:

Rockfish: The TWG agreed to analyze the existing, preserved samples for rockfish as well as to continue collecting and analyzing for rockfish throughout the study (May 2010).

Current Data: Tenera is proposing a method to incorporate the collected CeNCOOS current data in to the study.

Video Data: Tenera is proposing a method of evaluating the video footage to assess impingement impacts.

Additional Field Time: An additional day of field work is required each month to evaluate, service and maintain the screen coupons and to conduct the video impingement test.

Area of Production Foregone: Tenera will convert source water impacts to restoration acreage to be used for potential mitigation purposes should a screened, open-ocean intake be pursued.

FISCAL IMPACT: Funds are available in Water Department FY 2010 Capital Improvement Program budget: \$26,740 in c700305, Water Supply Project and \$11,460 in c700016, Water Supply Project – SDC for a total of \$38,200. 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 No. 3

**CONTRACT AMENDMENT
Number Three**

That certain Agreement dated October 20, 2008 between the City of Santa Cruz (City) and Tenera Environmental Inc. (Tenera) in the amount of \$500,931 to conduct an Entrainment Study and Impact Assessment in support of the **scwd2** Desalination Program, and amended by Contract Amendment Number One on March 20, 2009 and further amended by Contract Amendment Number Two on March 25, 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.

Task 1: DNA Analysis of larval rockfish specimens to distinguish species, 2009 and 2010

Increase project budget by \$3,800 for processing, handling, laboratory preparation and analysis, and reporting associated with the rockfish DNA evaluation. (Note that Contract Amendment Number Two added funds to the budget for the preservation and archiving of rockfish specimens during 2009. In September 2009, the study's Technical Working Group (TWG) agreed to process these samples as well as to extend the period of collection and analysis throughout the study period, May 2010.)

\$3,800

Task 2: CeNCOOS Data Analysis

Develop a recommendation as to how the collected CeNCOOS data may be used in the study; obtain TWG input and approval; implement recommendation and incorporate into study. (See attached letter from Tenera for assumptions.)

\$5,500

Task 3: Video Impingement Analysis

Develop the manner and method of analyzing and reporting on the videographic records of impingement on the test screens in concert with the TWG. At a minimum the viewing of all collected videographic footage, estimated to amount to a total of 75 hours, is required. This includes analyzing, summarizing and reporting the impingement results for all thirteen wedgewire screen tests.

\$7,500

Task 4: Coupon weighing, construction of mounting rack, and placement/observation

Labor and materials associated with weighing, mounting, and observing coupons of various narrow slot screen materials. Coupons will be visually evaluated, filmed and their status documented during each monthly sampling event through the end of the study.

\$1,800

Task 5: Nighttime impingement filming

Increase project budget by \$9,600 to fund a second day of field work each month at the site of the pump/entrainment/impingement study to ensure integrity of data. To film the nighttime pump/entrainment event, lights were used. Data indicates that the lights may be impacting the results of the pump/entrainment test. Nighttime filming for impingement will now be done separately (and on a second day) from the official nighttime pump/entrainment test. The screen coupons (Task 4 above) will also be monitored/maintained during this second day of field work. (See attached letter from Tenera for assumptions.)

\$9,600


Task 6: Convert ETM values to APF technical memorandum

Tenera will evaluate the area of source water habitat type(s) that most probably contributed to the production of the five mostly abundantly entrained species of larval fish. Using methodologies consistent with Tenera's most recent calculations converting ETM to APF in regulatory and permitting procedures before the California Coastal Commission, California

Department of Fish and Game, and State and Regional Quality Water Control Boards, Tendra will prepare a Technical Memorandum describing the impingement and entrainment report findings, source water habitat, and ETM to APF methodology, and resulting APF value(s).
\$10,000


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

Technical Review by:


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

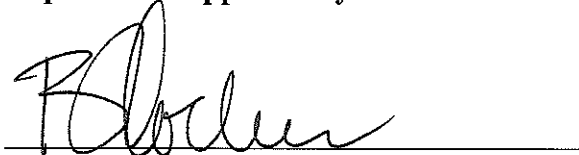
Dated 2/10/10

Approved As To Form:


John G. Barisone
City Attorney

Dated 2-11-10

Department Approval by:


Bill Kocher, Water Director

Dated 2/10/10

Tendra Environmental, Inc.

By _____
Dave Mayer, President

Dated _____

CITY OF SANTA CRUZ

By _____
Richard C. Wilson, City Manager

Dated _____



CITY COUNCIL AGENDA REPORT

DATE: February 11, 2010

AGENDA OF: February 23, 2010

DEPARTMENT: City Manager

SUBJECT: Special Events Alcohol Policy. (CM)

RECOMMENDATION: Motion authorizing a permanent special events alcohol program that will allow the consumption of wine and beer during special events held on public property in specifically designated and controlled areas.

BACKGROUND: On March 11, 2008, the City Council approved a one-year pilot program that would allow the regulated consumption of beer and wine at special events held on public property (see the attached agenda report). Due to a lack of applicants within that first year, the City Council approved a one-year extension of the pilot program in March 2009, which set the new expiration date to March 11, 2010.

The Special Events Alcohol Program established certain criteria, including:

- Applicant must be a not-for-profit organization
- Wine and beer only are to be served and consumed in a designated, visible, secured area
- Wine and beer may be offered for no more than 6 hours each day
- Security plans must be in effect, including an advance training or prior certification in responsible alcohol beverage service by the Santa Cruz Police Department
- Wristbands, stamps or other identifiers indicating that the bearer is at least 21 years of age will be required for entry
- Licensed security must be present at the wine or beer area for the full operational period

Since the pilot program's extension in 2009, five events have successfully incorporated a beer or wine element. These events are Earth Day, River Arts Festival, Bluegrass Festival, Gay Pride Festival, and the Scottish Highland Games and Festival. No complaints or problems were reported in association with the events. Further, the organizers complied with ABC permit restrictions and the public safety requirements determined by the Fire and Police Departments.

DISCUSSION: The Special Events Alcohol Pilot Program is set to expire early next month. Due to the success of the 2009 pilot period and interest expressed by event promoters to retain this element, we recommend that it transition from a pilot program to a permanent option for future special events.

Impacted City departments were surveyed and there were no concerns about establishing this program permanently. There was one suggestion that alcohol service be limited before the conclusion of the event, similar to large sporting events. This model may be a good fit for some events and, accordingly, staff may stipulate that alcohol service conclude before the event's end time. Staff will determine this on a case-by-case basis.

FISCAL IMPACT: Should the Council approve the program, a moderate increase in revenue from admissions and commercial use fees is anticipated.

Submitted by:	Approved by:
Tina Shull	Richard C. Wilson
Council Affairs Manager	City Manager

Attachments: Special Event Alcohol Program Guidelines
City Council Agenda Report of March 11, 2008

Special Events Alcohol Program

The Special Events Alcohol Program will be coordinated and approved by the City's Special Events Coordinator. The following guidelines and criteria will be employed when special event applications with an alcohol component are submitted.

Special Event Alcohol Permit Requirements:

1. Event host/applicant must be a not-for-profit organization
2. Wine and beer only may be consumed (no hard liquors)
3. Wine and beer may be consumed only in a designated, secure area (i.e. wine garden)
4. Wine or beer garden must be located in a highly visible area
5. No wine or beer from outside sources allowed
6. Wristbands, stamps or other identifiers indicating that the bearer is confirmed to be at least 21 years of age will be required for entry into the wine or beer garden
7. Commercial use fees will be collected
8. Alcohol use fee will be considered and may be charged (the City's rate schedule must be updated before this can be collected)
9. Licensed security assigned to the established wine or beer garden area will be required for the full operating period of the garden
10. Wine and beer may be offered and consumed at any individual event for no more than six (6) hours each day
11. The availability of wine and beer may not be focus of the event or listed in the title of the event
12. The Special Events Coordinator may require a limit on the number of alcoholic beverages consumed per person
13. Should the wine or beer offering involve the exchange of money, the event host/applicant must obtain a California Department of Alcoholic Beverage Control permit and meet all associated requirements
14. The Special Events Coordinator reserves the right to set additional conditions on the Special Event Alcohol Permit
15. Insurance requirements would include liability of \$2 million

Special Events Alcohol Program

Location Requirements:

1. If the special event is proposed to be held in a park that is not eligible for a Parks and Recreation Department alcohol permit, the application must work through the Special Event Permit and Special Event Alcohol Permit process and, if approved, must rent the entire property
2. Location and size requirements for events scheduled on public streets will be determined by the Special Events Coordinator
3. Block parties held on public streets will not be approved for alcohol

Security Plan Requirements:

1. Servers must receive, or can provide certification of, basic training in responsible beverage service, provided by the Santa Cruz Police Department (SCPD) in advance of each special event
2. Event must have an alcohol supervisor
3. Procedures must be in place for contacting security and police in the event of a problem
4. Safety conditions may be added to the Special Event Alcohol Permit by the Fire and Police Departments

The Parks and Recreation Department's existing procedures governing the consumption of alcohol at the facilities it exclusively manages will not be affected. Accordingly, alcohol will continue to be allowed in specified Parks and Recreation facilities, with the approval of the Director.



CITY COUNCIL AGENDA REPORT

DATE: March 2, 2008

AGENDA OF: March 11, 2008

DEPARTMENT: City Manager's Office

SUBJECT: Citywide Policy Pertaining to the Consumption of Alcohol on Public Property. (CM)

RECOMMENDATION: Motion to consider and approve a one-year pilot program that will allow the consumption of wine and beer during special events held on public property in specifically designated and controlled areas within the event, subject to certain restrictions.

BACKGROUND: Sections 9.12.020 and 9.12.030 of the Santa Cruz Municipal Code regulate the consumption of alcohol and the possession of open containers of alcohol on public property. The sections reference public officials as empowered to establish the rules pertaining to the consumption of alcohol and the state of possessing an open container of alcohol in public places. The State of California maintains the exclusive right to license and regulate the manufacture, sale, transportation, possession and purchase of alcoholic beverages.

