

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



JOINT CITY COUNCIL - REDEVELOPMENT AGENCY AGENDA

Regular Meeting

November 09, 2010

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

Note: There will be no 7:00 p.m. Session

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

Council meetings are cablecast on Comcast Channel 25.

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

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

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

Closed Litigation Session

1:30 PM

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

A. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator

- Employee Organizations—
1. SEIU—Temporary Employees
 2. Fire Management
 3. Firefighters IAFF

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

1. Community Water Coalition v. Santa Cruz County LAFCO, et al., Santa Cruz County Superior Court Case No. CV 167407.
2. Habitat and Watershed Caretakers v. City of Santa Cruz, Santa Cruz County Superior Court Case No. CV 168697.
3. Campaign for Sensible Transportation v. Iwasaki, CalTrans, Sacramento County Superior Court.

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

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

One case to be discussed.

An oral report will be presented in the 3:00 p.m. Session (item 17).

Joint City Council/Redevelopment Agency

3:00 PM

- * Call to Order
- * Roll Call
- * Pledge of Allegiance
- * Presentation - Green Business Awards
- * Presentation - Green Building Awards
- * Presiding Officer's Announcements
- * Statements of Disqualification
- * Additions and Deletions
- * Joint City Council/Redevelopment Agency Oral Communications - 30 Minutes

Consent Agenda

1. Minutes of the October 26, 2010 Regular City Council Meeting. (CC)
Motion to approve as submitted.
2. Minutes of the October 26, 2010 Regular Redevelopment Agency Meeting. (CC)
Motion to approve as submitted.
3. Public Art Gift – David Anderson Sculpture. (ED)
Motion to accept as a gift to the City, artist David Anderson's Astronomy & Tides sculpture to be installed in Bethany Curve Park between Delaware Avenue and West Cliff Drive.

Consent Agenda (continued)

4. Monterey Bay National Marine Sanctuary Exploration Center – Authorization to Enter Into Construction Contracts for the Exhibits and Authorization to Approve Construction Change Orders for the Construction Contract with Bogard Constructions, Inc. (ED)

Motion authorizing City Manager or his designee to award contracts to the lowest qualified bidders for construction of the exhibits for the Monterey Bay National Marine Sanctuary exploration Center, in a form approved by the City Attorney, and authorization to approve construction change orders to these contracts for amounts that are within the approved project budget.

Motion authorizing City Manager or his designee to approve construction change orders for the construction contract with Bogard Construction, Inc. for amounts that are within the approved project budget.

5. Tannery Arts Center – Administration of Grant from the Economic Development Administration of the U.S. Department of Commerce for the Tannery Working Studios/Digital Media Center Project and Authorization to Approve Construction Contract Change Orders. (ED)

Redevelopment Agency resolution clarifying that the Executive Director is authorized to approve and submit to the Economic Development Administration of the U.S. Department of Commerce construction contract change orders for the Tannery Working Studios and Digital Media Center Project, so long as change orders do not exceed the Agency budget for the project, and take other administrative actions as necessary to implement the Federal and State funded construction contracts.

6. Resolution Implementing Provisions of Internal Revenue Code Section 414(h)(2) for Police Officers' Association Employees. (HR)

Resolution implementing the provisions of Internal Revenue Code section 414(h)(2), effective November 13, 2010, to allow the deduction of police employees' additional 5% CalPERS contributions to be handled on a pre-tax basis.

7. Approval of City of Santa Cruz's Participation in the Institute for Local Government's Beacon Award Program. (PL/PW)

Resolution approving participation in the Institute for Local Government's recognition program, the "Beacon Award: Local Leadership Toward Solving Climate Change."

Consent Agenda (continued)

8. Wharf Parking Booth Maintenance - Budget Adjustment. (PW)

Resolution amending the FY 2011 budget to appropriate funds in the amount of \$21,794, ratifying replacement of non-operating air conditioning units with the installation of new split unit heating and cooling units at the Wharf Parking Booths.

End Consent Agenda

General Business

9. Ordinance Amending Building Regulations Contained in Title 18 of the Santa Cruz Municipal Code and Adopting the California Code of Regulations Title 24, 2010 Building Standards Codes and Other Codes and Standards to Establish Minimum Requirements to Safeguard Public Health, Life, Safety and General Welfare. (PL)

Introduction for publication of an ordinance amending Title 18 of the Municipal Code and Adopting the 2010 Editions of the California Building Standards Codes, California Code of Regulations Title 24, Parts 1, 2, 2.5, 3, 4, 5, 8, 10, 11 and 12 including referenced appendices, amendments and modifications, as well as the 1997 Uniform Administrative Code, 1997 Uniform Housing Code, and 1997 Uniform Code for the Abatement of Dangerous Buildings and supportive codes and standards as referenced therein.

Public Hearings

10. Ordinance No. 2010-21 - Uncodified Ordinance to Title 24 of the Santa Cruz Municipal Code (Zoning Ordinance) (Environmental Determination: Exempt from CEQA) (City of Santa Cruz, Applicant) Pertaining to Extension of Legal Non-Conforming Uses of Foreclosed Properties. (CN)

Final adoption of Ordinance No. 2010-21.

11. Ordinance No. 2010-22 - Loud or Unruly Gatherings – Private Right of Enforcement/Attorney Fees. (CA)

Final adoption of Ordinance No. 2010-22.

Public Hearings (continued)

12. 2010-2011 Annual Action Plan Amendment for the City's Housing and Community Development Program to Allocate HOME Funding to the 110 Lindberg Street Affordable Housing Project. (ED)

Motion to amend the 2010-2011 Annual Action Plan to reprogram Home Investment Partnership Program (HOME) funds to assist with predevelopment costs for a 21-unit affordable rental housing project at 110 Lindberg Street.

Motion authorizing the City Manager to submit the amended Plan to HUD.

Motion to direct the City Manager to enter into HOME Loan and Regulatory Agreements, in forms approved by the City Attorney, with For the Future Housing, Inc., for a loan in an amount up to \$120,000 to assist in funding predevelopment activities for a 21-unit affordable rental housing project to be located at 110 Lindberg Street.

Resolution amending the FY 2011 budget by transferring \$120,000 from the HOME Housing Services Program to fund the new 110 Lindberg Street Affordable Housing Predevelopment Loan Project.

General Business

Note: Written material, if any, for Item 13 will be provided prior to the meeting.

13. Community Programs Committee - Update and Affirmation of Strategic Framework and Priorities. (CN)

Motion to affirm the strategic framework and priorities developed by the Council's Community Programs subcommittee as part of the strategic allocation process.

14. Commission for the Prevention of Violence Against Women Appointments – (Two Openings, Councilmember Beiers' and Vice Mayor Coonerty's Nominations, with Term Expirations of 1/1/13). (CC)

Motion to approve Councilmember Beiers' and Vice Mayor Coonerty's nominations to the Commission for Prevention of Violence Against Women.

15. Downtown Commission Appointment (One Opening with a Term Expiration of 1/1/14). (CC)

Motion to appoint a Downtown Commissioner.

General Business (continued)

16. Council Meeting Calendar

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

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

18. 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.

Adjournment — The Redevelopment Agency will adjourn from the regularly scheduled meeting of November 9, 2010 to the next regularly scheduled meeting on November 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 — The City Council will adjourn from the regularly scheduled meeting of November 9, 2010, to the next regularly scheduled meeting on November 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.

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

Advisory Body Appointments

The following at-large positions are will be open for reappointment and or appointment in January 2011. Council will interview candidates at the meeting of January 18, 2011 and make appointments at the meeting of January 25, 2011.

Arts Commission	Two (2) vacancies and one (1) reappointment
Board of Building Appeals	Six (6) reappointments
Commission for the Prevention of Violence Against Women	Three (3) vacancies and or reappointments
Downtown Commission	Two (2) vacancies and one (1) reappointment
Equal Employment Opportunity Committee	One (1) vacancy
Historic Preservation Commission	One (1) reappointment
Latino Affairs Commission (County)	One (1) vacancy
Measure K Oversight Committee	Two (2) vacancies and one (1) reappointment
Parks and Recreation Commission	One (1) vacancy and one (1) reappointment
Planning Commission	One (1) vacancy and one (1) reappointment
Sister Cities Committee	Two (2) vacancies and one (1) reappointment
Transportation and Public Works Commission	Two (2) reappointments
Water Commission	One (1) vacancy

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

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

City Council Agenda Legislative History Addendum

No information was submitted.

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

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

Court decisions

Coastal Commission Appeals of City Council actions

Closed Session Agreements/Settlements, which are public record

Association of Monterey Bay Area Governments

Local Agency Formation Commission

ADDENDUM TO CITY COUNCIL AGENDA – NOVEMBER 9, 2010
INFORMATION ITEMS PREVIOUSLY DISTRIBUTED TO CITY COUNCILMEMBERS
(Copies available in the Central Branch Library at the Reference Desk)

Finance Department

Year-End Financial Reports for June 2010 -
10/20/10 (FN FYI 153)

Portfolio Management Report – Unpooled Cash and
Investments as of September 30, 2010 - 10/31/10
(FN FYI 154)

September 2010 Portfolio Management Report –
Pooled Cash and Investments - 10/31/10 (FN FYI
155)

Public Works Department

American Recovery and Reinvestment Act of 2009
(ARRA) – LED Street Lighting Project Update -
11/1/10 (PW FYI 0065)

ADDENDUM TO CITY COUNCIL AGENDA – NOVEMBER 9, 2010

MAYOR'S PROCLAMATIONS

1. Proclaiming November 1, 2010 as “Extra Mile Day” and urging each individual to take time on this day to not only “go the extra mile” in his or her own life, but to also acknowledge all those around who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.
2. Proclaiming the month of November 2010 as “Pancreatic Cancer Awareness Month” to help raise awareness in the community, bring much-needed attention to this deadly disease, and encourage all citizens to support the efforts of the Pancreatic Cancer Action Network.
3. Proclaiming November 15, 2010 as “Mike Davidson Day” and encouraging all citizens and his coworkers to join in expressing heartfelt appreciation for his numerous contributions and years of service to the City of Santa Cruz and its citizens and wishing him well in his retirement.
4. Proclaiming the month of November 2010 as “National Family Caregivers Month” and urging all citizens to join in honoring family caregivers and expressing heartfelt appreciation for the many contributions that family caregivers make to the quality of our natural life.

MINUTES ARE UNOFFICIAL UNTIL APPROVED BY COUNCIL

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

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

October 26, 2010

1:30 P.M. SESSION

Mayor Rotkin opened the Closed Litigation Session at 1:36 p.m. in a public session in the Courtyard Conference Room, for the purpose of announcing the agenda. No members of the public were present.

Action

Councilmember Beiers moved, seconded by Councilmember Mathews, to add Item A(3) Firefighters and Fire Management, as the need to act arose after the agenda was published, and action was required prior to the next meeting. The motion carried unanimously (Councilmembers Lane and Madrigal, and Vice Mayor Coonerty absent).

Council closed the session to the public at 1:38 p.m. Councilmembers Mathews, Beiers, Robinson and Mayor Rotkin were present; Councilmembers Lane, Madrigal, and Vice Mayor Coonerty were absent. (See pages 1796 and 1797 for a report on closed session.)

3:00 P.M. SESSION

Mayor/Chair Rotkin called the meeting to order at 3:10 p.m. in the Council Chambers.

Roll Call

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

Absent: Councilmember/Member Madrigal.

Staff: City Manager M. Bernal, Assistant City Manager T. Shull, City Attorney J. Barisone, Director of Economic Development and Redevelopment B. Lipscomb, Director of Finance J. Dilles, Director of Human Resources L. Sullivan, Director of Parks and Recreation D. Shoemaker, Director of Planning and Community Development J. Rebagliati, Acting Chief of Police K. Vogel, Director of Public Works M. Dettle, Parking Program Manager M. Granlund, Principal Planner C. Berg, Associate Planner N. Daly, Management Consultant J. Hall, City Clerk L. Brewer, Deputy City Clerk T. Graves.

1304
JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
OCTOBER 26, 2010
3:00 P.M. SESSION

Pledge of Allegiance

Presentation – Mayor’s Certificates of Appreciation presented to Branciforte Middle School Art Exhibit participants.

Spotlight on City Services - Grow Santa Cruz - Economic Development and Redevelopment Department.

Presiding Officer’s Announcements

Statements of Disqualification – None.

Additions and Deletions– None.

Joint City Council/Redevelopment Agency Oral Communications

Ed Davidson said he was appalled when California Coastal Commissioner Sarah Wan called the Broadway/Brommer bike path “just a shortcut,” and asked why Coastal Commissioners didn’t know about the long history of the plan. He congratulated the City Attorney for defending the Arana Gulch plan against the Sierra Club, and said he was terminating any connection to the Sierra Club.

Reed Searle said it should be set forth that Grow Santa Cruz businesses will be consistent with the City’s global warming plan.

Marilyn Garrett spoke about wireless telecom facilities and Municipal Code Title 24, which requires a 1,000-foot buffer for elementary schools. She said that Gault School appears to have such a facility within the buffer zone.

Robert Norse spoke about high police department salaries, Peace Camp 2010, and the illegal posted hours of the City Hall grounds.

Mike Tomasi spoke about peace and freedom.

Consent Agenda

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

Reed Searle
Robert Norse
Marilyn Garrett

JOINT CITY COUNCIL/
 REDEVELOPMENT AGENCY MEETING
 OCTOBER 26, 2010
 3:00 P.M. SESSION

Consent Agenda (continued)

The following item was removed for consideration immediately after action taken on the Consent Agenda: Item 5.

Action

Councilmember/Member Lane moved, seconded by Vice Mayor/Vice Chair Coonerty, to approve the remaining items on the Consent Agenda. The motion carried unanimously (Councilmember/Member Madrigal absent).

1. Minutes of the October 12, 2010 Regular City Council Meeting. (CC)

Motion carried to approve as submitted.

2. Minutes of the October 12, 2010 Regular Redevelopment Agency Meeting. (CC)

Motion carried to approve as submitted.

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

Motion carried to set the dates for the advisory body applicant interviews for January 18, 2011, and appointments and reappointments for January 25, 2011.

4. 605 Front Street – Lease Agreement with Autumn and Alex Williams dba Emergency Response Training. (ED)

Resolution No. NS-28,285 was adopted authorizing and directing the City Manager to execute a lease agreement and any amendments thereto of a non-substantive nature, subject to the approval of the City Attorney, with Autumn and Alex Williams dba Emergency Response Training for the premises located at 605 Front Street.

Consent Agenda (continued)

5. First Time Homebuyer Program Policies and Procedures Manual Revisions. (ED)

Principal Planner C. Berg and Associate Planner N. Daly presented oral reports and responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING SUPPORT AND/OR CONCERNS:

Reed Searle

Action

Councilmember Beiers moved, seconded by Mayor Rotkin, to adopt Resolution No. NS-28,286 amending the First Time Homebuyer Program Policies and Procedures Manual. The motion carried unanimously (Councilmember Madrigal absent).

6. Sale of Pension Obligation Bonds. (FN)

Resolution No. NS-28,287 was adopted authorizing the sale of pension obligation bonds to refinance the outstanding side fund obligations of the City to the California Public Employees' Retirement System, approving the final form of related financing documents, and approving official actions.

7. City Appointment to Community Television Board of Directors. (CM)

Motion carried to reappoint Joe Hall as the City's representative on the Community Television Board of Directors.

End Consent Agenda

JOINT CITY COUNCIL/
REDEVELOPMENT AGENCY MEETING
OCTOBER 26, 2010
3:00 P.M. SESSION

Public Hearing

8. Ordinance No. 2010-19 - Adoption of Findings for Modification of the International Fire Code and Adoption and Amendment of the 2009 International Fire Code and the 2010 Edition of the California Fire Code and Fire Code Standards, Including Annual Supplements and State Amendments and Errata. (FD)

Mayor Rotkin opened the public hearing at 4:07 p.m.

Fire Marshall M. Ramos presented an oral report and responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT AND/OR EXPRESSING CONCERNS:

Mike Tomasi

Mayor Rotkin closed the public hearing at 4:08 p.m.

Action

Councilmember Mathews moved, seconded by Councilmember Robinson, to pass Ordinance No. 2010-19 for final adoption. The motion carried unanimously (Councilmember Madrigal absent).

9. Ordinance No. 2010-20 - Ordinance Amending Section 16.08.110 of the Santa Cruz Municipal Code Pertaining to Wastewater Discharges into the City Sewer System. (PW)

Mayor Rotkin opened the public hearing at 4:09 p.m.

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

SPEAKING FROM THE FLOOR IN SUPPORT AND/OR EXPRESSING CONCERNS:

Mike Tomasi
Marilyn Garrett

Mayor Rotkin closed the public hearing at 4:10 p.m.

Action

Councilmember Robinson moved, seconded by Councilmember Mathews, to pass Ordinance No. 2010-20 for final adoption. The motion carried unanimously (Councilmember Madrigal absent).

Public Hearing (continued)

10. Ecology Action – Approval of Issuance by Association of Bay Area Governments Finance Authority of Tax Exempt Revenue Bonds for Renovation of the Former Sentinel Building - Public Hearing. (ED)

Mayor Rotkin opened the public hearing at 4:12 p.m.

Management Consultant J. Hall presented an oral report and responded to Council's questions.

SPEAKING FROM THE FLOOR IN OPPOSITION AND/OR
EXPRESSING CONCERNS:

Marilyn Garrett
Mike Tomasi

SPEAKING FROM THE FLOOR IN SUPPORT:

Virginia Johnson
Reid Geisreiter

Mayor Rotkin closed the public hearing at 4:24 p.m.

Action

Councilmember Mathews moved, seconded by Councilmember Robinson, to adopt Resolution No. NS-28,288 to approve the issuance of Tax-Exempt Revenue Bonds in an amount not to exceed \$4,000,000 by the Association of Bay Area Governments Finance Authority for Ecology Action's renovation of the former Sentinel Building. The motion carried unanimously (Councilmember Madrigal absent).

JOINT CITY COUNCIL/
 REDEVELOPMENT AGENCY MEETING
 OCTOBER 26, 2010
 3:00 P.M. SESSION

Public Hearing (continued)

11. Uncodified Ordinance to Title 24 of the Santa Cruz Municipal Code (Zoning Ordinance) (Environmental Determination: Exempt from CEQA) (City of Santa Cruz, Applicant) Pertaining to Extension of Legal Non-Conforming Uses of Foreclosed Properties. (CN)

Mayor Rotkin opened the public hearing at 4:24 p.m.

City Attorney J. Barisone and Director of Planning and Community Development J. Rebagliati presented oral reports and responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT AND/OR EXPRESSING CONCERNS:

An unidentified man

Mayor Rotkin closed the public hearing at 4:31 p.m.

Action

Councilmember Lane moved, seconded by Councilmember Robinson, to introduce Ordinance No. 2010-21 for publication amending Title 24 of the Santa Cruz Municipal Code extending the legal status of certain non-conforming uses notwithstanding Section 24.18.070 from January 1, 2009 until December 31, 2011. The motion carried unanimously (Councilmember Madrigal absent).

Public Hearing (continued)

12. Loud or Unruly Gatherings – Private Right of Enforcement/Attorney Fees – Introduction of Ordinance for Publication. (CA)

Mayor Rotkin opened the public hearing at 4:31 p.m.

City Attorney J. Barisone presented an oral report and responded to Council's questions.

SPEAKING FROM THE FLOOR IN OPPOSITION AND/OR EXPRESSING CONCERNS:

Mike Tomasi

Mayor Rotkin closed the public hearing at 4:37 p.m.

Action

Councilmember Mathews moved, seconded by Councilmember Robinson, to introduce Ordinance No. 2010-22 for publication authorizing the recovery of attorney fees in nuisance abatement lawsuits brought by neighbors or other specially injured individuals to remedy nuisance conditions at premises which host loud or unruly gatherings. The motion carried unanimously (Councilmember Madrigal absent).

General Business

13. Pay by Cell Phone Parking Pilot Program. (PW)

Director of Public Works M. Dettle and Parking Program Manager M. Granlund presented oral reports and responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT:

Laura Nuhaan, Park Mobile USA, Inc.
Mike Tomasi

Action

Councilmember Mathews moved, seconded by Councilmember Lane, to authorize the City Manager to execute an agreement with Parkmobile USA Inc. of Atlanta, GA in a form approved by the City Attorney, to implement a pay by cell phone parking program. The motion carried unanimously (Councilmember Madrigal absent).

JOINT CITY COUNCIL/
 REDEVELOPMENT AGENCY MEETING
 OCTOBER 26, 2010
 3:00 P.M. SESSION

General Business (continued)

Note: There was no written material for item 14.

14. Fiscal Year 2011 Mid-Year Budget Report. (CM)

The Council received an oral report from City Manager M. Bernal and Director of Finance J. Dilles. No action was taken.

15. Council Meeting Calendar.

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

16. City Attorney Oral Report on Closed Session.

A. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator

- | | | |
|--------------------------|----|----------------------------------|
| Employee Organizations - | 1. | SEIU—Temporary Employees |
| | 2. | Police Officers' Association. |
| | 3. | Firefighters and Fire Management |

Council completed negotiations with the Police Officers' Association, the Firefighters, and Fire Management, instructed the negotiator, and took no reportable action on item A(1).

B. Conference with Real Property Negotiator- Real Property Negotiations (Government Code §54956.8).

Carniglia's Lease Negotiations, 49A Municipal Wharf (City of Santa Cruz-Lessor)

Bonnie Lipscomb-City Negotiator

APN 005-651-01

Council received a status report and took no reportable action.

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

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

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

2 cases were discussed. Council took no reportable action.

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

1 case was discussed. Council took no reportable action.

17. Council Memberships in City Groups and Outside Agencies.

Councilmember Lane confirmed that the agreement between the Regional Transportation Commission and the railway operator had been finalized, and that the RTC was awaiting word from Sacramento on the release of funding.

Adjournment — At 5:35 p.m., the Redevelopment Agency adjourned from the regularly scheduled meeting of October 26, 2010 to the next regularly scheduled meeting on November 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 — At 5:35 p.m., the City Council adjourned from the regularly scheduled meeting of October 26, 2010, to the next regularly scheduled meeting on November 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.

Respectfully submitted

Tom Graves
Deputy City Clerk

Approved

Lorrie Brewer
City Clerk

Approved

Michael Rotkin
Mayor

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CITY OF SANTA CRUZ
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Council closed the session to the public at 1:38 p.m. Councilmembers Mathews, Beiers, Robinson and Mayor Rotkin were present; Councilmembers Lane, Madrigal, and Vice Mayor Coonerty were absent. (See pages 1796 and 1797 for a report on closed session.)

3:00 P.M. SESSION

Mayor/Chair Rotkin called the meeting to order at 3:10 p.m. in the Council Chambers.

Roll Call

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

Absent: Councilmember/Member Madrigal.

Staff: City Manager M. Bernal, Assistant City Manager T. Shull, City Attorney J. Barisone, Director of Economic Development and Redevelopment B. Lipscomb, Director of Finance J. Dilles, Director of Human Resources L. Sullivan, Director of Parks and Recreation D. Shoemaker, Director of Planning and Community Development J. Rebagliati, Acting Chief of Police K. Vogel, Director of Public Works M. Dettle, Parking Program Manager M. Granlund, Principal Planner C. Berg, Associate Planner N. Daly, Management Consultant J. Hall, City Clerk L. Brewer, Deputy City Clerk T. Graves.