In general, it is prohibited to consume alcohol or possess an open container of alcohol in public in the City of Santa Cruz. However, there is a policy in place that permits consumption of alcohol at events held in specific City parks and facilities. This informal policy resides in the Parks and Recreation Department and allows the Director to issue a permit for alcohol consumption at reservable picnic areas in Harvey West Park and Delaveaga Park or recreational facilities such as Harvey West Clubhouse/Scouthouse and Loudon Nelson Community Center, and in association with events at the Civic Auditorium and the Santa Cruz Municipal Wharf. To receive an alcohol permit from the Parks and Recreation Department, event organizers must meet criteria related to the type, date and time of the event and the age of attendees. If money is to be collected, organizers must also obtain a California Department of Alcoholic Beverage Control (ABC) permit and Santa Cruz Police Department approval. Alcohol consumption is not allowed on public streets or other public property that is not reservable through the Parks and Recreation Department.

Over the past several years, the City's Parks and Recreation Department and Special Events Office have received numerous requests from event organizers for authorization for the consumption of alcohol in public areas other than the designated reservable picnic areas or recreational facilities. As discussed previously, the Parks and Recreation Department grants permits for alcohol consumption only in specific facilities and under certain conditions; therefore, requests from special events organizers and promoters interested in other properties are regularly denied.

DISCUSSION: In response to community interest in the City having a more flexible alcohol policy, staff from the impacted City departments (Parks and Recreation, City Manager's

Office, Police and City Attorney's Office) met to discuss the existing policy and the concept of a pilot program that would allow limited alcohol consumption as part of special events held on public properties that are not regulated by Parks and Recreation Department's alcohol permit program.

The Special Events Coordinator, in collaboration with other City staff, crafted a set of guidelines for this pilot program (attached). This one-year pilot program, as conceived, would permit the consumption of wine and beer only as part of a special event, with certain criteria including, but not limited to:

- Applicant must be a not-for-profit organization
- Children should comprise less than 10 percent of the total attendees
- Wine and beer only may be consumed and are to be served in a designated, visible, secured access area
- Wine and beer may be offered for consumption at individual special events for no more than 6 hours each day
- Licensed security must be present at the wine or beer area for the full operational period
- If the special event is proposed to be held in a park that is not eligible for a Parks and Recreation Department alcohol permit, the applicant must work through the Special Event Alcohol Permit process and must rent the entire property
- Security plans must be in effect with features such as training in responsible alcohol beverage service by the Santa Cruz Police Department prior to each event

The organizers must also comply with any and all ABC permit restrictions and public safety requirements determined by the Fire and Police Departments.

The Special Events Coordinator will review requests for beer and wine offerings for locations not already managed by the Parks and Recreation Department. Should the event meet the criteria and after consultation with appropriate City departments, the Special Events Coordinator will make the determination to deny or grant the request for alcohol consumption as part of the event. The Special Events Coordinator will monitor the events serving alcohol and will report back to the City Council 10 months into the pilot program. This will provide the City Council the opportunity to review and revise or discontinue the pilot program altogether.

It should be noted that while City staff are supportive of a responsible alcohol policy, concerns were expressed with this pilot program as it provides opportunities for additional alcohol outlets in the City. This is felt to be partially at cross purposes with public safety goals, particularly as the City expends resources and regularly receives grant funds to combat alcohol-related problems in our community.

Should the Council support the one-year pilot program, staff will strive to implement and enforce a sensible policy that provides greater opportunities for moderated wine and beer consumption at special events, while mitigating undue public safety or social problems.

FISCAL IMPACT: Should the Council approve the one-year pilot program, there will be a temporary increase in revenue from admissions and commercial use fees.

Submitted by:

Tina Shull
Council Affairs Manager

Attachment: Proposed Alcohol Policy Pilot Program



CITY COUNCIL AGENDA REPORT

DATE: 02/16/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Public Works

SUBJECT: Countywide Single-Use Bag Reduction Measures. (PW)

RECOMMENDATION: Motion to join with the County and other local governments to take appropriate actions to reduce the use of single-use bags by local retailers and consumers.

BACKGROUND: Over the last couple of years, the Integrated Waste Management Technical Advisory Committee (TAC), on which the City has two permanent voting positions, has done significant work on the issue of single-use bags in Santa Cruz County. It established a subcommittee to research how a countywide ban could be put into place. On November 3, 2009, County Supervisor Mark Stone directed the Commission on the Environment and the County Public Works Department to bring a bag ban before the Board of Supervisors by April 2010. Acknowledging the prior work done by the TAC, a decision was made to combine the efforts of both groups to bring forth a single-use bag ban that would be used by all jurisdictions in the County, similar to the polystyrene ban.

A working group, composed of the members of the TAC, the Commission on the Environment, Save Our Shores and other interested individuals, created an issue and options outline that examines the strategies utilized by other jurisdictions and explores the applicability for Santa Cruz County and its jurisdictions. That outline is attached to this report.

Staff was contacted by a representative of the American Chemistry Council (ACC), a trade association representing a number of plastics manufacturers, which has been the major opponent of most of the single-use bag restriction legislation in California, who requested that we provide the Commission with a letter and information sheet they recently provided to the County. We have attached these for your information.

DISCUSSION: Although several options are available for the City of Santa Cruz, all require some level of further research and development. Several of these, including the EIR, lend themselves to a full countywide cooperative project, both as a matter of practicality and cost sharing. Currently, Green California Cities, a coalition of California cities that have all signed the United Nations Urban Environmental Accords, is working on a Master Environmental Assessment (MEA) begun by the now defunded California Ocean Protection Council. This MEA would assist jurisdictions by providing single use bag information that could be used within each individual EIR. At this time, the working group has not made a recommendation to either the TAC or the Commission on the Environment. More research is being done and recommendations are expected in the near future.

On January 25, 2010, the Public Works Commission took this issue under consideration and recommended that the City Council join with the County and other local governments to take appropriate actions to reduce the use of single-use bags by local retailers and consumers, and that the City contribute to the Green California City's Master Environmental Assessment. Staff held recent discussions with the Green California Cities Executive Director who indicated they are no longer taking funding for the study, but would be happy to provide Santa Cruz with a final copy of the MEA. The staff recommendation does not include the contribution recommendation since there are no further opportunities to fund the MEA.

At this time, Staff recommends that the City Council support the current direction of the TAC and that the City join with the County and other local jurisdictions to take appropriate actions to reduce the use of single-use bags by local retailers and consumers.

FISCAL IMPACT: There is no fiscal impact at this time.

Prepared by:	Submitted by:	Approved by:
Bob Nelson	Mark R. Dettle	Richard C. Wilson
Superintendent of Solid Waste	Director of Public Works	City Manager

ATTACHMENTS:

- ~Subcommittee Options Paper
- ~American Chemistry Council Letter

Single Use Bag Options

Current Legislative Constraints

- AB 2449 restricts municipal agencies from placing any fees on plastic bags. This requires that cities that want to take action against plastic bags have tried to ban rather than place fees. Effectiveness of the bill is uncertain but it will remain in effect until 2013.
- Three plastics bills were in the last legislative session, the one sponsored by industry (to keep municipalities from acting on this issue) appears dead; the other two have become two-year bills. There is little hope that even if they make it through the session they will be signed by the current governor (who has expressed his resistance to fees on business)

Current Statewide Alternative Strategies

Substitution with Compostable Plastics

- San Francisco - Covers supermarkets and large pharmacies can only distribute 100% recyclable paper bags with 40% post consumer content or compostable plastic bags.
- Oakland - Retail establishments with sales over \$1 million prohibited from distributing plastic bags. Alternatives are reusable bags, 100% recyclable paper bags with 40% post consumer content or compostable plastic bags. Challenged in court and the city lost, ordinance suspended until full EIR completed.

Voluntary Program

- LA County - B of S will take action to ban plastic bags if supermarkets and large pharmacies have not reduced plastic bag distribution 30% by 2010 and 65% by 2013. Lawsuit pending but ordinance still active.

Ban Upon Inaction of the California legislature

- LA City - Council will vote to ban plastic bags if CA legislature does establish a per-bag fee by 2010. No action to date.

Ban Plastic with a fee on paper bags

- Berkeley - The details are not fully available but it looks like the city will attempt to ban plastic bags and place a fee on paper bags

regardless of content. They intend to issue a Neg Dec on this. It was supposed to go to council last month, maybe this month?

Outright Plastic Ban

- Malibu - Retail establishments, restaurants, and vendors prohibited from distributing plastic bags. Alternatives are reusable bags, 100% recyclable paper bags with 40% post consumer content. They did a Neg Dec that was not challenged in court (not sure why not).
- Manhattan Beach - Retail establishments, restaurants, and vendors prohibited from distributing plastic bags. Alternatives are reusable bags, 100% recyclable paper bags with 40% post consumer content. They did a Neg Dec challenged in court and the City lost. Ordinance suspended until full EIR completed.
- Palo Alto - Large supermarkets prohibited from distributing plastic bags. Alternatives are reusable bags, 100% recyclable paper bags with 40% post consumer content. Council intended to expand program to cover all retail outlets and put a fee on paper. Challenged in court but settled when the city agreed not to expand the program.

Initiative Process

- City of Fairfax - Covers all stores, shops, eating places and retail food vendors can only distribute reusable bags, 100% recyclable paper bags with 40% post consumer content. Challenged in court and the City suspended the law. Brought back through citizen initiative, passed and went into effect.

Announce Ban Now With a Later Date to Take Effect & EIR - Single Use Bags

- San Jose - All retailers, except restaurants, non-profits and social service associations prohibited from using single use carry out plastic and paper bags. Exempts "green" paper bags that are 40% post consumer content and with the paper bag fee still to be determined. Has an escape clause in case the CA legislature acts. Effectively announces a ban to take effect no sooner than 12/31/2010. Will perform EIR prior to full adoption. No indication of legal challenge at this time.

Performance Standard based

- The intention of this method is to require a single use bag that meets a standard of: recycled content such as 40% post-consumer content, currently accepted in the local curbside recycling program and/or compostable to the ATSM standard.

- Currently, paper bags could meet the recycled content standard, but plastic bags would most likely not.
- This strategy has not yet been tried. It was recommended, by CAW, to the County of Sacramento but they decided not to use it. Not sure of the reason why they did not move forward on this and it is unclear how this would hold up to a legal challenge.