REDEVELOPMENT AGENCY MEETING
OCTOBER 26, 2010
3:00 P.M. SESSION

Pledge of Allegiance

Presentation – Mayor’s Certificates of Appreciation presented to Branciforte Middle School Art Exhibit participants.

Spotlight on City Services - Grow Santa Cruz - Economic Development and Redevelopment Department.

Presiding Officer’s Announcements

Statements of Disqualification – None.

Additions and Deletions– None.

Joint City Council/Redevelopment Agency Oral Communications

Ed Davidson said he was appalled when California Coastal Commissioner Sarah Wan called the Broadway/Brommer bike path “just a shortcut,” and asked why Coastal Commissioners didn’t know about the long history of the plan. He congratulated the City Attorney for defending the Arana Gulch plan against the Sierra Club, and said he was terminating any connection to the Sierra Club.

Reed Searle said it should be set forth that Grow Santa Cruz businesses will be consistent with the City’s global warming plan.

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Robert Norse spoke about high police department salaries, Peace Camp 2010, and the illegal posted hours of the City Hall grounds.

Mike Tomasi spoke about peace and freedom.

Consent Agenda

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

Reed Searle
Robert Norse
Marilyn Garrett

REDEVELOPMENT AGENCY MEETING
 OCTOBER 26, 2010
 3:00 P.M. SESSION

Consent Agenda (continued)

The following item was removed for consideration immediately after action taken on the Consent Agenda: Item 5.

Action

Councilmember/Member Lane moved, seconded by Vice Mayor/Vice Chair Coonerty, to approve the remaining items on the Consent Agenda. The motion carried unanimously (Councilmember/Member Madrigal absent).

1. Minutes of the October 12, 2010 Regular City Council Meeting. (CC)

Motion carried to approve as submitted.

2. Minutes of the October 12, 2010 Regular Redevelopment Agency Meeting. (CC)

Motion carried to approve as submitted.

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

Motion carried to set the dates for the advisory body applicant interviews for January 18, 2011, and appointments and reappointments for January 25, 2011.

4. 605 Front Street – Lease Agreement with Autumn and Alex Williams dba Emergency Response Training. (ED)

Resolution No. NS-28,285 was adopted authorizing and directing the City Manager to execute a lease agreement and any amendments thereto of a non-substantive nature, subject to the approval of the City Attorney, with Autumn and Alex Williams dba Emergency Response Training for the premises located at 605 Front Street.

REDEVELOPMENT AGENCY MEETING
OCTOBER 26, 2010
3:00 P.M. SESSION

Consent Agenda (continued)

5. First Time Homebuyer Program Policies and Procedures Manual Revisions. (ED)

Principal Planner C. Berg and Associate Planner N. Daly presented oral reports and responded to Council's questions.

SPEAKING FROM THE FLOOR EXPRESSING SUPPORT AND/OR CONCERNS:

Reed Searle

Action

Councilmember Beiers moved, seconded by Mayor Rotkin, to adopt Resolution No. NS-28,286 amending the First Time Homebuyer Program Policies and Procedures Manual. The motion carried unanimously (Councilmember Madrigal absent).

6. Sale of Pension Obligation Bonds. (FN)

Resolution No. NS-28,287 was adopted authorizing the sale of pension obligation bonds to refinance the outstanding side fund obligations of the City to the California Public Employees' Retirement System, approving the final form of related financing documents, and approving official actions.

7. City Appointment to Community Television Board of Directors. (CM)

Motion carried to reappoint Joe Hall as the City's representative on the Community Television Board of Directors.

End Consent Agenda

REDEVELOPMENT AGENCY MEETING
OCTOBER 26, 2010
3:00 P.M. SESSION

Public Hearing

8. Ordinance No. 2010-19 - Adoption of Findings for Modification of the International Fire Code and Adoption and Amendment of the 2009 International Fire Code and the 2010 Edition of the California Fire Code and Fire Code Standards, Including Annual Supplements and State Amendments and Errata. (FD)

Mayor Rotkin opened the public hearing at 4:07 p.m.

Fire Marshall M. Ramos presented an oral report and responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT AND/OR EXPRESSING CONCERNS:

Mike Tomasi

Mayor Rotkin closed the public hearing at 4:08 p.m.

Action

Councilmember Mathews moved, seconded by Councilmember Robinson, to pass Ordinance No. 2010-19 for final adoption. The motion carried unanimously (Councilmember Madrigal absent).

9. Ordinance No. 2010-20 - Ordinance Amending Section 16.08.110 of the Santa Cruz Municipal Code Pertaining to Wastewater Discharges into the City Sewer System. (PW)

Mayor Rotkin opened the public hearing at 4:09 p.m.

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

SPEAKING FROM THE FLOOR IN SUPPORT AND/OR EXPRESSING CONCERNS:

Mike Tomasi
Marilyn Garrett

Mayor Rotkin closed the public hearing at 4:10 p.m.

Action

Councilmember Robinson moved, seconded by Councilmember Mathews, to pass Ordinance No. 2010-20 for final adoption. The motion carried unanimously (Councilmember Madrigal absent).

REDEVELOPMENT AGENCY MEETING
OCTOBER 26, 2010
3:00 P.M. SESSION

Public Hearing (continued)

10. Ecology Action – Approval of Issuance by Association of Bay Area Governments Finance Authority of Tax Exempt Revenue Bonds for Renovation of the Former Sentinel Building - Public Hearing. (ED)

Mayor Rotkin opened the public hearing at 4:12 p.m.

Management Consultant J. Hall presented an oral report and responded to Council's questions.

**SPEAKING FROM THE FLOOR IN OPPOSITION AND/OR
EXPRESSING CONCERNS:**

Marilyn Garrett
Mike Tomasi

SPEAKING FROM THE FLOOR IN SUPPORT:

Virginia Johnson
Reid Geisreiter

Mayor Rotkin closed the public hearing at 4:24 p.m.

Action

Councilmember Mathews moved, seconded by Councilmember Robinson, to adopt Resolution No. NS-28,288 to approve the issuance of Tax-Exempt Revenue Bonds in an amount not to exceed \$4,000,000 by the Association of Bay Area Governments Finance Authority for Ecology Action's renovation of the former Sentinel Building. The motion carried unanimously (Councilmember Madrigal absent).

REDEVELOPMENT AGENCY MEETING
 OCTOBER 26, 2010
 3:00 P.M. SESSION

Public Hearing (continued)

11. Uncodified Ordinance to Title 24 of the Santa Cruz Municipal Code (Zoning Ordinance) (Environmental Determination: Exempt from CEQA) (City of Santa Cruz, Applicant) Pertaining to Extension of Legal Non-Conforming Uses of Foreclosed Properties. (CN)

Mayor Rotkin opened the public hearing at 4:24 p.m.

City Attorney J. Barisone and Director of Planning and Community Development J. Rebagliati presented oral reports and responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT AND/OR EXPRESSING CONCERNS:

An unidentified man

Mayor Rotkin closed the public hearing at 4:31 p.m.

Action

Councilmember Lane moved, seconded by Councilmember Robinson, to introduce Ordinance No. 2010-21 for publication amending Title 24 of the Santa Cruz Municipal Code extending the legal status of certain non-conforming uses notwithstanding Section 24.18.070 from January 1, 2009 until December 31, 2011. The motion carried unanimously (Councilmember Madrigal absent).

REDEVELOPMENT AGENCY MEETING
OCTOBER 26, 2010
3:00 P.M. SESSION

Public Hearing (continued)

12. Loud or Unruly Gatherings – Private Right of Enforcement/Attorney Fees – Introduction of Ordinance for Publication. (CA)

Mayor Rotkin opened the public hearing at 4:31 p.m.

City Attorney J. Barisone presented an oral report and responded to Council's questions.

SPEAKING FROM THE FLOOR IN OPPOSITION AND/OR EXPRESSING CONCERNS:

Mike Tomasi

Mayor Rotkin closed the public hearing at 4:37 p.m.

Action

Councilmember Mathews moved, seconded by Councilmember Robinson, to introduce Ordinance No. 2010-22 for publication authorizing the recovery of attorney fees in nuisance abatement lawsuits brought by neighbors or other specially injured individuals to remedy nuisance conditions at premises which host loud or unruly gatherings. The motion carried unanimously (Councilmember Madrigal absent).

General Business

13. Pay by Cell Phone Parking Pilot Program. (PW)

Director of Public Works M. Dettle and Parking Program Manager M. Granlund presented oral reports and responded to Council's questions.

SPEAKING FROM THE FLOOR IN SUPPORT:

Laura Nuhaan, Park Mobile USA, Inc.
Mike Tomasi

Action

Councilmember Mathews moved, seconded by Councilmember Lane, to authorize the City Manager to execute an agreement with Parkmobile USA Inc. of Atlanta, GA in a form approved by the City Attorney, to implement a pay by cell phone parking program. The motion carried unanimously (Councilmember Madrigal absent).

REDEVELOPMENT AGENCY MEETING
 OCTOBER 26, 2010
 3:00 P.M. SESSION

General Business (continued)

Note: There was no written material for item 14.

14. Fiscal Year 2011 Mid-Year Budget Report. (CM)

The Council received an oral report from City Manager M. Bernal and Director of Finance J. Dilles. No action was taken.

15. Council Meeting Calendar.

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

16. City Attorney Oral Report on Closed Session.

A. Labor Negotiations (Government Code §54956.6).

Lisa Sullivan—Negotiator

- | | | |
|--------------------------|----|----------------------------------|
| Employee Organizations - | 1. | SEIU—Temporary Employees |
| | 2. | Police Officers' Association. |
| | 3. | Firefighters and Fire Management |

Council completed negotiations with the Police Officers' Association, the Firefighters, and Fire Management, instructed the negotiator, and took no reportable action on item A(1).

B. Conference with Real Property Negotiator- Real Property Negotiations (Government Code §54956.8).

Carniglia's Lease Negotiations, 49A Municipal Wharf (City of Santa Cruz-Lessor)

Bonnie Lipscomb-City Negotiator

APN 005-651-01

Council received a status report and took no reportable action.

REDEVELOPMENT AGENCY MEETING
OCTOBER 26, 2010
3:00 P.M. SESSION

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

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

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

2 cases were discussed. Council took no reportable action.

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

1 case was discussed. Council took no reportable action.

17. Council Memberships in City Groups and Outside Agencies.

Councilmember Lane confirmed that the agreement between the Regional Transportation Commission and the railway operator had been finalized, and that the RTC was awaiting word from Sacramento on the release of funding.

Adjournment — At 5:35 p.m., the Redevelopment Agency adjourned from the regularly scheduled meeting of October 26, 2010 to the next regularly scheduled meeting on November 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.

Approved

Michael Rotkin
Chair

Attest

Bonnie Lipscomb
Executive Director



CITY COUNCIL AGENDA REPORT

DATE: 11/2/2010

AGENDA OF: 11/9/2010

DEPARTMENT: Economic Development

SUBJECT: Public Art Gift – David Anderson Sculpture (ED)

RECOMMENDATION: Motion to accept as a gift to the City, artist David Anderson's Astronomy & Tides sculpture to be installed in Bethany Curve Park between Delaware Avenue and West Cliff Drive.

BACKGROUND: In July 2009, City Arts staff was approached by Westside resident and nationally exhibited artist David Kimball Anderson, with a proposal to gift his sculpture Astronomy and Tides to the City. The original proposal included a recommendation to site the piece in the Woodrow Avenue median.

In September 2009, a Gifts Panel was formed comprised of Westside residents and arts professionals to evaluate the proposal under the Public Art Gift Policy Guidelines. Panelists discussed the following criteria:

- Aesthetic Quality
- Site
- Value of Piece as Related to Given Budget
- Representation
- Durability and Life Span
- Technical Feasibility

Following this evaluation, the panel unanimously recommended the City accept the proposed gift.

In March 2010, staff facilitated a public process which included an article in the Santa Cruz Sentinel, distribution of informational flyers to neighbors and two community meetings. During the community meetings there was quite a bit of opposition to installing the sculpture in the Woodrow median for both safety and aesthetic reasons. An alternate site in Bethany Curve Park was proposed by the artist and was met favorably by those who had attended the meetings and expressed concerns about the site. Members of Sunrise Rotary have volunteered to help with the sculpture installation, and a Woodrow Avenue neighbor has offered to contribute funding toward a plaque.

Following the community meetings, Arts staff presented the Bethany Curve Park proposal to members of the Gifts Panel, who unanimously confirmed their support of the new site. At its meeting in June 2010, the Arts Commission considered the gifts panel and community feedback

and unanimously recommended City Council acceptance of David Kimball Anderson's proposed gift to be installed in Bethany Curve Park. The artist drew and submitted an installation plan to Public Works and Parks staff which was approved in October 2010. Parks staff offered to manage landscaping alterations in order to successfully site the artwork.

DISCUSSION: The Arts Commission and staff recommend the City Council accept this gift, with a 2009 appraised value of \$45,000, contingent on Sunrise Rotary volunteer assistance with installation of the artwork.

FISCAL IMPACT: None at this time. Once accepted, the artwork will become a part of the City public art collection. A public art maintenance and repair fund is managed by Arts staff. Parks staff will continue to maintain the park once installation is complete.

Prepared by:	Submitted by:	Approved by:
Crystal Birns	Bonnie Lipscomb	Martin Bernal
Arts Program Manager	Director of Economic Development	City Manager

ATTACHMENTS:
Images - original site & alternative site
Original proposal



Original proposed site – Woodrow Avenue median



Revised proposed site – Bethany Curve Park (to include landscape alterations not shown in this photo)

PROPOSAL

GIFT TO THE CITY OF SANTA CRUZ

ASTRONOMY AND TIDES

2007

ARTIST

DAVID KIMBALL ANDERSON

Linda Durham



Contemporary Art

FINE ART APPRAISAL



DAVID KIMBALL ANDERSON

Astronomy and Tides

2007

73 x 45 x 52 inches

stainless steel, steel

Current appraised value= \$45,000

Prepared by: Tracey Blocker, Linda Durham Contemporary Art July, 2009

The Sculpture:

Astronomy and Tides is a substantial maintenance-free outdoor sculpture in the static tradition constructed of stainless steel and mild steel.

Dimensions:

The dimensions are approximately 6 feet tall by 4 feet wide by 4 feet deep. (Exact dimensions are 73" h x 45" w x 52" d.) The weight is 1500 pounds.

Current Market Value:

\$45,000. Please see attached appraisal.

Image:

The stainless steel wave elements reference the dramatic occurrence of back wash (when the incoming wave meets the outgoing wave) off the distinct cliffs of the Santa Cruz coastline. Ellipses and circles plotted and cut as negatives in the wave forms represent bodies in the night sky.

The right and diagonal angled plate with incremental markers at the back of the wave structure reference a bi-lateral computer-aided tide model projection. (Tides can now be projected years in advance. Both fishermen/women and surfers depend on advanced methods of tide projection.)

The table element is an early California Craftsman design.

Installation:

A 40" x 40" by 10" inch thick concrete foundation will be required to receive the piece. A template-marking the placement of four ½" x 10" J-bolts will be incorporated in the concrete form. Bolts will be set at the time of the concrete pour.

4" x 4" x ½" tabs will be welded to the feet of the table structure and will correspond to the set bolts.

Maintenance:

The piece is entirely maintenance free. If the sculpture is graffitied, a medium grit sanding disc or a medium grit Scotch Brite disc will easily remove any paint substance. All elements are substantially thick and will take hundreds of years to corrode.

Public Interaction:

Astronomy and Tides has been built to withstand aggressive human physical contact. The sculpture is nearly indestructible.

Copyright:

The artist, David Kimball Anderson, relinquishes ownership of copyright (but not authorship) to the City of Santa Cruz, giving the city the right to reproduce any image of the piece for publicity or resale. Should the city of Santa Cruz find it necessary to sell the piece the artist would expect the city to honor the State of California 5% royalty law.

DAVID KIMBALL ANDERSON
235 Surfside Ave., Santa Cruz, CA 95060
831 471-2542 h 917 470-8511 c
dka@cruzio.com

BIO/RESUME

1946 Born, Los Angeles

1967 - 1971 San Francisco Art Institute

Selected Awards and Grants:

1998 California State Research Grant
1994 New York Foundation for the Arts Grant
1993 John Michael Kohler Art Center Residency Grant, Foundry
1988, 1981, 1974 National Endowment for the Arts Individual Fellowship(s)
1986 Pollack-Krasner Foundation Grant

Selected Public Collections:

The Albuquerque Museum
Art in Embassies
Museum of Fine Arts, Santa Fe
National Endowment for the Arts
The Oakland Museum
San Antonio Museum of Art
San Francisco Museum of Modern Art
World Bank

Selected One-Person Exhibitions:

2008 "to Morris Graves", Linda Durham Contemporary Art, Santa Fe
SPUR Projects, Portola Valley, CA
2007 "to Morris Graves", Salt Lake Art Center, Salt Lake City
2006 "New Buddhas", Linda Durham Contemporary Art, Santa Fe
2005 "Wall, Pagoda, Filters", Lemmons Contemporary, New York
2003 "Winter Tracks", Linda Durham Contemporary Art, New York

- 2001 "The Pacific Work:1995 - 2001", Triton Museum, Santa Clara, CA
- 1996 "Big Mind", Braunstein/Quay Gallery, San Francisco
- 1991 "Rust and Ether", Christopher Grimes Gallery, Santa Monica
- 1979 "Screens", San Francisco Art Institute
- 1973 "The SECA Award Exhibition". San Francisco Museum of Modern Art

Selected Group Exhibitions:

- 2009 "Hearts and Souls", Salzkirche Tangermunde, Tangermunde, Germany
"Still Life", Susan Street Fine Art, Solana Beach, CA
- 2008 "Works on Paper: The Forman Collection", Albright-Knox Art Gallery, Buffalo, NY
- 2003 "Surf Culture: Art History of Surfing", San Jose Museum of Art
- 1995 Inaugural exhibition, Margaret Woodson Fisher Sculpture Gallery, Woodson Art Museum, Wausau, WI
- 1991 "Singular Visions: Contemporary Sculpture in New Mexico", Museum of Fine Arts, Santa Fe
- 1980 "Sculpture in California: 1975 - 1980", San Diego Museum of Art
- 1975 "The Whitney Biennial", The Whitney Museum of American Art, New York

Selected Bibliography:

- Adlmann, Jan. "Report from Santa Fe", Art In America, January 1995, pp. 50 - 55
- Asbury, Dana. "The Visitor", Artspace, Summer 1982, p. 16
- Brown, Sylvia, "David Anderson at Braunstein/Quay", Art In America, May/June 1978, pp. 115, 123 - 124
- Griggs, Brandon, "David Kimball Anderson, Salt Lake Art Center", Sculpture, October, 2008, pp. 75 - 76
- Johnson, Ken. "Galleries: Chelsea", The New York Times, October 13, 2003, Section B, p. 40
- Marchal-Workman, Andree, "David Anderson at Braunstein/Quay", Images and Issues, September/October 1982
- Peterson, William. "Larry Bell, Bruce Nauman and David Anderson at Hill's", Artspace, September 1987, pp.52 - 54
- Wilson, Ma Lin, "My Tibet", in exhibition catalog, Linda Durham Contemporary Art, Santa Fe

Professional Positions:

- 1997 to present San Jose State University, Lecturer
- 2008 Vermont Studio Center, Visiting Artist
- 2006 to present Anderson Ranch Art Center, Snowmass, CO, Instructor
- 1985 - 1986 University of New Mexico, Lecturer

1985 - 1986 College of Santa Fe, Professor, Sculpture Chair
1987 - 1989, 1979 - 1985 State of New Mexico, Artist in Residence
1980 - 1983 Santa Fe Public High School, Vocational/Technical Campus, Teacher
1979 California College of Arts and Crafts, Oakland, Lecturer
1976 - 1978 San Francisco Art Institute, Instructor
1974 - 1978 College of Marin, Kentfield, CA, Instructor



CITY COUNCIL AGENDA REPORT

DATE: 11/2/2010

AGENDA OF: 11/9/2010

DEPARTMENT: Economic Development

SUBJECT: Monterey Bay National Marine Sanctuary Exploration Center –
Authorization to Enter Into Construction Contracts for the Exhibitry and
Authorization to Approve Construction Change Orders for the
Construction Contract with Bogard Constructions, Inc. (ED)

RECOMMENDATION: Motion authorizing City Manager or his designee to award contracts to the lowest qualified bidders for construction of the exhibits for the Monterey Bay National Marine Sanctuary exploration Center, in a form approved by the City Attorney, and authorization to approve construction change orders to these contracts for amounts that are within the approved project budget.

Motion authorizing City Manager or his designee to approve construction change orders for the construction contract with Bogard Construction, Inc. for amounts that are within the approved project budget.

BACKGROUND: Over the last five years, the Department of Economic Development and Redevelopment (Department) has served a lead project management role with respect to the design, permitting, and construction of the Monterey Bay National Marine Sanctuary Visitor Center, now known as the Monterey Bay National Marine Sanctuary Exploration Center (SEC), on behalf of NOAA and the Monterey Bay National Marine Sanctuary Program (MBNMS). On July 13, 2010 City Council approved a motion authorizing the City Manager or his designee to advertise and award a contract to the lowest qualified bidder for the construction of the SEC and to take other administrative actions necessary to construct the project in an efficient and timely manner.

DISCUSSION: In addition to the building construction, there are five exhibit packages to be constructed for the SEC project. The Department has received bids for the exhibit construction projects and requests that City Council authorize the City Manager or his designee to award the exhibitry construction contracts in a form approved by the City Attorney. In addition, it has been our experience that change orders are often necessary during construction and returning to City Council for approval of such change orders can unnecessarily delay construction. As City Council has approved the budget for the construction of the SEC, we are requesting that City Council authorize the City Manager or his designee to approve construction change orders for amounts within the approved project budget for both the project construction and the exhibitry construction contracts.

FISCAL IMPACT: The SEC project is funded by federal and State grants and has been budgeted in the FY 2011 budget. There are no fiscal impacts to the General Fund for the exhibitry construction contract or for potential change orders within the approved budget amounts.

Submitted by:
Bonnie Lipscomb
Director of Economic Development

Approved by:
Martin Bernal
City Manager

ATTACHMENTS: None



REDEVELOPMENT AGENCY AGENDA REPORT

DATE: 11/2/2010

AGENDA OF: 11/9/2010

DEPARTMENT: Economic Development

SUBJECT: Tannery Arts Center – Administration of Grant from the Economic Development Administration of the U.S. Department of Commerce for the Tannery Working Studios/Digital Media Center Project and Authorization to Approve Construction Contract Change Orders. (ED)

RECOMMENDATION: Redevelopment Agency resolution clarifying that the Executive Director is authorized to approve and submit to the Economic Development Administration of the U.S. Department of Commerce construction contract change orders for the Tannery Working Studios and Digital Media Center Project, so long as change orders do not exceed the Agency budget for the project, and take other administrative actions as necessary to implement the Federal and State funded construction contracts.