Potential Options

Substitution with Compostable Plastics

- Not really an option unless every municipality has full access to composting program.
- Compostable bags are contamination if there is any other film collection program.

Outright Plastic Ban

- This is the alternative with the highest number of lawsuits. By only targeting plastic bags the argument is that you increase paper bags and litter is not reduced.

Voluntary Program

- This is essentially what is happening with the current AB 2449 system. However there is no way to effectively assess how the program is doing. According to the CA Grocers Association, they can't even get the reporting data, done by the stores. The CIWMB gets these reports but will not release them due to proprietary information.

Ban Upon Inaction of the California legislature

- Unlikely to happen this legislative session.

Ban Plastic with a fee on paper bags

- This strategy seems plausible since several lawsuits rested on the fact that people replaced banned plastics with paper bags.
- The City of Berkeley is trying this approach along with issuing a negative declaration. It is unknown how this will work.

Initiative Process

- The citizen based initiative process is not subject to the EIR requirements. It does not appear possible to do a "countywide" initiative; each individual jurisdiction would need to do their own. However, this might be an area to examine more closely.

Announce Ban Now With a Later Date to Take Effect & EIR - Single Use Bags

- This is probably the best option available to the county task force.
- Most people acknowledge that whichever method used, a full EIR will be required. The delayed timeframe allows use to announce our intentions yet still have time to do the EIR.
- Discussions with Green Cities, who have taken over the Master Environmental Assessment (MEA) from the Ocean Protection Council, have said that even joining into the MEA effort, each individual jurisdiction would still need to do an EIR, they could just use the MEA for additional information.
- The delayed action allows time for educational groundwork to be accomplished.
- The mere action of the entire county lets the industry know that there will be one more patchwork of regulation they will have to individually comply with (or sue, if that is their direction) and with enough jurisdictions doing this they may push the state for action on a higher level.
- Delayed action allows us to take action while allowing the state to take possible action (of course this could be influenced by the industry, so that could be a good or bad outcome).

Performance Standard based

- Like the San Francisco model, Santa Cruz County would have trouble with the compostable portion of this due to the current lack of food waste composting capacity.

Observations

- Whichever strategy used, it would be the most effective if all cities in the county took action at the same time. It would even be more effective if it could cover the entire MBNMS, but this would require buy-in from two additional counties.
- If done as a countywide ban, it would help distribute the cost for a full EIR, if required.
- It appears that the last four options are potential strategies that might work in the county.
- The "Initiative process" offers the benefit of not being required to perform a full EIR, however there are unknown issues such how to get

this on five separate ballots, who can take the lead, and how could it be funded.

- The “Ban Plastic with a fee on paper bags” without an EIR seems unlikely to survive a legal challenge, based on the success of other lawsuits. It would be judicious to wait and see how the City of Berkeley fairs on this.
- The Performance Standard also looks likely, notwithstanding the issue of food waste composting capacity. One potential is to use the performance standard, pass the ban now with the stipulation that it becomes effective once the food waste composting capacity is in place. This may keep us from getting sued but it delays that actual implementation until 2014ish.
- Announcing the ban and doing the full EIR is the most likely solution. As stated above, it allows use to do some of the educational groundwork (such as 'stakeholder meetings') that will be required. It is (barring an actual court battle) the most expensive option.

Recommended Action



Ms. Melodye Serino
Zero Waste Administrative Analyst
County of Santa Cruz
701 Ocean Street, Room 410
Santa Cruz, CA 95060

December 9, 2009

Dear Ms. Serino:

I am writing on behalf of the American Chemistry Council—a trade association that includes several plastic bag manufacturers who employ over 2,500 throughout the country—to comment on any proposed “plastic bag reduction” ordinance.

Though we support the Santa Cruz County’s goal of reducing litter, we believe that the most environmentally responsible solution to addressing plastic bag litter and disposal is a comprehensive *program aimed at recycling plastic bags so that they may be used in the production of other products, such as new bags, pallets, containers, crates and pipes*. In many cases, DEMAND for this material EXCEEDS the available SUPPLY.

With similar policies having been recently adopted by the State of California and New York City, *ACC would welcome the opportunity to partner with Santa Cruz County, the grocery and retail industry, recyclers and other interested stakeholders to develop a system that effectively and efficiently recycles these products.*

As the policy development process begins, we ask that the following key points be considered:

- **Waste Stream.** According to the US Environmental Protection Agency, the amount of plastic bag litter in the waste stream is 0.5%. Plastic bags account for only 0.5% of the litter composition in Toronto, 0.6% in San Francisco, and 0.75% in Ireland.

With plastic bags being such a small amount of the municipal litter composition, we believe that efforts should be undertaken to reduce litter of ALL types, increase recycling, and improve the overall environmental landscape. This is a complex undertaking that requires the active participation of industry, government, non-profit groups, and consumers. All carry-out bags (plastic, paper, reusable) have some form of environmental impact and that no product or material is manufactured or used “in a vacuum.”

- **San Francisco:** Studies analyzing the effects of bag regulation are scarce, but those that have been conducted have produced some interesting results. The City of San Francisco passed a plastic bag ban ordinance (without regulation of paper bags), and concluded from their 2008 *Streets Litter Re-Audit* that:
 - Plastic bag litter *remained the same* before and after the ban at only 0.6%.
 - Total bag litter *increased* 1.5%.
 - 51% of the litter composition is fiber-based, thus debunking the notion that plastic bags are a serious litter problem.
- **AB 2449:** California’s landmark law requires all large grocery stores and pharmacies to provide a recycling bin for plastic bags and to provide reusable bags for purchase. The bins provide a statewide consumer infrastructure that captures plastic grocery, newspaper, dry cleaning, toiletry, and other bags and film. According to AB 2449, *if plastic bags are banned, the stores in affected jurisdictions could simply opt out of providing and servicing the bins and thus an infrastructure would cease to exist*. As an example, a recent study done by www.use-less-stuff.com found that after the City of San Francisco banned plastic bags, *plastic recycling bins had been removed from many stores after the ban took effect*.
- Plastic bag and film recycling is increasing:



- Nationwide over 830 million pounds of bags and film were recycled in 2007 (the last year figures are available) – up 27 percent from 2005.
 - According to the EPA's data, about 12 percent of plastic bags and film were recycled in 2007.
- **Paper vs. Plastic:** Any policy that would shift consumer preference from a fully recyclable plastic bag to a paper bag would carry its own environmental impacts. For example:
 - Paper bags consume 70% more energy to manufacture than plastic bags.¹
 - For every seven trucks needed to deliver paper bags, only one truck is needed for the same number of plastic bags, helping to save energy and reduce emissions.
 - It takes 91% less energy to recycle a pound of plastic than it takes to recycle a pound of paper.²
 - Plastic bags generate 80% less waste than paper bags.²
 - Plastic bags generate only 50% of the greenhouse gas (GHG) emissions of composted paper bags.¹
 - The production of plastic bags consumes less than 6 percent of the water needed to make paper bags.¹
 - If local governments adopt bag regulations, they would incur increased fiscal costs for enforcement; lower sales tax revenue; a negative impact on the tax base; a reduced capacity for passing another pervasive regulatory burden on a fatigued citizenry when more meaningful and urgent needs arise; and the risk of having consumers shop in other cities which do not have bag regulation, thus putting their businesses at a competitive disadvantage.
 - Since paper bags cost stores substantially more than plastic bags, a ban on fully recyclable plastic bags could result in increased business and consumer costs.
 - **Unintended Consequences in Ireland:** Most people reuse their plastic retail bags for pet waste, lunches, umbrella holders, etc. and any fee-based model would be akin to what Ireland experienced when they implemented a bag tax in 2002 because they did not have a plastic bag recycling infrastructure: sales of plastic bags to grocery stores declined 90% but sales of other plastic bags increased over 400%. With plastic retail bags being only 0.75% of the litter composition in Ireland, regulations will not make much of an impact on the amount of what is littered and ultimately found.
 - **High Demand for Plastic Bags:** Earlier this year, U.S. plastic bag manufacturers announced support for efforts to help "close the loop" by promoting the recycling of used plastic bags and wraps into new plastic bags. Through "The Full Circle Recycling Initiative," plastic bag manufacturers have set an aggressive goal of 40 percent recycled content (25 percent postconsumer) by the year 2015.
 - **EIR Needed:** An Environmental Impact Report (EIR) under the California Environmental Quality Act has not been completed, and therefore, with so much information and data not yet collected and analyzed, choosing a specific policy position at this time is premature.
 - We believe Santa Cruz County should also commission an economic study to determine the level of inevitable negative economic impact their policy would have. A ban on plastic bags would certainly not result in a positive or even neutral economic impact.

Thank you for considering our views. We look forward to being a collaborative partner as this process continues.

Sincerely,



Ryan Kenny
 Manager, State Affairs & Grassroots
 American Chemistry Council

cc: Members, Santa Cruz County Board of Supervisors

¹ Boustead Consulting & Associates Ltd. *Life Cycle Assessment for Three Types of Grocery Bags – Recyclable Plastic; Compostable, Biodegradable Plastic; and Recycled, Recyclable Paper*. 2007. See: http://www.americanchemistry.com/s_plastics/doc.asp?CID=1106&DID=7212

² U.S. Environmental Protection Agency. *Questions about Your Community Shopping Bags: Paper or Plastic*. See: <http://web.archive.org/web/20060426235724/http://www.epa.gov/region1/communities/shopbags.html>



Info Sheet

Contact: Jennifer Killinger (703) 741-5833
Email: jennifer_killinger@americanchemistry.com

RECYCLABLE PLASTIC BAGS

Plastic grocery bags are an extremely resource-efficient disposable bag choice.

- Plastic grocery bags require 70 percent less energy to manufacture than paper bags.¹
- For every seven trucks needed to deliver paper bags, only one truck is needed for the same number of plastic bags, helping to save energy and reduce emissions.
- It takes 91% less energy to recycle a pound of plastic than it takes to recycle a pound of paper.²

Less material means less waste and fewer emissions.