BACKGROUND: Funding for the Tannery Working Studios and Digital Media Center Project has been received through grants from the Economic Development Administration of the U.S. Department of Commerce (EDA), utilizing funds from American Recovery and Reinvestment Act (ARRA) and the California Cultural Heritage Endowment (CCHE). Each of these Agencies has its own unique grant and contract administration requirements. In recognition of the complex Federal and State funding requirements for this project the Agency authorized the Executive Director to execute the project construction contracts. This authority was granted to ensure that the Agency complied with the “Shovel Ready” ARRA construction requirements.

DISCUSSION: Construction on the project was initiated in January of this year and has now significantly progressed to include the renovation of both the Tanyard Building and Beam House. In the course of construction of these two historic buildings it has been necessary to process a series of change orders to address building conditions discovered during the initial contract work. A question has now arisen over whether the Agency’s authorization for the Executive Director to sign the project construction contracts included approval of contract change orders. In order to clarify this matter a resolution has been prepared authorizing the Executive Director to approve construction contract change orders for the project so long as they do not exceed the Agency budget for the the project. Following the Executive Director’s approval of a contract change order, it must also be approved by EDA. Project approval by the Agency’s Executive Director is an intermediate step in the approval process. The current process in which the Executive Director provides the local approval of project change orders avoids lengthy delays in the project’s construction while assuring EDA that each change order has been given a complete local review prior to their review.

FISCAL IMPACT: The Tannery Working Studios and Digital Media Center Project construction is fully funded by State and Federal grants and therefore does not impact the Agency budget. The proposed action will help avoid job delays and resultant cost increases.

Prepared by:
Joe H. Hall
Project Manager

Submitted by:
Bonnie Lipscomb
Agency Executive Director

Approved by:
Martin Bernal
City Manager

ATTACHMENTS: Resolution

RESOLUTION NO.

RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA CRUZ
AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE CHANGE ORDERS
FOR THE CONSTRUCTION CONTRACT FOR THE TANNERY WORKING STUDIOS
AND DIGITAL MEDIA CENTER PROJECT

WHEREAS, Salz Tannery was closed in 2001 due to foreign competition; and

WHEREAS, to facilitate the reuse of this site and provide new employment opportunities the Redevelopment Agency has undertaken planning for reuse of the former Salz Tannery; and

WHEREAS, in 2003, the Economic Development Administration of the U.S. Department of Commerce provided a planning grant to assist in planning for the reuse of the Salz Tannery site; and

WHEREAS, the Redevelopment Agency has purchased the Salz Tannery site to facilitate its reuse; and

WHEREAS, construction plans have been prepared for the reuse of the Tannery's historic buildings as a Working Studios/Digital Media Center; and

WHEREAS, the Agency was invited to submit a grant application to the U.S. Department of Commerce Economic Development Administration for a American Recovery and Reinvestment Act grant to fund the re-use of the Tannery's historic buildings as a Working Studios/ Digital Media Center; and

WHEREAS, the Agency was awarded a U.S. Department of Commerce Economic Development Administration for a American Recovery and Reinvestment Act grant on September 22, 2010; and

WHEREAS, the Agency was awarded a California Cultural Endowment grant on December 28, 2007.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Santa Cruz that it was the intent of the Agency that the Executive Director was and is authorized to approve construction contract change orders for the Tannery Working Studios and Digital Media Center Project, so long as they do not exceed the Agency budget for the project, and take other administrative actions as necessary to implement the grant and construction contracts.

RESOLUTION NO.

PASSED AND ADOPTED this 9th day of November, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____

Chair

ATTEST: _____

Executive Director



CITY COUNCIL AGENDA REPORT

DATE: 11/2/2010

AGENDA OF: 11/9/2010

DEPARTMENT: Human Resources

SUBJECT: Resolution Implementing Provisions of Internal Revenue Code Section 414(h)(2) for Police Officers' Association Employees. (HR)

RECOMMENDATION: Resolution implementing the provisions of Internal Revenue Code section 414(h)(2), effective November 13, 2010, to allow the deduction of police employees' additional 5% CalPERS contributions to be handled on a pre-tax basis.

BACKGROUND: The City recently reached agreement with the Police Officers' Association to restructure their agreement with the City. As part of the agreement, police officers and sergeants agreed to contribute an amount equal to 5% of their salaries as part of the City's employer share of retirement costs paid to CalPERS. This payment will be in addition to the employees' existing employee retirement payment equal to 9% of salary.

DISCUSSION: In order to implement the police officers' bargaining unit's 5% pick-up of the City's contribution to their retirement benefit on a pre-tax basis, it is necessary for the City Council to adopt the attached resolution. Under this resolution, contributions designated as employee contributions are treated as employer contributions for income tax purposes because the contributions are "picked up" by the employer. The resolution will be effective on November 13, 2010, the first day of the first pay period following adoption.

FISCAL IMPACT: The 5% PERS pick up by the Police Officers' Association will generate approximately \$140,000 in savings during Fiscal Year 2011. The adoption of this resolution will not affect the City's budget, but will allow employees to shelter the portion of their wages used to pay retirement costs from taxation.

Prepared by:
Lisa Martinez Sullivan
Director of Human Resources

Submitted by:
Lisa Martinez Sullivan
Director of Human Resources

Approved by:
Martin Bernal
City Manager

ATTACHMENTS: Resolution

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
IMPLEMENTING THE PROVISIONS OF SECTION 414(h)(2) OF THE INTERNAL
REVENUE CODE IN CONNECTION WITH MAKING EMPLOYEES ADDITIONAL 5%
RETIREMENT CONTRIBUTIONS TO CALPERS

WHEREAS, the City of Santa Cruz (“the City”) has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC);

WHEREAS, the board of Administration of the California Public Employees Retirement System (CalPERS) adopted its resolution regarding section 414(h)(2) IRC in September 1985;

WHEREAS, the Internal Revenue Service stated on December 6, 1985, that the implementation of the provisions of section 414(h)(2) IRC pursuant to the Resolution of the Board of Administration would satisfy the legal requirements of section 414(h)(2);

WHEREAS, the City of Santa Cruz has entered into an Agreement with the Police Officers’ Association of the City of Santa Cruz (POA), pursuant to which employees will contribute a portion of the employer’s CalPERS contribution through deductions from their wages (“Employees Additional 5% Retirement Contribution”); and

WHEREAS, the City of Santa Cruz has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC of the Employees Additional 5% Retirement Contribution should be provided to its employees who are members of CalPERS and who are covered by the Agreement described above.

NOW, THEREFORE, it is resolved by the City Council of the City of Santa Cruz as follows:

1. That the City of Santa Cruz will implement the provisions of section 414(h)(2) Internal Revenue Code by making the Employees Additional 5% Retirement Contributions to CalPERS on behalf of its employees who are members of CalPERS. “Employees Additional 5% Retirement Contributions” shall mean those payments to CalPERS which are deducted from the salaries of employees pursuant to the above described Agreement with the Police Officers’ Association of the City of Santa Cruz;
2. That the Employees Additional 5% Retirement Contributions made by the City of Santa Cruz to CalPERS, although designated as employee contributions, are being paid by the City of Santa Cruz in lieu of contributions by the employees who are members of CalPERS;
3. That employees will not have the option of choosing to receive the contributed amounts directly instead of having them paid by the City of Santa Cruz to CalPERS;
4. That the City of Santa Cruz shall pay to CalPERS the Employees Additional 5% Retirement Contributions designated as employee contributions from the same source of funds which is used to pay salaries; and

RESOLUTION NO. NS-

5. That the implementation of this Resolution shall be subject to the meet and confer bargaining process with the City's recognized bargaining unit.

PASSED AND ADOPTED this 9th day of November, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk



JOINT CITY
COUNCIL/REDEVELOPMENT
AGENCY
AGENDA REPORT

DATE: 11/3/2010

AGENDA OF: 11/9/2010

DEPARTMENT: Planning Public Works

SUBJECT: Approval of City of Santa Cruz's Participation in the Institute for Local Government's Beacon Award Program. (PL/PW)

RECOMMENDATION: Resolution approving participation in the Institute for Local Government's recognition program, the "Beacon Award: Local Leadership Toward Solving Climate Change."

BACKGROUND: "The Beacon Award: Local Leadership Toward Solving Climate Change" is a recognition program funded by California utility rate payers and administered by the major California energy utilities under the guidance of the California Public Utilities Commission. It is sponsored by the Institute for Local Government, a non-profit research wing of the League of California Cities and the California State Association of Counties (CSAC). Other participating cities in the award program include: San Rafael, Livermore, Palm Springs, San Ramon, Pleasanton, Ventura, Hayward and Chula Vista. The award recognizes cities and counties which reduce greenhouse gas emissions and energy use, adopts policies and programs to address climate change, and promotes sustainability.

DISCUSSION: The Beacon Award will honor the City with a Silver, Gold and/or Platinum award once it has achieved specific measurable reductions in energy use and greenhouse gas emissions in municipal operations and the community, promoted energy conservation activities in the community, and completed activities within each of the "Best Practices Areas." While working towards one of the three awards, the City will be recognized for achieving interim accomplishments.

The Silver Beacon Award is the easiest of the three to earn followed by Gold and Platinum. The awards require reductions of municipal energy use and municipal and community greenhouse gas emissions of 5% for Silver, 10% for Gold and 20% for Platinum. Each award also requires one, two or three activities that promote community energy efficiency for Silver, Gold and Platinum levels, respectively. One best practice from each of the ten Best Practice Areas must be accomplished for Silver, two each for Gold and three each for Platinum.

The Best Practices Areas include: Energy Efficiency and Conservation, Water and Waste Water Systems, Green Building, Waste Reduction and Recycling, Climate-Friendly Purchasing,

Renewable Energy and Low-Carbon Fuels, Efficient Transportation, Land Use and Community Design, Open Space and Offsetting Carbon Emissions, and Promoting Community and Individual Action. Specific frameworks that outline possible programs, activities and case studies by other jurisdictions exist for all ten areas as a resource. While it is recommended to use the frameworks as a starting point for implementing programs, it is also highly encouraged by the Institute to create new and innovative programs so that they can be added to the framework for other jurisdictions to use.

The 20% reductions in energy use and greenhouse gas emissions and the Best Practices requirements of the Platinum Beacon Award will be satisfied and surpassed if the City meets Goals NRC4.1 and NRC7 outlined in the Draft 2030 General Plan and Draft Climate Action Plan. The Institute has yet to outline requirements for the award beyond the Platinum level, known only known as the Diamond Beacon Award, but intends to do so once a City or County is eligible.

Once the City has achieved all of the requirements for an award, and staff has undergone verification of energy and greenhouse gas emissions reductions, the City will receive special recognition at League of California Cities or CSAC events, be highlighted on the Beacon Award website, and receive certificates and other materials to display in agency facilities. Assistance will also be provided to let residents and businesses know about their accomplishments to reduce greenhouse gas emissions and save energy.

FISCAL IMPACT: None.

Prepared by:
Charlie Lewis
Energy Project Specialist

Submitted by:
Juliana Rebagliati
Planning Director

Submitted by:
Mark R. Dettle
Director of Public Works

Approved by:
Martin Bernal
City Manager

ATTACHMENTS:
Resolution of Support

RESOLUTION NO. NS-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ
APPROVING THE PARTICIPATION IN THE INSTITUTE FOR LOCAL GOVERNMENT'S
BEACON AWARD: LOCAL LEADERSHIP TOWARDS SOLVING CLIMATE CHANGE

WHEREAS the City Santa Cruz is undertaking policies, programs and activities to reduce greenhouse gas emissions and save energy; and

WHEREAS, these policies, programs and activities conserve natural resources, save energy and money, and promote sustainable land use and transportation planning in the community; and

WHEREAS, cities and counties statewide are leading by example by adopting innovative sustainability programs and policies, including working with community residents, business groups and others; and

WHEREAS, the City of Santa Cruz has released a draft community wide climate action plan and is establishing a municipal energy management office; and

WHEREAS, the City of Santa Cruz wishes to expand these activities, share its experiences with other communities, and be recognized for its accomplishments; and

WHEREAS, the Beacon Award: Local Leadership Toward Solving Climate Change is a voluntary program of the Institute for Local Government, the non-profit research and education affiliate of the California State Association of Counties and the League of California Cities; and

WHEREAS, the Beacon Award recognizes and celebrates achievements of cities and counties that reduce greenhouse gas emissions and save energy; and

WHEREAS, participating in the Beacon Award is an opportunity for the City of Santa Cruz to be recognized for its efforts to promote sustainability, reduce greenhouse gas emissions and save energy

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Santa Cruz that it hereby approves the commitment to participate in the Beacon Award program.

RESOLUTION NO. NS-

PASSED AND ADOPTED this ___th day of _____ 2010. I, the undersigned, hereby certify that the foregoing Resolution Number _____ was duly adopted by the Santa Cruz City Council.

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk



CITY COUNCIL AGENDA REPORT

DATE: 10/19/2010

AGENDA OF: 11/9/2010

DEPARTMENT: Public Works

SUBJECT: Wharf Parking Booth Maintenance - Budget Adjustment. (PW)

RECOMMENDATION: Resolution amending the FY 2011 budget to appropriate funds in the amount of \$21,794, ratifying replacement of non-operating air conditioning units with the installation of new split unit heating and cooling units at the Wharf Parking Booths.

BACKGROUND: The Wharf parking booths house attendants who collect General Fund parking fees year-around. The booths have been heated and cooled using low tech "RV type" equipment which has been in need of replacement for several years. Due to General Fund shortfalls these last few years, staff kept these existing units operating and in place for as long as possible.

DISCUSSION: Just prior to Labor Day weekend this year, one unit stopped working completely and replacement became a necessity. Staff procured quotes for replacement and determined that it would be more fiscally efficient to replace both units at the same time. The new units are Energy Star rated improving energy costs over the long term. More importantly, the Parking Attendants will continue to work in a safe and healthy environment.

FISCAL IMPACT: The low bid was awarded to Bogner Sheet Metal of Santa Cruz. A Budget Adjustment in the amount of \$21,794.00 from the General Capital Improvement Projects Fund is required.

Prepared by:
James Burr
Transportation Manager

Submitted by:
Mark R. Dettle
Director of Public Works

Approved by:
Martin Bernal
City Manager

ATTACHMENTS: Budget Adjustment

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	
TOTAL REVENUE		\$0.00

ACCOUNT	EXPENDITURE EDEN ACCOUNT TITLE	
311-40-64-9220-57408	Building Equipment	\$21,794.00
m401105 100-2020-0	Wharf Parking A/C Units	
TOTAL EXPENDITURE		\$21,794.00

NET: \$ (21,794.00)

Purpose: New Appropriation for Wharf Parking Booth A/C unit replacement
Council Date: Nov 9, 2010

PREPARED BY	DEPARTMENT HEAD APPROVAL	ACCOUNTING APPROVAL	FINANCE DIRECTOR APPROVAL	CITY MANAGER APPROVAL
Jim Burr <small>Digitally signed by Jim Burr DN: cn=Jim Burr, o=City of Santa Cruz, ou=Public Works, email=jburr@cityofsantacruz.com, c=US Date: 2010.10.14 10:43:47 -0700</small>	Mark Dettle <small>Digitally signed by Mark Dettle DN: cn=Mark Dettle, ou=City of Santa Cruz, ou=Public Works, email=markdettle@cityofsantacruz.com, c=US Date: 2010.10.14 10:20:47 -0700</small>	Patty Haymond <small>Digitally signed by Patty Haymond DN: cn=Patty Haymond, o=City of Santa Cruz, ou=Public Works, email=p.haymond@cityofsantacruz.com, c=US Date: 2010.10.19 09:21:47 -0700</small>	Jack Dilles <small>Digitally signed by Jack Dilles DN: cn=Jack Dilles, ou=Finance, ou=Public Works, email=jdilles@cityofsantacruz.com, c=US Date: 2010.10.19 14:27:13 -0700</small>	
10/14/10		10/19/10		

Revised December 2009



CITY COUNCIL AGENDA REPORT

DATE: 11/2/2010

AGENDA OF: 11/9/2010

DEPARTMENT: Planning

SUBJECT: Ordinance Amending Building Regulations Contained in Title 18 of the Santa Cruz Municipal Code and Adopting the California Code of Regulations Title 24, 2010 Building Standards Codes and Other Codes and Standards to Establish Minimum Requirements to Safeguard Public Health, Life, Safety and General Welfare. (PL)

RECOMMENDATION: Introduction for publication of an ordinance amending Title 18 of the Municipal Code and Adopting the 2010 Editions of the California Building Standards Codes, California Code of Regulations Title 24, Parts 1, 2, 2.5, 3, 4, 5, 8, 10, 11 and 12 including referenced appendices, amendments and modifications, as well as the 1997 Uniform Administrative Code, 1997 Uniform Housing Code, and 1997 Uniform Code for the Abatement of Dangerous Buildings and supportive codes and standards as referenced therein.

BACKGROUND: Generally, every three years, the building, plumbing, mechanical, electrical and other building standards are updated by the model code agencies to include the most current construction and engineering principles and practices. These model codes are then reviewed by the various State agencies that have an interest in health, life and safety relative to building construction. Under the purview of the Building Standards Commission, these State agencies modify the codes as they deem necessary then publish the newly revised Building Standards Codes required for local adoption. Jurisdictions have 180 days from publication to review, amend and adopt the mandated building standards codes. This process is to assure that the latest construction, engineering and life safety techniques become standard practice throughout the State. The mandatory effective date of the 2010 Building Standards is January 1, 2011. In an effort to preserve the integrity of standards specific to our local regulations, a staff review process takes place with recommendation for amendment to the municipal code, allowing for a level of consistency as the mandated codes are folded into our municipal code.

DISCUSSION: In the time allotted, staff has reviewed the California Code of Regulations, Title 24, 2010 Building Standards Codes. This review along with some training and collaboration with colleagues appear to reveal relatively few substantial changes, with the exception of two new codes. Certain chapters of the municipal code are recommended to be amended in an effort to recognize the adoption of the State Building Standards Codes and other codes and standards used by the City of Santa Cruz to promote health, life and safety as it relates to building construction. It should also be noted that there are no changes to fees.

One of the new codes is the California Residential Code. This is a prescriptive code, generally applicable to one- and two-family dwellings. While building staff will require additional training to gain the skills and abilities necessary to administer this code, the provisions provide additional options for residential permit applicants. These options include prescriptive floor, wall, ceiling and roof framing, as well as, other conventional design elements. Included in this code is an appendix chapter allowing residential owners to use prescriptive design for patio covers. Prescriptive codes offer building permit applicants design options, allowing for potential cost savings. Homeowners should benefit from this code as it contains many illustrations and examples. Additionally, the California Residential Code has relaxed the residential setback requirements, allowing most dwellings to be built up to three feet to a property line without the requirement for fire rating. This will provide relief for residential additions and remodels, while maintaining the standard generally used for the past several decades. This new code also requires fire sprinklers, though Title 19 of the municipal code, requiring residential fire sprinklers, is already in place, therefore no change will be apparent.

The other new code is the California Green Building Standards Code (CalGreen). CalGreen appears to blend into the City's existing Green Building Program well, incorporating the State mandatory requirements as the minimum city program requirements, with no significant changes. It is a step in the direction our existing and successful Green Building Program has been heading over the past several years. As the State requirements progress over the next code cycle, the goal of our Green Building program should be substantially realized and possibly eclipsed by the State Code, the end result originally envisioned.

Other than the adoption of the State mandated codes, the vast majority of the of the changes to Title 18 of the municipal code reflect the clean-up needed to maintain the integrity of our current provisions as these new codes are folded in. These include the continuance of enhanced earthquake design, prohibiting gypsum and plaster as lateral load resisting elements. Additionally, a subsection of the building code, not requiring reinforcement in some concrete footings, has been deleted, in an effort to properly consider professional engineering recommendations and maintain regional consistency. Also included are changes in section numbers and code references, deletion of outdated verbiage and requirements where the State codes have caught up to local standards, as well as, use of existing provisions to assist in the administration of the codes. The most noticeable example is the reduction of a large portion of the municipal plumbing requirements. While the new plumbing section is considerably shorter, it provides the protection, efficiency and compliance options necessary for our community. These streamlining efforts have significantly reduced the volume of Title 18 of the municipal code, making it much easier for the end user. One addition, the Uniform Code for the Abatement of Dangerous Buildings (UCADB), 1997 Edition is recommended for adoption as it is a companion code to the Uniform Housing Code and Building Code, applicable to dangerous buildings. Conversely, the International Existing Building Code will not be readopted as these provisions are better utilized through the adoption of the State codes and the UCADB.

Overall, this ordinance provides for adoption of the mandatory State codes, while maintaining consistency with the intent of our local standards. This process has also been used as an opportunity to streamline those chapters of the municipal code where applicable. A strikeout/underline version is included as an attachment, with the nine chapters of the Santa Cruz Municipal Code, Title 18, where amendments are proposed.

FISCAL IMPACT: None. The cost of code books and public references along with staff training has been incorporated into the FY 2010/2011 approved budget. Training for the construction and design community is being provided by the California Building Officials, The Building Standards Commission and The Local Chapters of Building Officials at no cost to the City.

Prepared by:
Mark Ellis
Deputy Building Official

Prepared by:
John Ancic
Building Official

Submitted by:
Juliana Rebagliati
Planning Director

Approved by:
Martín Bernal
City Manager

ATTACHMENTS:
Ordinance
Ordinance (redlined)

ORDINANCE NO. 2010-

AN ORDINANCE OF THE CITY OF SANTA CRUZ
AMENDING TITLE 18 OF THE SANTA CRUZ MUNICIPAL CODE, ADOPTING
CALIFORNIA CODE OF REGULATIONS TITLE 24 2010 BUILDING STANDARDS
CODES AND OTHER CODES AND STANDARDS TO ESTABLISH MINIMUM
REQUIREMENTS TO SAFEGUARD PUBLIC HEALTH, LIFE,
SAFETY AND GENERAL WELFARE.

Be It Ordained by the City of Santa Cruz as follows:

Section 1. Chapter 18.04 of the Santa Cruz Municipal Code is hereby repealed.

Section 2. A new Chapter 18.04 of the Municipal Code of the City of Santa Cruz is hereby adopted to read as follows:

Chapter 18.04 BUILDING CODE

Sections:

- 18.04.010 Building Code of the city of Santa Cruz.
- 18.04.030 Adoption of codes.
- 18.04.040 Building Code – Deletions and modifications.
- 18.04.050 Permit fees.
- 18.04.060 Penalties.
- 18.04.080 Establishment of inspection services.
- 18.04.090 Duties of the building official – Reports and records.
- 18.04.100 Building permit – Certificate of insurance requirement.

18.04.010 BUILDING CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Building Code of the city of Santa Cruz.

18.04.030 ADOPTION OF CODES.

Subject to the modifications and deletions set forth in Section 18.04.040 and by the State of California Building Standards Commission, the following documents are hereby adopted as part of the Building Code of the city of Santa Cruz:

California Code of Regulations Title 24 (hereafter CCR T 24), Part 1, The 2010 California Administrative Code;

CCR T 24, Part 2, Volumes 1 and 2, The 2010 California Building Code, including Appendices H and I, except as modified herein (hereafter CBC);

CCR T 24, Part 2.5, The 2010 California Residential Code, including Appendix H, except as modified herein (hereafter CRC);

CCR T 24, Part 10, The 2010 California Existing Building Code, Appendix Chapter A1, except as modified herein;

CCR T 24, Part 11, The 2010 California Green Standards Code, except as modified herein (Refer to Santa Cruz Municipal Code Chapter 24.15, Green Building Regulations);

CCR T 24, Part 12, The 2010 California Referenced Standards Code;

The Uniform Administrative Code, 1997 Edition, for the purpose of maintaining and administering the existing fee structure, except as modified herein (hereafter UAC);

The Uniform Housing Code, 1997 Edition, except as modified herein (hereafter UHC);

ORDINANCE NO. 2010-

The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, except as modified herein (hereafter UCADB);

One copy of each of the above documents is and shall be maintained on file in the office of the building official, for use and examination by the public.

18.04.040 BUILDING CODE – DELETIONS AND MODIFICATIONS.

The following sections of the codes as adopted in Section 18.04.030 are hereby modified as follows:

Add sentence to CBC Section 1.8.8.1 and CRC Section 1.8.7.1; Refer to Santa Cruz Municipal Code (hereafter SCMC) Chapter 18.41, board of appeals.

Add sentence to CBC Section 1804; Refer to SCMC Chapter 18.45, excavation and grading regulations.

Add sentence to CRC Section R313; Refer to SCMC Title 19, Fire Prevention Code.

CBC 1908.1.8 ACI 318, Section 22.10.1 (a), Delete entire subsection (a).

Modify second sentence of CBC Section 2306.7 to read as follows; Shear walls sheathed with these materials are not permitted to resist horizontal forces.

CBC Table 2306.7, delete entire table.

CBC Table 2308.12.4, including footnotes and CRC Chapter 6, including Table R602.10.2; delete all references to “gypsum board,” “lath and plaster,” “Portland cement plaster” and “gypsum sheathing boards” as braced wall panels or lateral load resisting elements.

Modify CBC Section 2505.3, as applicable to all projects in the City of Santa Cruz.

CBC Section 406.1.4 item 1 is hereby amended to insert a sentence after the second sentence of the paragraph to read as follows:

Gypsum board applied to the garage side shall be suitably fire taped and have the nail heads spotted with taping compound.

Add sentence to CRC Section R302.6; Refer to city amended CBC Section 406.1.4 item 1 for requirements.

CRC Section R302.5.1; Delete Exception

CBC Section 1505 is hereby amended to add a first paragraph as follows:

1505 FIRE CLASSIFICATION

Class “C” wood, and non-rated wood roofs prohibited. No Class “C” wood, or non-rated wood roof covering shall be installed on any new or existing building or structure. Any reference, table, footnote, or exception allowing Class “C” wood, or “N”, or non-classified wood roofing in this code is hereby amended to read as Class “B”. Any qualified historical building or structure as defined in Health and Safety Code Section 18955 may utilize alternative roof classifications as provided by the State Historical Building Code. Where Title 19 of the SCMC and/or State standards identifies conflicting Wildland/Urban Interface requirements in this jurisdiction are referenced, the most restrictive shall apply.

Add sentence to CRC Section R902; Refer to city amended CBC Section 1505 for requirements.

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CBC Section 1510 is hereby amended to add a first paragraph as follows:

1510.0 Overlay on Existing Wood Roofs or Asphalt Shingle Roofs. Re-roofing over Class “C” wood or non-rated wood shakes and wood shingles is prohibited. When a roof has one or more layers of roof covering, any layer of which is wood shake or wood shingle, all built-up roof covering shall be completely removed before applying a new roof covering without exception (unless specifically provided for in SCMC Title 18).

Add sentence to CRC Section R907; Refer to city amended CBC Section 1510.0 for requirements.

CBC Section 1510 is hereby amended to add a Section 1510.1.1 to read as follows:

1510.1.1 Minor Work on Existing Wood Roofs. The requirements of Section 1510.0 shall not apply when an existing building or structure with a wood roof covering is subject to roof installation, addition, repair, alteration or replacement of less than 25% of the existing building or structure’s wood roof-covering area, accumulated over the life of the building, commencing on or after the official date of this ordinance. In such circumstances, wood roof coverings with a CSFM listed rating may be used, provided the completed roof assembly complies with all other provisions of this code. For the purpose of this ordinance, 25% of the wood roof covering area shall be calculated from the area of wood roof covering existing on the effective date of this ordinance.

CBC Section 1406 is hereby amended to add two new paragraphs as follows:

1406.1.1 Shingles or Shakes. A minimum Class “B” Listing by a manufacturer acceptable to the Fire Marshal or the Chief Building Official shall be required for all wood shingles or shakes, and other shingles or shakes that may be used for exterior wall covering referred to elsewhere in this code. No Class “C” wood and non-rated wood shakes or wood shingles shall be installed as an exterior wall covering on any new or existing building or structure. Wood shingles shall meet the minimum thickness requirements of Table 1405.2.

1406.1.2 Existing Wood Exterior Repairs or Installations of less than 25%. The Class “B” requirements of this section shall not apply when an existing building or structure with wood shake or wood shingle exterior wall covering is subject to installation, addition, repair, alteration or replacement of less than 25% of the existing building or structure’s wood shake or wood shingle exterior wall covering area accumulated over the life of the building commencing on or after the effective date of this ordinance. For the purposes of this code, 25% of the area of wood exterior wall covering shall be calculated from the area of the wood exterior wall shake or wood shingle covering existing on the effective date of this ordinance.

Add sentence to CRC Section R703.5; Refer to city amended CBC Section 1406.1.1 and 1406.1.2 for requirements.

The UAC Chapter 1 and the CBC Chapter 1, Division II shall have the following inserted under their respective headings to read as follows;

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The 1997 Uniform Administrative code (UAC) shall be used for the purpose of maintaining and administering the existing fee structure as established in the UAC or adopted by the City of Santa Cruz as authorized by the UAC. The California Building Code Chapter 1, Division II shall be used in its entirety, as applicable, for the administration of the building standards codes for all buildings, structures and equipment in the City of Santa Cruz, except as modified in SCMC Title 18.

CBC Section 101.4.1, replace reference to the International Fuel Gas Code to the CPC.

CBC Section 101.4.2, replace reference to the International Mechanical Code to the CMC.

CBC Section 101.4.3, replace references to the International Plumbing Code and International Private Sewage Disposal Code to the CPC.

CBC Section 101.4.4, replace reference to the Property Maintenance Code to the CBC and/or UHC and/or UCADB.

CBC Section 105.1, insert second paragraph to read as follows;

Except as specified in Section 105.2, no building, structure or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separated, appropriate permit for each building, structure or building service equipment has first been obtained from the building official.

CBC Section 105.2 is hereby amended to add the following modification to exemption No. 1 and to add exemption No. 14:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11m²). Exempted structures shall not be placed within six feet of each other or any other permanent structure and shall comply with local zoning requirements for setbacks and maximum number of structures allowed.

14. Decks and platforms not exceeding thirty inches above the adjacent grade and serving individual dwelling units and are not over any basement or story below. (Decks serving common areas in multi-family residential construction and all commercial decks are not exempted by this section.)

CRC Section 105.2 exemptions 1 and 10 shall be replaced with CBC modified exemptions 1 and 14 respectively.

CBC Section 107.2.3 shall strike reference to R-2 and I-1 Occupancies with the second sentence to read as follows;

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In other than occupancies in Group R-3, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

CBC Section 110.1, insert second paragraph to read as follows;

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

CBC Section 112, add section 112.4 to read as follows;

112.4 Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

Add sentence to CBC Section 113; Refer to SCMC 18.41, Board of Building and Fire Appeals.

CRC Table R301.2(1) shall be populated with the following criteria as established by the City of Santa Cruz, using criteria published in the CRC where applicable; Ground Snow load = 0, Wind Design/Speed (mph) = 85, Wind Design/Topographic Effects = No, Seismic Design Category = D₂, Subject To Damage From/Weathering = Negligible, Subject To Damage From/Frost line depth = 12 inches below undisturbed soil, Subject To Damage From/Termite = Very Heavy, Winter Design Temp = 40 degrees Fahrenheit, Ice Barrier Underlayment Required = No, Flood Hazards = FIRM 3/2/2006 (Panels 219D, 238D, 329D, 331D, 332D, 333D, 334D, 351D), Air Freezing Index = 0, Mean Annual Temp = 55 degrees Fahrenheit.

UHC Section 401, Nuisance, is hereby amended by adding item 9 to read:

9. Any residential property upon which a person or persons conducts activities, accumulates materials, or fails to maintain structures and grounds to a degree, which by common standards, is disruptive and/or damaging to general welfare, peace and sanctity of the surrounding neighborhood.

UHC Section 103 and UCADB Section 102.2 shall have the following paragraph added, to read as follows;

Where reference is made to any code or standard, the most relevant code(s) and/or standard(s) as currently adopted in SCMC Title 18 shall be used. Where conflict may occur between other provisions of the Santa Cruz Municipal Code and this Title 18, Title 18 shall govern.

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 building permit application.

18.04.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in Title 4 of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County Superior Court Uniform Bail and Penalty Schedule for the City of Santa Cruz.

18.04.080 ESTABLISHMENT OF INSPECTION SERVICES.

There is hereby established in the city of Santa Cruz, as part of the department of planning and community development, a division known as inspection services, which shall be under the jurisdiction of the chief building official designated by the city manager. The chief building official shall, for all purposes, including enforcement procedures, be charged with the duties of the "building official" described in this chapter.

18.04.090 DUTIES OF THE BUILDING OFFICIAL – REPORTS AND RECORDS.

The chief building official shall submit a report to the city manager not less than once a year, covering the work of inspection services during the preceding period. He shall incorporate, in said report, a summary of his recommendations as to desirable amendments to this chapter and succeeding chapters of this title. The chief building official shall keep a permanent accurate account of all fees or other moneys collected and received under this chapter, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate.

18.04.100 BUILDING PERMIT – CERTIFICATE OF INSURANCE REQUIREMENT.

Pursuant to Government Code Section 53080.5, the city of Santa Cruz is hereby authorized to require any applicant for a city of Santa Cruz building permit to file with the city a certificate of insurance evidencing coverage for bodily injury or property damage liability as a condition to issuance of the building permit applied for.

Section 3. Section 18.06.050 of the Santa Cruz Municipal Code is hereby amended to read as follows:

18.06.050 SEISMIC RESTRAINTS FOR EXISTING RESIDENTIAL BUILDINGS.

Persons applying for a building permit for any addition to or remodel of an existing building shall be required to allocate an amount equal to a percentage of the valuation of the proposed work for the purpose of installing seismic restraints in the existing building and its contents.

The percentage is one percent of the building permit valuation, but in no case shall the mandatory amount exceed five hundred dollars.

ORDINANCE NO. 2010-

The following measures may be used singly or in combination to reach the required amount:

		Credits
(a)	Add new perimeter foundation and stem wall system	\$500.00
(b)	Secure sills to foundation	\$200.00
(c)	Provide shear panels to cripple walls	\$500.00
(d)	Provide lateral bracing at piers to exterior walls	\$200.00
(e)	Stabilize masonry chimney	\$200.00
(f)	Provide interior shear walls	\$500.00
(g)	Provide shear panels at garage door	\$100.00
(h)	Provide adequate lateral bracing of porches, decks, patio roofs and other attachments	\$100.00
(i)	Provide water heater restraints	\$25.00
(j)	Provide furnace restraints	\$25.00
(k)	Provide wall ties on tall freestanding furniture	\$215.00
(l)	Provide emergency tools for shutoff valves of gas and water services, including directions for location and operation of valves and switches for electrical main shutoff	\$25.00

Other methods may be proposed by the permit applicant for approval by the chief building official, who will evaluate the proposal and compute credits according to the merits of the work to be performed.

If applicant can demonstrate, to the satisfaction of the chief building official, that applicant's existing residential building complies with applicable sections of Chapters 16 and/or 23 of the adopted CBC or Chapter 6 of the CRC, then applicant may, at the discretion of the chief building

ORDINANCE NO. 2010-

official, receive partial or complete exemption from the requirements of this section. No additional building permit fees will be charged for the above seismic retrofit work.

Section 4. Chapter 18.08 of the Santa Cruz Municipal Code is hereby repealed.

Section 5. A new Chapter 18.08 of the Santa Cruz Municipal Code is hereby adopted to read as follows:

Chapter 18.08 ELECTRICAL CODE

Sections:

- 18.08.010 Electrical Code of the city of Santa Cruz.
- 18.08.030 Adoption of the Electrical Code.
- 18.08.040 Electrical Code deletions and modifications.
- 18.08.050 Permit fees.
- 18.08.060 Penalties.
- 18.08.070 Permits – To whom issued.

18.08.010 ELECTRICAL CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Electrical Code of the city of Santa Cruz.

18.08.030 ADOPTION OF THE ELECTRICAL CODE.

The following documents are hereby adopted as part of the Electrical Code of the city of Santa Cruz:

CCR T 24, Part 3, The 2010 California Electrical Code, except as modified herein (hereafter CEC).

One copy of the above documents is and shall be maintained on file in the office of the building official, for use and examination by the public.

18.08.040 ELECTRICAL CODE DELETIONS AND MODIFICATIONS.

None.

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.

18.08.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in Title 4 of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County Superior Court Uniform Bail and Penalty Schedule for the City of Santa Cruz.

18.08.070 PERMITS – TO WHOM ISSUED.

(1) Permits shall be issued only to qualified contractors, duly licensed by the state of California and authorized by their license to perform electrical work except as specifically provided below:

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(a) Maintenance Electrician. In lieu of an individual permit for each installation or alteration, an annual permit may, upon written application thereof, be issued to any person, firm or corporation regularly employing one or more qualified electricians for the installation and maintenance of electrical wiring, devices, appliances, apparatus or equipment on premises owned or occupied by the applicant for the permit.

(b) Homeowner. The chief building official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any electric fixture, appliance or electric system regulated by this chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings; provided, that such person is the owner of the premises, is the permanent occupant of the premises and personally performs the work. The building official may also revoke said homeowner's permit for cause if it is demonstrated the homeowner or his/her agent is not qualified to perform the permitted work and require that a licensed contractor install the work.

Section 6. Chapter 18.12 of the Santa Cruz Municipal Code is hereby repealed.

Section 7. A new Chapter 18.12 of the Santa Cruz Municipal Code is hereby adopted to read as follows:

Chapter 18.12 PLUMBING CODE

Sections:

- 18.12.010 Plumbing Code of the city of Santa Cruz.
- 18.12.030 Adoption of the Plumbing Code.
- 18.12.035 Plumbing Code additions.
- 18.12.040 Plumbing Code – Deletions and modifications.
- 18.12.045 Repealed by Ord. 89-48.
- 18.12.050 Permit fees.
- 18.12.060 Penalties.
- 18.12.070 Permits – To whom issued.

18.12.010 PLUMBING CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Plumbing Code of the city of Santa Cruz.

18.12.030 ADOPTION OF THE PLUMBING CODE.

The following documents are hereby adopted as part of the Plumbing Code of the city of Santa Cruz:

CCR T 24, Part 5, The 2010 California Plumbing Code, including Appendices A, B, D, I and K except as modified herein (hereafter CPC).

One copy of the above documents are and shall be maintained on file in the office of the building official.

18.12.035 PLUMBING CODE ADDITIONS.

The planning department and the public works department may direct that there be modifications of existing installation standards and/or the use of the old standard (3.5 gallons per flush) water closet when, in the opinion of both departments, the configuration of the building drainage system and/or the current sewer line flow requires a greater quantity of water to adequately flush the system.

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In existing single-family residences, where replacement fixtures are not available to match existing fixture colors, the planning department may allow the use of the old standard (3.5 gallons per flush) water closet.

18.12.040 PLUMBING CODE – DELETIONS AND MODIFICATIONS.

None.

18.12.045 Repealed by Ord. 89-48.*

* Editor's Note: Section 18.12.045, "Backflow Prevention Devices," previously contained herein, was adopted by Ord. 82-49, amended by Ord. 84-61, and repealed in its entirety by Ordinance No. 89-48.

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.

18.12.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in Title 4 of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County Superior Court Uniform Bail and Penalty Schedule for the City of Santa Cruz.

18.12.070 PERMITS – TO WHOM ISSUED.

(1) Permits shall be issued only to qualified contractors, duly licensed by the state of California and authorized by their license to perform plumbing work except as specifically provided below.

(a) Homeowner. The chief building official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any plumbing fixture, appliance or piping system regulated by this chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings; provided, that such person is the owner of the premises, is the permanent occupant of the premises and personally performs the work. The building official may also revoke said homeowner's permit for cause if it is demonstrated the homeowner or his/her agent is not qualified to perform the permitted work and require that a licensed contractor install the work.

Section 8. Chapter 18.14 of the Santa Cruz Municipal Code is hereby repealed.

Section 9. A new Chapter 18.14 of the Santa Cruz Municipal Code is hereby adopted to read as follows:

Chapter 18.14 MECHANICAL CODE

Sections:

- 18.14.010 Mechanical Code of the city of Santa Cruz.
- 18.14.030 Adoption of the Mechanical Code.
- 18.14.040 Mechanical Code – Modifications.
- 18.14.050 Permit fees.

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- 18.14.060 Penalties.
- 18.14.070 Permits – To whom issued.

18.14.010 MECHANICAL CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Mechanical Code of the city of Santa Cruz.

18.14.030 ADOPTION OF THE MECHANICAL CODE.

The following documents are hereby adopted as part of the Mechanical Code of the city of Santa Cruz:

CCR T 24, Part 4, The 2010 California Mechanical Code, including Appendices B, C and D, except as modified herein (hereafter CMC).

One copy of the above documents is and shall be maintained on file in the office of the building official, for use and examination by the public.

18.14.040 MECHANICAL CODE – MODIFICATIONS.

None.

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

18.14.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in Title 4 of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County Superior Court Uniform Bail and Penalty Schedule for the City of Santa Cruz.

18.14.070 PERMITS – TO WHOM ISSUED.

(1) Permits shall be issued only to qualified contractors, duly licensed by the state of California and authorized by their license to perform mechanical work, except as specifically provided below.

(a) Homeowner. The chief building official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any mechanical appliance, apparatus or mechanical system regulated by this chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings; provided, that such person is the owner of the premises, is the permanent occupant of the premises, and personally performs the work. The building official may also revoke said homeowner's permit for cause if it is demonstrated the homeowner or his/her agent is not qualified to perform the permitted work and require that a licensed contractor install the work.

Section 10. Section 18.28.010 of the Santa Cruz Municipal Code is hereby amended to read as follows:

18.28.010 PERMISSION REQUIRED.

No person shall erect any porch which shall extend over any sidewalk within the limits of the city, without permission from the city council, provided that marquees may be erected over any

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sidewalk if such marquees are constructed of noncombustible material and supported from the building to which they are attached, and not supported over the sidewalk by posts and in conformance to current code as adopted in SCMC Title 18.

Section 11. Chapter 18.40 of the Santa Cruz Municipal Code is hereby repealed.

Section 12. A new Chapter 18.40 of the Santa Cruz Municipal Code is hereby adopted to read as follows:

Chapter 18.40 HISTORICAL BUILDING CODE

Sections:

- 18.40.010 Historical Building Code of the city of Santa Cruz.
- 18.40.020 Definitions.
- 18.40.030 Adoption of Historical Building Code.
- 18.40.040 Effect on zoning ordinance.
- 18.40.050 Amendments to the CHBC.

18.40.010 HISTORICAL BUILDING CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Historical Building Code of the city of Santa Cruz.

18.40.020 DEFINITIONS.

The following definitions apply to this chapter:

(1) "Qualified historical building" means any structure, collection of structures, and their associated sites which have importance to the history, architecture, or culture of the Santa Cruz area and which have been included on any existing or future national or state historical register which has been officially adopted by a governmental agency, or which have been included in the Santa Cruz Historical Building Survey, or which have been designated as a historical landmark by the city of Santa Cruz, or which are located within a historic district designated by the city of Santa Cruz.

18.40.030 ADOPTION OF HISTORICAL BUILDING CODE.

CCR T 24, Part 8, The 2010 California Historical Building Code (hereafter CHBC) is hereby adopted as part of the Historical Building Code of the city of Santa Cruz. One copy of the CHBC referred to above shall be maintained on file in the office of the building official, for use and examination by the public.

18.40.040 EFFECT ON ZONING ORDINANCE.

If there is any conflict between the provisions of Chapter 8-10 of the CHBC and the provisions of the city of Santa Cruz Zoning Ordinance (Santa Cruz Municipal Code Title 24), then the provisions of the Zoning Ordinance shall prevail.

18.40.050 AMENDMENTS TO THE CHBC.

To the extent required by law the CHBC adopted by the state of California and becoming effective after January 1, 2011, shall be effective in the city of Santa Cruz. To the extent authorized by law the city of Santa Cruz shall have the authority to adopt ordinances pertaining to historical building which vary from the CHBC or impose requirements in addition to those imposed by the CHBC.

Section 13. Chapter 18.41 of the Santa Cruz Municipal Code is hereby repealed.

Section 14. A new Chapter 18.41 of the Santa Cruz Municipal Code is hereby adopted to read as follows:

Chapter 18.41 BOARD OF BUILDING APPEALS

Sections:

- 18.41.010 Purpose.
- 18.41.020 Appointment of board and length of term.
- 18.41.030 Composition of board.
- 18.41.040 Appeals.
- 18.41.050 Conduct of hearing.
- 18.41.060 Limitation of authority.

18.41.010 PURPOSE.

A board of building and fire appeals is hereby established to hear and decide appeals of orders, decisions or determinations made by the chief building official and/or the fire chief regarding the application and interpretation of the various provisions of Title 18 (Buildings and Construction) and Title 19 (Fire Prevention Code) of the Santa Cruz Municipal Code. The board of building and fire appeals shall determine whether the orders, decisions and determinations of the chief building official and/or fire chief are consistent with the responsibilities as set forth in Section 204 of the Uniform Administrative Code, the other California building and construction codes adopted by reference in Title 18 of this code, the California Fire Code adopted by reference in Title 19 of this code (including all local amendments thereto), or with any other applicable provision of federal, state or local law for which the chief building official and/or fire chief has enforcement responsibility. The board may be used to determine the suitability of alternate materials and methods of construction.

18.41.020 APPOINTMENT OF BOARD AND LENGTH OF TERM.

The board of building and fire appeals shall consist of five regular members. Special members as listed, but not limited to those as specified, in Section 18.41.030 will serve with the regular members at the request of the regular members. The city council shall appoint all members to terms not to exceed four years. Members may be reappointed to additional consecutive terms by said council without limitation. Such board shall act voluntarily, and without commission.