- 2,000 plastic bags weigh 30 lbs; 2,000 paper bags weigh 280 lbs. Plastic bags take up a lot less space in a landfill.²
- Plastic bags generate 80 percent less waste than paper bags.²
- Plastic grocery and retail bags make up a tiny fraction (less than 0.5 percent) of the U.S. municipal solid waste stream.³
- Plastic bags generate only 50% of the greenhouse gas (GHG) emissions of composted paper bags.¹
- The production of plastic bags consumes less than 6 percent of the water needed to make paper bags.¹

Plastic grocery bags are fully recyclable⁴ and the number of recycling programs is increasing daily.

- Nationwide over 812 million pounds of bags and film were recycled in 2006 – up 24 percent from 2005.⁵
- According to EPA's data, about 10 percent of plastic bags and film were recycled in 2006.³
- Plastic bags can be made into dozens of useful new products, such as building and construction products, low-maintenance fencing and decking, and of course, new bags.
- There is high demand for this material, and in most areas, demand exceeds the available supply because many consumers are not aware that collection programs are available at local stores.
- In recent years, many grocers and retailers have introduced plastic bag collection programs. Consumers should look for a collection bin, usually located at the front of the store. The number of municipal drop-off centers and curbside programs to recycle plastic bags is increasing also. Consumers can locate plastic bag recycling programs in their communities by visiting www.PlasticBagRecycling.org.
- In addition to grocery bags, other plastic retail bags, dry cleaning bags, newspaper bags, plastic wrap from products like paper towels and toilet paper, and all bags labeled with recycling codes #2 (HDPE) and #4 (LLDPE) can be included wherever plastic bags are collected for recycling.

¹ Boustead Consulting & Associates Ltd. *Life Cycle Assessment for Three Types of Grocery Bags – Recyclable Plastic; Compostable, Biodegradable Plastic; and Recycled, Recyclable Paper*. 2007. See: http://www.americanchemistry.com/s_plastics/doc.asp?CID=1106&DID=7212

² U.S. Environmental Protection Agency. *Questions about Your Community Shopping Bags: Paper or Plastic*. See: <http://web.archive.org/web/20060426235724/http://www.epa.gov/region1/communities/shopbags.html>

³ U.S. Environmental Protection Agency. *Municipal Waste in the United States: 2006 Facts and Figures*. See: <http://www.epa.gov/epaoswer/non-hw/muncpl/msw99.htm>

⁴ Recycling may not be available in all areas. Check to see if plastic bag recycling exists in your community. See: <http://www.plasticbagrecycling.org/01.0/>

⁵ Moore Recycling Associates, Inc. *2006 National Post-Consumer Recycled Plastic Bag and Film Report*. Sonoma, California. 2008. See: http://www.americanchemistry.com/s_plastics/doc.asp?CID=1593&DID=7140



In addition to recycling, a recent national survey shows that over 90% of Americans reuse their plastic bags.

- About 65% of Americans reuse their bags for trash disposal. Other common uses include lunch bags and pet pick-up.
- In this regard, the reuse of a plastic shopping bag prevents a second bag from being purchased to fulfill these necessary functions.

WHAT TO KNOW ABOUT BAG BANS

Banning recyclable plastic bags will not reduce society's dependence on oil.

- In the United States, nearly 80% of polyethylene⁶, the type of plastic used to make plastic bags, is produced from natural gas, *not* oil. This includes feedstock, process and transportation energy.
- Much of the energy used to make plastic bags is embodied in the bag itself, and since plastic bags are fully recyclable, that energy is available for new products.

Mandating that recyclable plastic bags be replaced with biodegradable or compostable bags will not reduce litter or the amount of waste in our landfills.

- The biodegradable and compostable bags currently on the market will only degrade in a professionally-managed, large-scale composting facility. They will not breakdown in the natural environment, in a home composting device or in a landfill.
- It is currently estimated that there are fewer than 100 suitable composting facilities in the United States. Where composting facilities are not available, "compostable" bags will be sent to a landfill.

Banning recyclable plastic bags or mandating their replacement with compostable bags will diminish efforts to recycle these products.

- Mandating that grocers and retailers replace plastic bags with compostable or paper bags will eliminate many in-store collection programs, which are currently the largest mechanism for recovering post-consumer bags for recycling.
- In addition, the mandated use of compostable bags will cause the accidental commingling of biodegradable and recyclable bags, which will contaminate the recovered material, rendering it unusable by manufacturers.

Last Updated: August 13, 2008

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<http://www.americanchemistry.com>

The American Chemistry Council (ACC) represents the leading companies engaged in the business of chemistry. ACC members apply the science of chemistry to make innovative products and services that make people's lives better, healthier and safer. ACC is committed to improved environmental, health and safety performance through Responsible Care®, common sense advocacy designed to address major public policy issues, and health and environmental research and product testing. The business of chemistry is a \$664 billion enterprise and a key element of the nation's economy. It is one of the nation's largest exporters, accounting for ten cents out of every dollar in U.S. exports. Chemistry companies are among the largest investors in research and development. Safety and security have always been primary concerns of ACC members, and they have intensified their efforts, working closely with government agencies to improve security and to defend against any threat to the nation's critical infrastructure.

⁶ U.S. Department of Energy's and National Renewable Energy Laboratory's U.S. Life Cycle Inventory Database. See: <http://www.nrel.gov/lci/> Data also available as a report: Franklin Associates, LLC. *Cradle-to-Gate Life Cycle Inventory of Nine Plastic Resins and Two Polyurethane Precursors*. 2007. See: http://www.americanchemistry.com/s_plastics/sec_content.asp?CID=1930&DID=7832

The City of San Francisco STREETS LITTER RE-AUDIT 2008

PREPARED FOR

The City of San Francisco
San Francisco Environment Department

PREPARED BY



Brown, Vence
& Associates, Inc.

&



July 4, 2008

Executive Summary

The City of San Francisco continues to be known throughout North America for its initiatives to protect the environment. The City has a multitude of waste reduction and waste management programs in place to improve the environment for residents. Such activities as recently moving to "all-plastics" pick ups in the curbside recycling program are examples of how this city achieved a 70% diversion rate by 2007.

In 2007, the City conducted a litter audit. Working with HDR / BVA Engineering, a local San Francisco full service firm, the City audited litter on city streets. HDR / BVA in turn contracted MGM Management, a Canadian environmental consulting firm that has expertise in the area of litter audit work to design the audit to conform with their proven methodology. MGM Management has conducted over a fourteen major litter audits to major North American municipalities since 2002, and has an accumulated data base of over 56,000 litter observations.

The San Francisco Department of Environment decided that it was necessary to re-audit the 2007 sites in 2008, and to add additional sites to strengthen the litter observations. HDR / BVA Engineering managed and provided trained auditors for the work, while MGM Management provided the audit design, methodology protocols, site selection including new randomly selected sites, data management and data analysis services.

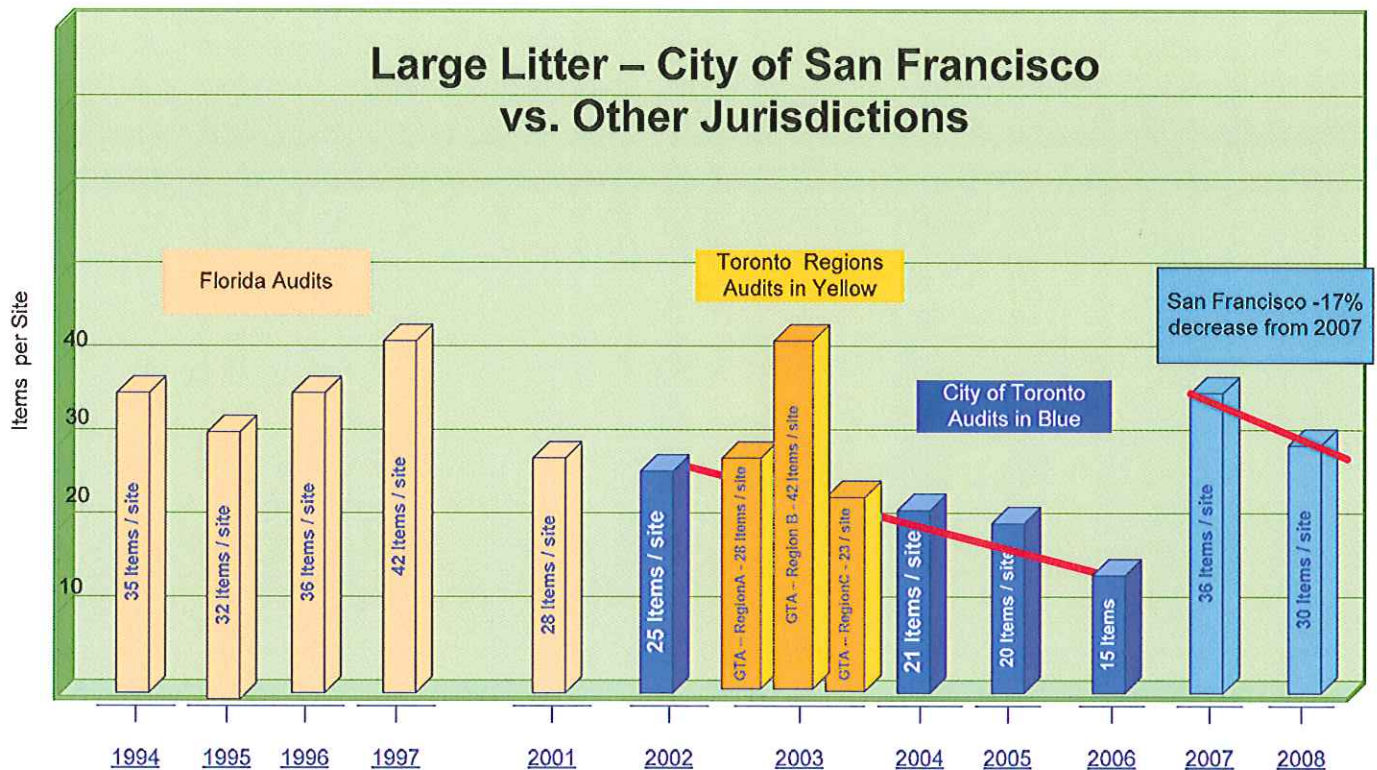
Within this study litter is classified as "large" for those items over 4 square inches in size or as "small" litter for items less than 4 sq. in. Eighty-four sub-categories of large and sixteen sub-categories for small litter were examined.