18.41.030 COMPOSITION OF BOARD.

(a) Regular Members. Each member shall be licensed as an architect, engineer (structural, civil, mechanical or electrical), general building contractor, engineering contractor, electrician, plumber, or mechanical or sheet metal contractor. A nonjurisdictional building inspector (either private or of another municipality), fire inspector or similar person demonstrating a suitable technical background may be considered as an alternate member by the city council. Retired technical members demonstrating the necessary background and experience may be placed on the board as appropriate by appointment. The chief building official or, alternatively, the city fire chief, depending upon the nature of the appeal before the board, shall be an ex officio member and act as secretary, but shall have no power to vote. The chief building official and fire chief may delegate this duty to the deputy building official and fire marshal in their absence as appropriate.

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Membership of the board shall include the greatest range of professional experience as may be reasonably available.

(b) Special Members. Special members shall consist of at least the following: two representatives of the disabled community; an energy contractor or representative of an energy conservation design service and a fire code professional that is nonjurisdictional.

Such special members shall be called upon from time to time by the chairperson of the board to assist in making determinations on those matters involving their particular field of expertise and shall hold full voting rights when so employed.

18.41.040 APPEALS.

Any appeal of technical action by the chief building official or fire chief in relation to the California Building, Plumbing, Electrical, Mechanical, Residential, Green Building Standards or Fire Codes must be made within five working days from such action. Any appeal of a notice and order by the chief building official or fire chief in relation to the Uniform Housing Code or the International Existing Building Code must be filed within thirty calendar days from the date of service of such order; provided, however, that if the building or structure is in such condition as to make it immediately dangerous to life, limb, property or safety of the public or adjacent property and is ordered vacated and posted in accordance with the provisions of the two codes, such appeal shall be filed within ten calendar days from the date of service of the notice and order. Appeals shall be in writing and may either be submitted in a letter by the appellant or on a form provided by the building official or fire chief, with an appeal fee established by the city of Santa Cruz. Within fifteen working days after receipt of the notice of appeal, the building official or fire chief shall notify the chairperson of the board of building and fire appeals. If possible, the appeal shall be heard by the board within thirty days of notice to the chairperson, but no later than sixty days from the filing of an appeal. The board shall be limited to the technical merits of the appeal and shall have no authority over the interpretation of the administrative aspects of these codes or the power to waive requirements of the codes.

18.41.050 CONDUCT OF HEARING.

The board of building and fire appeals shall adopt bylaws and, at their first official meeting, elect a chair and vice-chair. The chair and vice-chair shall be elected annually to coincide upon the appointment of new members. The findings and decisions of the board shall be final and shall be presented to the appellant in writing.

18.41.060 LIMITATION OF AUTHORITY.

The board of building and fire appeals shall have no authority relative to interpretation of the administrative provisions of this title or Title 19, nor shall the board be empowered to waive requirements of this title or Title 19.

Section 15. Chapter 18.47 of the Santa Cruz Municipal Code is hereby repealed.

Section 16. A new Chapter 18.47 of the Santa Cruz Municipal Code is hereby adopted to read as follows:

Chapter 18.47 SAFETY ASSESSMENT PLACARDS

Sections:

- 18.47.010 Intent.
- 18.47.020 Application of provisions.
- 18.47.030 Definitions.
- 18.47.040 Placards.

18.47.010 Intent.

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy and conforms to the statewide program administered by the California Emergency Management Agency (hereafter CalEMA) for ease in the rapid assessment of damaged structures. This chapter further authorizes the building official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment.

18.47.020 Application of provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the city of Santa Cruz.

18.47.030 Definitions.

(a) "Safety assessment" is a visual, non-destructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

(b) "Safety assessment program (SAP)" is a statewide voluntary program managed by the CalEMA and the Federal Emergency Management Authority, which establishes the protocol for a uniform placarding program that can be used anywhere in the United States using the ATC-20 system.

18.47.040 Placards.

(a) The following are verbal descriptions of the official jurisdiction placards to be used to designate the condition for continued occupancy of buildings or structures.

(1) "INSPECTED – Lawful Occupancy Permitted" is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean there is no damage to the building or structure. This placard is printed on a green background.

(2) "RESTRICTED USE" is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restriction on continued occupancy. This placard is printed on a yellow background

(3) "UNSAFE – Do Not Enter or Occupy" is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the building official, or his or her authorized representative. Safety assessment teams shall be authorized to enter these buildings at any time. This placard is not to

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be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered. This placard is printed on a red background.

(b) The number of the ordinance codified in this chapter, the name and address of the jurisdiction and phone number shall be permanently affixed to each placard.

(c) Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the building official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

Section 17. This ordinance shall be in force and take effect thirty (30) days after its final adoption and shall be enforced by the City of Santa Cruz Building Official commencing on January 1, 2011.

PASSED FOR PUBLICATION this 9th day of November, 2010, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

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PASSED FOR FINAL ADOPTION this 23rd day of November, 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. 2010-XX and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

City Clerk

Chapter 18.04

BUILDING CODE

Sections:

- 18.04.010 Building Code of the city of Santa Cruz.
- ~~18.04.020 Definitions.~~
- 18.04.030 Adoption of ~~uniform and international~~ codes.
- 18.04.040 Building Code – Deletions and modifications.
- 18.04.050 Permit fees.
- 18.04.060 Penalties.
- ~~18.04.070 International Existing Building Code Penalties.~~
- 18.04.080 Establishment of inspection services.
- 18.04.090 Duties of the building official – Reports and records.
- 18.04.100 Building permit – Certificate of insurance requirement.

18.04.010 BUILDING CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Building Code of the city of Santa Cruz.
(Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).

18.04.020 DEFINITIONS.

~~The following definitions apply to this chapter:~~

~~California Building Code (CBC). Any reference in this chapter to the California Building Code (CBC) shall refer to the specific modifications made by various state agencies to the model building code and published by the California Building Standards Commission for implementation by local jurisdictions.~~

~~International Building Code (IBC). Any reference in this chapter to the International Building Code (IBC) shall refer to that edition of the International Building Code adopted in Section 18.04.030.~~

~~International Existing Building Code (IEBC). Any reference in this chapter to the International Existing Building Code shall refer to that edition of the International Existing Building Code as adopted in Section 18.04.030.~~

~~Interpretation as a Whole. Any documents adopted in this chapter shall, wherever possible, be interpreted together as a whole.~~

~~This Chapter. Any reference to “this chapter” includes the provisions of the Santa Cruz Municipal Code that are codified in this chapter and also includes any document adopted in Section 18.04.030.~~

~~Uniform Administrative Code (UAC). Any reference in this chapter to the Uniform Administrative Code (UAC) shall refer to that edition of the Uniform Administrative Code adopted in Section 18.04.030.~~

~~Uniform Housing Code (UHC). Any reference in this chapter to the Uniform Housing Code (UHC) shall refer to that edition of the Uniform Housing Code adopted in Section 18.04.030.~~

~~Annual Supplements of the International Codes of the Above Named Codes. Any reference in this chapter to the annual supplements of the International Codes shall refer to that edition of the annual supplements of the International Codes adopted in Section 18.04.030.~~

~~(Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).~~

18.04.030 ADOPTION OF ~~UNIFORM AND INTERNATIONAL~~ CODES.

Subject to the modifications and deletions set forth in Section 18.04.040 and by the State of California Building Standards Commission, the following documents, ~~published by the International Code Council~~, are hereby adopted as part of the Building Code of the city of Santa Cruz:

California Code of Regulations Title 24 (hereafter CCR T 24), Part 1, The 2010 California Administrative Code;

CCR T 24, Part 2, Volumes 1 and 2, The ~~International~~2010 California Building Code, ~~Parts 1 and 2, 2006 Edition~~, including Appendices ~~H and I~~, except as modified herein (hereafter CBC);

~~The International Building Code, State of California Amendments, 2007 Edition;~~

CCR T 24, Part 2.5, The 2010 California Residential Code, including Appendix H, except as modified herein (hereafter CRC);

CCR T 24, Part 10, The 2010 California Existing Building Code, Appendix Chapter A1, except as modified herein;

CCR T 24, Part 11, The 2010 California Green Standards Code, except as modified herein (Refer to Santa Cruz Municipal Code Chapter 24.15, Green Building Regulations);

CCR T 24, Part 12, The 2010 California Referenced Standards Code;

~~The International Existing Building Code, 2006 Edition, except Chapter 1 (Administration);~~

The Uniform Administrative Code, 1997 Edition, for the purpose of maintaining and administering the existing fee structure, except as modified herein (hereafter UAC);

The Uniform Housing Code, 1997 Edition, except as modified herein (hereafter UHC);

The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, except as modified herein (hereafter UCADB);

Annual supplements of the International Building Code as related to current adopted editions.

~~Two copies~~ One copy of each of the above documents are and shall be maintained on file in the office of the ~~city clerk~~ building official, for use and examination by the public. ~~Except as otherwise specifically provided herein, each and every provision, section, table, diagram, illustration, figure, phrase and paragraph thereof is hereby adopted in the same manner as if set forth here in full.~~

(Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).

18.04.040 BUILDING CODE – DELETIONS AND MODIFICATIONS.

(a) The following sections of the ~~uniform~~ codes as adopted in Section 18.04.030 are hereby ~~deleted~~ modified as follows:

Add sentence to ~~IBC~~ ~~CBC~~ Section ~~108.8~~ ~~1.8.8.1~~ and ~~CRC~~ Section ~~1.8.7.1~~; ~~2007 California Amendments referring to the establishment of an appeals board which is already contained in Refer to Santa Cruz Municipal Code (hereafter SCMC) Chapter 18.41, board of appeals.~~

Add sentence to ~~IBC~~ ~~CBC~~ Sections ~~1803~~ ~~1804~~; and ~~1893A~~ referring to excavation, grading and fill which is already contained in Refer to SCMC Chapter 18.45, excavation and grading regulations.

Add sentence to ~~CRC~~ Section ~~R313~~; Refer to ~~SCMC~~ Title 19, Fire Prevention Code.

~~CBC~~ 1908.1.8 ACI 318, Section 22.10.1 (a), Delete entire subsection (a).

~~IBC~~ Table 2305.3.4, delete the last row and footnote “b” of Table 2305.3.4.

~~IBC~~ Section 2305.3.9, delete exception.

~~IBC~~ Section 2306.4.5, delete entire section.

Modify second sentence of ~~CBC~~ Section ~~2306.7~~ to read as follows; Shear walls sheathed with these materials are not permitted to resist horizontal forces.

~~IBC~~ Table ~~2306.4.5~~ ~~CBC~~ Table ~~2306.7~~, delete entire table.

~~IBC CBC Table 2308.12.4, including footnotes “b” and “e” of Table 2308.12.4 and CRC Chapter 6, including Table R602.10.2; delete all references to “gypsum board,” “lath and plaster,” “Portland cement plaster” and “gypsum sheathing boards;” as braced wall panels or lateral load resisting elements.~~

~~Modify CBC IBC Section 2505.1 2505.3, delete entire section as applicable to all projects in the City of Santa Cruz.~~

~~IBC Appendix Chapter 1, Section 110.1 referring to the issuance of a certificate of occupancy for all buildings and structures prior to use or occupancy with the exception of non-residential and multi-family buildings or structures for which such certificate is required.~~

~~IBC Appendix Chapter 1, Section 112 referring the establishment of a board of appeals which is already contained in Chapter 18.41.~~

~~IBC Appendix Chapter A referring to employee qualifications which are already established by local policy and specification as well as state statutes contained in the Health and Safety Code.~~

~~IBC Appendix Chapter B referring to the establishment of a board of appeals which is contained in Chapter 18.41.~~

~~IBC Appendix Chapter C referring to Group U Agricultural Buildings which are limited within the jurisdiction.~~

~~IBC Appendix Chapter D referring to fire districts which is contained in Title 19.~~

~~IBC Appendix Chapter F referring to rodent proofing.~~

~~IBC Appendix Chapter G referring to flood-resistant construction which is contained in Sections 24.14.400 through 24.14.500, IBC Chapter 16 and mandated FEMA directives.~~

~~IBC Appendix Chapter H referring to signs which is contained in Title 24 for design standards and Title 18 for construction standards.~~

~~IBC Appendix Chapter I referring to patio covers which is contained in the basic format of the IBC itself.~~

~~IBC Appendix Chapter J referring to grading which is contained in Chapter 18.45.~~

~~(b) The following sections of the International Codes as adopted pursuant to Section 18.04.030 are hereby modified to read as follows:~~

~~(1) Garage Separation, IBC CBC Section 406.1.4.1 406.1.4 item 1 is hereby amended to insert a sentence after have the first second sentence of the paragraph to read as follows:~~

~~The private garage shall be separated from the dwelling unit and its attic by means of a minimum 5/8 inch, Type X gypsum Gypsum board applied to the garage side that is shall be suitably fire taped and have the nail heads spotted with taping compound.~~

~~Add sentence to CRC Section R302.6; Refer to city amended CBC Section 406.1.4 item 1 for requirements.~~

~~CRC Section R302.5.1; Delete Exception~~

~~(2) IBC CBC Section 1503 1505 is hereby amended to add a first paragraph as follows:~~

~~1503.0 1505 ROOFING REQUIREMENTS- FIRE CLASSIFICATION~~

~~Class “C” wood, and non-rated wood roofs prohibited. No Class “C” wood, or non-rated wood roof covering shall be installed on any new or existing building or structure. Any reference, table, footnote, or exception allowing Class “C” wood, or “N”, or non-classified wood roofing in this code is hereby amended to read as Class “B”. Any qualified historical building or structure as defined in Health and Safety Code Section 18955 may utilize alternative roof~~

classifications as provided by the State Historical Building Code. Where Title 19 of the SCMC and/or State standards identifies conflicting Wildland/Urban Interface requirements in this jurisdiction are referenced, the most restrictive shall apply.

Add sentence to CRC Section R902; Refer to city amended CBC Section 1505 for requirements.

~~(3) IBC Section 1505.6 is hereby amended to remove reference to Class “C” roofs and only Class “A” or “B” roofs shall be permitted within the jurisdiction.~~

~~(4) IBC CBC Section 1510 is hereby amended to add a first paragraph, with the balance of Section 1510 to remain, as follows:~~

1510.0 Overlay on Existing Wood Roofs or Asphalt Shingle Roofs. Re-roofing over Class “C” wood or non-rated wood shakes and wood shingles is prohibited. When a roof has one or more layers of roof covering, any layer of which is wood shake or wood shingle, all built-up roof covering shall be completely removed before applying a new roof covering without exception (unless specifically provided for in SCMC Title 18).

Add sentence to CRC Section R907; Refer to city amended CBC Section 1510.0 for requirements.

~~(5) IBC CBC Section 1510 is hereby amended to add a Section 1510.1.1 to read as follows:~~

1510.1.1 Minor Work on Existing Wood Roofs. The requirements of Section 1510.0 shall not apply when an existing building or structure with a wood roof covering is subject to roof installation, addition, repair, alteration or replacement of less than 25% of the existing building or structure’s wood roof-covering area, accumulated over the life of the building, commencing on or after the official date of this ordinance. In such circumstances, wood roof coverings with a CSFM listed rating may be used, provided the completed roof assembly complies with all other provisions of this code. For the purpose of this ordinance, 25% of the wood roof covering area shall be calculated from the area of wood roof covering existing on the effective date of this ordinance.

~~(6) IBC CBC Section 1406 is hereby amended to add two new paragraphs, with the balance of the section to remain, as follows:~~

1406.1.1 Shingles or Shakes. A minimum Class “B” Listing by a manufacturer acceptable to the Fire Marshal or the Chief Building Official shall be required for all wood shingles or shakes, and other shingles or shakes that may be used for exterior wall covering referred to elsewhere in this code. No Class “C” wood and non-rated wood shakes or wood shingles shall be installed as an exterior wall covering on any new or existing building or structure. Wood shingles shall meet the minimum thickness requirements of Table 1405.2.

1406.1.2 Existing Wood Exterior Repairs or Installations of less than 25%. The Class “B” requirements of this section shall not apply when an existing building or structure with wood shake or wood shingle exterior wall covering is subject to installation, addition, repair, alteration or replacement of less than 25% of the existing building or structure’s wood shake or wood shingle exterior wall covering area accumulated over the life of the building commencing on or after the effective date of this ordinance. For the purposes of this code, 25% of the area of wood exterior wall covering shall be calculated from the area of the wood exterior wall shake or wood shingle covering existing on the effective date of this ordinance.

Add sentence to CRC Section R703.5; Refer to city amended CBC Section 1406.1.1 and 1406.1.2 for requirements.

The UAC Chapter 1 and the CBC Chapter 1, Division II shall have the following inserted under their respective headings to read as follows;

The 1997 Uniform Administrative code (UAC) shall be used for the purpose of maintaining and administering the existing fee structure as established in the UAC or adopted by the City of Santa Cruz as authorized by the UAC. The California Building Code Chapter 1, Division II shall be used in its entirety, as applicable, for the administration of the building standards codes for all buildings, structures and equipment in the City of Santa Cruz, except as modified in SCMC Title 18.

CBC Section 101.4.1, replace reference to the International Fuel Gas Code to the CPC.

CBC Section 101.4.2, replace reference to the International Mechanical Code to the CMC.

CBC Section 101.4.3, replace references to the International Plumbing Code and International Private Sewage Disposal Code to the CPC.

CBC Section 101.4.4, replace reference to the Property Maintenance Code to the CBC and/or UHC and/or UCADB.

CBC Section 105.1, insert second paragraph to read as follows;

Except as specified in Section 105.2, no building, structure or building service equipment regulated by this code and the technical codes shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separated, appropriate permit for each building, structure or building service equipment has first been obtained from the building official.

~~(7) IBC Appendix CBC Chapter 1,~~ Section 105.2 is hereby amended to add the following modification to exemption No. 1 and to add exemption No. 14:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11m²). Exempted structures shall not be placed within six feet of each other or any other permanent structure and shall comply with local zoning requirements for setbacks and maximum number of structures allowed.

14. Decks and platforms not exceeding thirty inches above the adjacent grade and serving individual dwelling units and are not over any basement or story below. (Decks serving common areas in multi-family residential construction and all commercial decks are not exempted by this section.)

CRC Section 105.2 exemptions 1 and 10 shall be replaced with CBC modified exemptions 1 and 14 respectively.

CBC Section 107.2.3 shall strike reference to R-2 and I-1 Occupancies with the second sentence to read as follows;

In other than occupancies in Group R-3, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

CBC Section 110.1, insert second paragraph to read as follows;

A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

CBC Section 112, add section 112.4 to read as follows;

112.4 Connection after Order to Disconnect. Persons shall not make connections from an energy, fuel or power supply nor supply energy or fuel to building service equipment which has been disconnected or ordered to be disconnected by the building official or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such equipment.

Add sentence to CBC Section 113; Refer to SCMC 18.41, Board of Building and Fire Appeals.

CRC Table R301.2(1) shall be populated with the following criteria as established by the City of Santa Cruz, using criteria published in the CRC where applicable; Ground Snow load = 0, Wind Design/Speed (mph) = 85, Wind Design/Topographic Effects = No, Seismic Design Category = D₂, Subject To Damage From/Weathering = Negligible, Subject To Damage From/Frost line depth = 12 inches below undisturbed soil, Subject To Damage From/Termite = Very Heavy, Winter Design Temp = 40 degrees Fahrenheit, Ice Barrier Underlayment Required = No, Flood Hazards = FIRM 3/2/2006 (Panels 219D, 238D, 329D, 331D, 332D, 333D, 334D, 351D), Air Freezing Index = 0, Mean Annual Temp = 55 degrees Fahrenheit.

~~(8) The following sections of the Uniform Housing Code as adopted in Section 18.04.030 are amended as follows:~~

~~(A) Uniform Housing Code, 1997 Edition, Chapter 4, UHC Section 401, Nuisance, is hereby amended by adding subsection item 9 to read:~~

~~9. Any residential property upon which a person or persons conducts activities, accumulates materials, or fails to maintain structures and grounds to a degree, which by common standards, is disruptive and/or damaging to general welfare, peace and sanctity of the surrounding neighborhood.~~

UHC Section 103 and UCADB Section 102.2 shall have the following paragraph added, to read as follows;

Where reference is made to any code or standard, the most relevant code(s) and/or standard(s) as currently adopted in SCMC Title 18 shall be used. Where conflict may occur between this code and SCMC Title 18, Title 18 shall govern.

(Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).

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 building permit application.

(Ord. 2010-04 § 1, 2010: Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).

18.04.060 PENALTIES.

~~Except as provided in Section 18.04.070, any~~ Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in ~~Chapter 1.08 Title 4, Judicial Remedies,~~ of the Santa Cruz Municipal Code: or alternatively or delineated in the Santa Cruz County Superior Court Uniform Bail and Penalty Schedule for the City of Santa Cruz.
(Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).

~~18.04.070 INTERNATIONAL EXISTING BUILDING CODE – PENALTIES.~~

~~Any person, firm, or corporation who fails to perform corrective actions required by a lawful order of the building official, fire chief or health officer pursuant to the provisions of the International Existing Building Code shall be guilty of a misdemeanor.~~
(Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).

18.04.080 ESTABLISHMENT OF INSPECTION SERVICES.

There is hereby established in the city of Santa Cruz, as part of the department of planning and community development, a division known as inspection services, which shall be under the jurisdiction of the chief building official designated by the city manager. The chief building official shall, for all purposes, including enforcement procedures, be charged with the duties of the “building official” described in this chapter.
(Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).

18.04.090 DUTIES OF THE BUILDING OFFICIAL – REPORTS AND RECORDS.

The chief building official shall submit a report to the city manager not less than once a year, covering the work of inspection services during the preceding period. He shall incorporate, in said report, a summary of his recommendations as to desirable amendments to this chapter and succeeding chapters of this title. The chief building official shall keep a permanent accurate account of all fees or other moneys collected and received under this chapter, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate.
(Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).

18.04.100 BUILDING PERMIT – CERTIFICATE OF INSURANCE REQUIREMENT.

Pursuant to Government Code Section 53080.5, the city of Santa Cruz is hereby authorized to require any applicant for a city of Santa Cruz building permit to file with the city a certificate of insurance evidencing coverage for bodily injury or property damage liability as a condition to issuance of the building permit applied for.
(Ord. 2007-22 § 1 (part), 2007: Ord. 2002-42 § 1 (part), 2002).

Chapter 18.06

SPECIAL BUILDING REGULATIONS

Sections:

- 18.06.010 Standard doorway and passageway width.
- 18.06.015 Roll-in shower requirement for apartments and condominiums.
- 18.06.020 Building permit final inspection.
- 18.06.050 Seismic restraints for existing residential buildings.
- 18.06.060 Commercial decks and/or platforms.
- 18.06.080 Best management practices.
- 18.06.080.1 Best management practices for construction activity.
- 18.06.080.2 Post-construction best management practices.

18.06.010 STANDARD DOORWAY AND PASSAGEWAY WIDTH.

(a) The standard width of each doorway, through which a person may pass, shall accommodate a minimum two-foot-eight-inch standard swing or sliding door. A doorway shall include any doorway intended to, or designed to, give access to persons between adjoining rooms or between the inside or outside of the building. Closets, pantries and similar uses of less than two feet in depth are excepted. Any passageway or portal not containing a door shall have a net clearance of thirty-two inches; provided, that the minimum requirements shall not apply to floors or levels accessible only by stairway above or below the first floor, if such areas are not required by applicable law or regulation to be accessible to the disabled.

(b) The provisions of this section shall not apply to residential buildings and dwellings when the average slope of the access to the primary entrance doorway from a public sidewalk, easement or other similar path of travel fronting the primary entrance of the building is greater than fifteen percent gradient.

(Ord. 2007-22 § 2 (part), 2007: Ord. 2002-42 § 2 (part), 2002).

18.06.015 ROLL-IN SHOWER REQUIREMENT FOR APARTMENTS AND CONDOMINIUMS.

Every apartment building containing three or more units and every condominium complex containing four or more units constructed after the effective date of the ordinance codified in this section shall have provisions in addition to those of the California Building Code for a roll-in shower in at least one accessible bathroom at a ratio of one for every twenty-five units (1:25) constructed, with a minimum of one. The installation shall be limited to the provision of a space that is readily adaptable for the conversion of a roll-in shower design as specified in Chapter 11-B of the California Building Code. In complexes of twenty-five units or less, at the request of a disabled renter or purchaser, and after the acceptance of a rental/sales agreement, a roll-in shower will be installed at no expense to the renter/buyer within thirty days from the acceptance of said agreement; provided, that such request does not increase the ratio of 1:25 as described above. In apartment buildings and condominium complexes containing more than twenty-five units, the roll-in showers shall be completed in at least one in twenty-five units. In multi-story elevator buildings or multi-building projects, such units shall be dispersed to create accessible opportunities among a variety of styles and/or price ranges offered in the complex. To encourage higher ratios in existing complexes, permits to create additional roll-in shower units may be issued by the chief building official not to exceed one hundred dollars in building, plan check, plumbing, electrical and mechanical fees per unit.

Covered multi-family dwelling units as defined by the California Building Code constructed after March 13, 1991, undergoing extensive remodeling and/or additions in excess of thirty percent of the market value of the existing improvements in a five-year cumulative period, shall have at least one in twenty-five (1:25) units modified to create roll-in shower opportunities on the ground floor(s).

(Ord. 2007-22 § 2 (part), 2007: Ord. 2005-13 § 1, 2005).

18.06.020 BUILDING PERMIT FINAL INSPECTION.

(a) It shall be unlawful for any person or persons to occupy any space for which a building permit has been issued by the building official until a final inspection has been performed and the building or work is found to comply with all applicable codes and ordinances.

(b) This section shall not apply to permits for interior remodel or renovation of existing accessory spaces such as utility rooms and any unheated spaces, or existing habitable rooms when not involving structural, electrical or plumbing work.

Failure to comply with this section by any permittee is a violation of the Santa Cruz Municipal Code and subject to the penalties of Chapter 1.08 of the Santa Cruz Municipal Code.

(Ord. 2007-22 § 2 (part), 2007: Ord. 2002-42 § 2 (part), 2002).

18.06.050 SEISMIC RESTRAINTS FOR EXISTING RESIDENTIAL BUILDINGS.

Persons applying for a building permit for any addition to or remodel of an existing building shall be required to allocate an amount equal to a percentage of the valuation of the proposed work for the purpose of installing seismic restraints in the existing building and its contents.

The percentage is one percent of the building permit valuation, but in no case shall the mandatory amount exceed five hundred dollars.

The following measures may be used singly or in combination to reach the required amount:

Credits		
(a)	Add new perimeter foundation and stem wall system	\$500.00
(b)	Secure sills to foundation	\$200.00
(c)	Provide shear panels to cripple walls	\$500.00
(d)	Provide lateral bracing at piers to exterior walls	\$200.00
(e)	Stabilize masonry chimney	\$200.00
(f)	Provide interior shear walls	\$500.00
(g)	Provide shear panels at garage door	\$100.00

(h)	Provide adequate lateral bracing of porches, decks, patio roofs and other attachments	\$100.00
(i)	Provide water heater restraints	\$25.00
(j)	Provide furnace restraints	\$25.00
(k)	Provide wall ties on tall freestanding furniture	\$215.00
(l)	Provide emergency tools for shutoff valves of gas and water services, including directions for location and operation of valves and switches for electrical main shutoff	\$25.00

Other methods may be proposed by the permit applicant for approval by the chief building official, who will evaluate the proposal and compute credits according to the merits of the work to be performed.

If applicant can demonstrate, to the satisfaction of the chief building official, that applicant's existing residential building complies with applicable sections of Chapters 16 and/or 23 of the adopted ~~Uniform Building Code~~ CBC or Chapter 6 of the CRC, then applicant may, at the discretion of the chief building official, receive partial or complete exemption from the requirements of this section. No additional building permit fees will be charged for the above seismic retrofit work.

(Ord. 2007-22 § 2 (part), 2007: Ord. 2002-42 § 2 (part), 2002).

18.06.060 COMMERCIAL DECKS AND/OR PLATFORMS.

(a) All commercial decks and/or platforms when constructed above the finished grade, regardless of height or construction material, and used for commercial purposes, where the general public may access such deck or platform, shall be required to submit appropriate plans and obtain a permit and inspections prior to construction and occupancy.

(b) All such decks and/or platforms, when serving that floor area nearest grade level, shall be required to be accessible to disabled persons to the same degree as required by code for such floor area served.

(Ord. 2007-22 § 2 (part), 2007: Ord. 2002-42 § 2 (part), 2002).

18.06.080 BEST MANAGEMENT PRACTICES.

18.06.080.1 Best Management Practices for Construction Activity.

Any construction project, including those undertaken under any permit or approval granted pursuant to Titles 15, 18 and 24 of the code, shall implement the city's Best Management Practices for Construction Work as detailed in the latest Best Management Practices (BMP)

Manual published by the city's public works and/or planning departments. BMPs shall be maintained in full force and effect for the duration of the project.

Erosion and sediment control BMPs shall be in place and implemented, as appropriate, prior to commencing construction activity including grading or vegetation removal.

18.06.080.2 Post-Construction Best Management Practices.

Upon completion of a construction project, including those undertaken under any permit or approval granted pursuant to Titles 15, 18 and 24 of this code, post-construction Best Management Practices for Development and Remodeling Projects shall be in place.

BMPs shall be inspected and maintained in full force and effect. If a structural or treatment control BMP is required, the BMP shall be inspected and maintained on a schedule at a minimum of once per year, by October 1st, or more as necessary in order to retain the required capacity. The property owner shall be responsible for providing proof of any ongoing BMP inspection and maintenance to the city in accordance with the mandatory Best Management Practices for Development and Remodeling Projects.

(Ord. 2004-13 § 1, 2004).

Chapter 18.08

~~ELECTRICAL CODE OF THE CITY OF SANTA CRUZ~~

Sections:

- 18.08.010 Electrical Code of the city of Santa Cruz.
- ~~18.08.020 Definitions.~~
- 18.08.030 Adoption of the ~~National~~ Electrical Code.
- 18.08.040 Electrical Code deletions and modifications.
- 18.08.050 Permit fees.
- 18.08.060 Penalties.
- 18.08.070 Permits – To whom issued.
- ~~18.08.080 General requirements.~~

18.08.010 ELECTRICAL CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Electrical Code of the city of Santa Cruz.
(Ord. 2007-22 § 3 (part), 2007; Ord. 2005-19 § 1 (part), 2005).

~~18.08.020 DEFINITIONS.~~

~~The following definitions apply to this chapter:~~

~~(1) National Electrical Code. Any reference in this chapter to the National Electrical Code shall refer to that edition of the National Electrical Code adopted in Section 18.08.030.~~

~~(2) This Chapter. Any reference to “this chapter” includes the provisions of the Santa Cruz Municipal Code that are codified in this chapter and also includes any document adopted in Section 18.08.030.~~

~~(Ord. 2007-22 § 3 (part), 2007; Ord. 2005-19 § 1 (part), 2005).~~

18.08.030 ADOPTION OF THE NATIONAL ELECTRICAL CODE.

~~(a) The following documents are hereby adopted as part of the Electrical Code of the city of Santa Cruz:~~

~~(1) The National Electrical Code, 2005 Edition, as published by the National Fire Protection Association (NFPA).~~

~~(2) CCR T 24, Part 3, The 2010 California Electrical Code, except as modified herein (hereafter CEC) State of California Amendments, 2007 Edition.~~

~~(b) Two One ~~copies~~ copy of the above documents are and shall be maintained on file in the office of the ~~city clerk~~ building official, for use and examination by the public. ~~Except as otherwise specifically provided herein, each and every provision, section, table, diagram, illustration, figure, phrase and paragraph thereof is hereby adopted, in the same manner as if set forth in full.~~~~

~~(Ord. 2007-22 § 3 (part), 2007; Ord. 2005-19 § 1 (part), 2005).~~

18.08.040 ELECTRICAL CODE DELETIONS AND MODIFICATIONS.

None.

(Ord. 2007-22 § 3 (part), 2007; Ord. 2005-19 § 1 (part), 2005)

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.

(Ord. 2010-04 § 2, 2010: Ord. 2007-22 § 3 (part), 2007: Ord. 2005-19 § 1 (part), 2005).

18.08.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in ~~Chapter 1.08 Title 4, Judicial Remedies~~, of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County Superior Court Uniform Bail and Penalty Schedule for the City of Santa Cruz.

(Ord. 2007-22 § 3 (part), 2007: Ord. 2005-19 § 1 (part), 2005).

18.08.070 PERMITS – TO WHOM ISSUED.

(1) Permits shall be issued only to qualified contractors, duly licensed by the state of California and authorized by their license to perform electrical work except as specifically provided below:

(a) Maintenance Electrician. In lieu of an individual permit for each installation or alteration, an annual permit may, upon written application thereof, be issued to any person, firm or corporation regularly employing one or more qualified electricians for the installation and maintenance of electrical wiring, devices, appliances, apparatus or equipment on premises owned or occupied by the applicant for the permit.

(b) Homeowner. The chief building official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any electric fixture, appliance or electric system regulated by this chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings; provided, that such person is the owner of the premises, is the permanent occupant of the premises and personally performs the work. The building official may also revoke said homeowner's permit for cause if it is demonstrated the homeowner or his/her agent is not qualified to perform the permitted work and require that a licensed contractor install the work.

(Ord. 2007-22 § 3 (part), 2007: Ord. 2005-19 § 1 (part), 2005).

~~18.08.080 GENERAL REQUIREMENTS.~~

~~(1) All electrical materials, devices, appliances, apparatus and equipment shall be in conformance with the provisions of this chapter and with approved standards for safety to life and property. Listing or labeling, as conforming to the standards of Underwriters Laboratories, Inc., The National Bureau of Standards, The United States Bureau of Mines, or other nationally recognized testing agencies, shall be evidence of conformity with the approved standards for safety.~~

~~(2) Previously used materials shall not be reused in any work without the prior approval of the chief building official.~~

~~(3) The chief building official shall have the authority to allow the installation and use of special equipment, material, wiring methods and installation if, in his judgment, they are reasonably safe for the intended use.~~

~~(4) In order to determine the suitability of alternate materials and methods of installation and to provide for reasonable interpretations of the technical codes, there shall be, and is hereby created, a board of appeals as designated in the Uniform Administrative Code as adopted in Section 18.04.030.~~

~~(Ord. 2007-22 § 3 (part), 2007: Ord. 2005-19 § 1 (part), 2005).~~

Chapter 18.12

PLUMBING CODE

Sections:

- 18.12.010 Plumbing Code of the city of Santa Cruz.
- ~~18.12.020 Definitions.~~
- 18.12.030 Adoption of the ~~Uniform~~ Plumbing Code.
- 18.12.035 Plumbing Code additions.
- 18.12.040 Plumbing Code – Deletions and modifications.
- ~~18.12.041 Table 4-1-A Minimum plumbing facilities.~~
- 18.12.045 Repealed by Ord. 89-48.
- 18.12.050 Permit fees.
- 18.12.060 Penalties.
- 18.12.070 Permits – To whom issued.
- ~~18.12.080 General requirements.~~

18.12.010 PLUMBING CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Plumbing Code of the city of Santa Cruz.
(Ord. 2007-22 § 4 (part), 2007: Ord. 2002-42 § 4 (part), 2002).

18.12.020 DEFINITIONS.

The following definitions apply to this chapter:

(1) ~~Uniform Plumbing Code.~~ Any reference in this chapter to the ~~Uniform Plumbing Code~~ shall refer to that edition of the ~~Uniform Plumbing Code~~ adopted in Section 18.12.030.

(2) ~~This Chapter.~~ Any reference to “this chapter” includes the provisions of the ~~Santa Cruz Municipal Code~~ that are codified in this chapter and also includes any document adopted in Section 18.12.030.

(Ord. 2007-22 § 4 (part), 2007: Ord. 2002-42 § 4 (part), 2002).

18.12.030 ADOPTION OF THE UNIFORM PLUMBING CODE.

~~(a)~~ The following documents are hereby adopted as part of the Plumbing Code of the city of Santa Cruz:

~~(1)~~ CCR T 24, Part 5, The 2010 Uniform California Plumbing Code, including Appendices A, B, D, I and K except as modified herein (hereafter CPC) 2006 Edition, including the appendix and IAPMO Installation Standards, as published by the International Association of Plumbing and Mechanical Officials (IAPMO).

~~(2)~~ The Uniform Plumbing Code, State of California Amendments, 2007 Edition.

~~(b)~~ Two One copies copy of the above documents are and shall be maintained on file in the office of the city clerk building official. Except as specifically provided herein, each and every provision, section, table, diagram, illustration, figure, phrase and paragraph thereof is hereby adopted, in the same manner as if set forth here in full.

(Ord. 2007-22 § 4 (part), 2007: Ord. 2002-42 § 4 (part), 2002).

18.12.035 PLUMBING CODE ADDITIONS.

~~(a)~~ Indoor water saving devices shall be installed in all new construction and when remodeling, replacing plumbing fixtures and constructing additions to existing buildings, and

~~when compliance with the requirements of this section will not require substantial modification of the existing plumbing system, as specified in subsections (a)(1) through (6) of this section:~~

~~(1) Installation of low flow showerheads not to exceed 2.75 gallons per minute;~~

~~(2) Installation of water closets or associated flushometer valves, if any, which use no more than 1.6 gallons of water per flush, and which meet specified performance standards, except that existing buildings with flushometer valves that do not exceed 2.5 gallons per flush do not need to be replaced;~~

~~(3) Installation of urinals not to exceed one gallon per flush. Ultra low flow and waterless urinals shall be listed by an approved listing agency and approved by the state for use in California;~~

~~(4) In residential buildings, installation of faucet aerators in kitchens not to exceed 2.5 gallons of water per minute flow rate; and lavatory faucets not to exceed two gallons of water per minute flow rate;~~

~~(5) In commercial buildings, lavatories in restrooms shall be equipped with outlet devices that limit the flow of hot and cold water to a maximum of 0.5 gallons per minute or with self-closing faucets that limit delivery to a maximum of 0.25 gallons of water for recirculating systems and to a maximum of 0.5 gallons of water for non-recirculating systems, and shall be equipped with devices that limit the outlet temperature to one hundred ten degrees Fahrenheit;~~

~~(6) A pressure-reducing valve must be installed and maintained in the piping between the meter and the first point of water use. The valve must be set at not more than sixty pounds per square inch when measured at the highest fixture in the structure serviced.~~

~~(b) When new structures intended for habitation are constructed on a property with existing buildings, all plumbing fixtures on the property shall meet the requirements of this section.~~

~~(c) Where renovations will increase the market value of the property by thirty percent or more, all plumbing fixtures on the property shall meet the requirements of this section (in cases of natural disasters, the pre-existing market value of the property will apply up to one year after the disaster). The new fixtures may be installed over a five-year period with yearly reporting to the water conservation office of the Santa Cruz water department. If the building changes ownership, all work must be completed prior to recordation of the deed evidencing the ownership change.~~

~~(d) Fixtures used to meet the requirements of this section must be approved by a recognized testing or standards agency as follows:~~

~~(1) The California Energy Commission (CEC) shall approve showerheads, lavatory faucets and faucet aerators;~~

~~(2) The State Department of Housing and Community Development and the International Association of Plumbing and Mechanical Officials (IAPMO) shall approve water closets or associated flushometer valves. Water closets and associated flushometer valves must meet or exceed the pending ANSI standards for drain line carry as tested by a recognized testing facility;~~

~~(3) The International Association of Plumbing and Mechanical Officials (IAPMO) or another recognized testing facility shall approve pressure-reducing valves.~~

~~(e) The planning department and the public works department may direct that there be modifications of existing installation standards and/or the use of the old standard (3.5 gallons per flush) water closet when, in the opinion of both departments, the configuration of the building drainage system and/or the current sewer line flow requires a greater quantity of water to adequately flush the system.~~

~~(f) In existing single-family residences, where replacement fixtures are not available to match existing fixture colors, the planning department may allow the use of the old standard (3.5 gallons per flush) water closet.~~

(Ord. 2007-22 § 4 (part), 2007; Ord. 2002-42 § 4 (part), 2002).

18.12.040 PLUMBING CODE – DELETIONS AND MODIFICATIONS.

~~(1) CPC Table 4-1 is hereby deleted and required minimum plumbing facilities shall be redirected to CBC Chapter 29 in order to determine the minimum plumbing facilities required for buildings. None.~~

~~(2) CPC Table “A” Occupant Load Factor is hereby deleted and CBC Table 1004.1.1 “Maximum Floor Area Allowances Per Occupant” shall be used to determine occupant load.~~

~~(3) CPC Section 604.11 is hereby amended to read as follows:~~

~~**604.11 PEX.** Cross-linked polyethylene (PEX) tubing shall be marked with the appropriate standard designation(s) listed in Table 14-1 for which the tubing has been listed or approved. PEX tubing shall be installed in compliance with the provisions of this section.~~

~~(4) CPC Section 604.11.1 is hereby amended to read as follows:~~

~~**604.11.1 PEX Fittings.** Metal Insert Fittings and Metal Compression Fittings used with PEX tubing shall be manufactured to and marked in accordance with the standards for the fittings in Table 14-1.~~

~~(5) CPC Section 604.11.2 is hereby amended to read as follows:~~

~~**604.11.2 Water Heater Connections.** PEX tubing shall not be installed within the first eighteen (18) inches (457 mm) of piping connected to a water heater.~~

(Ord. 2007-22 § 4 (part), 2007; Ord. 2002-42 § 4 (part), 2002).

18.12.041 TABLE 4-1-A – MINIMUM PLUMBING FACILITIES.

~~Each building shall be provided with sanitary facilities, including provisions for the physically handicapped as prescribed by the city of Santa Cruz planning department, building division. This Appendix will provide requirements for the minimum facilities for the various types of occupancies. For requirements for the handicapped the provisions of UBC Chapter 11-A (Housing Accessibility) or 11-B (Accessibility to Public Accommodations, Commercial Buildings and Publicly Funded Housing) may be used.~~

~~The number of occupants shall be that determined by the occupant load factor column of CBC Table 10-A (Minimum Egress Requirements).~~

~~All buildings or portions thereof where persons are employed shall provide at least one water closet for the employees. Separate facilities shall be provided for each sex per Table 4-1-A when the number of employees exceeds four and both sexes are employed. (See exception 16 for retail establishments.)~~

~~This table reflects the minimum requirements for new structures. Existing building or additions will be reviewed on a case-by-case basis and minimum requirements prescribed by the building official.~~

~~Where new bathroom facilities are required by this code for existing or new buildings, disabled-accessible fixtures must meet the minimum state of California Accessibility Standards.~~

~~Editor’s Note: The tables referred to in this section are shown at the end of this Chapter 18.12.~~

(Ord. 2002-42 § 4 (part), 2002).

18.12.045 Repealed by Ord. 89-48.*

- * Editor's Note: Section 18.12.045, "Backflow Prevention Devices," previously contained herein, was adopted by Ord. 82-49, amended by Ord. 84-61, and repealed in its entirety by Ordinance No. 89-48.

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.

(Ord. 2010-04 § 3, 2010: Ord. 2007-22 § 4 (part), 2007: Ord. 2002-42 § 4 (part), 2002).

18.12.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in ~~Chapter 1.08 Title 4, Judicial Remedies,~~ of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County Superior Court Uniform Bail and Penalty Schedule for the City of Santa Cruz.

(Ord. 2007-22 § 4 (part), 2007: Ord. 2002-42 § 4 (part), 2002).

18.12.070 PERMITS – TO WHOM ISSUED.

(1) Permits shall be issued only to qualified contractors, duly licensed by the state of California and authorized by their license to perform plumbing work except as specifically provided below.

(a) Homeowner. The chief building official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any plumbing fixture, appliance or piping system regulated by this chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings; provided, that such person is the owner of the premises, is the permanent occupant of the premises and personally performs the work. The building official may also revoke said homeowner's permit for cause if it is demonstrated the homeowner or his/her agent is not qualified to perform the permitted work and require that a licensed contractor install the work.

(Ord. 2007-22 § 4 (part), 2007: Ord. 2002-42 § 4 (part), 2002).