A total of 3,973 items of large litter were observed by auditors, on San Francisco streets during the April 2008 litter audit.

One hundred and thirty two sites (increased from 105 in 2007) were audited April 7 - 18, 2008. This audit was conducted at approximately the same time of year in 2008 as in the previous audit (conducted April 9 - 20, 2007).

The 2007 audit observed, an average of 36 items of large litter per site; which decreased 17% to 30 items of large litter per site in 2008 (3,973 / 132 sites). The chart below illustrates how the results in the San Francisco litter audit compare with 2007 and with other jurisdictions.

Large Litter – City of San Francisco vs. Other Jurisdictions



The largest category of large litter observed, at 664 litter pieces was non-branded paper napkins and paper towels. This is a similar result from the 2007 audit, where napkins were the second most significant category (570 pieces of large litter in 2007). Printed paper materials were the second most significant litter category at 380 items, followed closely by miscellaneous paper, last year's most significant large litter category. Miscellaneous paper was the third most significant category in the 2008 litter audit with 318 items observed.

Again in 2008, all fiber based products and items that were observed contributed 51% of the total large litter observed, as compared to 54% in the 2007 audit. Fiber based litter included paper, paperboard, cardboard, towels, napkins, newspapers, books, flyers, printed materials, and business forms, stationary.

Focus on plastic is misplaced

An interesting observation was made in terms of what brands of printed materials are on the ground in San Francisco. MUNI tickets and transfers are a contributor to paper litter on city streets. This observation of transit ticket, receipts and transfers as being a significant contribution to paper litter is consistent with observations made by the consultant in our (other) urban audits. This is an area where action can reduce litter significantly.

The second most significant material type observed was plastic materials. These included miscellaneous plastic, plastic packaging, wrap, plastic bags-retail and non-retail, hot and cold plastic drink cups, plastic jars, bottles, composites, utensils, zip bags, beverage containers, trays, polystyrene cups, confectionary, sweet and snack food packaging, pouches, plates, retail bags, and carrying rings. The most significant single category of plastic litter was unidentified miscellaneous plastic litter; which is litter that is broken or weathered that auditors cannot identify it with certainty; and is assumed to be plastic. Miscellaneous plastic litter accounted for 186 littered items or 4.7 % (compared to 9% in 2007) of total litter. All large plastic litter in aggregate accounted for 953 items observed (compared to 746 in 2007), or 24 % of total large litter observed (compared to 20% in 2007).

Below we compare litter occurrence in San Francisco versus all previous audits completed by the consultant. This allows a comparison to other jurisdictions where litter audits have been done using the same methodology.

San Francisco 2008 vs. Other Jurisdictions (2002 - 2007) ¹.

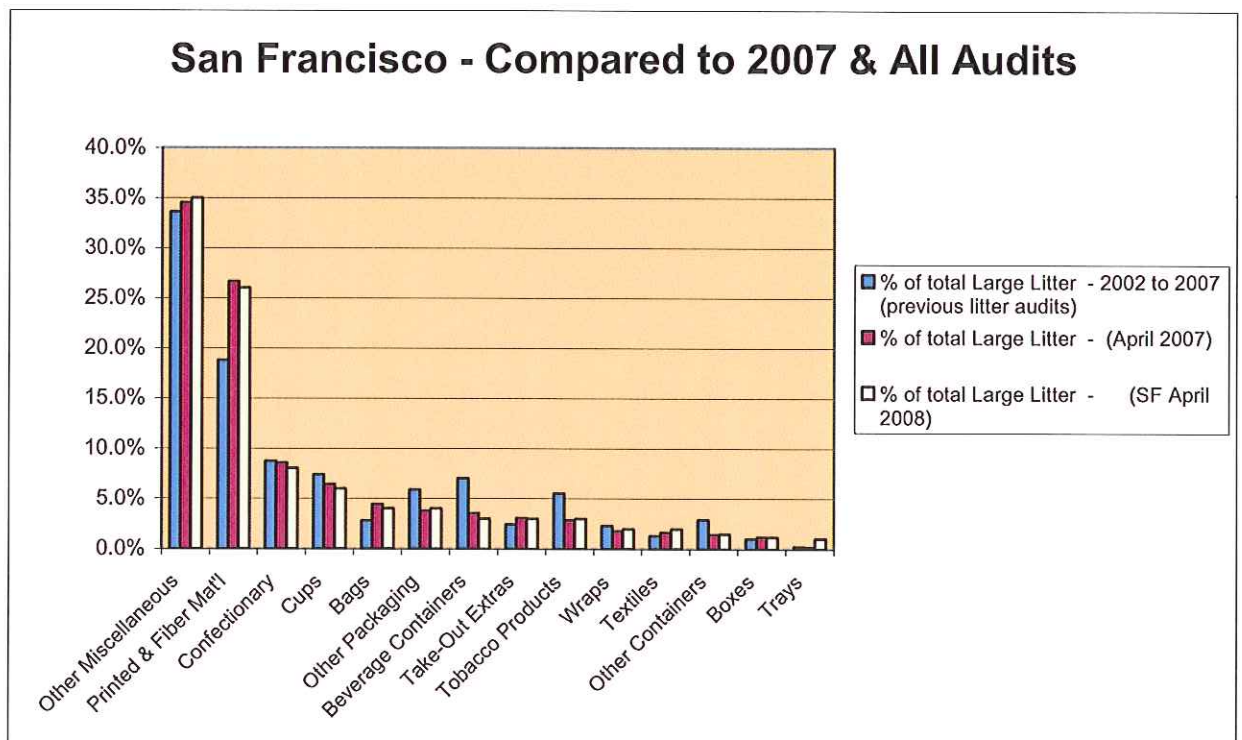
	Observations - 2002 to 2006 (other jurisdictions)	% of total Large Litter - 2002 to 2006 (other jurisdictions)	San Francisco Litter Audit (April 2007)	% of total Large Litter - SF April 2007	% of total Large Litter - SF April 2008
Other Miscellaneous	15,428	33.2%	1,316	34.5%	23.6%
Printed & Fiber Mat'l	8,693	18.7%	1,016	26.7%	31.3%
Confectionary	4,094	8.8%	326	8.6%	7.6%
Cups	3,366	7.2%	243	6.4%	6.4%
Bags	1,232	2.7%	169	4.4%	5.9%
Other Packaging	2,862	6.2%	145	3.8%	3.3%
Beverage Containers	3,420	7.4%	135	3.5%	3.0%
Take-Out Extras	1,076	2.3%	116	3.0%	3.8%
Tobacco Products	2,594	5.6%	110	2.9%	3.7%
Wraps	1,109	2.4%	68	1.8%	3.6%
Textiles	608	1.3%	62	1.6%	1.0%
Other Containers	1,472	3.2%	55	1.4%	2.2%
Boxes	448	1.0%	45	1.2%	3.4%
Trays	88	0.2%	6	0.2%	0.1%
	46,490	100%	3,812	100%	100%

Total bag litter is a small portion of total (5.9% of large items, 3.7% of small)

Bag litter has increased after plastic bag ban

1. Aggregated litter data, Litter audits by MGM Management including:
 City of Toronto, Canada (2002, 2003, 2004 (2 audits), 2005, 2006
 Regional Municipality of Peel, Canada (2003)
 Regional Municipality of York, Canada (2003)
 Regional Municipality of Durham, Canada (2003)

San Francisco - Compared to 2007 & All Audits



Again in 2008, observations of the small litter classification during the San Francisco audit showed a relatively low occurrence of small litter on city streets, as compared to audits performed by the consultant in other cities. In the 2008 audit, 2,335 small litter items were observed (compared to 2,393 in 2007) at 132 sites audited. This averages 18 items per site (compared to 23 in 2007) which is comparable with 21 items / site for the City of Toronto, Ontario, Canada; where considerable clean-up activities and litter abatement efforts have been underway for several years. Averages twice as high as the small litter rate observe in San Francisco in 2007 have been recorded by the consultant in other litter audits.

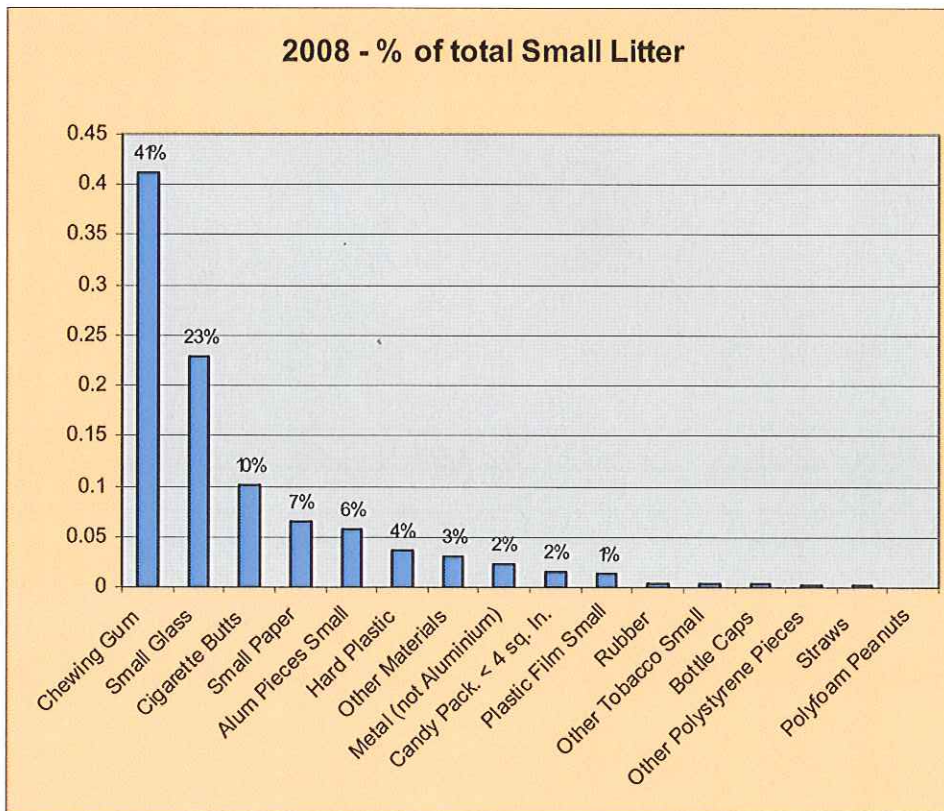
As identified in the 2007 litter audit, gum deposits on San Francisco streets continue to be a significant issue. Gum deposits on sidewalks and roadways cause a sticky and annoying problem for pedestrians. Gum deposits accounted for 39.5% of all the small litter observed during the 2007 audit, and in 2008 a similar observations was noted. In the 2008 litter audit gum deposits were 41% of the small litter observations made (960 gum deposits noted). Glass and paper small litter were also significant contributors to this class of litter.