18.12.080 GENERAL REQUIREMENTS.

~~(1) All plumbing materials, fixtures, appliances, apparatus and equipment shall be in conformance with the provisions of this chapter and with approved standards for health and safety to life and property. Listing or labeling, as conforming to the standards of the agencies listed in Chapter 2 of the edition of the Uniform Plumbing Code as adopted in Section 18.12.030, shall be evidence of conformity.~~

~~(2) Installation Standards. Any reference in this chapter to installation standards shall mean those installation standards listed in the appendix of the Uniform Plumbing Code as adopted in Section 18.12.030.~~

~~(3) Previously used materials, appliances, apparatus and equipment shall not be reused in any work without the prior approval of the chief building official.~~

~~(4) The chief building official shall have the authority to allow the installation and use of special equipment, materials, and installation methods if, in his judgment, they are reasonably safe for the intended use.~~

~~(5) In order to determine the suitability of alternate materials and methods of installation and to provide for reasonable interpretations of the technical codes, there shall be, and is hereby created, a board of appeals as designated in the Uniform Administrative Code and as adopted in Section 18.04.030.
(Ord. 2007-22 § 4 (part), 2007: Ord. 84-18 § 1, 1984).~~

APPENDIX 4-1-A: MINIMUM PLUMBING FACILITIES

~~Each building shall be provided with sanitary facilities, including provisions for the physically handicapped as prescribed by the City of Santa Cruz Planning Department, Building Division. This Table will provide requirements for the minimum facilities for the various types of occupancies. For requirements for the handicapped, ANSI A117.1-1992, Providing Accessibility and Usability for Physically Handicapped People, may be used. (Note: For HCD 1/AC requirements refer to the California Code of Regulations, title 24, Part 2 Chapter 1-1A, California Building Code (CBC).~~

~~Exception 1 (For HCD & HCD 1/AC) Each building shall be provided with sanitary facilities, including provisions for persons with disabilities as prescribed by the Department. Covered multi-family dwellings required to be accessible to persons with disabilities shall comply with California Code of Regulations Title 24, Part 2 Chapter 1A. Permanent buildings in mobile home parks and special occupancy parks required to be accessible per persons with disabilities, shall comply with California Code of Regulations, Title 24, Part 2, Chapter 1B.~~

~~The number of occupants shall be that determined by minimum exiting requirements per CBC Table 10-A (Occupant Load Factor column). The minimum number of fixtures shall be calculated at fifty (50) percent male and fifty (50) percent female, based on the total occupant load.~~

~~All buildings or portions thereof where persons are employed shall provide at least one (1) water closet. Separate facilities shall be provided for each sex per Table 4-1-A when the number of employees exceeds four (4) and both sexes are employed.~~

~~This table reflects the minimum requirements for new structures. Existing building or additions will be reviewed on a case-by-case basis and minimum requirements prescribed by the Building Official.~~

Type of Building or Occupancy ²	Water Closets (Fixtures per Person)	Urinal ¹⁰ (Fixtures per Person)	Lavatories (Fixtures per Person)	Bathtubs or Showers (Fixtures per Person)	Drinking Fountains ^{3,13} (Fixtures per Person)	"Occupant Load Factor"
Assembly Places ¹⁴	<u>Male</u> <u>Female</u>	<u>Male</u> <u>Female</u>	<u>Male</u> <u>Female</u>			See note 15:
—theaters, auditoriums, convention halls, etc.—for employee use	1:5-15 2:16-35 3:36-55	0:1-9 1:10-50	1 per 40 1 per 40			
	Over 55, add 1 fixture for each add 1 40 persons:	Add 1 fixture for each add 1 50 males:				
Assembly Places ¹⁴	<u>Male</u> <u>Female</u>	<u>Male</u> <u>Female</u>	<u>Male</u> <u>Female</u>			See note 15:
—theaters, auditoriums, etc.—for use by the general public	1:1-100 2:101-200 3:201-400 4:401-600 5:601-800 6:801-1000	1:1-100 2:101-200 3:201-400 4:401-600 5:601-800 6:801-1000	1:1-200 2:201-400 3:401-750 4:751-1000		1 per 75 ¹²	
	Over 400, add 1 fixture for each add 1 500 males and 1 for each	Over 600, add 1 fixture for each add 1 300 males:	Over 750, add 1 fixture for each add 1 500 persons:			

125 females:

Dormitories ⁹ — School or labor	<u>Male</u>	<u>Female</u>	1 per 25	<u>Male</u>	<u>Female</u>	1 per 75 ¹²	See note 15.
	1 per 10	1 per 8		1 per 12	1 per 12		
	Add 1 fixture for each add'l 25 males and 1 for each add'l 20 females:	Over 150, add 1 fixture for each add'l 50 males:		Over 12, add 1 fixture for each add'l 20 males and 15 females:		For females, add 1 bathtub per 30. Over 150, add 1 per 20.	

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Dormitories — For staff use	<u>Male</u>	<u>Female</u>	1 per 50	<u>Male</u>	<u>Female</u>	See note 15.
	1:5-15	1:5-15	1 per 15	1 per 40	1 per 40	
	2:16-35	3:16-35				
	3:36-55	4:36-55				
	Over 55, add 1 fixture for each add'l 40 persons:					

Dwellings⁴

Single dwelling	1 per dwelling	1 per dwelling	1 per dwelling	1 per dwelling	1 per dwelling	See note 15.
Multiple dwelling or apartment house	1 per dwelling or apartment unit	1 per dwelling or apartment unit	1 per dwelling or apartment unit	1 per dwelling or apartment unit	1 per dwelling or apartment unit	

Hospital —					
Waiting rooms	1 per room		1 per room	1 per 75 ¹²	See note 15.
Hospital —					
For employee use	<u>Male</u> 1:1-15	<u>Female</u> 1:1-15	<u>Male</u> 1 per 40	<u>Female</u> 1 per 40	1 per 75
	2:16-25	3:16-35			
	3:36-55	4:36-55			
	Over 55, add 1 fixture for each add 1-50	Add 1 fixture for each add 1-50			
	add 1-40 persons:	mates:			
Hospitals —					
Individual room	1 per room		1 per room	1 per 75 ¹²	See note 15.
Ward room	1 per 8 patients		1 per 10 patients	1 per 20 patients	
Industrial⁶ Warehouses —	<u>Male</u> 1:5-10	<u>Female</u> 1:5-10	Up to 100, 1 per 10 persons	1 shower for each 1-5 persons exposed to excessive heat or to skin contamination with poisonous;	See note 15.
workshops, foundries and similar establishments (for employee use)	2:11-25	2:11-25	Over 100, 1 per person's		
	3:26-50	3:26-50			

infectious, or
irritating material.

4:51- 4:51-75
75
5:76- 5:76-100
100
Over 100, add 1
fixture for each
add 1/30 persons.

See note 15.

1 per 75¹²

1 per 8

Female

Male

Female¹⁴

Male

Institutional—
other than
hospitals or penal
institutions (on
each, occupied
floor)

1 per 10

1 per 10

0:1-9

1 per 20

1 per 25

1:10-50

Add 1 fixture for
each add 1/50
males.

See note 15.

1 per 75¹²

1 per 8

Female

Male

Female¹⁴

Male

Institutional—
other than
hospitals or penal
institutions (for
each-occupied
floor)—for
employee use

1 per 40

1 per 40

0:1-9

1:1-15

1:1-15

1:10-50

3:16-35

Add 1 fixture for
each add 1/50
males.

4:36-55

3:36-35

Over 55, add 1
fixture for each
add 1/40 persons.

See note 15.

1 per 75¹²

Female

Male

Female

Male

Lobby—
accessory to

1:1-200

1:1-200

1:1-100

3:1-50

1:1-100

assembly	100			
occupancy, ¹⁶	2:101-200	4:51-100	2:101-200	2:201-400
waiting areas	3:201-400	8:101-200	3:201-400	3:401-750
		11:201-400	4:401-600	
	Over 400, add 1 fixture for each add 1 500 males and 2 for each 300 females.	Over 600, add 1 fixture for each add 1 300 males.	Over 600, add 1 fixture for each add 1 300 males.	Over 750, add 1 fixture for each add 1 500 persons.

Office or Public Buildings —for use by the general public ¹⁶					
	<u>Male</u>	<u>Female</u> ¹⁴		<u>Male</u>	<u>Female</u>
	1:5-100	3:5-50	1:1-100	1:5-200	1:5-200
	2:101-200	4:51-100	2:101-200	2:201-400	2:201-400
	3:201-400	8:101-200	3:201-400	3:401-750	3:401-750
		11:201-400	4:401-600		
	Over 400, add 1 fixture for each add 1 500 males and 2 for each 300 females.	Over 600, add 1 fixture for each add 1 300 males.	Over 600, add 1 fixture for each add 1 300 males.	Over 750, add 1 fixture for each add 1 500 persons.	

1 per 75¹² See note 15.

See note 15:

Male Female
 1-per-40 1-per-40

Male Female¹⁴
 1:5-15 1:5-15 0:1-9
 2:16-35 3:16-35 1:10-50
 35

3:36-55 4:36-55
 55

Over 55, add 1 fixture for each add'1-50 add'1-40 persons: mates:

See note 15:

Male Female
 1-per-40 1-per-40

Male Female¹⁴
 1:5-15 1:5-15 0:1-9
 2:16-35 3:16-35 1:10-50
 35

3:36-55 4:36-55
 55

Over 55, add 1 fixture for each add'1-50 add'1-40 persons: mates:

1-per-75¹²

See note 15:

1-per-cell-block floor
 1-per-exercise room

1-per-cell
 1-per-exercise room

1-per-cell
 1-per-exercise room
 1-per-exercise room

Office or Public Buildings—for employee-use¹⁶

Penal Institutions—for employee use

Penal Institutions—for prison use

Cell

Exercise Room

See note 15:

	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
Restaurants, Pubs and Lounges ¹⁴	1:20- 50	1:20-50	1:1-150	1:1-150
	2:51- 150	2:51-150	2:151- 200	2:151- 200
	3:151- 300	4:151- 300	3:201- 400	3:201- 400
	Over 300, add 1 fixture for each add'l 200 persons:	Over 150, add 1 fixture for each add'l 150 mates:	Over 400, add 1 fixture for each add'l 400 persons:	Over 400, add 1 fixture for each add'l 400 persons:

100/sq. ft.

	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
Retail, Wholesale ¹⁶ — for use by the general public.	1:75- 125	1:75-125	1:1-150	1:1-150
(Public restrooms required in retail establishments exceeding 20,000 sq. ft.)	2:126- 200	2:126- 200	2:151- 200	2:151- 200
	3:201- 300	3:201- 300	2:201- 400	3:201- 400
	Over 300, add 1 fixture for each add'l 200 persons:	Over 150, add 1 fixture for each add'l 150 mates:	Over 400, add 1 fixture for each add'l 400 persons:	Over 400, add 1 fixture for each add'l 400 persons:

30 per sq. ft.

	<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
Retail, Wholesale — for employees (Retail stores of less than 2,500 square feet of gross area may	1:5-15	1:5-15	1 per 40	1 per 40
	2:16- 36	3:16-35	0:1-9	1:10-50
	3:36- 55	4:36-55		

have a single unisex facility)	55	Over 55, add 1 fixture for each add'l 50 add'l 40 persons.	1 per 50	1 per 40	1 per 40	See note 15:
Schools —for staff use—all schools	<u>Male</u> 1:1-15	<u>Female</u> 1:1-15	1 per 50	<u>Male</u> 1 per 40	<u>Female</u> 1 per 40	
	2:16-35	2:16-35				
(Private schools only)	3:36-55	3:36-55				
	55	55				
	Over 55, add 1 fixture for each add'l 40 persons.					
Schools —for student use—Nursery	<u>Male</u> 1:1-20	<u>Female</u> 1:1-20		<u>Male</u> 1:1-25	<u>Female</u> 1:1-25	See note 15: 1 per 75 ¹²
	2:21-50	2:21-50		2:26-50	2:26-50	
	50	50				
	Over 50, add 1 fixture for each add'l 50 persons.			Over 50, add 1 fixture for each add'l 50 persons.		
Elementary	1 per 30	1 per 25	1 per 75	1 per 35	1 per 35	1 per 75 ¹²
Secondary	1 per 40	1 per 30	1 per 35	1 per 40	1 per 40	1 per 75 ¹²

Others (colleges, universities, adult centers, etc.)	1 per 40	1 per 30	1 per 35	1 per 40	1 per 40	1 per 75 ¹²
Places of Worship— educational and activities unit	<u>Male</u> 1 per 125 2:126-250	<u>Female</u> 1 per 75 2:76-125 3:126-250	1 per 125	1 per 2 water closets	1 per 2 water closets	1 per 75 ¹² See note 15:
Places of Worship— principal assembly place	<u>Male</u> 1 per 150 2:151-300	<u>Female</u> 1 per 75 2:76-150 3:151-300	1 per 150	1 per 2 water closets	1 per 2 water closets	1 per 75 ¹² See note 15:

~~Whenever urinals are provided, one (1) water closet less than the number specified may be provided for each urinal installed, except the number of water closets in such cases shall not be reduced to less than two-thirds of the minimum specified.~~

~~Notes:~~

- ~~1. The figures shown are based upon one (1) fixture being the minimum required for the number of persons indicated or any fraction thereof.~~
- ~~2. Building categories not shown on this table shall be considered separately by the Administrative Authority.~~
- ~~3. Drinking fountains shall not be installed in toilet rooms.~~
- ~~4. Laundry trays. One (1) laundry tray or one (1) automatic washer standpipe for each dwelling unit or two (2) laundry trays or two (2) automatic washer standpipes, or combination thereof, for each ten (10) apartments.~~
~~— Kitchen sinks. One (1) for each dwelling or apartment unit.~~
- ~~5. Deleted.~~
- ~~6. As required by ANSI Z4.1-1968, Sanitation in Places of Employment.~~
- ~~7. Where there is exposure to skin contamination with poisonous, infectious, or irritating materials, provide one (1) lavatory for each five (5) persons.~~
- ~~8. Twenty four (24) lineal inches (609.5 mm) of wash sink or eighteen (18) inches (457.2 mm) of a circular basin, when provided with water outlets for such space, shall be considered equivalent to one (1) lavatory.~~
- ~~9. Laundry trays. One (1) for each fifty (50) persons.~~
~~— Slop Sinks. One (1) for each hundred (100) persons.~~
- ~~10. General. In applying this schedule of facilities, consideration must be given to the accessibility of the fixtures. Conformity purely on a numerical basis may not result in an installation suited to the need of the individual establishment. For example, schools should be provided with toilet facilities on each floor having classrooms. Temporary workmen facilities, one (1) water closet and one (1) urinal for each thirty (30) workmen.~~
 - ~~a. Surrounding materials, wall and floor space to a point two (2) feet (0.6 m) in front of urinal lip and four (4) feet (1.2 m) above the floor, and at least two (2) feet (0.6 m) to each side of the urinal shall be lined with non-absorbent materials.~~
 - ~~b. Trough urinals are prohibited.~~
- ~~11. A restaurant is defined as a business which sells food to be consumed on the premises.~~
 - ~~a. The number of occupants for a drive-in restaurant shall be considered as equal to the number of parking stalls.~~
 - ~~b. Employee toilet facilities are not to be included in the above restaurant requirements. Hand washing facilities must be available in the kitchen for employees.~~
- ~~12. Where food is consumed indoors, water stations may be substituted for drinking fountains. Theaters, auditoriums, dormitories, offices, or public buildings for use by more than six (6) persons shall have one (1) drinking fountain for the first seventy five (75) persons and one (1) additional fountain for each hundred and fifty (150) persons thereafter.~~
- ~~13. There shall be a minimum of one (1) drinking fountain per occupied floor in schools, theaters, auditoriums, dormitories, offices of public buildings.~~
- ~~14. The total number of water closets for females shall be at least equal to the total number of water closets and urinals required for males.~~
- ~~15. Use occupant load factor indicated in Table 10-A. UBC.~~
- ~~16. A unisex bathroom is allowed for these uses for the first fifty (50) occupants.~~

Chapter 18.14

MECHANICAL CODE

Sections:

- 18.14.010 Mechanical Code of the city of Santa Cruz.
- ~~18.14.020 Definitions.~~
- 18.14.030 Adoption of the ~~Uniform~~ Mechanical Code.
- 18.14.040 ~~Uniform~~ Mechanical Code – Modifications.
- 18.14.050 Permit fees.
- 18.14.060 Penalties.
- 18.14.070 Permits – To whom issued.
- ~~18.14.080 General requirements.~~

18.14.010 MECHANICAL CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Mechanical Code of the city of Santa Cruz.
(Ord. 2007-22 § 5 (part), 2007: Ord. 2002-42 § 5 (part), 2002).

~~18.14.020 DEFINITIONS.~~

~~The following definitions apply to this chapter:~~

~~(1) Uniform Mechanical Code. Any reference in this chapter to the Uniform Mechanical Code shall refer to that edition of the Uniform Mechanical Code adopted in Section 18.14.030.~~

~~(2) This Chapter. Any reference to “this chapter” includes the provisions of the Santa Cruz Municipal Code that are codified in this chapter and also includes any document adopted in Section 18.14.030.~~

~~(Ord. 2007-22 § 5 (part), 2007: Ord. 2002-42 § 5 (part), 2002).~~

18.14.030 ADOPTION OF THE UNIFORM MECHANICAL CODE.

~~(a) The following documents are hereby adopted as part of the Mechanical Code of the city of Santa Cruz:~~

~~(1) The Uniform Mechanical Code, 2006 Edition, including appendices and standards as published by the International Association of Plumbing and Mechanical Officials (IAPMO).~~

~~(2) CCR T 24, Part 4, The 2010 California Mechanical Code, including Appendices B, C and D, except as modified herein (hereafter CMC). State of California Amendments, 2007 Edition.~~

~~(b) Two One ~~copies~~ copy of the above documents are and shall be maintained on file in the office of the ~~city clerk~~ building official, for use and examination by the public. ~~Except as otherwise specifically provided herein, each and every provision, section, table, diagram, illustration, figure, phrase and paragraph thereof is hereby adopted, in the same manner as if set forth here in full.~~~~

~~(Ord. 2007-22 § 5 (part), 2007: Ord. 2002-42 § 5 (part), 2002).~~

18.14.040 UNIFORM MECHANICAL CODE – MODIFICATIONS.

None.

(Ord. 2007-22 § 5 (part), 2007: Ord. 2002-42 § 5 (part), 2002).

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

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

(Ord. 2010-04 § 4, 2010: Ord. 2007-22 § 5 (part), 2007: Ord. 2002-42 § 5 (part), 2002).

18.14.060 PENALTIES.

Any person, firm, or corporation violating any provisions of this chapter shall be subject to the penalties provided in ~~Chapter 1.08~~ Title 4, Judicial Remedies, of the Santa Cruz Municipal Code or alternatively or delineated in the Santa Cruz County Superior Court Uniform Bail and Penalty Schedule for the City of Santa Cruz.

(Ord. 2007-22 § 5 (part), 2007: Ord. 2002-42 § 5 (part), 2002).

18.14.070 PERMITS – TO WHOM ISSUED.

(1) Permits shall be issued only to qualified contractors, duly licensed by the state of California and authorized by their license to perform mechanical work, except as specifically provided below.

(a) Homeowner. The chief building official may issue to an individual a homeowner's permit authorizing said individual to install, alter, change, or repair any mechanical appliance, apparatus or mechanical system regulated by this chapter in or about a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings; provided, that such person is the owner of the premises, is the permanent occupant of the premises, and personally performs the work. The building official may also revoke said homeowner's permit for cause if it is demonstrated the homeowner or his/her agent is not qualified to perform the permitted work and require that a licensed contractor install the work.

(Ord. 2007-22 § 5 (part), 2007: Ord. 2002-42 § 5 (part), 2002).

18.14.080 GENERAL REQUIREMENTS.

~~(1) All mechanical materials, fixtures, appliances, apparatus and equipment shall be in conformance with the provisions of this chapter and with approved standards for health and safety to life and property. Listing or labeling, as conforming to the standards of the agencies listed in Appendix A of the edition of the Uniform Mechanical Code adopted in Section 18.14.030, shall be evidence of conformity with the approved standards for safety.~~

~~(2) Previously used materials, appliances, apparatus and equipment shall not be reused in any work without the prior approval of the chief building official.~~

~~(3) The chief building official shall have the authority to allow the installation and use of special equipment, materials, and installation methods if, in his judgment, they are reasonably safe for the intended use.~~

~~(4) In order to determine the suitability of alternate materials and methods of installation and to provide for reasonable interpretations of the technical codes, there shall be, and is hereby created, a board of appeals, as designated in the Uniform Administrative Code as adopted in Section 18.04.030.~~

~~(Ord. 2007-22 § 5 (part), 2007: Ord. 2002-42 § 5 (part), 2002).~~

Chapter 18.28

SIDEWALK MARQUEES

Sections:

18.28.010 Permission required.

18.28.010 PERMISSION REQUIRED.

No person shall erect any porch which shall extend over any sidewalk within the limits of the city, without permission from the city council, provided that marquees may be erected over any sidewalk if such marquees are constructed of noncombustible material and supported from the building to which they are attached, and not supported over the sidewalk by posts and in conformance to ~~Chapter 45, Section 4505 of the Uniform Building Code~~ current code as adopted in ~~Section 18.04.030 of this title~~ SCMC Title 18. (Ord. 84-22 § 1, 1984: prior code § 8400).

Chapter 18.40

HISTORICAL BUILDING CODE

Sections:

- 18.40.010 Historical Building Code of the city of Santa Cruz.
- 18.40.020 Definitions.
- 18.40.030 Adoption of ~~State~~ Historical Building Code.
- 18.40.040 Effect on zoning ordinance.
- 18.40.050 Amendments to the ~~SHBC~~ CHBC.

18.40.010 HISTORICAL BUILDING CODE OF THE CITY OF SANTA CRUZ.

This chapter constitutes the Historical Building Code of the city of Santa Cruz.
(Ord. 2007-22 § 6 (part), 2007: Ord. 2002-42 § 6 (part), 2002).

18.40.020 DEFINITIONS.

The following definitions apply to this chapter:

(1) “Qualified historical building” means any structure, collection of structures, and their associated sites which have importance to the history, architecture, or culture of the Santa Cruz area and which have been included on any existing or future national or state historical register which has been officially adopted by a governmental agency, or which have been included in the Santa Cruz Historical Building Survey, or which have been designated as a historical landmark by the city of Santa Cruz, or which are located within a historic district designated by the city of Santa Cruz.

(2) ~~“State Historical Building Code” or “SHBC” means the State Historical Building Code as adopted in Section 18.40.030 of this chapter.~~

(3) ~~“This chapter” refers to the provisions of the Santa Cruz Municipal Code that are codified in this chapter and also includes any document adopted in Section 18.40.030.~~

(Ord. 2007-22 § 6 (part), 2007: Ord. 2002-42 § 6 (part), 2002).

18.40.030 ADOPTION OF ~~STATE~~ HISTORICAL BUILDING CODE.

CCR T 24, Part 8, The 2007 2010 State California Historical Building Code (hereafter CHBC), as codified in the California Health and Safety Code, Section 18958, is hereby adopted as part of the Historical Building Code of the city of Santa Cruz. ~~Two~~ One ~~copies~~ copy of the ~~State Historical Building Code CHBC~~ referred to above ~~are and~~ shall be maintained on file in the office of the ~~city clerk~~ building official, for use and examination by the public. ~~Except as otherwise specifically provided herein, each and every provision, section, table, diagram, illustration, figure, phrase and paragraph thereof are hereby adopted, in the same manner as if set forth here in full.~~

(Ord. 2007-22 § 6 (part), 2007: Ord. 2002-42 § 6 (part), 2002).

18.40.040 EFFECT ON ZONING ORDINANCE.

If there is any conflict between the provisions of Chapters ~~8 through 10~~ 8-10 of the ~~SHBC~~ CHBC and the provisions of the city of Santa Cruz Zoning Ordinance (Santa Cruz Municipal Code Title 24), then the provisions of the Zoning Ordinance shall prevail.

(Ord. 2007-22 § 6 (part), 2007: Ord. 2002-42 § 6 (part), 2002).

18.40.050 AMENDMENTS TO THE CHBC.

~~No amendments to the SHBC~~ To the extent required by law the CHBC adopted by the state of California and becoming effective after January 1, 2008 2011, shall take effect be effective in the city of Santa Cruz, unless those amendments are also adopted by ordinances of the city of Santa Cruz. To the extent authorized by law the city of Santa Cruz shall have the authority to adopt ordinances pertaining to historical building which vary from the CHBC or impose requirements in addition to those imposed by the CHBC.

(Ord. 2007-22 § 6 (part), 2007: Ord. 2002-42 § 6 (part), 2002).

Chapter 18.41

BOARD OF BUILDING AND FIRE APPEALS*

* Editor's Note: Pursuant to Section 4 of Ordinance 90-21, Ordinance 90-21, formerly codified in this chapter, as amended by Ords. 90-36 and 92-14, expired June 21, 1994.

Sections:

- 18.41.010 Purpose.
- 18.41.020 Appointment of board and length of term.
- 18.41.030 Composition of board.
- 18.41.040 Appeals.
- 18.41.050 Conduct of hearing.
- 18.41.060 Limitation of authority.