Small litter is difficult to control, in that it is "manufactured" by a combination of degradation (weather) and man-made activities (vehicle traffic, mowing, etc.).

The small litter results for the 2008 San Francisco audit sites are illustrated below.

Due to the nature of randomly selecting sites and the methodology used for litter auditing of those locations, the consultant is of the opinion that this litter audit is representative of the overall litter occurrence in the City of San Francisco streets, as of April 2008.

2007 San Francisco - Small Litter – by Category



Small Litter Summary

Category	Description	SF	SF	SF	SF
		2008	2008	2007	2007
		Total Small Litter Items Observed	% of Total Small Litter	Total Small Litter Items Observed	% of Total Small Litter
16	Chewing Gum	960	41.1%	946	39.5%
8	Small Glass	535	22.9%	710	29.7%
9	Small Paper	153	6.6%	187	7.8%
1	Cigarette Butts	234	10.0%	135	5.6%
15	Other Materials	73	3.1%	97	4.1%
11	Hard Plastic	85	3.6%	92	3.8%
10	Plastic Film Small	33	1.4%	56	2.3%
2	Other Tobacco Small	9	0.4%	51	2.1%
14	Metal (not Aluminium)	52	2.2%	41	1.7%
13	Rubber	10	0.4%	26	1.1%
12	Alum Pieces Small	135	5.8%	19	0.8%
5	Candy Pack < 4 sq. In.	36	1.5%	16	0.7%
6	Polyfoam Peanuts	2	0.1%	8	0.3%
7	Other Polystyrene Pieces	6	0.3%	5	0.2%
3	Bottle Caps	8	0.3%	4	0.2%
4	Straws	4	0.2%	0	0.0%
		2,335	100.0%	2,393	100.0%

Average SF Small Litter Items / site

18

23

3.2.3 Bags

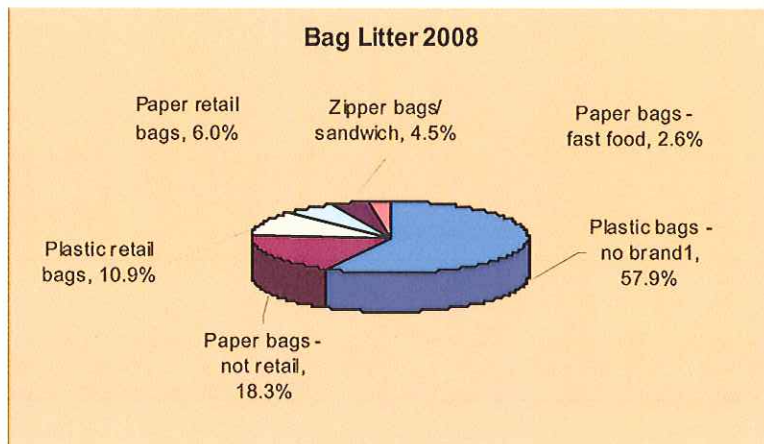
3.2.3 Bags

			2008	2007
	Items	% of Sub-category	% of Total Large Litter	% of Total Large Litter
Plastic bags - no brand ¹	136	57.9%	3.42%	1.11%
Paper bags - not retail	43	18.3%	1.08%	1.88%
Plastic retail bags	25.5	10.9%	0.64%	0.60%
Paper retail bags	14	6.0%	0.35%	0.37%
Zipper bags/ sandwich	10.5	4.5%	0.26%	0.31%
Paper bags - fast food	6	2.6%	0.15%	0.18%
	235	100.0%	5.91%	4.45%

Plastic bag ban has done nothing to reduce bag litter
Plastic retail bags were 0.6% before and after plastic bag ban

Sub-category average (2002 - 2007 - 54,000 observations) 2.80%

- Note: Plastic bags with no clear brand marking included in this sub-category
- Item counts may not equal whole numbers due to averaging.



Discussion:

Plastic bags including retail sacks, zipper bags represented 4.3 % of total large litter (172 items out of 3,973). Plastic bags represented 73% of bag litter, as observed in the 2008 litter audit. Plastic bags with or without brand marking on them (i.e. grocery bags) represented 69% of the litter in this category, and 4% of total litter. Paper bags collectively accounted for 24 % of this sub-category, with non-retail paper bags (like lunch bags) representing 18% of the sub-category.

In 2008, as was also observed in 2007, bag litter in San Francisco was higher (5.9% of total litter) than the consultant's category average for bags in all audits conducted between 2002 – 2007 (2.8%) from other combined jurisdictions.



CITY COUNCIL AGENDA REPORT

DATE: February 11, 2010

AGENDA OF: February 23, 2010

DEPARTMENT: Public Works

SUBJECT: Merging the City Transportation and Public Works Commissions.
(PW)

RECOMMENDATION: Motion to combine the City Transportation Commission and Public Works Commissions into one body and provide direction to staff to prepare the necessary enabling ordinance revisions and by-laws changes to create a merged Transportation and Public Works Commission.

BACKGROUND: The Chairpersons of the City Transportation Commission (CTC) and Public Works Commission (PWC) met with the Mayor and Public Works staff on February 11, 2010 to discuss the commissions' recommendations that the two advisory bodies merge to become the Transportation and Public Works Commission (see attached minutes).

DISCUSSION: The consensus of the meeting attendees was that everyone was in agreement to combine the two commissions. Staff and the chairs of the commissions mentioned that numerous meetings had been cancelled during the past year due to a lack of action items. They anticipate a merged commission helping to eliminate that situation while generating more public input. The CTC chairperson noted that a combined commission, while providing a broader scope, would also present a definitive single point of contact to the public for discussion of transportation and public works issues. And, this would in turn enhance public engagement in the commission process. With a combined commission there is a greater chance there will be a meeting as scheduled and not cancelled due to lack of action items, as has been the recent experience for both the Transportation and Public Works Commissions for the past two years. Additionally, the CTC chair noted that a merged commission would allow for a better focus on Capital Improvement Projects as they move through the budget and funding processes.

As far as the concern that the combined commission meeting becoming too lengthy, should the need arise, special meetings could be used to deal with issues that need more time or do not have sufficient lead time to meet the standard two month meeting schedule. Another tool that has been used is the creation of citizen working group that could report back to the commission. This has been done successfully in the past with the creation of the Energy Task Force. These are short term working groups established for a specific purpose and a short duration, usually less than a year.

Members of both commissions were polled as to their willingness to continue to serve on a combined advisory body. Most members wished to continue their service. It was determined by the commission chairs, in discussion with staff and the Mayor that all members with time remaining in their current term of service wishing to serve on a merged advisory body should be permitted to do so. Through term limits and attrition the combined Transportation and Public Works Commission would eventually have seven (7) members.

FISCAL IMPACT: There will be a reduction in the necessary staff support time as a result of combining the Public Works and City Transportation Commissions and therefore there will be minor, but indeterminate cost savings.

Report prepared by Robert Solick, Principal Administrative Analyst.

Submitted by:

Approved by:

Mark R. Dettle
Director of Public Works

Richard C. Wilson
City Manager

Attachments:

Excerpts - Action Agenda - Public Works Commission - 1/25/10

Excerpts - Action Agenda - Transportation Commission - 1/13/10

Marshall Miller nominated Deanna Sessums.

Ayes: David Terrazas, Scott Wedge, Constance Gabriel-Wilson, Deanna Sessums, Marshall Miller

Noes: none

Deanna Sessums was elected Vice-chair.

3. Merging the City Transportation and Public Works Commissions*

Recommendation: That the City Transportation Commission discuss and act upon the proposed merging of the City Transportation Commission and Public Works Commissions

Acton: Deanna Sessums moved, seconded by Marshall Miller, that the CTC approve and forward to the City Council the proposed merging of the City Transportation Commission and Public Works Commissions.
Ayes: Marshall Miller, Deanna Sessums, David Terrazas, Constance Gabriel-Wilson.
Noes: Scott Wedge.
Motion passed.

4. Transportation Project Update*

Recommendation: That the City Transportation Commission review and comment on the Transportation Project Update.

Information Items

- 5. Laurel Street Improvements Between Felix and Blackburn*
- 6. Redevelopment Agency Report*
- 7. Speed Survey Update*
- 8. City of Santa Cruz Budget Report – December 2009*
- 9. Council Actions on CTC Items.*

**Written material provided*

Subcommittee/Advisory Body Oral Reports

Items Initiated by Members for Future Agendas

Adjournment

Constance Gabriel Wilson moved, seconded by Marshall Miller, that the meeting be adjourned.

The City Transportation Commission adjourned at 9:15 p.m. from the January 13, 2010 meeting to the next regular scheduled meeting on March 10, 2010 at 7:00 p.m. at the City Council Chambers.

Presentation by Suzanne Healy, Environmental Projects Analyst.

ACTION Commissioner Schlenger moved, seconded by Commissioner Pomerantz to recommend that the City Council direct Staff to join the Regional Joint Effort for Developing Hydromodification Control Criteria and make the required related revisions to the City's Storm Water Management Plan in compliance with the City's State Storm Water Permit. **Motion carried** by the following vote:

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

4. Countywide Single-Use Bag Reduction Measures*
Presented by Bob Nelson, Superintendent of Solid Waste.

Public Comment:

- Andrew Chapman, spoke in favor of a total ban on single use bags.

ACTION Commissioner Noroyan moved, seconded by Commissioner Schlenger to recommend that the City Council join with the county and other local governments to take appropriate actions to reduce the use of single-use bags by local retailers and consumers and that city contribute to the Green City's Master Environmental Assessment financially. **Motion carried** by the following vote:

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

5. Request by Hope Services, Inc. to be a Designated Approved Collector for Covered Electronic Wastes*
Mary Arman introduced Dave Guarente from HOPE Services, Inc.

ACTION Commissioner Schlenger moved, seconded by Commissioner Noroyan to recommend that the City Council approve an agreement designating Hope Services, Inc., as a Designated Approved Collector for covered electronic wastes (CEW) pursuant to 14 CCR 18660.5(a)(34). **Motion carried** by the following vote:

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

6. Merging the City Transportation and the Public Works Commissions*

ACTION Commissioner Noroyan moved, seconded by Commissioner Pomerantz to recommend the consolidation of the two commissions (Public Works and City Transportation) with a recommendation that everyone who is currently serving have the option to serve until their end of term. **Motion carried** by the following vote:

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

ACTION Commissioner Commission Noroyan moved and Commissioner Kennedy seconded that the two chairs of the Public Works and City Transportation Commissions work with the City Council regarding any issues of merging the membership of the two commissions.



AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

7. Election of New Officers

Commissioner Pomerantz nominated Commissioner Schlenger for Chair. Commissioner Schlenger declined.

ACTION Chair Elston nominated Vice-Chair McKee for Chair. No other nominations.

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

Commissioner Schlenger nominated Commissioner Pomerantz for Vice-Chair. Commissioner Pomerantz deferred to Commissioner Noroyan.

ACTION Commissioner Elston nominated Commissioner Noroyan for Vice-Chair.

AYES: Commissioners Pomerantz, McKee, Kennedy, Noroyan, Schlenger and Chair Elston.
NOES: None

Information Items

8. Budget Report*

9. Transportation Projects Update with attachment of list and map*

10. Council action on CTC items*

11. American Chemical Council – County of Santa Cruz Letter, December 9, 2009*

* *Written materials provided.*

Subcommittee/Advisory Body Oral Reports

- Integrated Waste Management Local Task Force, Alan Schlenger

Items Initiated by Members for Future Agendas

- Collection and Conversion of Restaurant Grease to Biodiesel (Fryer to Fuel program)/ Update
- Refuse Collection on Monthly or Bi-monthly Basis
- Solar Financing District/ Update
- Waste Characterization Study Results

Adjournment at 9:35 p.m.

The Public Works Commission will adjourn from the January 25, 2010 regularly scheduled meeting to the next scheduled meeting on March 15, 2010 at 7:00 p.m. at the City Council Chambers.



CITY COUNCIL AGENDA REPORT

DATE: 02/17/2010

AGENDA OF: 2/23/2010

DEPARTMENT: Planning

SUBJECT: Fee Schedule Revisions Recommended for Certain Planning and Building Fees. (PL)

RECOMMENDATION: Introduction of an ordinance for publication amending portions of Title 18 relating to permit fees.

Resolution revising Fee Schedules for the Department of Planning and Community Development and rescinding Resolution No. NS-27,971.

BACKGROUND: The City of Santa Cruz charges cost recovery and impact-related fees for a wide variety of planning and building permits and other development activity. As is typical for most cities in California, the revenue from these cost-recovery fees is used to pay for the staff and consultant work required for the planning and building activity, such as public hearings, plan checks, building inspections and the like.

Most development-related fees are charged and collected at the time of permit application, plans submittal or permit issuance. They are typically based on a flat rate or a percentage of project costs or valuation. The City of Santa Cruz has adopted a practice of increasing most fees by an annual inflation adjustment at the start of each fiscal year with periodic fee reviews to ensure both cost recovery and comparability with other jurisdictions.

DISCUSSION: Through internal staff review and discussions related to cost recovery with the professional development community, it was determined that several specific fee changes are warranted. These changes were presented during the budget hearings in June 2009 and action is needed for implementation.

The specific recommended changes and justifications are as follows:

1. Increase the Application Intake and Document Fees. Currently the Planning and Community Development Department charges a fee of \$38 with the submittal of every planning application. This fee is to help cover the cost of handling of the application during its early stages. However, staff has realized that there is an unrecovered cost during the preliminary period when an application is being considered. Staff spends quite a lot of time working with applicants to define their project, determining what will be required with the application, reviewing preliminary plans and explaining the expected process. To help recover most of this cost, staff is recommending that the application intake fee be increased to \$100 for cases requiring a public hearing. This amount is close to the Department's hourly billing rate and staff observes that for

most applications staff spends approximately an hour prior to and during application intake. For over the counter applications, which tend to be less complicated, a \$50 fee is recommended. Staff has surveyed surrounding jurisdictions' costs for application intake fees and found their charges to be similar to, if not more than, what is proposed. Likewise, some have the proposed split fee structure to keep fees lower and reflect staff time spent for less complicated cases.

The Department also currently takes in a fee of \$19 for archiving the application after completion. This fee covered microfiche copying of the planning files until the City started using the SIRE Document Management System. In order to fully use the SIRE system and digitize files, the Department purchased a scanner with a maintenance contract and began scanning all the planning and code enforcement files. It became evident very quickly that the \$19 document fee did not cover staff costs for the average amount of time it takes to scan a complete file and the expense of the scanner. Staff is committed to proceeding with this imaging program because having the scanned files is an integral part of improving our public service once the new permitting system becomes available online. Staff is recommending that the fee for document imaging of the planning files be increased to \$70 for public hearing cases and \$35 for non-public hearing cases. Again, this structure keeps fees lower for the projects that involve less scanning time. This new fee revenue would be used to cover the cost for planning case file imaging and access.

2. Increase Base Fee for Over-the-Counter Building Permits. The Department charges a base fee on permit issuance for all basic building permits (plumbing, electrical, mechanical). Currently that fee is \$23.50 for individual permits. This fee does not cover City costs for processing the permit and conducting an inspection. Staff observes that the average time spent on such a permit is usually not more than a half hour. A survey of other jurisdictions has shown that our City base fee charge is much lower than others. Staff is recommending that the base fee be increased to \$53.50 for individual permits and \$25.00 for supplemental permits. This increased fee would still be less than the majority of jurisdictions surveyed. The increased fee would also bring us closer to covering our staff cost for each individual permit. As a policy matter it is acknowledged that in many cases this new fee still will not cover the cost for service; however, it incentivizes permits to help assure health and safety codes are met.

3. Grading Permit Fees. The Department charges fees for grading permits and plan reviews based on volume of materials. These fees are tiered and increase incrementally by volume of materials. Currently the base or first tier fees are \$23.50 for a permit and \$15.00 for plan review. Staff is recommending increasing the fees to be closer to the department's hourly rate to cover the costs of inspections and plan check as per the attached fee schedule.

4. Create an Address Assignment/Change Fees. The creation of new units or new lots requires the determination and assignment of new addresses for these units or lots. This is an important function because the new addresses must be in logical sequence and will be used by the United States Post Office, 911 Center, County Assessor and others. This service takes about a half hour for each address assignment. The City has never charged a fee for this function, but in surveying other jurisdictions staff discovered that some do charge for this service. Staff is recommending a minimum \$53.50 fee for simple address assignments/changes, which is approximately half of our hourly billing rate, and the hourly rate of \$107.00 for complex address assignments.

5. Arborist Report Review Fee. Occasionally, as part of a development project, potential tree impacts require an arborist report to be prepared and submitted with the application. The report is reviewed by the Urban Forester. Staff is proposing a fee to review tree reports that are submitted with a planning application or a building permit. A \$214 fee is proposed, similar to what is charged for review of a biotic report to allow for professional review, any site visits and comment on said report. The fee is equal to two hours of staff time which has been the approximate time to review and comment on such reports.

FISCAL IMPACT: The anticipated impacts of these recommended fee adjustments have been discussed previously with the City Council as potential revenue for the Planning and Community Development Department. Given the amount of planning and building permit business over the past year, the following estimates of revenue were approximated. The Application Intake Fee and Document Fee increases are estimated to increase revenue approximately \$16,000; the Building Permit Over-the-Counter Permit Fee increase should increase revenue approximately \$19,000; the new Address Assignment/Change fee should increase revenue approximately \$1,500; and the new tree report review fee should increase revenue approximately \$642.

Prepared by:
Alex Khoury
Assistant Planning Director

Submitted by:
Juliana Rebagliati
Planning Director

Approved by:
Richard C. Wilson
City Manager

ATTACHMENTS:

Ordinance
Resolution - Planning & Building Fees
Exhibit A - Planning Fees
Exhibit B - Building Fees

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SANTA CRUZ
AMENDING PORTIONS OF TITLE 18 TO THE SANTA CRUZ MUNICIPAL CODE
PERTAINING TO BUILDING PERMIT FEES

The City Council of the City of Santa Cruz ordains as follows:

Section 1. Chapter 18.04.050 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.04.050 PERMIT FEES.

The chief building official shall charge and receive such fees for services, inspections and permits relating to any work subject to this chapter as set forth in Chapter 3, Table 3A of the Uniform Administrative Code as adopted in Section 18.04.030 and in the fee schedule established by City Council resolution.

Where development is conducted pursuant to the filing of a vested tentative subdivision map, the permit fees charged pursuant to this section shall be charged in accordance with the fee schedule in effect on the date of the building permit application.

Section 2. Chapter 18.08.050 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.08.050 PERMIT FEES.

The chief building official shall charge and receive such fees for services, inspections and permits relating to any work subject to this chapter as set forth in Chapter 3, Table 3B of the Uniform Administrative Code as adopted in Section 18.04.030 and in the fee schedule established by City Council resolution.

Section 3. Chapter 18.12.050 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.12.050 PERMIT FEES.

The chief building official shall charge and receive such fees for services, inspections and permits relating to any work subject to this chapter as set forth in Chapter 3, Table 3D of the Uniform Administrative Code as adopted in Section 18.04.030 and in the fee schedule established by City Council resolution.

Section 4. Chapter 18.14.050 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.14.050 PERMIT FEES.