18.41.010 PURPOSE.

A board of building and fire appeals is hereby established to hear and decide appeals of orders, decisions or determinations made by the chief building official and/or the fire chief regarding the application and interpretation of the various provisions of Title 18 (Buildings and Construction) and Title 19 (Fire Prevention Code) of the Santa Cruz Municipal Code. The board of building and fire appeals shall determine whether the orders, decisions and determinations of the chief building official and/or fire chief are consistent with the responsibilities as set forth in Section 204 of the Uniform Administrative Code, the other California building and construction codes adopted by reference in Title 18 of this code, the California Fire Code adopted by reference in Title 19 of this code (including all local amendments thereto), or with any other applicable provision of federal, state or local law for which the chief building official and/or fire chief has enforcement responsibility. The board may be used to determine the suitability of alternate materials and methods of construction.

(Ord. 2009-02 § 1 (part), 2009: Ord. 97-04 § 1, 1997: Ord. 94-59 § 1 (part), 1995).

18.41.020 APPOINTMENT OF BOARD AND LENGTH OF TERM.

The board of building and fire appeals shall consist of five regular members. Special members as listed, but not limited to those as specified, in Section 18.41.030 will serve with the regular members at the request of the regular members. The city council shall appoint all members to terms not to exceed four years. Members may be reappointed to additional consecutive terms by said council without limitation. Such board shall act voluntarily, and without commission. In order to assure continuity upon initial appointment of the board, staggered terms shall be established at a ratio of two to three (2:3) (two years and four years respectively), by draw of straw.

(Ord. 2009-02 § 1 (part), 2009: Ord. 94-59 § 1 (part), 1995).

18.41.030 COMPOSITION OF BOARD.

(a) Regular Members. Each member shall be licensed as an architect, engineer (structural, civil, mechanical or electrical), general building contractor, engineering contractor, electrician, plumber, or mechanical or sheet metal contractor. A nonjurisdictional building inspector (either private or of another municipality), fire inspector or similar person demonstrating a suitable technical background may be considered as an alternate member by the city council. Retired technical members demonstrating the necessary background and experience may be placed on the board as appropriate by appointment. The chief building official or, alternatively, the city fire

chief, depending upon the nature of the appeal before the board, shall be an ex officio member and act as secretary, but shall have no power to vote. The chief building official and fire chief may delegate this duty to the deputy building official and fire marshal in their absence as appropriate.

Membership of the board shall include the greatest range of professional experience as may be reasonably available.

(b) Special Members. Special members shall consist of at least the following: two representatives of the disabled community; an energy contractor or representative of an energy conservation design service and a fire code professional that is nonjurisdictional.

Such special members shall be called upon from time to time by the chairperson of the board to assist in making determinations on those matters involving their particular field of expertise and shall hold full voting rights when so employed.

(Ord. 2009-02 § 1 (part), 2009: Ord. 97-04 § 2, 1997: Ord. 94-59 § 1 (part), 1995).

18.41.040 APPEALS.

Any appeal of technical action by the chief building official or fire chief in relation to the California Building, Plumbing, Electrical, Mechanical, Residential, Green Building Standards or Fire Codes must be made within five working days from such action. Any appeal of a notice and order by the chief building official or fire chief in relation to the Uniform Housing Code or the International Existing Building Code must be filed within thirty calendar days from the date of service of such order; provided, however, that if the building or structure is in such condition as to make it immediately dangerous to life, limb, property or safety of the public or adjacent property and is ordered vacated and posted in accordance with the provisions of the two codes, such appeal shall be filed within ten calendar days from the date of service of the notice and order. Appeals shall be in writing and may either be submitted in a letter by the appellant or on a form provided by the building official or fire chief, with an appeal fee established by the city of Santa Cruz. Within fifteen working days after receipt of the notice of appeal, the building official or fire chief shall notify the chairperson of the board of building and fire appeals. If possible, the appeal shall be heard by the board within thirty days of notice to the chairperson, but no later than sixty days from the filing of an appeal. The board shall be limited to the technical merits of the appeal and shall have no authority over the interpretation of the administrative aspects of these codes or the power to waive requirements of the codes.

(Ord. 2009-02 § 1 (part), 2009: Ord. 2003-29 § 1, 2003: Ord. 97-04 § 3, 1997: Ord. 94-59 § 1 (part), 1995).

18.41.050 CONDUCT OF HEARING.

The board of building and fire appeals shall adopt bylaws and, at their first official meeting, elect a chair and vice-chair. The chair and vice-chair shall be elected annually to coincide upon the appointment of new members. The findings and decisions of the board shall be final and shall be presented to the appellant in writing.

(Ord. 2009-02 § 1 (part), 2009: Ord. 94-59 § 1 (part), 1995).

18.41.060 LIMITATION OF AUTHORITY.

The board of building and fire appeals shall have no authority relative to interpretation of the administrative provisions of this title or Title 19, nor shall the board be empowered to waive requirements of this title or Title 19.

(Ord. 2009-02 § 1 (part), 2009: Ord. 97-04 § 4, 1997: Ord. 94-59 § 1 (part), 1995).

Chapter 18.47

SAFETY ASSESSMENT PLACARDS

Sections:

- 18.47.010 Intent.
- 18.47.020 Application of provisions.
- 18.47.030 Definitions.
- 18.47.040 Placards.

18.47.010 Intent.

This chapter establishes standard placards to be used to indicate the condition of a structure for continued occupancy and conforms to the statewide program administered by the California ~~Office of Emergency Services~~ Emergency Management Agency (hereafter CalEMA) for ease in the rapid assessment of damaged structures. This chapter further authorizes the building official and his or her authorized representatives to post the appropriate placard at each entry point to a building or structure upon completion of a safety assessment. (Ord. 2008-12 § 1 (part), 2008).

18.47.020 Application of provisions.

The provisions of this chapter are applicable to all buildings and structures of all occupancies regulated by the city of Santa Cruz. (Ord. 2008-12 § 1 (part), 2008).

18.47.030 Definitions.

(a) “Safety assessment” is a visual, non-destructive examination of a building or structure for the purpose of determining the condition for continued occupancy.

(b) “Safety assessment program (SAP)” is a statewide voluntary program managed by the ~~California Office of Emergency Services~~ CalEMA and the Federal Emergency Management Authority, which establishes the protocol for a uniform placarding program that can be used anywhere in the United States using the ATC-20 system. (Ord. 2008-12 § 1 (part), 2008).

18.47.040 Placards.

(a) The following are verbal descriptions of the official jurisdiction placards to be used to designate the condition for continued occupancy of buildings or structures.

(1) “INSPECTED – Lawful Occupancy Permitted” is to be posted on any building or structure wherein no apparent structural hazard has been found. This placard is not intended to mean there is no damage to the building or structure. This placard is printed on a green background.

(2) “RESTRICTED USE” is to be posted on each building or structure that has been damaged wherein the damage has resulted in some form of restriction to the continued occupancy. The individual who posts this placard will note in general terms the type of damage encountered and will clearly and concisely note the restriction on continued occupancy. This placard is printed on a yellow background

(3) “UNSAFE – Do Not Enter or Occupy” is to be posted on each building or structure that has been damaged such that continued occupancy poses a threat to life safety. Buildings or structures posted with this placard shall not be entered under any circumstance except as authorized in writing by the building official, or his or her authorized representative. Safety

assessment teams shall be authorized to enter these buildings at any time. This placard is not to be used or considered as a demolition order. The individual who posts this placard will note in general terms the type of damage encountered. This placard is printed on a red background.

(b) The number of the ordinance codified in this chapter, the name and address of the jurisdiction and phone number shall be permanently affixed to each placard.

(c) Once it has been attached to a building or structure, a placard is not to be removed, altered or covered until done so by an authorized representative of the building official. It shall be unlawful for any person, firm or corporation to alter, remove, cover or deface a placard unless authorized pursuant to this section.

(Ord. 2008-12 § 1 (part), 2008).

ORDINANCE NO. 2010-21

AN UNCODIFIED ORDINANCE OF THE CITY OF SANTA CRUZ
EXTENDING THE LEGAL STATUS OF CERTAIN NONCONFORMING USES

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

Section 1: Extension of Legal Status for Certain Nonconforming Uses. Notwithstanding Santa Cruz Municipal Code Section 24.18.070, any non-conforming use which was discontinued for purposes of Section 24.18.070 after January 1, 2009 may be resumed no later than December 31, 2011 if the property owner or property owner's agent demonstrates by clear and convincing evidence to the City's Director of Planning and Community Development, or the Director's designee, that:

- (a) The discontinuance of use was precipitated by a foreclosure on the property by a person or entity holding a deed of trust as beneficiary; and
- (b) The continuance of the use will not be a detriment to the surrounding neighborhood and will be in compliance with the performance standards of Chapter 24.14, Part 2; and
- (c) The use will not be altered or enlarged as discussed in Section 24.18.060.

The decision of the Director, or the Director's designee, to extend or decline to extend a property's legal non-conforming use status pursuant to this Ordinance shall be appealable to the Planning Commission.

PASSED FOR PUBLICATION this 26th day of October, 2010, by the following vote:

AYES: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor Coonerty; Mayor Rotkin.

NOES: None.

ABSENT: Councilmember Madrigal.

DISQUALIFIED: None.

APPROVED: ss/Mike Rotkin
Mayor

ATTEST: ss/Lorrie Brewer
City Clerk

ORDINANCE NO. 2010-

PASSED FOR FINAL ADOPTION this 9th day of November, 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. 2010-21 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

City Clerk

ORDINANCE NO. 2010-22

AN ORDINANCE OF THE CITY OF SANTA CRUZ ADDING
SECTION 9.37.065 TO THE SANTA CRUZ
MUNICIPAL CODE PERTAINING TO LOUD AND UNRULY GATHERINGS

BE IT ORDAINED By The City Of Santa Cruz As Follows:

Section 1: Section 9.37.065 is hereby added to the Santa Cruz Municipal Code to read as follows:

Section 9.37.065. PRIVATE RIGHT OF ABATEMENT.

(a) Pursuant to California Civil Code Sections 3493 and 3495, a private person for whom premises at which loud or unruly gatherings as herein defined have been conducted, are specially injurious, may file a civil nuisance abatement action to remedy the nuisance conditions on those premises.

(b) In any nuisance abatement action brought under subsection (a), the prevailing party shall be entitled to recover the amount of its reasonable attorney fees incurred in prosecuting or defending said nuisance abatement action. This subsection is enacted by the City pursuant to authority conferred upon it by Article XI, Section 5 of the California Constitution and Government Code Section 38773.5.

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

PASSED FOR PUBLICATION this 26th day of October, 2010, by the following vote:

AYES: Councilmembers Lane, Mathews, Beiers, Robinson; Vice Mayor
Coonerty; Mayor Rotkin.

NOES: None.

ABSENT: Councilmember Madrigal.

DISQUALIFIED: None.

APPROVED: ss/Mike Rotkin
Mayor

ATTEST: ss/Lorrie Brewer
City Clerk

ORDINANCE NO. 2010-

PASSED FOR FINAL ADOPTION this 9th day of November, 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. 2010-22 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

City Clerk



CITY COUNCIL AGENDA REPORT

DATE: 11/2/2010

AGENDA OF: 11/9/2010

DEPARTMENT: Economic Development

SUBJECT: 2010-2011 Annual Action Plan Amendment for the City's Housing and Community Development Program to Allocate HOME Funding to the 110 Lindberg Street Affordable Housing Project. (ED)

RECOMMENDATION: Motion to amend the 2010-2011 Annual Action Plan to reprogram Home Investment Partnership Program (HOME) funds to assist with predevelopment costs for a 21-unit affordable rental housing project at 110 Lindberg Street.

Motion authorizing the City Manager to submit the amended Plan to HUD.

Motion to direct the City Manager to enter into HOME Loan and Regulatory Agreements, in forms approved by the City Attorney, with For the Future Housing, Inc., for a loan in an amount up to \$120,000 to assist in funding predevelopment activities for a 21-unit affordable rental housing project to be located at 110 Lindberg Street.

Resolution amending the FY 2011 budget by transferring \$120,000 from the HOME Housing Services Program to fund the new 110 Lindberg Street Affordable Housing Predevelopment Loan Project.

BACKGROUND: The City of Santa Cruz receives annual funding from the federal Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) and the Home Investment Partnership (HOME) Programs. The City's five-year Consolidated Plan provides direction for housing and community development activities funded by these programs. The current 2010-2015 Consolidated Plan is in effect from July 1, 2010 until June 30, 2015. In addition to this five-year plan, the City Council adopts an annual Action Plan, which identifies and allocates CDBG and HOME funds for activities that will be undertaken in that program year. The 2010-2011 Annual Action Plan was approved by the City Council on April 27, 2010.

The 2010-2015 Consolidated Plan includes four basic goals for: (1) affordable housing; (2) homeless services; (3) special needs housing; and (4) community development. The affordable housing goal is to "Provide for retention and production of affordable housing units and projects." Under this goal, Objective AH.2 is to "Promote the creation of affordable rental housing units through development of new affordable housing or rehabilitation of existing units." This is supported by Strategy AH.2(b) to "Assist developers with funding and/or technical

assistance to create new affordable rental housing units for very low and low income households through new project construction or rehabilitation of existing market rate housing.”

For the Future Housing, Inc., an affordable housing developer located in Campbell California, has requested funding from the City’s HOME Program to assist with predevelopment expenses to develop a 21 unit affordable rental housing project at 110 Lindberg Street. Re-allocation of HOME funds for new projects such as this may be done through an amendment to the current Action Plan. A 30 day public review notice for the proposed amendment was published on Friday October 8, 2010 in the Santa Cruz Sentinel.

DISCUSSION: On April 22, 2008, the City Council approved a Planned Development Permit for a 21 unit condominium housing project located on a 0.7 acre site at 110 Lindberg Street. The site is adjacent to El Rio Mobile Home Park to the north and east and commercial uses along River Street to the west and south. The southern portion of the property is adjacent to the San Lorenzo River to the east. In the past, the undeveloped site was used for various commercial and industrial operations. Soil remediation for these uses was completed in 2001 and a clearance letter and certificate of completion was issued by the Department of Toxic Substances Control.

Development of a market rate condominium housing project as originally contemplated is no longer feasible and the current owner has entered into a purchase agreement with For the Future Housing, Inc (Developer) to develop an affordable rental housing project. Funding would primarily come from the State’s Low-Income Housing Tax Credit (“LIHTC”) Program.

The Developer has asked the City for funding assistance with pre-development costs. Staff is recommending that City HOME funds be used for this purpose. Once more accurate cost estimates for development of the project are known, the Developer will request additional funding from the Redevelopment Agency to assist with property acquisition and construction costs. If approved, Agency funding would come from the Redevelopment Housing Set Aside fund. It is expected that the total development funding gap will be about \$1.8 to \$2.1 million. Total development costs, including predevelopment and acquisition costs, are expected to be between \$9 and \$10 million. Local government funding participation is necessary for a development to receive funding from the State’s LIHTC Program.

The City’s HOME Program assistance will be in the form of a 3% simple interest deferred payment loan that will require repayment if LIHTC funding is not secured by the Developer in 2011 with the provision that the HOME agreement may be extended one year at the discretion of the Director of Economic Development and Redevelopment. If the project receives LIHTC approval, the City’s HOME loan agreement will be amended to be consistent with loan terms that are negotiated for and approved by the Agency for the Agency’s loan agreement for the project.

ENVIRONMENTAL REVIEW: Predevelopment costs for an affordable housing project are: (1) statutorily exempt from the California Environmental Quality Act (CEQA), under Section 15267, Financial Assistance to Low or Moderate Income Housing; and (2) categorically excluded from NEPA under Section 58.35(b)(6), Affordable Housing Predevelopment Costs.

FISCAL IMPACT: Up to \$120,000 of City HOME funds may be used to assist with predevelopment costs. It is also anticipated that between \$1.8 to \$2.1 million in Redevelopment Agency Housing Set-Aside funds may be committed to this project in the future with Agency Board approval.

Prepared by:
Carol Berg
Housing and
Community Development Manager

Submitted by:
Bonnie Lipscomb
Director of Economic Development

Approved by:
Martin Bernal
City Manager

ATTACHMENTS:
Budget Adjustment
Project Location Map
Amended 2010-2011 Action Plan Budget



110 LINDBERG STREET SITE

HOME PROGRAM BUDGET AMENDMENT 11/9/10
2010-2011 PROGRAM YEAR

HOME FUNDING WORKSHEET	2010-2011 PROGRAM YEAR		
	AMENDED BUDGET (11/9/10)		
	CHDO	OTHER	TOTAL
FUNDING CATEGORY			
PROJECTS			
TOTAL FUNDS AVAILABLE FOR PROJECTS	\$90,013	\$450,064	\$540,077
<i>Activity:</i> Frederick Street Home Ownership Unit <i>Applicant:</i> Habitat for Humanity	--	\$16,000	\$16,000
<i>Activity:</i> Neary Lagoon Rehabilitation Project <i>Applicant:</i> Central Coast Housing/Mercy Housing CA	--	\$0	\$0
<i>Activity:</i> Holy Cross Senior Housing Project <i>Applicant:</i> Central Coast Housing/Mercy Housing CA	\$90,013 (By Formula)	\$37,987	\$128,000
<i>Activity:</i> First Time Homebuyer Program <i>Applicant:</i> City of Santa Cruz	--	\$210,000	\$210,000
<i>Activity:</i> 110 Lindberg Street Affordable Housing Project <i>Applicant:</i> For the Future Housing, Inc.		\$120,000	\$120,000
<i>Activity:</i> HOME Housing Services Program Fund <i>Applicant:</i> City of Santa Cruz	--	\$66,077	\$66,077
TOTAL PROJECT FUNDING	\$90,013	\$450,064	\$540,077
ADMINISTRATION			
TOTAL AVAILABLE FOR ADMINISTRATION		\$60,009	\$60,009
<i>Activity:</i> Grant Administration & Planning <i>Applicant:</i> City of Santa Cruz	--	\$60,009	\$60,009
TOTAL ADMINISTRATION		\$60,009	\$60,009
TOTAL HOME FUNDING	\$90,013	\$510,073	\$600,086

**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: 11/09/2010

<u>ACCOUNT</u>	REVENUE EDEN ACCOUNT TITLE	
253-51-81-0000-43110	HOME: Federal operating grants and contributions	(\$120,000.00)
h502409 105 1020 3015	HOME Housing program fund	
253-51-81-0000-43110	HOME: Federal operating grants and contributions	120,000.00
h511109 105 2020 3015	110 Lindberg Street Affordable Housing Pre-development Loan Project	
TOTAL REVENUE		\$0.00

<u>ACCOUNT</u>	EXPENDITURE EDEN ACCOUNT TITLE	
253-51-81-5201-56960	HOME: Loans and grants	(\$120,000.00)
h502409 100 2020 0	HOME Housing program fund	
253-51-81-5201-56960	HOME: Loans and grants	120,000.00
h511109 100 2020 0	110 Lindberg Street Affordable Housing Pre-development Loan Project	
TOTAL EXPENDITURE		\$0.00

NET: \$ 0.00

Purpose: To amend the HUD Action plan in order to reduce the allocation and appropriation of federal HOME grant funds for the HOME housing program fund in order to allocate and appropriate the HOME grant for the 110 Lindberg Street Affordable Housing Pre-development Loan project.
Council Agenda: November 9, 2010

PREPARED BY	DEPARTMENT HEAD APPROVAL	ACCOUNTING APPROVAL	FINANCE DIRECTOR APPROVAL	CITY MANAGER APPROVAL
Kathryn L. Mintz <small>Digitally signed by Kathryn L. Mintz DN: cn=Kathryn L. Mintz, o=City of Santa Cruz, ou=City of Santa Cruz, email=kmintz@cityofscruz.com, c=US Date: 2010.10.18 14:28:11 -0700</small>	Bonnie Lipscomb <small>Digitally signed by Bonnie Lipscomb DN: cn=Bonnie Lipscomb, o=City of Santa Cruz, CA, ou=City of Santa Cruz, email=blipscomb@cityofscruz.com, c=US Date: 2010.10.26 11:02:02 -0700</small>	Patty Haymond <small>Digitally signed by Patty Haymond DN: cn=Patty Haymond, o=City of Santa Cruz, CA, ou=City of Santa Cruz, email=phaymond@cityofscruz.com, c=US Date: 2010.10.26 11:23:00 -0700</small>	Jack Dilles <small>Digitally signed by Jack Dilles DN: cn=Jack Dilles, o=City of Santa Cruz, CA, ou=City of Santa Cruz, email=jdilles@cityofscruz.com, c=US Date: 2010.10.27 15:16:52 -0700</small>	
10/18/10		10/26/10		

Revised December 2009



CITY COUNCIL AGENDA REPORT

DATE: October 28, 2010

AGENDA OF: November 9, 2010

DEPARTMENT: City Clerk

SUBJECT: Commission for the Prevention of Violence Against Women Appointment –
(Two Openings, Councilmember Beiers' and Vice Mayor Coonerty's
Nominations, with Term Expirations of 1/1/13) (CC)

RECOMMENDATION: Motion to approve Councilmember Beiers' and Vice Mayor Coonerty's
nominations to the Commission for Prevention of Violence Against Women.

DISCUSSION: Due to mid-term resignations of commissioners, Councilmember Katherine
Beiers and Vice Mayor Ryan Coonerty both have nominations to the Commission for Prevention
of Violence Against Women, to terms expiring 1-1-13.. The following people are seeking
appointment to the Commission for Prevention of Violence Against Women:

Babcock, Heather

Johnson, Lisa

Prepared by:
Rosemary Balsley
Administrative Assistant II

Submitted by:
Lorrie Brewer
City Clerk

Attachments: None



CITY COUNCIL AGENDA REPORT

DATE: November 2, 2010

AGENDA OF: November 9, 2010

DEPARTMENT: City Clerk

SUBJECT: Downtown Commission Appointment (One Opening with a Term
Expiration of 1/1/14) (CC)

RECOMMENDATION: Motion to appoint a Downtown Commissioner.

DISCUSSION: Due to the resignation of Kai Shane, there is one vacancy on the Downtown Commission with a term expiration of 1/1/14. The following people are seeking appointment to the Downtown Commission:

Duckworth, Brian
Foy, Brad
Holman, Brian David
Larzelere, Jennifer
LeVan, David
Ortenblad, Rick
Verduzco, Derek
Zolar, Teresa

FISCAL IMPACT: None.

Prepared by:
Rosemary Balsley
Administrative Assistant II

Submitted by:
Lorrie Brewer
City Clerk

ATTACHMENTS: None.



City Council Meeting Calendar November 1, 2010

Date	Time	Location	Topic
November 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
December 14, 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
Holiday Break – No Second Meeting in December			
January 11, 2011	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
January 18, 2011	7:00 p.m.	Council Chambers	Special Council Meeting – Advisory Body Interviews
January 25, 2011	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
February 8, 2011	1:30 p.m.	Courtyard Conf. Room	Regular Council/Agency Closed Session
	3:00 p.m. and 7:00 p.m.	Council Chambers	Regular Council/Redevelopment Agency Open Sessions
February 22, 2011	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 8, 2011	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 22, 2011	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 12, 2011	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 26, 2011	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)
Community Programs Committee	R. Coonerty, C. Mathews, L. Robinson
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)

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