The chief building official shall charge and receive such fees for services, inspections and permits relating to any work subject to this chapter as set forth in Chapter 3, Table 3C of the

ORDINANCE NO.

Uniform Administrative Code as adopted in Section 18.04.030 and in the fee schedule established by City Council resolution.

Section 5. Chapter 18.45.060 of the Municipal Code of the City of Santa Cruz shall be amended to read as follows:

18.45.060 GRADING FEES.

~~Grading permit fees shall be adjusted from time to time as necessary by the building official to cover the costs of implementation of this chapter. As a reference, Tables 70A and 70B in the Appendix of the Uniform Building Code shall be used as a basic guideline unless amended.~~

The chief building official shall charge and receive such fees for services, inspections and permits relating to any work subject to this chapter as set forth in the fee schedule established by City Council resolution.

Section 6. This ordinance shall be in force and take effect thirty (30) days after its final adoption.

PASSED FOR PUBLICATION this ____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

ORDINANCE NO.

PASSED FOR FINAL ADOPTION this ____ day of _____, 2010, 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

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ RESCINDING
RESOLUTION NO. NS-27,971 AND ADOPTING A REVISED DEPARTMENT OF
PLANNING AND COMMUNITY DEVELOPMENT FEE SCHEDULE INCLUDING FEES
FOR BUILDING PERMITS AND ARBORIST REPORT REVIEW AND REVISING
APPLICATION INTAKE AND DOCUMENT FEES

WHEREAS, on November 25, 2008 the City Council adopted Resolution No. NS-27,971 establishing a revised fee schedule for the Department of Planning and Community Development (Planning Department); and

WHEREAS, the City Council conducted a public hearing on February 23, 2010 and approved amendments to Title 18 to amend the requirements for permit fees and to establish new permit fees for building permit applications, and to amend planning fees for application intake, document imaging and arborist report review; and

WHEREAS, the State of California provides that zoning and building permit fees may recover costs associated with permit processing; and

WHEREAS, the City Council recognizes the necessity to recover costs associated with zoning and building permits.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that Resolution No. NS-27,971 is hereby rescinded, and new Zoning and Building Permit Fee Schedules, as shown in Exhibits A and B, attached and made a part hereof, are hereby adopted; and

BE IT FURTHER RESOLVED by the City of Santa Cruz that the fees shown in Exhibit A continue to be adjusted annually on July 1st to account for inflation, based on the Consumer Price Index for the previous 12-month period (using the San Francisco-Oakland-San Jose Area modifier).

PASSED AND ADOPTED this day of 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

EXHIBIT "A"
City of Santa Cruz
Department of Planning and Community Development
Current Planning Division
809 Center Street, Room 206
Santa Cruz, CA 95062
(831) 420-5100

FEE SCHEDULE ¹

Application/Fee Type	Fee Amount ²
Administrative Fees	
Hourly Billing Rate	\$107 per hour
Application Intake	<u>\$38-\$100 for public hearing cases</u> <u>\$50 for non-public hearing cases</u>
Document Fee	<u>\$20-\$70 for public hearing cases</u> <u>\$35 for non-public hearing cases</u>
Public Notice	\$266
Technology Surcharge	5% of all fees/charges (including building) except those fees/charges under \$100, duplication, impact fees, inclusionary housing in-lieu fees, and General Plan Maintenance Fee.
Duplication	\$0.25 Per Page
Permit Applications	
Abandonment	\$2,031
Appeals	\$500
Boundary Adjustment	\$851
Certificate of Compliance	\$1,285
Coastal Permit	\$593
Coastal Permit Exclusion	\$88
Conditional Driveway Permit: Public hearing	\$851
Conditional Fence Permit: No public hearing Public hearing	\$724 \$851
Condition/Mitigation Monitoring: Minor Major	\$500 Deposit \$5,000 Deposit
Demolition Permit	\$593
Design Permits: ³	
- Large house/Substandard lot (Public hearing)	\$1,504
- Remodel/Site alteration (No public hearing)	\$593
- New nonresidential/residential	\$329/1000 sq. ft.
- Fire Review Fee	20% of Design Permit Fee
Development Agreements ³	\$3,076
Extension Area Revocable	\$1,175

¹ Adjusted on November 2, 2009 per City Council Resolution NS-27,171.

² All fees are non-refundable

³ This application may require the use of expert, outside analysis. Any such consultant costs and/or additional staff time shall be charged to, and recovered from, the applicant

General Plan/Zoning Map Amendment ³	\$5,000 Deposit
Application/Fee Type	Fee Amount
General Plan Maintenance Fee	0.0122 of building permit valuation (Charged at building permit)
Historic Alteration Permit	\$130
Historic Building Survey Deletion	\$2,031
Modification to Approved Plans:	
Minor	\$593
Major	\$1,153
Occupancy Permit:	
New Business/Change of Use	\$263 (+\$52 fire review fee)
Home Occupation	\$180 (+\$36 fire review fee)
New Occupancy, Same Use	\$55
Plan Check – Planning	\$285 plus (\$3 per \$1,000 valuation) (Charged at Building Permit)
Planned Development ³	\$3,766
Pre-application Review ⁴	\$2,000 Deposit
Reconstruction Permit	\$1,499
Relocation of Structure Permit	\$851
Sign Permit	\$253
Slope Modification:	
Minor	\$335
Major	\$1,713
Special Report Fee	\$527
Specific Plan ³	\$9,500 Deposit
Subdivision ³	\$2,196 Plus \$300 per lot
Time Extension	\$851
Use Permit ³	
Administrative Use ⁵	\$851
Special Use	\$1,598
Variance	\$1,499
Watercourse Development Permit ⁶	\$271
Watercourse Variance	\$1714
Environmental Review	
Archaeological Review (for Building Permit Applications)	\$162 (Charged at Building Permit)
Biotic Review	\$214
Categorical Exemption	\$88
EIR Review	25% of consultant’s contract
Negative Declaration/Initial Study ³	\$1,647
Code Compliance	
Code Violation (Investigation Fee)	Double fees for required permits
Reinspection Fee	Actual Cost

⁴ Up to \$1,000 of this fee may be deducted from the application fee upon submittal within one year of completed review.

⁵ The total fee amount for an Administrative Use Permit to allow a temporary, non-profit, seasonal fund-raiser shall be \$100

EXHIBIT "B"

City of Santa Cruz
Department of Planning and Community Development
 Building Inspection Division
 809 Center Street, Room 206
 Santa Cruz, CA 95062
 (831) 420-5120

FEE SCHEDULE

APPLICATION/FEE TYPE	FEE AMOUNT
Building Permit Application Fees	
ELECTRICAL	
For the issuance of each electrical permit	\$53.50
	\$25.00 for the issuance of each supplemental permit for which the original permit has not expired, been canceled or finalized.
PLUMBING	
For the issuance of each plumbing permit	\$53.50
	\$25.00 for the issuance of each supplemental permit for which the original permit has not expired, been canceled or finalized.
MECHANICAL	
For the issuance of each mechanical permit	\$53.50
	\$25.00 for the issuance of each supplemental permit for which the original permit has not expired, been canceled or finalized.
GRADING PLAN REVIEWS	
50 to 100 cubic yards	\$53.50
101 to 1,000 cubic yards	\$80.25
1,001 to 10,000 cubic yards	\$107.00
10,001 to 100,000 cubic yards	\$107.00 for the first 10,000 cubic yards plus \$24.50 for each additional 10,000 cubic yards or fraction thereof.
100,001 to 200,000 cubic yards	\$327.50 for the first 100,000 cubic yards plus \$13.25 for each additional 10,000 cubic yards or fraction thereof.
200,001 cubic yards or more	\$446.75 for the first 200,000 cubic yards plus \$7.25 for each additional 10,000 cubic yards or fraction thereof.
GRADING PERMIT FEES	
50 to 100 cubic yards	\$53.50
101 to 1,000 cubic yards	\$53.50 for the first 100 cubic yards plus \$17.25 for each additional 100 cubic yards or fraction thereof.
1,001 to 10,000 cubic yards	\$208.75 for the first 1,000 cubic yards plus \$14.50 for each additional 1,000 cubic yards or fraction thereof.
10,001 to 100,000 cubic yards	\$339.25 for the first 10,000 cubic yards plus \$66.00 for each additional 10,000 cubic yards or fraction thereof.

APPLICATION/FEE TYPE	FEE AMOUNT
GRADING PERMIT FEES (Cont'd)	
100,000 cubic yards or more	\$933.25 for the first 100,000 cubic yards plus \$36.50 for each additional 10,000 cubic yards or fraction thereof.
INSPECTION AND PLAN CHECK FEES	
Inspections outside of normal business hours, Per hour (minimum charge – one hour)	Hourly rate.
Reinspection fees assessed under the provisions of Section 305.8 (UAC)	Hourly rate.
Inspections for which no fee is specifically Indicated, per hour (minimum charge – one hour)	Hourly rate.
OTHER FEES	
Additional plan review required by changes, additions on revisions to plans or to plans for which an initial review has been completed.	Hourly rate (minimum of one hour).
ADDRESSES	
Assignment of an address or address change.	Hourly rate, one-half hour minimum.



City Council Meeting Calendar February 16, 2010

Date	Time	Location	Topic
February 26, 2010	3:00 p.m.	City Manager's Conference Room	Special Closed Session Meeting
March 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
March 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
April 13, 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
April 20, 2010	4:00 p.m.	Council Chambers	Special City Council Meeting – Capital Improvement Program Budget Review
April 27, 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
May 11, 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
May 25, 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
June 7, 2010 and June 9, 2010 (if necessary)	8:30 a.m. – 5:00 p.m. 1:00 p.m. – 5:00 p.m.	Council Chambers	Special Meeting – Budget Hearings
June 8, 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
June 22, 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

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 agendized 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	D. Lane, M. Rotkin, R. Coonerty (Alt.)
City Schools Committee (Ad Hoc)	C. Mathews, T. Madrigal, R. Coonerty
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	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 (alt.)
Library Financing Authority	M. Rotkin
Local Agency Formation Commission (LAFCO)	D. Lane
Monterey Bay Unified Air Pollution Control District	2010 City of Watsonville
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, C. Mathews, L. Robinson

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